

# IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLA ZORIKOVA,  
Appellant(s),

vs.

JULIE PYLE; TAMMY WILLET; AND  
VEGAS SHEPHERD RESCUE,  
Respondent(s),

Case No: A-20-821249-C

Docket No: 84186

# RECORD ON APPEAL VOLUME 5

ATTORNEY FOR APPELLANT  
ALLA ZORIKOVA, PROPER PERSON  
1905 WILCOX AVE. #175  
LOS ANGELES, CA 90068

ATTORNEY FOR RESPONDENT  
CASEY D. GISH, ESQ.  
5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118

A-20-821249-C      Alla Zorikova, Plaintiff(s) vs. Julie Pyle, Defendant(s)

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 235
2	236 - 470
3	471 - 705
4	706 - 940
5	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Affidavit of Prejudice	579 - 579
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	177 - 177
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	178 - 178
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	179 - 179
1	9/24/2020	Application to Proceed Informa Pauperis (Confidential)	15 - 17
1	6/18/2021	Association of Counsel	196 - 197
3	9/7/2021	Case Appeal Statement	565 - 566
4	2/1/2022	Case Appeal Statement	930 - 931
2	8/16/2021	Certificate of Mailing	453 - 456
1	5/6/2021	Certificate of Service	136 - 136
5	2/23/2022	Certification of Copy and Transmittal of Record	
1	10/6/2020	Clerk's Notice of Nonconforming Documents	60 - 62
1	9/15/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, Intentional Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	1 - 11
1	9/24/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, International Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	18 - 37
4	10/27/2021	Decision and Order	860 - 866
4	10/28/2021	Decision and Order	881 - 887

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/6/2021	Declaration of Olivia Jeong in Support of Plaintiff's Exparte Application Hearing on 06/09/2021	110 - 135
1	10/26/2020	Defendant, Julie Pyle's Demand for Security of Costs	91 - 93
1	10/26/2020	Defendant, Tammy Willet's Demand for Security of Costs	94 - 96
1	10/26/2020	Defendant, Vegas Shepherd Rescue's Demand for Security of Costs	97 - 99
3	8/27/2021	Defendants' Application for Fees, Costs, and Disbursements	495 - 526
4	10/12/2021	Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	750 - 777
3	8/27/2021	Defendants' Memorandum of Costs and Disbursements	486 - 494
4	10/12/2021	Defendants' Memorandum of Costs and Disbursements	745 - 749
3	9/6/2021	Defendants' Opposition to Motion to Set Aside Order to Dismiss with Prejudice	547 - 564
1	6/18/2021	Defendants' Opposition to Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	198 - 226
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continued)	705 - 705



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continuation)	706 - 716
2	6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	312 - 318
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	831 - 839
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	840 - 848
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for Relief from Final Order	687 - 704
4	10/20/2021	Defendants' Opposition to Plaintiff's Motion for Sanctions; and Countermotion for Sanctions	785 - 825
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion to Provide Statement of Facts	826 - 830
3	9/19/2021	Defendants' Reply to Plaintiff's Opposition to Application for Fees, Costs, and Disbursements	676 - 686
4	10/27/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	867 - 876
2	7/21/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	397 - 420
2	8/19/2021	Defendants' Supplement to Reply in Support of Counter-Motion to Dismiss Plaintiff's Complaint	457 - 467
4	2/23/2022	District Court Minutes (Continued)	934 - 0
5	2/23/2022	District Court Minutes (Continuation)	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/24/2020	Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support	63 - 90
4	10/7/2021	Judge Eric Johnson's Answer to Plaintiff's Motion for Recusal	730 - 735
3	9/4/2021	Miscellaneous Filing - Attachment to Plaintiff's Notice of Appeal (Order From Which Appeal Takes Place)	538 - 546
1	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continued)	227 - 235
2	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continuation)	236 - 311
2	8/15/2021	Miscellaneous Filing - Exhibit 1 in Support of Plaintiff's Motion for Sanctions	450 - 450
4	9/29/2021	Miscellaneous Filing - Exhibit 1 in support of Plaintiff's Motion to reschedule hearing	718 - 718
2	6/29/2021	Miscellaneous Filing - Exhibit 1 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	348 - 348
1	5/28/2021	Miscellaneous Filing - Exhibit 1 Supporting Motion to Add Defendants	139 - 139
1	5/28/2021	Miscellaneous Filing - Exhibit 2 for Motion to Add Party	140 - 140
2	8/15/2021	Miscellaneous Filing - Exhibit 2 in Support of Plaintiff's Motion for Sanctions	451 - 451
2	6/29/2021	Miscellaneous Filing - Exhibit 4 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	378 - 378

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/29/2021	Miscellaneous Filing - Exhibit 4 to Motion to Add a Party	141 - 141
1	5/29/2021	Miscellaneous Filing - Exhibit 5 to Motion to Add a Party	142 - 170
2	7/22/2021	Miscellaneous Filing - Exhibits to Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	421 - 442
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	625 - 633
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 to Support Plaintiff's Opposition to Counter-motion	858 - 858
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 11 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	634 - 634
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 12 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	635 - 635
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibit 19 to Opposition to Dismiss	395 - 395
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	638 - 641
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set	642 - 645

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Aside, Mot for Relilief from Judgm., Mot for New Trial	
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	349 - 377
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 to Support Plaintiff's Opposition to Counter-motion	859 - 859
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 4 to Support Plaintiff's Opposition to Counter-motion	857 - 857
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	379 - 379
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	636 - 636
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 6 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	380 - 382
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 7 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	637 - 637
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 8 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	383 - 383
4	10/19/2021	Miscellaneous Filing - Plaintiff's Exhibit A to Opposition to Defendant's Fees/costs	784 - 784
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 3 to Opposition to Dismiss	391 - 391

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 4 to Opposition to Dismiss	392 - 392
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 5 to Opposition to Dismiss	393 - 393
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 6 to Opposition to Dismiss	394 - 394
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	673 - 673
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	674 - 674
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	675 - 675
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	672 - 672
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	647 - 647
1	9/15/2020	Motion to Proceed in Forma Pauperis (Confidential)	12 - 13
1	10/29/2020	Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return	100 - 100

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Plaintiff's Dogs and Plaintiff's Declaration in Support	
3	9/4/2021	Notice of Appeal	537 - 537
4	1/29/2022	Notice of Appeal	926 - 927
2	7/6/2021	Notice of Change of Hearing	390 - 390
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel Attorney Fees and Costs on the Preparation and Litigation of Plaintiff's Motion to Set Aside	918 - 925
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel for Attorney Fees & Costs on the Preparation and Litigation of Plaintiff's Summons & Complaint	908 - 917
3	9/7/2021	Notice of Entry of Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint with Prejudice	567 - 578
1	11/2/2020	Notice of Hearing	105 - 105
1	4/29/2021	Notice of Hearing	109 - 109
1	6/1/2021	Notice of Hearing	176 - 176
1	6/9/2021	Notice of Hearing	184 - 184
2	7/6/2021	Notice of Hearing	389 - 389
2	8/16/2021	Notice of Hearing	452 - 452
3	8/23/2021	Notice of Hearing	485 - 485
3	9/14/2021	Notice of Hearing	646 - 646
4	9/30/2021	Notice of Hearing	719 - 719
4	9/30/2021	Notice of Hearing	720 - 720
4	10/8/2021	Notice of Hearing	736 - 736

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	12/4/2020	Order	106 - 108
3	9/2/2021	Order	528 - 536
4	1/13/2022	Order	896 - 900
4	1/13/2022	Order	901 - 907
1	9/20/2020	Order Denying Motion to Proceed in Forma Pauperis (Confidential)	14 - 14
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	877 - 880
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	888 - 891
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	892 - 895
1	9/25/2020	Order to Proceed Informa Pauperis (Confidential)	38 - 39
1	5/7/2021	Plaintiff Zorikova's Exhibit 15 in Support of Plaintiff's Application for TRO; Declaration of Casey Gish, Esq.	137 - 137
2	7/5/2021	Plaintiff's Declaration #2 in Support of Her Motion to Extend Time or Continue Hearing 07/07/2021; Hearing Requested	387 - 388
2	7/5/2021	Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support; Hearing Requested	384 - 386
3	9/12/2021	Plaintiff's Motion for New Trial, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCP 59(a) (A)(B)(F)(G); Hearing Requested	591 - 607

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/6/2021	Plaintiff's Motion for Recusal and Memorandum of Law Pursuant to Nevada Code Title 1 State Judicial Department NRS 1.230, 1.235 (1)(5)(a)(b); Hearing Requested	721 - 724
3	9/12/2021	Plaintiff's Motion for Relief from Final Order, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCPC 60 (b)(1)(3)(6); Hearing Requested	608 - 624
4	10/6/2021	Plaintiff's Motion for Sanctions; Hearing Requested	725 - 727
4	10/25/2021	Plaintiff's Motion for Sanctions; Hearing Requested	854 - 856
4	9/29/2021	Plaintiff's Motion Motion to Reschedule Hearing and Declaration in Support; Hearing Requested	717 - 717
4	10/6/2021	Plaintiff's Motion to Provide Statement of Facts; Hearing Requested	728 - 729
4	10/19/2021	Plaintiff's Objections to Defendant Fees and Costs Exhibit "A" Attached	778 - 783
3	8/28/2021	Plaintiff's Objections to Defendant's Costs and Proposed Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately)	527 - 527
1	10/31/2020	Plaintiff's Objections to Defendant's Demand for Security Costs and Declaration in Support	101 - 103
4	10/25/2021	Plaintiff's Opposition to Defendant's Contra-Motion for Sanctions	849 - 853
4	10/12/2021	Plaintiff's Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice	737 - 744



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/31/2020	Plaintiff's Proof of Service of Objections to Defendant's Demand of Security Costs and Declaration in Support	104 - 104
1	6/8/2021	Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support; Hearing Requested	180 - 182
1	5/28/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	138 - 138
1	5/29/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	171 - 175
2	7/13/2021	Plaintiff's Certificate of Service	396 - 396
2	8/14/2021	Plaintiff's Ex Parte Motion for Sanctions for Defendant's False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support. Hearing Requested	443 - 449
2	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continued)	468 - 470
3	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continuation)	471 - 484

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Plaintiff's Opposition for Defendants Costs and Fees	580 - 590
3	9/19/2021	Plaintiff's Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	648 - 671
2	6/28/2021	Plaintiff's Opposition to Defendant's Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	319 - 342
2	6/29/2021	Plaintiff's Plaintiff's Declaration in Support for Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs	343 - 347
4	1/29/2022	Proof of Service	928 - 929
4	2/12/2022	Proof of Service	932 - 933
1	6/8/2021	Proof of Service for Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support	183 - 183
1	6/10/2021	Proof of Service of Plaintiff's First Set of Interrogatories on Defendants Pyle, Willet, Vegas Shepherd Rescue	185 - 195
1	10/2/2020	Summons - Civil (Unsigned)	40 - 43
1	10/2/2020	Summons - Civil (Unsigned)	44 - 47
1	10/2/2020	Summons - Civil (Unsigned)	48 - 51
1	10/2/2020	Summons - Civil (Unsigned)	52 - 55

A-20-821249-C

Alla Zorikova, Plaintiff(s)

vs.

Julie Pyle, Defendant(s)

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/2/2020	Summons - Civil (Unsigned)	56 - 59

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****September 29, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
                                  vs.  
                                  Julie Pyle, Defendant(s)

**September 29, 2021      10:30 AM      Motion to Set Aside**

**HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Kathryn Hansen-McDowell**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

**PRESENT:**      Gish, Casey D.      Attorney  
                          Weir, Shana      Attorney

**JOURNAL ENTRIES**

- Plaintiff not present.

Court stated it received the Plaintiff's motion and the opposition. Court stated it was treating the Motion to Set Aside as a motion for reconsideration; FINDING, the Plaintiff failed to establish the Court was incorrect and did not provide new evidence to change the Court's mind as to dismissal for proper service and providing false testimony to the Court and ORDERED, Motion DENIED. Court allowed reasonable fees for the Defendants for appearing and directed defense counsel to submit a supplement to the opposition with fees and costs. COURT FURTHER ORDERED, Plaintiff Zorikova's informa pauperis status WITHDRAWN, and stated its FINDINGS. Court noted Plaintiff's Motion for a New Trial and Motion for Relief from Final Order were scheduled for October 21, 2021; FINDS in light of the case being dismissed and Plaintiff's Motion for Relief from Final Order essentially being the same as the Motion to Set Aside these motion were moot and ADDITIONALLY ORDERED, Plaintiff's Motion for New Trial and Motion for Relief from Final Order MOOT and the hearings VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****October 06, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

**October 06, 2021      9:00 AM      Motion to Set Aside**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Gish, Casey D.      Attorney  
                         Zorikova, Alla      Plaintiff

**JOURNAL ENTRIES**

- Court noted Plaintiff's Motion to Set Aside Order to Dismiss was heard last week on September 29, 2021 and the Plaintiff, Ms. Zorikova, was not present; after the hearing Ms. Zorikova contact the department indicating she had trouble connecting to the video system therefore the matter was reset for today. Court stated it viewed the Motion to Set Aside essentially as a motion for reconsideration and as stated in the Court's Order under the rules service was not proper as to the individual persons or to the organization. Court further stated the issue the Court found was that Ms. Zorikova and her daughter testified falsely under oath at the evidentiary hearing. Ms. Zorikova argued an affidavit of prejudice and bias was filed and the Court no longer had jurisdiction of this matter. Court stated it was not aware of a motion for recusal being filed and served on this Court. Ms. Zorikova stated the affidavit was filed and served on the Court and to the Chief Judge. Colloquy regarding how the affidavit was served. Mr. Gish stated he believed Ms. Zorikova was referring to an affidavit she included in her Motion and filed as an exhibit. Continued argument by Ms. Zorikova. **COURT FINDS** a motion to disqualify the court needs to be served on the Court and filing an affidavit seeking to disqualify the Court as an exhibit to another motion and generally in the case record did not qualify and **ORDERED**, Plaintiff's Motion to Set Aside **DENIED** under the same basis' of its prior decision.

Court stated it would review the statutes and local rules to determine if Plaintiff's affidavit of

PRINT DATE: 02/22/2022

Page 9 of 12

Minutes Date: June 09, 2021

prejudice and lack of service required the Chief Judge to determine if the Court should be disqualified. Court directed, Mr. Gish to submit a proposed order denying the Motion to Set Aside in the meantime. Ms. Zorikova argued a Motion for Reconsideration was filed separately and a hearing was set for October 29, 2021. Mr. Gish orally requested, defense counsel be granted costs and fees for appearing for the Motion to Set Aside twice. COURT GRANTED, defense counsel costs and fees for appearing. Mr. Gish to submit a memorandum within 5 days. Court further directed, Mr. Gish to include in the proposed order that Ms. Zorikova no longer needed the "In Forma Pauperis" status due to the award she received in California.

COURT FURTHER ORDERED, Plaintiff's Motion to Reschedule Hearing VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****November 02, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
                                  vs.  
                                  Julie Pyle, Defendant(s)

**November 02, 2021      8:00 AM      Minute Order**

**HEARD BY:** Johnson, Eric**COURTROOM:** Chambers**COURT CLERK:** Kathryn Hansen-McDowell**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff filed a Motion for Sanctions and a Motion to Provide Statement of Facts on October 06, 2021. Defendants filed their Opposition to Plaintiff's Motion for Sanctions and Countermotion for Sanctions on October 20, 2021. All three motions were set for hearing in Department XX on November 17, 2021.

This case was dismissed with prejudice on August 18, 2021 following an evidentiary hearing. Plaintiff subsequently filed a Notice of Appeal on September 04, 2021. The Court denied Plaintiff's equivalent motion to reconsider filed as "Motion to Set Aside Order to Dismiss with Prejudice" on October 06, 2021. As of November 02, 2021, Plaintiff's appeal, Supreme Court No. 83478, is active and shows there is "briefing in progress". Accordingly, the motions are MOOT and this Court declines to rule on the above-mentioned motions as the case was dismissed and is on appeal. The Court will take Defendants' Application for Attorney's Fees, Costs, and Disbursements UNDER ADVISEMENT.

The Court hereby VACATES the November 17, 2021 hearings. Counsel for Defendants is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 11/2/21KHM



# Certification of Copy and Transmittal of Record

State of Nevada }  
County of Clark } SS:

Pursuant to the Supreme Court order dated February 11, 2022, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises five volumes with pages numbered 1 through 945.

ALLA ZORIKOVA,

Plaintiff(s),

vs.

JULIE PYLE; TAMMY WILLET; VEGAS  
SHEPHERD RESCUE,

Defendant(s),

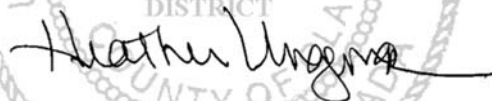
Case No: A-20-821249-C

Dept. No: XX

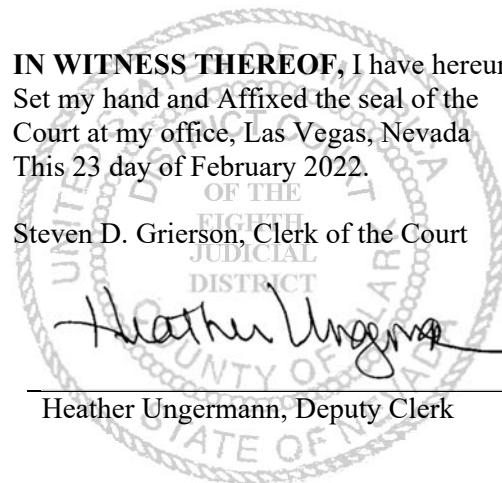
now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 23 day of February 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



# IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLA ZORIKOVA,  
Appellant(s),

vs.

JULIE PYLE; TAMMY WILLET; AND  
VEGAS SHEPHERD RESCUE,  
Respondent(s),

Case No: A-20-821249-C

Docket No: 84186

# RECORD ON APPEAL VOLUME 4

ATTORNEY FOR APPELLANT  
ALLA ZORIKOVA, PROPER PERSON  
1905 WILCOX AVE. #175  
LOS ANGELES, CA 90068

ATTORNEY FOR RESPONDENT  
CASEY D. GISH, ESQ.  
5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118

A-20-821249-C      Alla Zorikova, Plaintiff(s) vs. Julie Pyle, Defendant(s)

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 235
2	236 - 470
3	471 - 705
4	706 - 940
5	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Affidavit of Prejudice	579 - 579
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	177 - 177
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	178 - 178
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	179 - 179
1	9/24/2020	Application to Proceed Informa Pauperis (Confidential)	15 - 17
1	6/18/2021	Association of Counsel	196 - 197
3	9/7/2021	Case Appeal Statement	565 - 566
4	2/1/2022	Case Appeal Statement	930 - 931
2	8/16/2021	Certificate of Mailing	453 - 456
1	5/6/2021	Certificate of Service	136 - 136
5	2/23/2022	Certification of Copy and Transmittal of Record	
1	10/6/2020	Clerk's Notice of Nonconforming Documents	60 - 62
1	9/15/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, Intentional Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	1 - 11
1	9/24/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, International Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	18 - 37
4	10/27/2021	Decision and Order	860 - 866
4	10/28/2021	Decision and Order	881 - 887

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/6/2021	Declaration of Olivia Jeong in Support of Plaintiff's Exparte Application Hearing on 06/09/2021	110 - 135
1	10/26/2020	Defendant, Julie Pyle's Demand for Security of Costs	91 - 93
1	10/26/2020	Defendant, Tammy Willet's Demand for Security of Costs	94 - 96
1	10/26/2020	Defendant, Vegas Shepherd Rescue's Demand for Security of Costs	97 - 99
3	8/27/2021	Defendants' Application for Fees, Costs, and Disbursements	495 - 526
4	10/12/2021	Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	750 - 777
3	8/27/2021	Defendants' Memorandum of Costs and Disbursements	486 - 494
4	10/12/2021	Defendants' Memorandum of Costs and Disbursements	745 - 749
3	9/6/2021	Defendants' Opposition to Motion to Set Aside Order to Dismiss with Prejudice	547 - 564
1	6/18/2021	Defendants' Opposition to Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	198 - 226
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continued)	705 - 705

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continuation)	706 - 716
2	6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	312 - 318
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	831 - 839
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	840 - 848
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for Relief from Final Order	687 - 704
4	10/20/2021	Defendants' Opposition to Plaintiff's Motion for Sanctions; and Countermotion for Sanctions	785 - 825
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion to Provide Statement of Facts	826 - 830
3	9/19/2021	Defendants' Reply to Plaintiff's Opposition to Application for Fees, Costs, and Disbursements	676 - 686
4	10/27/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	867 - 876
2	7/21/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	397 - 420
2	8/19/2021	Defendants' Supplement to Reply in Support of Counter-Motion to Dismiss Plaintiff's Complaint	457 - 467
4	2/23/2022	District Court Minutes (Continued)	934 - 0
5	2/23/2022	District Court Minutes (Continuation)	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/24/2020	Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support	63 - 90
4	10/7/2021	Judge Eric Johnson's Answer to Plaintiff's Motion for Recusal	730 - 735
3	9/4/2021	Miscellaneous Filing - Attachment to Plaintiff's Notice of Appeal (Order From Which Appeal Takes Place)	538 - 546
1	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continued)	227 - 235
2	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continuation)	236 - 311
2	8/15/2021	Miscellaneous Filing - Exhibit 1 in Support of Plaintiff's Motion for Sanctions	450 - 450
4	9/29/2021	Miscellaneous Filing - Exhibit 1 in support of Plaintiff's Motion to reschedule hearing	718 - 718
2	6/29/2021	Miscellaneous Filing - Exhibit 1 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	348 - 348
1	5/28/2021	Miscellaneous Filing - Exhibit 1 Supporting Motion to Add Defendants	139 - 139
1	5/28/2021	Miscellaneous Filing - Exhibit 2 for Motion to Add Party	140 - 140
2	8/15/2021	Miscellaneous Filing - Exhibit 2 in Support of Plaintiff's Motion for Sanctions	451 - 451
2	6/29/2021	Miscellaneous Filing - Exhibit 4 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	378 - 378

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/29/2021	Miscellaneous Filing - Exhibit 4 to Motion to Add a Party	141 - 141
1	5/29/2021	Miscellaneous Filing - Exhibit 5 to Motion to Add a Party	142 - 170
2	7/22/2021	Miscellaneous Filing - Exhibits to Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	421 - 442
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	625 - 633
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 to Support Plaintiff's Opposition to Counter-motion	858 - 858
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 11 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	634 - 634
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 12 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	635 - 635
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibit 19 to Opposition to Dismiss	395 - 395
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	638 - 641
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set	642 - 645



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Aside, Mot for Relilief from Judgm., Mot for New Trial	
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	349 - 377
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 to Support Plaintiff's Opposition to Counter-motion	859 - 859
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 4 to Support Plaintiff's Opposition to Counter-motion	857 - 857
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	379 - 379
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	636 - 636
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 6 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	380 - 382
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 7 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	637 - 637
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 8 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	383 - 383
4	10/19/2021	Miscellaneous Filing - Plaintiff's Exhibit A to Opposition to Defendant's Fees/costs	784 - 784
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 3 to Opposition to Dismiss	391 - 391

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 4 to Opposition to Dismiss	392 - 392
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 5 to Opposition to Dismiss	393 - 393
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 6 to Opposition to Dismiss	394 - 394
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	673 - 673
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	674 - 674
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	675 - 675
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	672 - 672
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	647 - 647
1	9/15/2020	Motion to Proceed in Forma Pauperis (Confidential)	12 - 13
1	10/29/2020	Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return	100 - 100

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Plaintiff's Dogs and Plaintiff's Declaration in Support	
3	9/4/2021	Notice of Appeal	537 - 537
4	1/29/2022	Notice of Appeal	926 - 927
2	7/6/2021	Notice of Change of Hearing	390 - 390
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel Attorney Fees and Costs on the Preparation and Litigation of Plaintiff's Motion to Set Aside	918 - 925
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel for Attorney Fees & Costs on the Preparation and Litigation of Plaintiff's Summons & Complaint	908 - 917
3	9/7/2021	Notice of Entry of Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint with Prejudice	567 - 578
1	11/2/2020	Notice of Hearing	105 - 105
1	4/29/2021	Notice of Hearing	109 - 109
1	6/1/2021	Notice of Hearing	176 - 176
1	6/9/2021	Notice of Hearing	184 - 184
2	7/6/2021	Notice of Hearing	389 - 389
2	8/16/2021	Notice of Hearing	452 - 452
3	8/23/2021	Notice of Hearing	485 - 485
3	9/14/2021	Notice of Hearing	646 - 646
4	9/30/2021	Notice of Hearing	719 - 719
4	9/30/2021	Notice of Hearing	720 - 720
4	10/8/2021	Notice of Hearing	736 - 736

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	12/4/2020	Order	106 - 108
3	9/2/2021	Order	528 - 536
4	1/13/2022	Order	896 - 900
4	1/13/2022	Order	901 - 907
1	9/20/2020	Order Denying Motion to Proceed in Forma Pauperis (Confidential)	14 - 14
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	877 - 880
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	888 - 891
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	892 - 895
1	9/25/2020	Order to Proceed Informa Pauperis (Confidential)	38 - 39
1	5/7/2021	Plaintiff Zorikova's Exhibit 15 in Support of Plaintiff's Application for TRO; Declaration of Casey Gish, Esq.	137 - 137
2	7/5/2021	Plaintiff's Declaration #2 in Support of Her Motion to Extend Time or Continue Hearing 07/07/2021; Hearing Requested	387 - 388
2	7/5/2021	Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support; Hearing Requested	384 - 386
3	9/12/2021	Plaintiff's Motion for New Trial, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCP 59(a) (A)(B)(F)(G); Hearing Requested	591 - 607

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/6/2021	Plaintiff's Motion for Recusal and Memorandum of Law Pursuant to Nevada Code Title 1 State Judicial Department NRS 1.230, 1.235 (1)(5)(a)(b); Hearing Requested	721 - 724
3	9/12/2021	Plaintiff's Motion for Relief from Final Order, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCPC 60 (b)(1)(3)(6); Hearing Requested	608 - 624
4	10/6/2021	Plaintiff's Motion for Sanctions; Hearing Requested	725 - 727
4	10/25/2021	Plaintiff's Motion for Sanctions; Hearing Requested	854 - 856
4	9/29/2021	Plaintiff's Motion Motion to Reschedule Hearing and Declaration in Support; Hearing Requested	717 - 717
4	10/6/2021	Plaintiff's Motion to Provide Statement of Facts; Hearing Requested	728 - 729
4	10/19/2021	Plaintiff's Objections to Defendant Fees and Costs Exhibit "A" Attached	778 - 783
3	8/28/2021	Plaintiff's Objections to Defendant's Costs and Proposed Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately)	527 - 527
1	10/31/2020	Plaintiff's Objections to Defendant's Demand for Security Costs and Declaration in Support	101 - 103
4	10/25/2021	Plaintiff's Opposition to Defendant's Contra-Motion for Sanctions	849 - 853
4	10/12/2021	Plaintiff's Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice	737 - 744

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/31/2020	Plaintiff's Proof of Service of Objections to Defendant's Demand of Security Costs and Declaration in Support	104 - 104
1	6/8/2021	Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support; Hearing Requested	180 - 182
1	5/28/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	138 - 138
1	5/29/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	171 - 175
2	7/13/2021	Plaintiff's Certificate of Service	396 - 396
2	8/14/2021	Plaintiff's Ex Parte Motion for Sanctions for Defendant's False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support. Hearing Requested	443 - 449
2	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continued)	468 - 470
3	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continuation)	471 - 484

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Plaintiff's Opposition for Defendants Costs and Fees	580 - 590
3	9/19/2021	Plaintiff's Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	648 - 671
2	6/28/2021	Plaintiff's Opposition to Defendant's Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	319 - 342
2	6/29/2021	Plaintiff's Plaintiff's Declaration in Support for Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs	343 - 347
4	1/29/2022	Proof of Service	928 - 929
4	2/12/2022	Proof of Service	932 - 933
1	6/8/2021	Proof of Service for Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support	183 - 183
1	6/10/2021	Proof of Service of Plaintiff's First Set of Interrogatories on Defendants Pyle, Willet, Vegas Shepherd Rescue	185 - 195
1	10/2/2020	Summons - Civil (Unsigned)	40 - 43
1	10/2/2020	Summons - Civil (Unsigned)	44 - 47
1	10/2/2020	Summons - Civil (Unsigned)	48 - 51
1	10/2/2020	Summons - Civil (Unsigned)	52 - 55

A-20-821249-C

Alla Zorikova, Plaintiff(s)

vs.

Julie Pyle, Defendant(s)

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/2/2020	Summons - Civil (Unsigned)	56 - 59



1 New Trial. This Opposition is supported by the attached Points and Authorities, the pleadings and  
2 papers on file herein, and any argument allowed by the court.

3  
4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I.**

6 **FACTUAL AND PROCEDURAL HISTORY**

7 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
8 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
9 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
10 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
11 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
12 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
13 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
14 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
15 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
16 around April 2021.<sup>2</sup>

17  
18  
19 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
20 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. On June 18, 2021,  
21 Defendants filed an Opposition to Plaintiff's Ex Parte Application for Temporary Restraining  
22 Order; and Counter-Motion to Dismiss Plaintiff's Complaint pursuant to NRCP 12(b). On June 28,  
23 2021, Plaintiff filed her Opposition to the Counter-Motion to Dismiss. On July 21, 2021,  
24 Defendants filed their Reply in support of their Motion to Dismiss.  
25  
26  
27  
28

---

<sup>2</sup> The docket does not reflect the date of filing of the bonds.



On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of process of Plaintiff's Complaint. The Court granted Defendant's Counter-Motion to Dismiss, finding service of process was ineffective, and dismissed Plaintiff's Complaint with prejudice for abuse of process in this matter.

Prior to the September 2, 2021 Order being filed, on August 23, 2021, Plaintiff filed a Motion to Set Aside Order To Dismiss With Prejudice. The Motion itself essentially reiterates Plaintiff's position that the summons and Complaint were properly served on all Defendants. Because Plaintiff does not like the outcome of the Motion to Dismiss, she alleges that Judge Johnson has been bribed by counsel and/or influenced by donations from "animal rights activists," and she intends to sue all Defendants for the same causes of action in Texas.<sup>3</sup>

On September 12, 2021, Plaintiff filed a Motion for Relief from Final Order under NRCP 60 and a Motion for New Trial. The following is Defendants' Opposition to Plaintiff's Motion for New Trial.

For the reasons discussed herein, Plaintiff's Motion for New Trial is without merit; and therefore, must be denied.

## II.

### ARGUMENT

#### **1. Plaintiff's Motion must be Denied because it does not contain a Memorandum of Points and Authorities.**

Plaintiff's Motion is comprised of a laundry list of spurious and unsupported factual and legal conclusions concerning the character of this Court and counsel for the defense. NRCP 13(2) requires that all Motion be supported by a Memorandum of Points and Authorities. The absence of

---

<sup>3</sup> Plaintiff's proposed claims will be barred res judicata and Defendants will seek fees and costs associated with defending those claims as well.

a supporting Memorandum of Points and Authorities is to be construed by the Court as an admission that the motion is not meritorious and cause for its denial or as a waiver of all grounds not so supported. For example, Plaintiff makes multiple allegations regarding the conduct of counsel for the Defendants, Casey D. Gish, at the August 18, 2021 hearing, but does not provide a copy of the transcript of the hearing or even cite to particular portions of the transcript of the hearing. Plaintiff's failure to even provide a copy of, or citations to, the transcript of the August 18, 2021 hearing dooms her Motion to Failure. Based upon the Plaintiff's failure to support her Motion for a New Trial with an adequate Memorandum of Points and Authorities under NRCP 13(2), the Motion should be denied.

**2. NRCP 59(a), subsections (A)(B)(F)(G) have no application to the subject litigation because no trial was had in this matter, rather the case was dismissed as a result of Defendants' Motion to Dismiss being granted.**

Plaintiff's Motion has bare citations, with no supporting or valid argument or analysis, to NRCP 59(a), subsections (A), (B), (F), and (G). NRCP 59(a) provides as follows:

**(a) In General.**

(1) **Grounds for New Trial.** The court may, on motion, grant a new trial on all or some of the issues — and to any party — for any of the following causes or grounds materially affecting the substantial rights of the moving party:

(A) irregularity in the proceedings of the court, jury, master, or adverse party or in any order of the court or master, or any abuse of discretion by which either party was prevented from having a fair trial;

(B) misconduct of the jury or prevailing party;

(C) accident or surprise that ordinary prudence could not have guarded against;

(D) newly discovered evidence material for the party making the motion that the party could not, with reasonable diligence, have discovered and produced at the trial;

(E) manifest disregard by the jury of the instructions of the court;

(F) excessive damages appearing to have been given under the influence of passion or prejudice; or

(G) error in law occurring at the trial and objected to by the party making the motion.

There was no trial in this matter, therefore NRCP 59(a) has no application here. Despite all of her supposedly superior legal training from the greatest law schools and universities in Europe,

1 and despite her supposed prior legal work with the greatest legal minds in Europe, Plaintiff does  
2 not know the difference between a hearing and a trial. If she did, she would know that NRCP 59(a)  
3 does not apply at this stage in the proceedings. In addition, and despite all of her incredible legal  
4 knowledge, education, and training with the greatest European legal thinkers of our time, Plaintiff  
5 does not know that she has to support her legal conclusions with a basic level of analysis and  
6 argument. Plaintiff's Motion and its bare, and conclusory, citations to NRCP 59(a), subparts (A),  
7 (B), (F), and (G), do not state any legal basis or reasoning for why said rule should apply to a motion  
8 hearing, instead of to an actual trial as per the clear language and intent of the rule.  
9

10 **3. Plaintiff's Motion Cites to an Alleged Investigation that has No Relevance to the**  
11 **Subject Matter.**

12 Plaintiff's Motion repeatedly cites to discredited claims by convicted felon Michael  
13 Gilardi many years ago. Not only were these claims by Gilardi discredited many years ago,  
14 Gilardi himself acknowledged that his initial claims regarding Judge Eric Johnson were false. In  
15 fact, Plaintiff's Motion acknowledges that Gilardi's claims were unfounded and false. *Plaintiff's*  
16 *Motion at Page 3, line 1.* Even if Gilardi's claims were true, which Gilardi himself says they are  
17 not true, they have no relevance whatsoever with the subject litigation. NRS 48.015 provides  
18 that "relevant evidence" means evidence having any tendency to make the existence of any fact  
19 that is of consequence to the determination of the action more or less probable than it would be  
20 without the evidence. The Plaintiff's unsupported and scurrilous allegations against this Court  
21 are not only irrelevant as per NRS 48.015, they don't even rise to the level of "evidence", rather  
22 they are a series of unrelated, and discredited rumors, linked together by Plaintiff's paranoia and  
23 obvious mental instability.  
24  
25  
26

27 **4. Plaintiff's allegations that attorney Gish threatened her are without merit.**

28 Plaintiff's Motion alleges that attorney Gish threatened her with attorney's fees and abuse

of process. Again, Plaintiff's allegations are unsubstantiated and lack any evidentiary support whatsoever. Attorney Gish has never once spoken with Plaintiff outside of the August 18, 2021 evidentiary hearing. Despite repeated and ongoing threatening emails from Plaintiff to attorney Gish, a very small portion of which have been produced to this Court, including allegations from Plaintiff that attorney Gish is part of a Jewish conspiracy against the German people, attorney Gish has never responded to said emails because they indicate to Attorney Gish that Plaintiff has serious mental illness and lacks a firm grasp on reality.

**5. Plaintiff Claims Attorney Gish Admitted that he Received \$100,000 in Donations for the Legal Work he and Attorney Weir Performed on Behalf of Defendants.**

Plaintiff's claim that attorney Gish stated during the August 18, 2021 hearing that he and Attorney Weir received \$100,000 in donations for the legal work performed by attorney Gish and Weir in this matter is without any merit whatsoever. Plaintiff fails to support her claim with a copy of the transcript of the hearing. The reason she fails to support her claim with a copy of the transcript is because it did not happen. In fact, if Plaintiff had bothered to provide a copy of the transcript of the August 18, 2021 hearing, the transcript would clearly demonstrate that attorney Gish stated that he, and attorney Weir, had donated in excess of \$100,000 in legal fees to the Defendants in the defense of this matter. However, Plaintiff failed to provide a copy of the transcript and her unsupported allegations are lies with no merit and her Motion should be denied.

**6. Plaintiff Claims that Defendants' Counsel Should Only be Entitled to \$150.00 Per Hour for the Work Done on Behalf of Defendants.**

Plaintiff claims that the work done by Defendants' counsel on behalf of Defendants is only worth \$150.00/hour, that the going rate for legal work in Las Vegas is \$150.00/hour, and that attorney Gish spent less than 1/10 of the claimed hours working on this matter. As usual, Plaintiff's allegations are ridiculous, foolish, without any legal or factual support, and based



upon pure speculation. The hours claimed by both attorney Gish and attorney Weir were in fact worked and incurred. They were incurred and necessitated due to Plaintiff's failure to follow the most basic rules of civil procedure, and due to Plaintiff's attempted fraud on this Court and her abuse of process which was clear and obvious. Plaintiff's claim lacks any citation to any legal authority. This is a complex matter and the \$150.00/hour rate is applicable to insurance defense counsel in a simple car accident case, and has no application whatsoever to this matter. In this matter, counsel for the defense expended significant time and resources defending Plaintiff's claims, and the defense of the matter was sophisticated, specialized, and warranted, requiring specialized knowledge of defense counsel which warrants a rate of \$500.00/hour. \$500.00/hour is the actual rate that counsel for the defense would have charged for this legal work had they chosen to. \$500.00/hour is the rate that Plaintiff is responsible to compensate Defendants' counsel due to her improper behavior, bad faith, and abuse of process in this matter.

Plaintiff's Motion also claims that attorney Gish stated during the August 18, 2021 hearing that he had received \$100,000 in donations in this matter toward the incurred costs and fees in this matter. Yet again, Plaintiff is lying and misrepresenting to this Court what actually occurred. Plaintiff's allegation of \$100,000 in donations is not supported by a copy of the transcript of the proceeding, nor even a citation to the record. And the reason it is not, is because the allegation is yet another one of Plaintiff's lies and misrepresentations to this Court. What was clearly stated during the August 18, 2021 hearing was that attorneys Gish and Weir had donated over \$100,000 of legal fees/costs to their clients in defending against Plaintiff's claims.

**7. Plaintiff claims this Court is engaging in Malicious Prosecution.**

Plaintiff claims that by finding Plaintiff abused the judicial process in this matter by submitting false and misleading testimony and evidence, the Court is engaging in Malicious Prosecution. This is yet another confused and unsupported allegation of Plaintiff. With all of



her supposed legal training and experience with the greatest legal minds Europe has to offer, and after taking math classes at California universities, Plaintiff should know that Malicious Prosecution pursuant to NRS 199.310 has nothing to do with this civil matter.

**8. Plaintiff claims the Court has discriminated against her by referring to her as a “Pro Per”.**

In support of her confusing allegation of discrimination by this Court, Plaintiff provides no legal precedence or authorities that establish that referring to a person that is representing themselves in Court as “Pro Per” is discriminatory language or that “Pro Per” is some sort of protected class. With all of Plaintiff’s extensive legal training from the greatest lawyers in Europe and her math classes from esteemed California universities, she should know that all parties to a lawsuit, whether represented by counsel or not, are required to follow the laws of the State of Nevada and the Nevada Rules of Civil Procedure. Failure to do so, can and will, result in consequences, even if a party is a Pro Per such as Plaintiff.

**9. Plaintiff’s Motion misapprehends the plain meaning and requirements of NRCP 4 and improperly attempts to re-litigate the legal issues which were previously decided by this Court.**

Plaintiff’s Motion attempts to re-litigate issues already decided by this Court at the August 18, 2021 hearing in this matter and the resulting order of dismissal. Such arguments are procedurally improper within the context of the subject Motion and are not properly supported legally or factually by Plaintiff.

**10. Plaintiff claims false statements by Defense counsel.**

Plaintiff’s Motion seeks a New Trial under NRCP 59(a) because of supposed misconduct by defense counsel during the August 18, 2021 hearing. Yet, Plaintiff does not cite to the transcript of the hearing, nor does she quote any specific statements made by defense counsel, she merely regurgitates vague, baseless, and conclusory allegations of lying to which Defendants cannot respond.

1 **11. Plaintiff argues Dismissal With Prejudice is only proper when a case has been**  
2 **heard “on the merits”.**

3 NRCP 41(b) states:

4 **Involuntary Dismissal: Effect.** If the plaintiff fails to comply with these rules or a  
5 court order, a defendant may move to dismiss the action or any claim against the  
6 defendant. Unless the dismissal order or an applicable statute provides otherwise, a  
7 dismissal under Rule 41(b) and any dismissal not under this rule — except one for lack of  
jurisdiction, improper venue, or failure to join a party under Rule 19 — operates as an  
adjudication on the merits.

8 NRCP 41(b) dismissal does not specifically mention lesser sanctions as an alternative to  
9 dismissal. *See also Henderson v. Duncan*, 779 F.2d 1421, 1424 (9<sup>th</sup> Cir. 1986).

10 As this Court herein noted, “[a]s a general proposition, the trial court has the inherent  
11 power to dismiss a plaintiff’s action to protect the integrity of the judicial process and to sanction  
12 a party’s failure to comply with the rules of procedure or any order of the court. See NRCP  
13 41(b). *Cf. Meeker v. Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). *See Order* dated September 2,  
14 2021 at pp. 5: 3-7. Here, not only did Plaintiff fail to follow the rules of civil procedure, she  
15 failed to follow the most basic rules of fundamental fairness, honesty and integrity which are the  
16 underpinnings of the adversarial American judicial system. Her conduct in this matter, by her  
17 presentation of blatantly obvious perjurious testimony, filing of false documents with the Court,  
18 and her refusal to follow the most basic of the rules of civil procedure constituted an attempted  
19 Fraud on the Court. This type of behavior by a litigant, especially one who claims to be an  
20 attorney from one of the best law schools in Europe, trained by the greatest European legal  
21 practitioners of the modern era, and someone who has taken Math classes and Computer Science  
22 classes at esteemed California universities, cannot and should not be permitted by any Court  
23 because such conduct undermines the entire judicial process and the undermines the integrity of  
24 the judicial system as a whole.  
25  
26  
27  
28




1 When such egregious behavior takes place by a party, especially one that has supposedly  
2 had legal training from one of the best law schools in Europe, the Courts must issue sanctions  
3 which not only punish the behavior of the party, but serve to deter others in the future from  
4 engaging in such conduct. Plaintiffs' conduct in attempting to commit a Fraud on this Court by  
5 presenting perjurious testimony and filing falsified documents was not only sanctionable, it was  
6 criminal. NRCP 41(b) dismissal does not specifically mention or require lesser sanctions as an  
7 alternative to dismissal and therefore, dismissal with prejudice was not only proper, it was  
8 essential.  
9

10 **12. The instant Motion attempts to improperly argue Plaintiff's prior Motion for a**  
11 **Temporary Restraining Order.**

12 Plaintiff's Motion for a Temporary Restraining Order was previously denied as moot by  
13 this Court due to the granting of Defendant's Motion to Dismiss. This was the proper ruling  
14 from a legal standpoint and a judicial economy standpoint. Once this Court determined that  
15 Plaintiff was not entitled to maintain her action due to improper service, it follows logically that  
16 she is not entitled to a Temporary Restraining Order which would necessarily be based upon the  
17 existence of the Complaint itself. However, once the Complaint was dismissed, there was no  
18 legal basis upon which a Temporary Restraining Order could issue. Therefore, the Motion for a  
19 Temporary Restraining Order was properly denied as being moot. Plaintiff's attempt to argue  
20 that prior motion within the context of the instant motion is improper and has no merit.  
21  
22  
23  
24  
25  
26  
27  
28

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

 THE LAW OFFICE OF  
CASEY D. GISH

III.

**CONCLUSION**

Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion for a New Trial be denied.

DATED this 27th day of September, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR A NEW TRIAL** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

       VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 27th day of September, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



Alla Zorikova  
1905 Wilcox Ave., #175  
Los Angeles, CA 90068  
323-2095186  
Olivia.cae@mail.ra

EIGHT JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

ALLA ZORIKOVA, : A-20-821249-C  
PLAINTIFF, : PLAINTIFF'S MOTION MOTION TO  
RESCHEDULE HEARING and Declaration in  
Support  
JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE : Department 20  
BUSINESS ENTITIES I THROUGH X, :  
DEFENDANTS : HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Hearing for September 29 of 2021 for the Plaintiff's Motion to Set Aside was schedule for 9am.
2. At 9am on 09/29/21 Plaintiff had received email from Ms Cavillo with rescheduled time for this hearing as to 12:30pm on 09/29/21.
3. Plaintiff also received another email (Both attached as Exhibit 1) from the same address with hearing scheduled to be at 10:30am.
4. Plaintiff attempted to join meetings via phone call on both times as to 10:30am and 12:30pm on 09/29/21.
5. However, at both times Plaintiff received messages "wait for moderator to start the meeting", which had never started.
6. Plaintiff assumes that this Court intentionally blocked her from participating in this hearing.
7. Plaintiff has reasons to believe that this Court is obstructing the process for Plaintiff and therefore, violates her rights for hearing.

WHEREFORE, Plaintiff asks this Court to reschedule the Hearing for Plaintiff's Motion to Set Aside and to provide fair access for Plaintiff to participate in Hearing via phone call.

Sincerely,  
Alla Zorikova

09/29/2021  
[Signature]

PLAINTIFF ZORIKOVA'S DECLARATION IN SUPPORT OF THIS MOTION FOR  
RESCHEDULING

I, Alla Zorikova, under penalty of perjury and to the best of my knowledge and under law of state of Nevada declare the following:

1. Hearing for September 29 of 2021 for the Plaintiff's Motion to Set Aside was schedule for 9am.
2. At 9am on 09/29/21 Plaintiff had received email from Ms Cavillo with rescheduled time for this hearing as to 12:30pm on 09/29/21.
3. Plaintiff also received another email (Both attached as Exhibit 1) from the same address with hearing scheduled to be at 10:30am.
4. Plaintiff attempted to join meetings via phone call on both times as to 10:30am and 12:30pm on 09/29/21.
5. However, at both times Plaintiff received messages "wait for moderator to start the meeting", which had never started.

[Signature]

CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 09/29/2021 to Casey Gish through Court's electronic service.

Alla Zorikova  
09/29/2021

[Signature]

- Compose
- Inbox 3,042
- Starred
- Shooved
- Sent
- Drafts 13
- More
- Meet
- New meeting
- Join a meeting
- Hangouts
- Alla
- No recent chats
- Start a new one

Updated: DC20 - CIVIL CALENDAR @ 10:30 a.m. - CR12A

Electronically Filed  
 9/29/2021 3:05 PM  
 Steven D. Giverson  
 CLERK OF THE COURT

District Court LVRJCDC20 via BlueJeans Network

7:44 AM 6 hours ago



### DC20 - CIVIL CALENDAR @ 10:30 a.m. - ...

View on Google Calendar

Wed Sep 29, 2021 12:30pm - 7pm (CDT)

<https://bluejeans.com/782998882/0928?src=calendarLink>

districtcourtlvrjcdg@courtlvrjcdg.com

### Agenda

- 12:30pm DC20 - CIVIL CALENDAR @ 10:30 a.m. - ...

**BlueJeans**  
by Verizon

District Court LVRJCDC20 has updated the information

Calendar

Today

Sep 29

Oct 2021

Create

September 2021

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22



1 NOH

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 ALLA ZORIKOVA,

Case No. A- 20-821249-C

5 Plaintiff,

Dept. No. XX

6 vs.

**NOTICE OF HEARING**

7 JULIE PYLE, et al.,

8 Defendant.

9  
10 **NOTICE OF HEARING**

11 Please be advised that the Motion to Set Aside has been rescheduled to  
12 **October 6, 2021 at 9:00 a.m.**

13 DATED September 30, 2021.

14 /s/Kelly Muranaka

KELLY MURANAKA

15 Judicial Executive Assistant to:

16 ERIC JOHNSON

District Court Judge

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
9/30/2021 12:10 PM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion to Reschedule Hearing in the above-entitled matter is set for hearing as follows:

**Date:** November 03, 2021  
**Time:** 9:00 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Ondina Amos  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Ondina Amos  
Deputy Clerk of the Court



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION FOR RECUSAL

and Memorandum of Law

JULIE PYLE, TAMMY WILLET, VEGAS

Pursuant NEVADA CODE TITLE 1 STATE

SHEPHERD RESCUE AND DOES I

JUDICIAL DEPARTMENT

THROUGH X, INDIVIDUALS, AND ROE

NRS 1.230, 1.235 (1)(5)(a)(b)

BUSINESS ENTITIES I THROUGH X,

Department 20

DEFENDANTS

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Plaintiff had filed with this Court and CC to Chief/Presiding Judge Affidavit of



Prejudice in September of 2021.

2. Copy of the Affidavit has been also emailed to Chief Judge. However, (exploiting my free speech right) , based on my reserach and general appearance of Presiding Judge for this Court, I do not have neither confidence, nor trust that that person will act in accordance with USA Constitution, his oath taken for this office or otherwise. It's a shame that public (including me) lost trust in cabal, who occupied many judges sits and acts NOT in interests of public nor justice, though this Court might have assumption that Nevada is China now and public, who dares to state their free opinions not in favor of rulers (while they supposed to be servants of public, paid by public and elected by public) must be jailed or ignored ( I heard about this real experience in Soviet Union and now in China). Unfortunately for this Court, I have supporting my statements evidences, which are available for one to read in this case, especially in my post judgment motions.
3. During Hearing on October 06 of 2021 it apparently was clear and by Judge Johnson's statements that he did not look through the Docket, did not read Plaintiff's post judgment motions, did not look through filed by Plaintiff evidences to the heard at that date Plaintiff's Motion that he rulled on and therefore, had not been in knowledge of filed "Affidavit of Prejudice" by Plaintiff.
4. There is no "Motion for Recusal" required under rule NEVADA CODE TITLE 1 STATE JUDICIAL DEPARTMENT NRS 1.230, 1.235 (1)(5)(a)(b)
5. Instead the rule clearly states that Judge must immediatelly transfer case to

another department of the Court and Judge must file Answer, which Judge Johnson failed to file.

MEMORANDUM OF LAW

NRS 1.230, 1.235 (1)(5)(a)(b)

WHEREFORE, Plaintiff respectfully asks this Court to grant this Motion and to remove Judge Johnson voluntarily (in accordance with Nevada Rules) via recusal or otherwise from this case.

Sincerely,

Alla Zorikova

10/06/2021

- 

- CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 10/06/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/06/2021





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION FOR SANCTIONS

Department 20

JULIE PYLE, TAMMY WILLET, VEGAS

SHEPHERD RESCUE AND DOES I

HEARING REQUESTED

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. On September 02 of 2021 Court entered order, in which Defendant was ordered to provide Court with Copy of his "found via Freedom of Information Act" Plaintiff's CONFIDENTIAL settlement with San Bernardino County.

2. As today, Oct 06 of 2021, Defendant failed to provide Court with that settlement.

WHEREFORE, Plaintiff asks this Court to apply monetary or other Sanctions for not compliance with the Court's order

Sincerely,

Alla Zorikova

10/06/2021

- 

- CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 10/06/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/06/2021





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION TO PROVIDE  
STATEMENT OF FACTS

JULIE PYLE, TAMMY WILLET, VEGAS

Department 20

SHEPHERD RESCUE AND DOES I

THROUGH X, INDIVIDUALS, AND ROE

HEARING REQUESTED

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. In final judgment/order and during Hearing on October 06 of 2021, Judge Johnson baselesly stated that the judgement was rendered based on Plaintiff's false statements.

2. However, Court failed to provide (while requested multiple times by Plaintiff) what particular statements Court refers to and what supporting evidences of "false statements" Court has.

WHEREFORE, Plaintiff respectfully asks this Court for "Statement of Facts" supporting Judge Johnson's serious allegations as to some "false statements" Plaintiff provided to the Court on August 25 of 2021 hearing during her testimony under the oath and for supporting those "facts" evidences.

Sincerely,

Alla Zorikova

10/06/2021

• 

• CERTIFICATE OF SERVICE

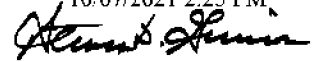
I, Alla Zorikova, certify that I had emailed the copy of the same on 10/06/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/06/2021





  
CLERK OF THE COURT

1 **AFFT**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 ALLA ZORIKOVA,

Case No. A-20-821249-C

7 Plaintiff,

Dept. No. XX

8 vs.

9 JULIE PYLE, TAMMY WILLET, VEGAS  
10 SHEPHERD RESCUE AND DOES I  
11 THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,,

12 Defendants.

13 **JUDGE ERIC JOHNSON'S ANSWER TO PLAINTIFF'S MOTION FOR RECUSAL**

14 **STATE OF NEVADA )**

15 **)**

**ss:**

16 **COUNTY OF CLARK )**

17 **ERIC JOHNSON**, being first duly sworn, deposes and says:

18 **1.** I was appointed to the office of District Court Judge, Department XX, Eighth Judicial  
19 District Court, in and for Clark County, Nevada, in May 2015. I have served in that capacity since  
20 that time, after winning my retention election in 2016 and reelection in 2020.

21  
22 **2.** As District Court Judge, one of my duties is to hear and decide issues within civil  
23 actions filed by litigants within Clark County, Nevada. Civil actions are assigned by the Court  
24 Clerk, *at random*, to the various district court judges within the Civil-Criminal Division of the  
25 Eighth Judicial District Court. One of the actions or cases assigned to me is the instant matter.

26  
27 **3.** I received notice of Zorikova's Motion to Disqualify Judge Eric Johnson on October  
28 6, 2021. The Motion and its related affidavit were not served on me personally or on Court staff as

ERIC JOHNSON  
DISTRICT JUDGE  
DEPARTMENT XX

1 required by NRS 1.235. However, in consideration of Plaintiff's pro se status, I am responding to it.  
2 I have reviewed the contents of Zorikova's motion and affidavit, and respond as set forth below.

3       4. In preparing my Affidavit, I also have reviewed NRS 1.230, which statutorily sets  
4 forth the grounds for disqualifying district court judges from acting in a legal action or proceeding.  
5 In this case, I have not entertained actual bias or prejudice for or against any of the parties to this  
6 action. *See* NRS 1.230(1). As pertinent to this matter, I have not entertained or shown either a  
7 prejudice against or bias in favor of Alla Zorikova, Julie Pyle, Tammy Willet, and Vegas Shepherd  
8 Rescue. I am not a party or in any way interested in the aforementioned action or proceeding. *See*  
9 NRS 1.230(2)(a). I am not related to any party to the aforementioned litigation by consanguinity or  
10 affinity within the third degree. *See* NRS 1.230(2)(b). I have never acted as counsel or attorney for  
11 any of the parties in this particular action or proceeding now being heard by me. *See* NRS  
12 1.230(2)(c). I am not related to any attorney representing any of the parties in this case. *See* NRS  
13 1.230(2)(d). Succinctly put, I do not have any conflict of interest in hearing this matter and deciding  
14 the issues presented.  
15

16  
17       5. Zorikova asserts my decision to dismiss her complaint for improper service and with  
18 prejudice for providing false testimony under oath during the evidentiary hearing on the motion  
19 demonstrates bias in favor of animal rights activists, such as the Defendants in the instant case. She  
20 further contends I am prejudiced toward "Russian/German Female, Trump Supporter, Dog Breeder,  
21 Pro Se Plaintiff Alla Zorikova." Plaintiff is not specific as to the underlying bases for her  
22 conclusions. She does note I was "endorsed by animal rights activists group" in my elections and  
23 asserts I consulted defendants' attorney, Casey Gish, "multiple times if it is ok with for one or  
24 another issue." As to Plaintiff's first issue, I was endorsed in my elections by Nevada Political  
25 Action for Animals. I applied for the endorsement in my retention election in 2016, and was given  
26 the endorsement without application or any contact by me in my 2020 reelection. I have not had any  
27  
28

1 personal contact with Mr. Gish regarding the matter outside of the courtroom and have no personal  
2 or professional relation with him beyond this current case. I note Plaintiff frequently refers to me in  
3 her affidavit as Judge Foster. Judge Bryan Foster was the judge for her lawsuit in 2020 in the  
4 Superior Court of California, County of San Bernardino (CIVDS 2017383). Consequently, the  
5 affidavit at least to some degree appears to be the reworking of a document seeking disqualification  
6 of the judge in that matter. Mr. Gish apparently represented a defendant in that matter and Plaintiff  
7 may be referring to the other matter in regard to the Court having conversations with Mr. Gish.  
8

9         6. Nevada Political Action for Animals is not a party to this matter. I have never been  
10 endorsed, as far as I am aware, by Defendant Vegas Shepherds Rescue. Even if a party to the action  
11 had endorsed me, I would not be required to disqualify myself from the action, but would have an  
12 ethical obligation to continue to sit on the matter as long as I could be fair to both sides. Canon  
13 4.1B(5) provides “[a] candidate for elective judicial office may . . . seek, accept, or use  
14 endorsements from any person or organization other than a partisan political organization.” The  
15 Nevada Supreme Court has held a judge should not disqualify himself from hearing a matter simply  
16 because he has received a significant campaign contribution from one of the parties or their  
17 attorneys. In *City of Las Vegas Downtown Redevelopment Agency v. District Court*, 116 Nev. 640,  
18 5 P.3d 1059 (2000), the high Court issued a writ of mandamus directing a judge to preside over a  
19 case where he had recused himself based on receiving campaign contributions in the amounts of  
20 \$1500 to \$2000 from some of the parties. The Court held that “[i]n the context of campaign  
21 contributions, we have recognized that a contribution to a presiding judge by a party or an attorney  
22 does not ordinarily constitute grounds for disqualifications.” *Id.* at 644. The Standing Committee  
23 on Judicial Ethics and Election Practices in Opinion JE02-001 found a judge should not recuse  
24 himself because an attorney has contributed to his campaign and endorsed the judge’s candidacy.  
25 While these decisions are not specifically on point, their analysis in this instance is applicable as  
26  
27  
28

1 they demonstrate in comparable circumstances the simple act of endorsement by an entity such as  
2 Nevada Political Action for Animals is not a basis to disqualify a judge. Under the circumstances  
3 presented, I believe it would not be appropriate for me to recuse myself under *City of Las Vegas*  
4 *Downtown Redevelopment Agency* and Judicial Ethics Opinion JE02-001.

5 7. Plaintiff primarily seems upset with my handling of the evidentiary hearing  
6 concerning Defendants' motion to dismiss for improper service and my dismissal of her complaint  
7 with prejudice. I will not enter into a discourse with Plaintiff as to her issues with my ruling as  
8 "rulings and actions of a judge during the course of official judicial proceedings do not establish  
9 legally cognizable grounds for disqualification." *Matter of Dunleavy*, 104 Nev. 784, 790, 769 P.2d  
10 1271, 1275 (1988)(citing *United States v. Board of Sch. Com'rs, Indianapolis, Ind.*, 503 F.2d 68, 81  
11 (7th Cir. 1974). As the Nevada Supreme Court has explained:

12  
13 The personal bias necessary to disqualify must "stem from an extrajudicial source and  
14 result in an opinion on the merits on some basis other than what the judge learned  
15 from his participation in the case." *United States v. Beneke*, 449 F.2d 1259, 1260-61  
16 (8th Cir. 1971) citing *United States v. Grinnell Corp.*, 384 U.S. 563, 583, 86 S.Ct.  
17 1698, 1710, 16 L.Ed.2d 778 (1966). To permit an allegation of bias, partially founded  
18 upon a justice's performance of his constitutionally mandated responsibilities, to  
19 disqualify that justice from discharging those duties would nullify the court's  
20 authority and permit manipulation of justice, as well as the court. *See State v. Rome*,  
21 235 Kan. 642, 685 P.2d 290, 295-96 (1984); *see also Tynan v. United States*, 376  
22 F.2d 761 (D.C.Cir. 1967), *cert. denied*, 389 U.S. 845, 88 S.Ct. 95, 19 L.Ed.2d 111.

23 *Matter of Dunleavy*, 104 Nev. at 790, 769 P.2d at 1275.

24 8. I have not acted with any bias in favor of or against any party to this action. I have  
25 reviewed the litigation in this matter, including my decisions, and believe I have made correct and  
26 appropriate decisions to the best of my ability considering the appropriate interests of the parties. In  
27 making my decisions, I have not disregarded Plaintiff's legal arguments or her contention she and  
28 her daughter did not provide false testimony under oath at the evidentiary hearing. Plaintiff has  
indicated she intends to appeal my decision and if the Supreme Court finds my analysis on any point

1 is incorrect and reverses and remands, I intend to act quickly to apply the high Court's decision and  
2 move forward with the litigation and any related issues. *See Sonner v. State*, 112 Nev. 1328, 1335,  
3 930 P.2d 707, 712 (1996), *on reh'g in part*, 114 Nev. 321, 955 P.2d 673 (1998)("this court has  
4 always accorded substantial weight to a judge's determination that he can fairly and impartially  
5 preside over a case").

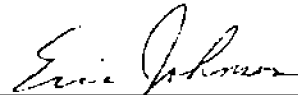
6  
7 **9.** In my view, I have not committed an appearance of impropriety subject to recusal. I  
8 am not and have not been bias to any party to this action. I have been assigned the instant matter for  
9 almost a year. Consequently, I see no reason why the matter should be reassigned.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Dated this 7th day of October, 2021

12  
13 Executed on

14 (date)

15   
16 (signature)

17 NRS § 53.045

18 **019 8B1 2CB7 A03B**  
19 **Eric Johnson**  
20 **District Court Judge**

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 10/7/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
10/8/2021 8:31 AM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion for Recusal of Judge and Memorandum of Law Pursuant Nevada Code Title 1 State Judicial Department; Plaintiff's Motion for Sanctions, and Plaintiff's Motion to Provide Statement of Facts in the above-entitled matter are set for hearing as follows:

**Date:** November 17, 2021  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Marie Kramer  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Marie Kramer  
Deputy Clerk of the Court



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S OPPOSITION TO JUDGE

JOHNSON'S REPLY TO PLAINTIFF'S

AFFIDAVIT OF PREJUDICE

JULIE PYLE, TAMMY WILLET, VEGAS

Department 20

SHEPHERD RESCUE AND DOES I

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Please note that Judge Johnson through all his reply refers to Plaintiff as "Zorikova" while to opposing counsel Gish as "Mr. Gish" or "Casey Gish" only. Gish, who lied and lied in front of the same judge through all hearing and pleadings (see Zorikova's Motion



for Sanctions for False Statements supported by undeniable evidences). This alone exposes NOT equal treatment of Plaintiff vs Defendant and its counsels.

2. American People have right to be heard by Judges, who had not been twice investigated for public corruption allegations. This is outrageous to serve as judge while being involved in corruption (unfortunately it appears that results of investigation have been sealed based on "Veterans in Politics" source).
3. In final judgment/order and during Hearing on October 06 of 2021, Judge Johnson baselessly stated that the judgement was rendered based on Plaintiff's "false statements".
4. However, Court failed to provide (while requested multiple times by Plaintiff) what particular statements Court refers to as "false" and what supporting evidences of "false statements" Court has. In its judgment Judge Johnson fails to provide any supporting evidences of Plaintiff's "false statements" and instead refers to "Court's findings of falsity" based on Plaintiff's demeanour. It's ridiculous. Fair, impartial, judging pursuant to legal statutes Court must have something more than "demeanour" to enter its judgment.
5. In Judgment's paragraph #5 Judge Johnson falsely states that Plaintiff "later she admitted to the Court that those were false answers" referring to Plaintiff's inability to state her Texas address. Absolutely no, Plaintiff had never stated "later" that. Plaintiff still do not know her Texas ranch's address as she does not need to remember it based on different mailing address. Texas ranch's address is never used, was just assigned in August of 2021 and Plaintiff did not look at the email she received from the office who assigned the address. Plaintiff mentioned during hearing that Gish in CA precluded from inquiring her

address (in discovery as Plaintiff was notified by her attorney); however, it has nothing to do with her inability to know/remember her just assigned address.

6. Further, in that judgment Judge Johnson baselessly speculates on "why and how Plaintiff planned on serving Defendant", which has one word: OUTRAGEOUS. We are not in kindergarten to rely on "demeanour", shaking heads, blinking eyes and other ridiculous "signs" that neither reflected on transcripts nor otherwise can be relied on. This is USA Court, where unbiased, impartial, competent, respected (base on spotless reputation) Judge rules based on FACTS and LAW. Plaintiff filed on December 08 of 2020 similar Affidavits of Service signed by Olivia Jeong in case with the same causes of actions decided by Judge Nancy Alf, which contradicts Judge Johnson's speculations and does not support his false theory of Plaintiff's plan that he baselessly proposes in his judgement.
7. Plaintiff stated multiple times that she is very well familiar with serving court's documents on defendants and in her previous dozens of cases she used sheriffs, USA Marshals, professional servers.
8. Furthermore, pursuant to NRCP 18 attorney's fees can be awarded based on contractual agreements and other (none of which is applies to this case) circumstances, awarding attorney's fees against NRCP 18 is once again exposes bias of Johnson toward Plaintiff.
9. In his paragraph 3 of the reply to Affidavit Johnson states that: " I received notice of Zorikova's Motion to Disqualify Judge Eric Johnson on October 6". NO Motion for disqualification of Judge has been ever provided by plaintiff Zorikova to Johnson. Moreover, during hearing on October 06 of 2021, Zorikova clearly stated that NO Motion

for Disqualification filed, but instead Affidavit of Prejudice filed and it is very different.

Why Johnson asserts falsehood here?

Johnson's reply is under the oath, therefore, it's clearly perjury, not just "falsehood".

10. Plaintiff Zorikova's Affidavit of Prejudice alone has been filed with the Court previously of October 6 of 2021, copy was emailed to Presiding Judge, certified mail with copy of the Affidavit was mailed to Department 20 on October 7 of 2021 and copy was emailed again to Department 20 and Department 7 to Chief/Presiding Judge.
11. Motion to Recuse was filed on October 7 of 2021.
12. Replying to Johnson's paragraph 4, rule 1.230 (1) prohibits participation of judge in proceedings where he entertains bias or prejudice toward one of the party. Plaintiff filed Affidavit of Prejudice and have constitutional right to be heard in front of unbiased judge. Legal definition of "bias" presumes statements made against of those that would be made by any reasonable person.
13. Furthermore, rule 1.230(2)(a) implies to judges who has interest in outcome of the case.
14. Johnson was endorsed by Animal Rights Activists group "Nevada Political Action for Animals". Opposing counsel Weir stated during hearing on August 25 of 2021 that she is and represents animal right activists and second opposing counsel Gish is in close tight with arrested multiple times animal rights activist Bryan Pease (facts of Pease's illegal activity against animal's owners can be found at <http://humanrightsvsanimalrights.org>) . Gish represents Pease in several lawsuits filed by Zorikova in California as well as Gish together with Pease filed lawsuit against county of San Bernardino for searching

Zorikova's dogs allegedly thives houses. Obviously, Johnson must be receiving contributon from animal rights activists Nevada Political Action for Animals.

15. In paragraph #6 of his reply Judge johnson states, quote:" Nevada Political Action for Animals is not a party to this matter". Plaintiff Zorikova has never stated that Nevada Political Action for Animals is a party to this matter and therefore, such the Court Judge's response is misleading and inappropriate.
16. Further, in the same paragraph #6 Johnson states that, quote:" I have never been endorsed by Defendant Vegas Shepherd Rescue". Again, Plaintiff Zorikova has never asserted that Judge Johnson been endorsed by Defendant Vegas Shepherd Rescue and therefore, it is once again, misleasding and inappropriate for Johnson to provide such a reply instead of providing truthful answers on allegations in Plainti"s Affidavit of Prejudice.
17. Plaintiff Zorikova in her Affidavit of Prejudice (which is NOT Motion for Disqualification) asserts rule 1.235 by which Judge must recuse immediatelly after Affidavit filed, no any additional motion to be filed is necessary.
18. However, Judge Johnson clearly disregards procedural rules and failed to recuse himself and instead is applying fees and costs against the Plaintiff in order to stop her from rightful actions to receive fair hearing in this Court.
19. Johnson baselessly states that Zorikova revoking the same Affidavit filed by her against California's Judge Foster, which is NOT true. I had never filed such Affidavits in my entire life. And if any small appearence of bias or prejudice was pointed out by Zorikova in previous her lawsuits toward appointed to case judges, that judge was immediatelly recusing himself, noone yet was replying with opposition and **STANDING HARD** in

order to rule on the case. Again, only this fact alone exposing that something is going on here when judge "does not let go a bite" so hard that even ready to be sued and investigated for the privilege of "let's ME rule on this case", which is unheard of.

20. Zorikova did NOT provide any false statements under the oath. She filed Motion for Factual Statements that biased Judge Johnson will deny, because without lying he can not find those alleged "false statements".

21. And in order to avoid appearance of impropriety Canon 2 provides that a judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities".

A judge has a duty to "preside to the conclusion of all proceedings , in the absence of some statute, rule of court, ethical standard, or other compelling reason to the contrary",

Ham v. District Court, 93 Nev.409, 415, 566 P.2d 420, 424(1977)

NCJC Canon 3 B()(1)("A Judge shall hear and decide matters assigned to the Judge except those in which disqualification is required")

In PETA vs Bobby Berosini, Ltd 111 Nev.431, 436 (1995) held that NJCJ Canon 2 was not only guide for the conduct of judges but also provided substantial grounds for judicial disqualification.

22. In referred by Judge Johnsons cases there were NO Affidavits of Prejudice filed, and therefore, reasons for not recusal in those cases are inappropriate in connection with this case.

23. In his Order to Dismiss Judge Johnson states in first 3 paragraphs reason for dismissal as to not proper service. While under penalty of perjury in his answer he states that dismissal was on grounds of "false statements"

24. Again, Motion for Factual Statements have been filed. Plaintiff requests this Court to state ALL and EVERY alledged "false statements" by Plaintiff while under the oath during hearing on August 18<sup>th</sup> of 2021 and supporting evidences of "falsity". We have Juries to decide rightfullness of judge Johnson's actions in case he will be sued notwithstanding his "immunity".
25. Judge Johnson failed to address in his reply alledged by Plaintiff (source was provided) Johnson's investigation of patroning strip club in Las Vegas in public corruption case and his failure to address this fact in his application for Judge's sit.
26. Plaintiff has rights to be heard by impartial and unbiased judge and does not understand how person who twice was investigated in connection with corruption case can serve as judge.
27. If USA allows such Judges and its "based on demeanour and speculations" frivolous biased judgments to exist, I have nothing to do in this Country. I moved from Russia and did not sign to live in lawless unconstitutional "former socialist's Soviet Union" called now USA. No, thank you. Let you, your children and others to enjoy built by you corruption, fraud and uncountability for wrong actions, while such liar as Gish (proven via clear and convincing evidences in plaintiff's Motion for Sanctions for False Statements) comes up with baseless allegations of fake assertion of "false statements" by Plaintiff, which is nothing more than badly planned and not supported by evidences attempt to falsely FRAME Plaintiff.
28. Plaintiff will stand up for justice no matter what for yourself and for other people.

Sincerely,

Alla Zorikova

10/11/2021

. 

• CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 10/11/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/11/2021





**MEMO**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS**

Pursuant to NRS 18.005, NRS 18.010, NAR 17(B), NRS 17.130 and *Albion v. Horizon Communities, Inc.*, 122 Nev. 409, 132 P.3d 1022 (2006), Defendants<sup>1</sup> hereby submits their Memorandum of Costs, Disbursements, and Interest incurred as a result of Plaintiff's Motion To Set Aside as follows:

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant.





1. Clerk's Fees/Filing Fees (Exhibit A).....	\$3.50
2. Reporter's Fees for Depositions including Transcripts and Video Conference Services .....	\$0.00
3. Juror's Fees/Jury Demand Fee .....	\$0.00
4. Witness Fees.....	\$0.00
5. Expert Witness Fees .....	\$0.00
6. Interpreter's Fees.....	\$0.00
7. Process Server's Fees .....	\$0.00
8. Official Reporter's Fees.....	\$0.00
9. Bond Costs.....	\$0.00
10. Bailiff Fees.....	\$0.00
11. Facsimile.....	\$0.00
12. Photocopies (statutory rate of 0.60 per page per <u>NRS 18.005(12)</u> and <u>NRS 18.010</u> allow a prevailing party to recover "reasonable copy costs." <u>NRS 629.061(2)</u> allows for a reasonable charge of .60 cents per page for <u>copying costs for medical records. This is also the copy charge rate that</u> <u>the Clark County Discovery Commissioner allows to be recovered for</u> <u>copying charges for medical records.)</u> This includes pleading documents and exhibits, correspondence, reports and documents sent via emails and attachments) 18 pages.....	\$10.80
13. Long Distance Calls.....	\$0.00
14. Postage.....	\$0.00
15. Travel.....	\$0.00
16. Costs/Fees Pursuant to NRS 19.0335.....	\$0.00
17. Computerized Legal Research Fees .....	\$0.00
18. Any Other Expenses Necessary to the Subject Action.....	\$0.00
<b>TOTAL COSTS:</b>	<b><u>\$14.30</u></b>

**VERIFICATION**

Under penalty of perjury, the foregoing cost items are correct and have been necessarily incurred as a result of Plaintiff's Motion to Set Aside in the action or proceeding pursuant to NRS 18.020, NRS 18.010(1), *Las Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008), and *Village Builders 96 v. U.S. Labs*, 121 Nev. 261, 276-277, 112 P.3d 1082, 1092 (2005).

DATED this 12th day of October, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com



THE LAW OFFICE OF  
CASEY D. GISH

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS** on the parties whose address appears below:

     VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

         VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*



Executed on the 12th day of October, 2021.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com



THE LAW OFFICE OF  
CASEY D. GISH

*Steven D. Grierson*

APPL.

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

CASE NO. A-20-821249-C

Plaintiff(s),

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X.

Defendant(s).

**DEFENDANTS' APPLICATION FOR FEES, COSTS,  
AND DISBURSEMENTS AS A RESULT OF PLAINTIFF'S MOTION TO SET ASIDE**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through  
their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.

SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby requests for an award of attorney's fees and costs pursuant to NRS 18.005, NRS 18.010, NRS 18.020, NRS 17.130 and NRCP 68 incurred as a result of Plaintiff's Motion to Set Aside. This application is supported by the attached Points and Authorities, Defendants' Memorandum of Costs and Disbursements, the pleadings and papers on file herein, and any argument allowed by the court.

### **NOTICE OF MOTION**

Please take notice that the following DEFENDANTS' APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS AS A RESULT OF PLAINTIFF'S MOTION TO SET ASIDE, is hereby set for hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 at the hour of \_\_\_\_\_ before the Honorable Eric Johnson, District Court Judge, Department XX.

### **MEMORANDUM OF POINTS AND AUTHORITIES**

#### **I.**

#### **INTRODUCTION**

Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020, alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud; 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service of process on Defendants on October 5, 2020, October 6, 2020, and October 9, 2020. This case was stayed on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff being a California resident outside this Court's Jurisdiction.

1 Defendant Vegas Shepherd Rescue is a Nevada non-profit rescue group dedicated to  
2 rescuing homeless, abandoned, and abused dogs. Defendants Tammy Willet and Julie Pyle are the  
3 President and Director of Vegas Shepherd Rescue.

4 In the Complaint, Ms. Zorikova claims that 25 of her missing dogs were retrieved from  
5 Devore Animal Shelter in San Bernardino County, California, on August 12, 2020 (See Complaint  
6 on file herein, pp. 3, #17). She also claims that the other 25 dogs are in the possession of Vegas Pet  
7 Rescue Project and/or Jamie Gregory (See Complaint on file herein, pp. 4, #21). Neither Vegas Pet  
8 Rescue Project nor Jamie Gregory are defendants in this action.<sup>2</sup> Later, she claims that 7 of the 25  
9 German Shepherds are displayed on Vegas Shepherd Rescue's Facebook page (See Complaint on  
10 file herein, at pp. 4, #24).

11 In support of her claim that Defendants herein stole her dogs, she attached photos which she  
12 alleges are screen shots of 5 dogs (Exhibits 4-8 are identified as Beacon, Berkley, Cypress, Lodi,  
13 and Malibu), from a Facebook page for Defendant. (See Ex Parte Motion, at attachments 4-8). It is  
14 unclear where the photo of the dog depicted in attachment 3 came from, or who that dog is, as the  
15 photo does not identify it as being from Vegas Shepherd Rescue's Facebook page. It is unclear  
16 whether the dog in attachment 9 is duplicative of other dogs or a different dog, as the name is not  
17 identified therein. She does not allege the age, sex, names, dates of birth, microchip information, or  
18 otherwise demonstrate any proof of ownership or suggest why she believes the dogs depicted in  
19 Exhibits 3-9 are hers. She has provided no photos of her own, the names she gave those dogs,  
20 identifying characteristics, their ages, sex, date of birth or microchip information. There is no  
21 discussion or evidence regarding the identity of the remainder of the 16 dogs she alleges were stolen  
22 by Defendants, except there is also a reference to a dog called Baker in one paragraph of her Motion.  
23  
24  
25  
26  
27  
28

<sup>2</sup> Vegas Pet Rescue Project and Jamie Gregory have been sued in another action that has been dismissed by Judge Nancy Alf for Plaintiff's failure to post the required security bonds demanded by the Defendants in that case, including Defendant, Casey D. Gish (Case No. A-20-820761-C)

1 See Motion, at pp. 6: 6-10. In sum, Plaintiff has provided no evidence of identity or ownership of  
2 the dogs in Exhibits 3-9 (which constitutes 5 identified dogs), plus Baker (number 6); and no  
3 evidence at all of the remaining 19 dogs.

4 Defendants are not in possession of dogs Plaintiff claims are hers because they have all been  
5 adopted out nearly a year ago and were spayed/neutered in compliance with Clark County criminal  
6 and civil ordinances.

## 7 II.

### 8 FACTUAL BACKGROUND

#### 9 A. THE ARREST

10 According to the California Secretary of State, Plaintiff owns and operates a protection dogs  
11 training business in Los Angeles, CA. However, as Plaintiff indicates in her Motion, she actually  
12 houses upwards of 50 dogs in cages in the middle of the desert on vacant unimproved land,  
13 approximately 25 miles outside of Hinkley, CA. See Motion on file herein, at pp. 2, #13. According  
14 to property records, Plaintiff has owned this land since May 17, 2018, and likely has been illegally  
15 conducting her business at this location since that time. Clearly, Plaintiff is an established illegal  
16 operator of puppy mills throughout the United States, and her dogs are kept in inhumane and cruel  
17 conditions that she goes to great lengths to conceal from the purchasers of her dogs. Her website(s)  
18 portray her dogs as being bred and raised in luxurious surroundings in Los Angeles, when in fact  
19 they are raised in horrific, cruel, and inhumane conditions in the California desert outside of  
20 Barstow, California.

21 Plaintiff and her daughter were arrested for felony animal cruelty on August 8, 2020 when  
22 San Bernardino Sheriff deputies became aware of approximately 50+dogs being housed on  
23 unimproved land in cages in the middle of the desert approximately 2 hours outside of Barstow, in  
24 the middle of the summer. The location of the property wherein the dogs were found was extremely  
25 remote, approximately 24 miles into the middle of the desert, north of Hinkley, California (which  
26 is outside of Barstow), on completely vacant, and unimproved, desert land. There were no dirt  
27 roads, no running water, no housing structures, or electricity. There are no neighbors or towns for  
28





LASEY D. GIER

1 miles. The dogs did not have any permanent housing or shelter from the extreme elements of the  
2 blistering desert heat, food or water, which is a violation of California law and San Bernardino  
3 County code.

4 Pursuant to a public records request, and only after Plaintiff's arrest, Plaintiff attempted to  
5 inquire about and file for a kennel permit, which was unable to be granted to her because kennel  
6 permits are not allowed on vacant unimproved land. San Bernardino issued her a violation notice  
7 on October 13, 2020 for operating a kennel without a permit. The photos depicted in those records  
8 show the condition of the property on August 8, 2020, when Plaintiff was arrested.

9 As the property was totally vacant and unimproved with only a small makeshift shanty or  
10 shed that was filthy with garbage and raw rotting meat everywhere. The shed had no toilet, sink,  
11 shower or bed. Therefore, Plaintiff could not possibly not live there and likely leaves the dogs tied  
12 up and alone for long periods of time, without food, water or human interaction/companionship  
13 (which is illegal under California law and under San Bernardino ordinances). The dogs most were  
14 likely exposed to predatory animals due to inadequate fencing around the property and lack of  
15 shelter.

16 Ms. Zorikova and Ms. Jeong represent themselves to be breeders of "protection dogs" whose  
17 company is based out of Los Angeles; and whose dogs are trained to bite  
18 (<http://www.vonmarkgrafgermanshepherds.us>). Screen shots of the website are attached as Exhibit  
19 6. Neither Ms. Zorikova, nor Ms. Jeong, and/or VonMarkGraf German Shepherds has a breeder  
20 license, which is a violation of the California Puppy Mill Ban under California Health and Safety  
21 Code Sec. 122354.5 and is also a prohibited deceptive and unfair business under the California  
22 Legal Remedies Act, Civil Code Sec. 1750 et seq. Furthermore, pursuant to San Bernardino County  
23 Code, it is illegal to have more than 5 dogs on the property without a breeder license or kennel  
24 permit. Ms. Zorikova's property contained over 70 dogs.

25 Ms. Zorikova and Ms. Jeong remain under investigation for felony animal cruelty in  
26 California according to the San Bernardino County District Attorney's Office.

27 ///

28 ///

**B. THE ALLEGED "THEFT"**

Plaintiff claims that Defendants went on her property and stole her dogs at some point between August 8 and 10, 2020, while she was incarcerated on felony animal cruelty charges in San Bernardino County, California. However, Defendants have never, ever, been on Plaintiff's property, to steal her dogs or otherwise. In fact, for the last 8 years, Defendant Tammy Willet has not lived in the State of Nevada. She was not in the State of Nevada or the State of California in all of 2020. Defendant Julie Pyle lives in the State of Nevada; however, she was not in the State of California at any point in August 2020.

At no time were Defendants contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. Defendants were not in any way, shape or form, associated with the San Bernardino County Government Officials' request for removal of dogs from Plaintiff's property.

Plaintiff's claims are self-defeating, in that she acknowledges that law enforcement officials told people (who are not Defendants) to go on the property and remove dogs. This directive by California government officials is the subject of multiple lawsuits by Ms. Zorikova against the Sheriff's department in San Bernardino County and San Diego County, California, a portion of which recently settled to Ms. Zorikova and her daughter Olivia Jeong for \$325,000. Plaintiff has also sued various people in multiple counties in California, including rescue groups there, for the alleged theft and return of her 25 dogs.

**C. VEGAS SHEPHERD RESCUE**

As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found, abused, abandoned, and/or surrendered dogs primarily German Shepherd Dogs as the name implies; obtain necessary medical attention, including spay and neuter as required by Nevada/Clark County law, and adopt them out. Vegas Shepherd Rescue also takes shepherds in from kill shelters



CASEY D. HIGH  
Attorney at Law  
1000 California Street, Suite 1000  
San Francisco, CA 94109  
Phone: (415) 774-4400  
Fax: (415) 774-4401  
Email: casey@cdhigh.com

1 and adopts them out. Vegas Shepherd Rescue rescues and places upwards of a hundred dogs a year,  
2 approximately 85% of which are German Shepherd Dogs. Vegas Shepherd Rescue has performed  
3 this service as a non-profit corporation that exists entirely on donations since its inception in 2012.  
4 When Defendants come into possession of any dog, they immediately check to see if there is a  
5 microchip. When they obtain veterinary care, which they do for each dog that comes into their  
6 possession, the veterinarian also checks to see if there is a microchip.  
7

8 Plaintiff alleges her dogs are all microchipped. (See Complaint, pp. 4, #20). Defendants are  
9 not, and have never been in possession of any dogs that have a microchip registered to Ms.  
10 Zorikova, Ms. Jeong, and/or Von Mark Graf German Shepherds. Because Plaintiff has alleged that  
11 "thieves remove microchips;" and for brevity's sake, Defendants have never removed or directed  
12 the removal of a dog's microchip. Defendants' veterinarians have likewise never removed a  
13 microchip (and Defendants are unsure if that is even legal for veterinarians to do so).  
14

15 It appears that Plaintiff simply stumbled upon a German Shepherd rescue group's Facebook  
16 and decided, without proof, to claim various dogs as hers. She actually has no idea what dogs are  
17 hers. Puppy mills are like that. Take the case of Beacon, for example (Plaintiff's Exhibit 4).  
18 Defendants came into possession of Beacon, on July 8, 2020, a full month before Plaintiff was  
19 arrested and a full month before any of the facts that are the subject of Plaintiff's claims. Beacon  
20 was found by a trucker running alongside the highway. The trucker brought Beacon to Defendants.  
21 Beacon had been shot in the face and required extensive medical care before being adopted. Beacon  
22 was not microchipped.  
23  
24

25 After Plaintiff and her daughter were arrested for felony animal cruelty by San Bernardino  
26 County Sheriff's deputies, Plaintiff filed a police report for theft against various people, including  
27 Julie Pyle. In response, San Bernardino County Sheriff's deputies visited Ms. Pyle at her Las Vegas  
28 home in early September 2020. There, the deputies and Ms. Pyle talked for 40 minutes. The Sheriff

1 determined Ms. Pyle was not in possession of any of Plaintiff's German Shepherds. The Sheriff did  
2 not find any reason to enter the residence of Ms. Pyle.

3 As a practical matter Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August  
4 and September of 2020, with the last dog being adopted on or about September 15, 2020, weeks  
5 before Plaintiff served her Complaint on Defendants.

6  
7 **D. DEFENDANTS' MOTION TO SET ASIDE**

8 On August 23, 2021, Plaintiff filed a Motion to Set Aside the Court's August 18, 2021  
9 Minute Order dismissing her Complaint With Prejudice. Plaintiff requested that the Court conduct  
10 a hearing on her Motion to Set Aside. As a result, the Court set a hearing on the subject Motion for  
11 September 29, 2021. Subsequent to the filing of Plaintiff's Motion to Set Aside, the formal order  
12 of Dismissal With Prejudice of Plaintiff's Complaint was entered on September 2, 2021. On  
13 September 6, 2021, Defendants filed their Opposition to Plaintiff's Motion to Set Aside.  
14

15 On September 29, 2021 Defendants, through their counsel, Casey D. Gish and Shana Weir,  
16 appeared for the duly noticed hearing. Plaintiff failed to appear. The Court verbally denied the  
17 Motion and granted fees and costs to Defendants. Several hours after the conclusion of the Hearing,  
18 Plaintiff filed a Motion to Reschedule the hearing on her Motion to Set Aside. Plaintiff's Motion  
19 to Reschedule claimed that she was not able to log onto the hearing via the Court's video conference  
20 link. It is noted that counsel for Defendants appeared for the hearing via the Court's video  
21 conference link and had no problem logging into the video conference for the hearing. It is also  
22 noted that there were multiple other hearings that morning on the Court's docket and there were  
23 multiple attorneys on the video conference for other cases and other hearings all of whom were able  
24 to appear for their respective hearings via the Court's video conference link. Despite the fact that  
25 counsel for the Defendants, and a myriad of other attorneys for other cases on the Court's docket  
26 that day, had no problems signing on to the Court's video conference link, the Court granted  
27  
28

1 Plaintiff's Motion to Reschedule the Hearing on her Motion to Set Aside. The new hearing on  
2 Plaintiff's Motion to Set Aside was scheduled by the Court for October 6, 2021.

3 On October 6, 2021, the Court conducted the rescheduled hearing on Plaintiff's Motion to  
4 Set Aside. Plaintiff appeared via the Court's video conference link, this time apparently with no  
5 connection issues. Defendants appeared via their counsel of record, Casey D. Gish. After hearing  
6 argument on the Motion, the Court denied Plaintiff's Motion to Set Aside. The Court also granted  
7 Defendants' request for fees and costs incurred as a result of defending and appearing for both of  
8 the hearings on Plaintiff's Motion to Set Aside.

9  
10 Prior to the order being filed, on August 23, 2021, Plaintiff filed the instant Motion to Set  
11 Aside Order To Dismiss With Prejudice. The motion itself essentially reiterates Plaintiff's position  
12 that the summons and Complaint were properly served on all Defendants. Because Plaintiff does  
13 not like the outcome of the Motion to Dismiss, she alleges that Judge Johnson has been bribed by  
14 counsel and/or influenced by donations from "animal rights activists," and she intends to sue all  
15 Defendants for the same causes of action in Texas.<sup>3</sup> And finally, Plaintiff provides a statement of  
16 fraudulent statements she claims were made by counsel that are not germane to a finding of  
17 inadequate service of process, of which the Court took no evidence or testimony (*see Motion* at pp.  
18 11-14, which are summarized as follows: 1) no evidence of ownership of dogs; 2) housing dogs in  
19 cages); 3) illegal business/conduct; 4) property conditions; 5) animal neglect; 6) County violations;  
20 7) business licensing; 8) settlement with San Bernardino; 9) other lawsuits; 10) search warrants;  
21 11) Plaintiff's arrest; 12) Plaintiff's criminal investigation; and 13) County violations.  
22  
23  
24

25 For reasons discussed herein, the motion is without merit; and therefore, must be denied.  
26  
27  
28

<sup>3</sup> Plaintiff's proposed claims will be barred res judicata and Defendants will seek fees and costs associated with defending those claims as well.

1 On October 12, 2021, Defendants filed their Memorandum of Costs and Disbursements  
2 incurred as a result of Plaintiff's Motion to Set Aside and the instant Application for Attorneys  
3 Fees, Costs, and Disbursements. *A copy of the Defendants' Memorandum of Costs and*  
4 *Disbursements Incurred as a Result of Plaintiff's Motion to Set Aside is attached hereto as Exhibit*  
5 *A.*

6  
7 **II.**  
8 **LEGAL ARGUMENT**

9  
10 **A. DEFENDANTS ARE ENTITLED TO AN AWARD OF ATTORNEY'S FEES**

11 Pursuant to NRS 18.010(2)(a), the court may make an allowance for attorney's fees "when  
12 the prevailing party has not recovered more than \$20,000.00." Thus, while the district court has  
13 virtually no discretion to deny a fee award to a prevailing party, the court has discretion in  
14 determining the amount of said award, which "is tempered only by reason and fairness." *University*  
15 *of Nevada, Las Vegas v. Tarkanian*, 110 Nev. 581, 590-591, 879 P.2d 1180, 1186 (1994).

16 Accordingly, in Nevada, this "analysis may begin with any method rationally designed to  
17 calculate a reasonable amount, including those based on a 'lodestar' amount or a contingency fee."  
18 *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864, 124 P.3d 530, 48-49 (2005), (citing  
19 *Herbst v. Humana Health Ins. of Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989), *Lealao v.*  
20 *Beneficial California, Inc.*, 82 Cal.App.4th 19, 97 Cal. Rptr. 2d 797, 821 (2000) and *Glendora Com.*  
21 *Redevak Agency v. Demeter*, 155 Cal.App.3d 465, 202 Cal.Rptr. 389 (1984)).

22  
23  
24 **B. THE ATTORNEYS' FEES REQUESTED ARE REASONABLE UNDER**  
25 **NEVADA LAW**

26 In Nevada, the court must also consider the factors laid out in *Brunzell v. Golden Gate*  
27 *National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of  
28

attorney's fees. See *Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable "as long as the Court provides sufficient reasoning and findings in support of its ultimate determination," *Id.*

The Nevada Supreme Court clarified the four *Brunzell* factors in *Schouweiler v. Yancey Co.*, 101 Nev. 827, 712 P.2d 786 (1985) as follows:

- (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill;
- (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation;
- (3) the work actually performed by the lawyer: the skill, time and attention given to the work; and
- (4) the result: whether the attorney was successful and what benefits were derived.

101 Nev. at 833-834, 712 P.2d at 790.

Here, as detailed below, all four of the *Brunzell* factors are satisfied.

First, Defendants were represented by attorney CASEY D. GISH and SHANA WEIR. Mr. Gish has been a practicing attorney in the State of Nevada and California for over 22 years with no record of discipline in either state. Ms. Weir has been a practicing attorney in the State of Nevada for over 15 years with no record of discipline.

Mr. Gish began his legal career in Nevada in 1997 when he served as an extern to the Nevada Supreme Court. He was then appointed as the Law Clerk to the Honorable David Huff, State of Nevada, Third Judicial District Court, from 1998 to 1999. Prior to opening THE LAW OFFICE OF CASEY D. GISH in 2015 as the firm's managing member, CASEY D. GISH tried multiple jury trials and bench trials in Las Vegas, Reno, Orange County, and Los Angeles County. He has litigated cases throughout Nevada and California in both state court and federal court. He has won multiple appeals to the Nevada Supreme Court, and was successful in a published opinion from the Nevada Supreme Court (*Vega vs. Eastern Courtyard Associates*, 24 P.3d 219 (Nev. 2001)). His

cases have ranged from small cases to cases in excess of \$90 million dollars. He has previously and currently worked for law firms such as Parker, Nelson & Associates; Cisneros & Associates; and Cisneros & Marias, etc. All of these firms are well known in the Las Vegas legal community with a reputation for experienced and professional attorneys.

While working for Cisneros & Marias, Mr. Gish was the handling attorney for all of the firm's veterinary malpractice cases and represented veterinarians in more than 10 trials, all of which resulted in a verdict in favor of his clients. Just prior to opening his own firm, Mr. Gish was the senior trial attorney for two (2) years at the firm of Ferris and Associates. Mr. Gish has also been appointed as an Arbitrator on hundreds of cases for the Clark County Mandatory Arbitration Program.

Prior to opening THE WEIR LAW GROUP in 2019, the firm's managing member SHANA WEIR, has tried multiple jury trials and bench trials throughout the State of Nevada. Her cases have ranged from small cases to the 2 largest class action cases in the history of the State of Nevada with multiple billions of dollars in potential damages at issue. She has previously worked for law firms such as Springel & Fink, and Parker, Nelson & Associates. Prior to opening her own firm, she was the supervising partner at Parker, Nelson & Associates. All of these firms are well known in the Las Vegas legal community with a reputation for experienced and professional attorneys.

Both Mr. Gish and Ms. Weir are well known in the Las Vegas community for practicing in the area of animal rights and for donating their time and resources in animal cruelty cases. Due to their extensive experience in this area of law, they have both become experts in their fields of practice. Based upon their expertise, experience, and specialized knowledge of animal cruelty cases, a rate of \$500/hour is justified in this matter. In addition, the number of hours spent by counsel for the Defendants in preparing the Opposition to Plaintiff's Motion to Set Aside and appearing at the two hearings on the Motion are reasonable. The amount of attorney time required





1 just to prepare these papers was significant, and the amount of attorney time required to research  
2 and review the facts and documents underlying and supporting these papers was even more  
3 extensive.

4 Second, animal cruelty cases are very specialized and difficult by nature. They are factually  
5 and legally intensive. While there may be more technically complex matters, animal cruelty cases  
6 clearly require attention to detail and an understanding of the presentation of defenses to complex  
7 veterinary evidence in order to establish damages and defenses. Animal cruelty cases often times  
8 require several different veterinary disciplines and legal disciplines to understand and present to  
9 enable a claimant or a defendant to achieve the best results. Counsel's understanding of the various  
10 issues that are needed to successfully present, or defend, a case supports the conclusion that the  
11 attorney's fees were earned and are fair and reasonable. At the end of the day, Defendants' attorneys  
12 diligently and successfully represented them in this case through the Motion to Set Aside, achieving  
13 a dismissal of Plaintiff's claims after an extensive evidentiary hearing and the denial of Plaintiff's  
14 Motion to Set Aside after two hearings on the subject motion were conducted.

15  
16  
17  
18 Third, counsel's skill, time, and attention given to this case were above average. The  
19 preparation was thorough and complete. Counsel for Plaintiff spent numerous hours reviewing  
20 voluminous filings from Plaintiff, reviewing documents, reviewing potential testimony and  
21 potential discovery, drafting and repeatedly revising the Defendants' Opposition to Plaintiff's  
22 Motion to Set Aside, meeting with clients, conducting teleconferences with clients, and preparing  
23 this case for the two hearings on Plaintiff's Motion to Set Aside. Considering the amount of time  
24 and effort exerted by Defendants' counsel, and both attorneys' considerable expertise in this area  
25 of practice, the fees are clearly substantiated. Based upon their expertise, experience, and  
26 specialized knowledge of animal cruelty cases, a rate of \$500/hour is justified in this matter. In  
27 addition, the number of hours spent by counsel for the Defendants in preparing the Defendants'  
28

1 Opposition to Plaintiff's Motion to Set Aside and preparation for and attendance at two separate  
2 hearings on the Motion, were reasonable, warranted, and justified. The amount of attorney time  
3 required to prepare these papers was significant, and the amount of attorney time required to  
4 research and review the facts and documents underlying and supporting these papers was even more  
5 extensive. Therefore, Defendants request that all of their attorneys' fees incurred by each of their  
6 counsel pertaining to the Opposition to Plaintiff's Motion to Set Aside and pertaining to appearing  
7 at two separate hearings on the Motion, in the total amount of hours (14.5 hours billed by Gish -  
8 3.2 hours billed by Weir) at the rate of \$500/hr, for the total amount of \$8,850.00 (\$7,250.00 billed  
9 by Gish - \$1,600.00 billed by Weir), be awarded to Defendants from Plaintiff. *Please see Gish*  
10 *billing statement attached hereto as "Exhibit B" and Weir billing statement attached hereto as*  
11 *"Exhibit C".*

12  
13  
14 Fourth, the result speaks for itself. The favorable award of denial of Plaintiff's Motion to  
15 Set Aside is attributable in substantial part to the diligence, determination, hard work, expertise,  
16 and skill of Defendants' counsel, who developed, litigated, and obtained this favorable result.  
17 Defendants achieved the objective they sought, denial of Plaintiff's Motion to Set Aside. Although  
18 the Court has the final decision on the matter, counsel respectfully submits the quality of its work  
19 product reflects the hours spent on the case.

20  
21 **C. DEFENDANTS' COSTS ARE RECOVERABLE AS A MATTER OF RIGHT**

22 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
23 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
24 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
25 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
26 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
27 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
28

276-277, 112 P.3d 1082, 1092 (2005). Defendants timely submitted their verified Memorandum of Costs and Disbursements on October 12, 2021 a copy of which is attached hereto as "Exhibit A".

Pursuant to NRS 18.020, Defendants are entitled to an award of costs. Pursuant to NRS 18.005, Defendant's recoverable costs and disbursements as a result of Plaintiff's Motion to Set Aside are \$14.30. Please see Plaintiff's Memorandum of Costs and Disbursements attached hereto as "Exhibit A."

#### **D. PLAINTIFF'S COST BONDS ALLEGEDLY DEPOSITED WITH THE COURT**

As this Court knows, the issue of whether Plaintiff deposited out-of-state security of costs bonds was heavily contested in this matter. Plaintiff claims to have posted \$1,500 in security with this Court pursuant to NRS 18.130, but it is undisputed that Plaintiff never filed the required Notice of Posting of the Bond as per NRS 18.130(1). In the event Plaintiff did actually post \$1,500 in security with this Court, and in the event this Application is Granted, Defendants respectfully request that the posted security funds be immediately released to Defendants' counsel for disbursement.

### **III.**

#### **CONCLUSION**

Based upon the foregoing, Defendants respectfully request that their Application for Fees, Costs, and Disbursements be GRANTED in the amount of \$14.30 for costs/disbursements, and \$8,850 for attorney's fees for a total amount of \$8,864.30. It is further requested that any security funds that were deposited by Plaintiff with this Court for security of costs pursuant to NRS 18.130, be immediately released by the Court to counsel for the Defendants.

///

///

DATED this 12th day of October, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 883-8828 Fax (702) 497-4626  
http://www.gishlawfirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS RESULTING FROM PLAINTIFF'S MOTION TO SET ASIDE** on the parties whose address appears below:

     VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

         VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com



# **EXHIBIT A**

*Steven D. Grierson*

**MEMO**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO. A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS**

Pursuant to NRS 18.005, NRS 18.010, NAR 17(B), NRS 17.130 and *Albion v. Horizon Communities, Inc.*, 122 Nev. 409, 132 P.3d 1022 (2006), Defendants<sup>1</sup> hereby submits their Memorandum of Costs, Disbursements, and Interest incurred as a result of Plaintiff's Motion To Set Aside as follows:

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant.



1	1. Clerk's Fees/Filing Fees (Exhibit A).....	\$3.50
2	2. Reporter's Fees for Depositions including Transcripts and Video	
3	Conference Services .....	\$0.00
4	3. Juror's Fees/Jury Demand Fee .....	\$0.00
5	4. Witness Fees.....	\$0.00
6	5. Expert Witness Fees .....	\$0.00
7	6. Interpreter's Fees.....	\$0.00
8	7. Process Server's Fees .....	\$0.00
9	8. Official Reporter's Fees.....	\$0.00
10	9. Bond Costs.....	\$0.00
11	10. Bailiff Fees.....	\$0.00
12	11. Facsimile.....	\$0.00
13	12. Photocopies (statutory rate of 0.60 per page per <u>NRS 18.005(12)</u> and	
14	<u>NRS 18.010</u> allow a prevailing party to recover "reasonable copy costs." <u>NRS 629.061(2)</u> allows for a reasonable charge of .60 cents per page for	
15	copying costs for medical records. This is also the copy charge rate that	
16	the Clark County Discovery Commissioner allows to be recovered for	
17	copying charges for medical records.)	
18	This includes pleading documents and exhibits, correspondence, reports	
19	and documents sent via emails and attachments)	
20	18 pages.....	\$10.80
21	13. Long Distance Calls.....	\$0.00
22	14. Postage.....	\$0.00
23	15. Travel.....	\$0.00
24	16. Costs/Fees Pursuant to NRS 19.0335.....	\$0.00
25	17. Computerized Legal Research Fees.....	\$0.00
26	18. Any Other Expenses Necessary to the Subject Action.....	\$0.00

**TOTAL COSTS:                    \$14.30**

**VERIFICATION**

Under penalty of perjury, the foregoing cost items are correct and have been necessarily incurred as a result of Plaintiff's Motion to Set Aside in the action or proceeding pursuant to NRS 18.020, NRS 18.010(1), *Las Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008), and *Village Builders 96 v. U.S. Labs*, 121 Nev. 261, 276-277, 112 P.3d 1082, 1092 (2005).

DATED this 12th day of October, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS** on the parties whose address appears below:

   VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

           VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave. #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 12<sup>th</sup> day of October, 2021.

/s/ *Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

Casey D. Gish, Esq.  
Phone: (703) 555-5555 Fax: (703) 555-5555



Casey D. Gish

# **EXHIBIT B**



THE LAW OFFICE OF  
**CASEY D. GISH**

T 702-583-5883

F 702-483-4262

E info@cdgislawfirm.com

5910 S. Rainbow Blvd., Las Vegas, NV 89118

October 12, 2021

INVOICE NUMBER: 002

Client: Vegas Shepherd Rescue/Pyle/Willet  
Matter: Alla Zorikova

DATE	TASK	TIME	AMOUNT (\$500/hr)
08/24/21	Review and analyze Plaintiff's Motion to Set Aside including exhibits. Research Nevada and Federal statutory law, Nevada and Federal case law, Nevada court rules, including local rules regarding Motions to Set Aside and Motions to Reconsider under NRCP 60	2.6	\$1,350
09/03/21	Conduct Legal research regarding Motion to Set Aside including NRCP 60 and under Nevada statutory law and Nevada case-law	1.8	\$900
09/04/21	Draft/revise Opposition to Plaintiff's Motion to Set Aside	4.9	\$2,450
09/28/21	Prepare for hearing on Plaintiff's Motion to Set Aside	2.2	\$1,100
09/29/21	Attend 1 <sup>st</sup> Hearing on Plaintiff's Motion to Set Aside	.5	\$250
09/29/21	Review and analyze Plaintiff's Motion to Reschedule Hearing on Motion to Set Aside	.1	\$50
09/29/21	Review and analyze clerk's notice for Rescheduled hearing on Plaintiff's Motion to Reschedule Hearing on Motion to Set Aside	.1	\$50
10/05/21	Prepare for Rescheduled Hearing on Plaintiff's Motion to Set Aside	.9	\$450
10/06/21	Attend 2 <sup>nd</sup> Hearing on Plaintiff's Motion to Set Aside	1.4	\$700
<b>TOTAL:</b>		<b>14.5</b>	<b>\$7,250</b>

# **EXHIBIT C**



DATE: 10/12/21

INVOICE NUMBER: 002

Client: Vegas Shepherd Rescue/Pyle/Willet  
Matter: Alla Zorikova

DATE	TASK	TIME	AMOUNT (\$500/hr)
08/24/21	Reviewed and analyzed Plaintiff's motion to set aside, including exhibits and notice of hearing.	1.1	\$550
09/04/21	Finalize opposition to Plaintiff's motion to set aside	.7	\$350
09/29/21	Attended hearing on Plaintiff's motion to set aside.	.5	\$250
09/29/21	Drafted and revised proposed order denying motion to set aside.	.7	\$350
09/29/21	Reviewed and analyzed Plaintiff's motion/request for new hearing.	.1	\$50
09/29/21	Reviewed and analyzed Clerk's notice for re-hearing	.1	\$50
Total		3.2	\$1,600





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S OBJECTIONS TO  
DEFENDANT FEES AND COSTS

JULIE PYLE, TAMMY WILLET, VEGAS

Exhibit "A" attached

SHEPHERD RESCUE AND DOES I

Department 20

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Defendant filed Application for fees and costs on October.
2. None of the statutes listed by Defendant permit Attorney's Fees.
3. Furthermore, Defendant fails to provide any court cases nor specify statute's content that would allow attorney fees be applied for this case.

4. Moreover, Casey Gish is attorney in this case and represents Julie Pyle. However, nowhere Gish refers to statement of Ms Pyle nor to her actions and writes his baseless not supported with evidences narrative as from Gish himself, which does not make sense at all. Gish is neither witness nor has (as he claims) personal knowledge about case's facts otherwise.
5. Gish refers to irrelevant to attorney fees for this case statutes: 18.005, where costs defined, 18.010 award of attorneys fees states that compensation of an attorney fees for his services governed by agreement or allowance is authorized by specific statute, which can not be applied to this case. There were no agreement between Plaintiff and Defendant regarding any attorney's fees nor Defendant listed statute that authorizes his attorney fees in this case.
6. Further, Defendant refers to again inapplicable NRS 18.020 in which attorney fees awarded in cases related to real estate and private properties, which is, again, not relevant to this lawsuit as Defendant did not brought action to recover real property in this lawsuit.
7. Further, Gish baselessly referred statute 17.130 titled "Computation of Amount of Judgment, Interest" . Defendant must be forgotten that he is Defendant and NO monetary judgment was entered in his favor that he can compute interest of. Or he counts on the fact that Judge Johnson will not read his listed statutes as it was heard before that Judge Johnson often is not reading filed documents before he rules on it during hearing.
8. Furthermore, Defendant baselessly refers to NRSP 68 which is statute regarding execution of monetary judgment.
9. Furthermore, rate as of \$500/hr as attorney fees is unheard off in Las Vegas.

10. In Defendant's "Legal Arguments" section Gish states that (p.10) Section 18.010(2)(a) states that "when the prevailing party has not recovered more than \$20,000", which is clearly refers to judgment asked and recovered from lawsuit. However, Defendant is not the one who comes to the Courts to "recover" and therefore, no "recovery" term is applicable here as to Defendant.
11. Further, Defendant cites case University of Nevada vs Tarkanian and misleads the Court in that that in reality Tarkanian was DENIED his claim for attorney fees as damages under the state law and only obtained his attorney's fees under 42 U.S.C. 1988 (1980) (awarded to as a prevailing party in civil rights lawsuit, where, again, attorney fees are prescribed by statute) based on the allowance of fees under that particular statute. moreover, Appellate Court for that case reversed the award of attorney's fees. Furthermore, appellate Court vacated award of attorneys fees against NCAA in that case. University of Nevada vs Tarkanian 879 P.2d 1180 (1994) 110 Nev. 581.
12. In his Paragraph "B" of "Legal Argument" Defendant refers to case Brunzel vs Golden Gate National Bank, which is irrelevant based on the fact that in that case after trial Bank has been awarded \$5,000 attorney's fees based on the signed contractual agreement between Defendant and Plaintiff which presumed attorney fees in case of legal dispute. Bank did not have fees schedule nor records of attorney's hours of work and therefore, Court made that 1,2,3,4 prescribed elements on how to define time used for attorney's work done. However, Gish in his request for attorney fees is referring to these 1,2,3,4 points as to "methods on how to determine if attorney shall be awarded attorney fees at the first place. Gish provides false interpretation of cited cases, which are irrelevant to the current case.

13. In his "Factual Background " section (not called "Opinions" or otherwise Gish again, KNOWNGLY and maliciously over and over constructs his lies regarding "dogs in cages", "under investigation", while that case was turned down by district attorney in 2020 and closed. Further, Gish again and again lies and lies, not only without supporting evidences but with clear contradicting his lies evidences that this case full of.
14. Furthermore, instead of listing case law, and applying statutes that would "authorize his attorneys fees" he for unknown reason and inappropriately speculates about "arrest", "theft" and other his theories that are only theories without any grounds nor reasoning.
15. This case is full of facts and evidences that support Plaintiff's allegations, while liar Gish building his speculations on deception and false allegations. Gish fails to provide a single reference to evidences/facts to support his lies.
16. For Court to understand true face and motives of "Animal Rights Activists/Extremists" masked by "puppy's mills defendants": FBI had big investigations taken place decade ago under FBI Special Agent John E Lewis. (Exhibit A) It was clearly defined how "animal rights activists" (to which Casey Gish has close ties to through arrested for the same "animal rights activist" Bryan Pease and Shana Weir (joined attorney for this case, "by accident" joint at the same time when endorsed by Animal Rights Activists Group and investigated previously for corruption with allegations of patroning Las Vegas Strip Club, Judge (refusing to recuse himself) Eric Johnson "suddenly" turned this case upside down and come up with evidentiary hearing in attempt to frame Plaintiff instead of awarding her injunctions relief. The Animal Terrorism Statute (AET) set forth in Title 18 U.S.C. ,

Section 43, provides a clear framework for individuals, involved in Animal Rights Extremism.

17. As written in AET, the statute prohibits travelling in commerce that cause disruption of animal enterprises (which dog breeder are), or causing physical disruption through stealing, damaging or causing loss of property used by animal enterprises.
18. Plaintiff, who was falsely arrested by being falsely accused by allegedly animal rights activists (animal rights activists were recognized as terrorists by FBI attacked violently all Southern California), Plaintiff had losses over \$1,000,000. Criminal case against thieves who stole her dogs is under review in Victorville District Attorney Office (police report # 082001074).
19. Plaintiff is filing second motion for Sanctions for defendant for providing false statements to the Court once again, those statements are material and ALL has clear evidences of falsity, such as defendant lues again that "Plaintiff had 70 dogs in cages (while none of dogs were in cages), Plaintiff's arrest case "is still under investigation", while case was turned down in 2020 and closed, no charges have been filed by District Attorney.
20. Defendant elected deception and lies as its way for defense for this lawsuit, and unfortunately, accused of public corruption judge Johnson can be easy manipulated and blackmailed in order to cover up Defendant's clear misconduct.
21. I will make everything possible that liar Gish would be held accountable especially for attorney's misconduct and stopped his distructive activity toward american businesses and people.

WHEREFORE, I ask this Court to deny Defendants attorney's fees and costs.

Sincerely,

Alla Zorikova

10/18/2021

• 

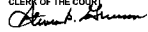
• CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 10/19/2021 to Casey Gish through Court's electronic service.

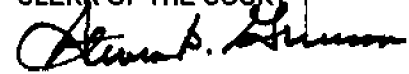
Alla Zorikova

10/16/2021



Electronically Filed  
10/19/2021 9:14 AM  
Steven D. Granson  
CLERK OF THE COURT  






**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd.

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA:

CASE NO. A-20-821249-C

Plaintiff(s).

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X.

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR SANCTIONS; AND  
COUNTERMOTION FOR SANCTIONS**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through  
their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, and hereby opposes Plaintiff's Motion  
2 For Sanctions; and files their Countermotion for Sanctions. This Opposition and Countermotion are  
3 supported by the attached Points and Authorities, the pleadings and papers on file herein, and any  
4 argument allowed by the Court.  
5

6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **I.**

8 **Factual Background**

9 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
10 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
11 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
12 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
13 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
14 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
15 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
16 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
17 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
18 around April 2021.<sup>2</sup>  
19  
20  
21

22 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
23 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. Defendants  
24 opposed the motion and filed a countermotion to dismiss.

25 On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of  
26 process of Plaintiff's Complaint. The Court granted Defendant's Counter-Motion to Dismiss.  
27  
28

<sup>2</sup> The docket does not reflect the date of filing of the bonds.

1 finding service of process was ineffective, and dismissed Plaintiff's Complaint with prejudice for  
2 abuse of process in this matter (see order filed September 2, 2021, attached hereto as *Exhibit A*).

3 The Court's September 2, 2021, order states: "IT IS FURTHER ORDERED, ADJUDGED  
4 AND DECREED that Defendants shall file a supplement to their Motion to Dismiss by August 19,  
5 2021, to include a copy of the settlement between Plaintiff, Plaintiff's daughter Olivia Jeon, and  
6 San Bernardino County in the amount of \$325,000 that supports Defendants' argument to decertify  
7 Plaintiff's In Forma Pauperis status. Plaintiff shall file any responsive pleading by August 27,  
8 2021." (See Order on file herein, at pp. 8: 1-6, *Exhibit A*).

9  
10 Plaintiff's instant Motion alleges that Defendants failed to comply with this order, and  
11 therefore she seeks sanctions (without any points and authorities, case law, or statutory support for  
12 same). However, that is inaccurate. In compliance with this Court's order, on August 19, 2021  
13 Defendant filed its Supplement which included the settlement agreement between Plaintiff, her  
14 daughter Olivia Jeon, and San Bernardino County, as Exhibit "A" to the Supplement. The  
15 Supplement, and its supporting exhibits, is attached hereto as *Exhibit B*. The proof of service  
16 showing that Plaintiff opened the e-serve envelope is attached hereto as *Exhibit C*.

17  
18 Plaintiff has brought the instant motion in bad faith and knowingly misrepresented facts to  
19 this Court. On October 13, 2021, Defendants brought this matter to Plaintiff's attention and asked  
20 that she withdraw the instant motion or Defendants would seek sanctions against her (see *Exhibits*  
21 *D*) via a letter from The Law Office of Casey D. Gish asking Defendant to withdraw her Motion).  
22 Plaintiff did receive and open the letter from The Law Office of Casey D. Gish as evidenced by the  
23 attached proof that Plaintiff opened the e-serve envelope for the letter attached hereto as *Exhibit E*.  
24 Plaintiff failed to respond or vacate her motion. As a result, Defendants seek sanctions, and  
25 attorneys' fees and costs for having to defend yet another baseless motion. Should Plaintiff continue  
26 to file baseless and frivolous motions, Defendants will seek to deem her a vexatious litigant.  
27  
28

FILED IN U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
CLERK OF COURT  
JULY 10, 2013  
JUL 10 2013  
U.S. DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA  
CLERK OF COURT



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

II.

POINTS AND AUTHORTIES

**1. Plaintiff's Motion must be Denied because it does not contain a Memorandum of Points and Authorities**

Plaintiff's Motion is comprised of one false allegation that Defendants failed to comply with a Court order that they actually did comply with, and no legal statutes, case law, or analysis as to how or why she is entitled to sanctions. NRCF 13(2) requires that all Motion be supported by a Memorandum of Points and Authorities. The absence of a supporting Memorandum of Points and Authorities is to be construed by the Court as an admission that the motion is not meritorious and cause for its denial or as a waiver of all grounds not so supported. Plaintiff's motion lacks any authority whatsoever in her request for sanctions, likely because she is completely aware it is made on a totally false basis. Based upon the Plaintiff's failure to support her Motion for a New Trial with an adequate Memorandum of Points and Authorities under NRCF 13(2), the Motion should be denied.

**2. Defendants are Entitled To Sanctions and Their Attorney's Fees and Costs to Defend A Frivolous and Baseless Motion That Plaintiff Refused To Vacate Upon Notice of the Same**

Plaintiff's motion violates NRCF 11(b) representations to the Court, which states:

By presenting to the court a pleading, written motion, or other paper — whether by signing, filing, submitting, or later advocating it — an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
- (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

Here, Plaintiff is well aware that Defendants timely complied with the order of the court to produce the settlement agreement, given that she opened the e-service document. Therefore, the instant motion and all of her other baseless motions are simply intended for purposes of harassment, delay, and to increase the costs of litigation because she knows Defendants are not being paid. If she failed to read the pleading she opened via e-service, that is her fault. She lacks total factual and legal support for her claim that Defendants failed to comply with this Court's order.

NRCP 11(c) contemplates sanctions for a party's conduct in this exact type of scenario.

(1) **In General.** If, after notice and a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the court may impose an appropriate sanction on any attorney, law firm, or party that violated the rule or is responsible for the violation. Absent exceptional circumstances, a law firm must be held jointly responsible for a violation committed by its partner, associate, or employee.

(2) **Motion for Sanctions.** A motion for sanctions must be made separately from any other motion and must describe the specific conduct that allegedly violates Rule 11(b). The motion must be served under Rule 5, but it must not be filed or be presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets. If warranted, the court may award to the prevailing party the reasonable expenses, including attorney fees, incurred for presenting or opposing the motion.

[...]

(4) **Nature of a Sanction.** A sanction imposed under this rule must be limited to what suffices to deter repetition of the conduct or comparable conduct by others similarly situated. The sanction may include nonmonetary directives; an order to pay a penalty into court; or, if imposed on motion and warranted for effective

deterrence, an order directing payment to the movant of part or all of the reasonable attorney fees and other expenses directly resulting from the violation.

Here, Plaintiff brought a completely baseless motion for sanctions against Defendants for failure to comply with a court order that Defendants actually complied with. Prior to filing Plaintiff's motion for sanctions, Plaintiff did not contact Defendants to notify Defendants she would be seeking sanctions for failure to comply with the Court's order. Had she done so, she would have been informed that Defendants had actually complied with the Court's order to produce the settlement agreement. She signed her motion and represented to the Court that it was made in good faith. Plaintiff's motion violates NRC's rules for obtaining sanctions; and Defendants are entitled to sanctions as a result. Further, upon notice of Defendants' compliance and that Defendants would seek sanctions if she did not vacate her baseless motion, Plaintiff did nothing, causing Defendants to have to defend yet another baseless and frivolous motion. Plaintiff continues to file such motions because she knows Defendants' counsel is working pro bono.

Defendants therefore request that Plaintiff be sanctioned for the same, **and** that Defendants be awarded their time and effort as and for attorney's fees and costs in addition to any sanctions imposed. Toward that end, Defendants have spent \$7.00 for court costs and 5.5 hours to review the motion, draft correspondence and draft the instant opposition (\$2,750). Defendants also seek attorney's fees for preparing for, and attending the hearing on the instant motion.

///

///

///

///

///

///

///

III.

CONCLUSION

Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion for Sanctions be denied; and Defendants' counter-motion be granted.

DATED this 20th day of October, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@gishlawfirm.com

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

WEIR LAW GROUP, LLC

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS; AND COUNTERMOTION FOR SANCTIONS** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

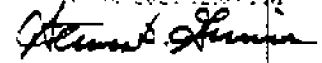
ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 20th day of October, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH

## **EXHIBIT “A”**



  
CLERK OF THE COURT
**ORDER****DISTRICT COURT****CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

CASE NO. A-20-821249-C

DEPT. NO. XX

Plaintiff(s),

vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X.

Defendant(s).

**ORDER**

THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m. before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se; Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH, and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing to consider whether Plaintiff properly effected service of the summons and complaints under Rules 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered therein, makes the following findings of fact and conclusions of law:

1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept service of process. The location of alleged service was a mail drop area of a business located at 2620 Regatta Drive, Las Vegas, Nevada.

2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or director, or any other agent authorized to receive process.

3) The Complaint is likewise dismissed as to Defendants because the affidavits of service were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process on October 5, 2020, and again on October 9, 2020. However, Plaintiff did not file any affidavits of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring affidavits of service to be filed within the time for filing an answer or responsive pleading.

4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants contended that to the extent any service was attempted, it was done by Plaintiff herself, an unqualified person under NRCP 4(c)(3).

Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9, 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally altered the caption to include him as a Defendant.

1 the packets on the two different dates. Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as "Alla" had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong's supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named "Alla." She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28

1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.

8  
9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).

22  
23 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
24 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
25 process.  
26  
27  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26  
27  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_\_\_ day of \_\_\_\_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 DISTRICT COURT JUDGE

11 EAB 33D 383C 575F  
12 Eric Johnson  
13 District Court Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 9/2/2021

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
22 known addresses on 9/3/2021:

23 Casey Gish

Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118  
24  
25  
26  
27  
28

## **EXHIBIT “B”**

*Steven D. Grierson*

**SUPP**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA:

Plaintiff(s).

vs.

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X.

Defendant(s).

**DEFENDANTS' SUPPLEMENT TO REPLY IN SUPPORT OF COUNTER-MOTION  
TO DISMISS PLAINTIFF'S COMPLAINT**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and  
hereby provides the following SUPPLEMENT to their REPLY IN SUPPORT OF COUNTER-

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss filed concurrently herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.

**MOTION TO DISMISS PLAINTIFF'S COMPLAINT.**

Defendants hereby supply this Court with the following Supplement to their prior Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss. Said Reply was filed on July 21, 2021. This supplement amends section II(L) "Reconsideration of In Forma Pauperis Order" on page 21 and 22 of said Reply as follows:

**I.. Reconsideration of In Forma Pauperis Order.**

Rule 60(b)(2) allows this Court to reconsider and correct any of its previous orders. In this case, the Complaint was filed on 9/15/2020. An application to proceed in forma pauperis was filed by Zorikova on 9/20/2020. The application was denied on 9/20/2020. A subsequent application to proceed in forma pauperis was filed on 9/24/2020. Also, on 9/24/2020, it appears an amended complaint was filed. On 9/25/2020 the application to proceed in forma pauperis was granted.

It was recently discovered through a Freedom of Information Act request to the San Bernardino County Sheriff's office that Plaintiff received at least \$325,000 in settlement for her claims against that agency for their officers' directing of individuals, not the Defendants, to retrieve dogs in the California desert that were in distress and in physical danger due to the environmental conditions in the middle of summer. In light of that settlement, it would appear that Plaintiff is no longer indigent and can afford Court costs and fees in this matter.

///

///

///

///

///



1 Therefore, it is requested that the Court reconsider its prior Order to allow Plaintiff to  
2 proceed in forma pauperis. A copy of the settlement agreement between Zorikova, her daughter  
3 Olivia Jeong, and San Bernardino County dated, February 9, 2021, for the amount of \$325,000 is  
4 attached hereto as Exhibit A.

5  
6 DATED this 19<sup>th</sup> day of August, 2021.

7 **THE LAW OFFICE OF CASEY D. GISH**

8 /s/ Casey D. Gish

9 CASEY D. GISH, ESQ.

10 Nevada Bar No. 006657

11 5940 S. Rainbow Blvd

12 Las Vegas, NV 89118

13 Casey@GishLawFirm.com

14 (702) 583-5883 Telephone

15 (702) 483-4608 Facsimile

16 *Co-counsel for Defendants Julie Pyle, Tammy*  
17 *Willet, & Vegas Shepherd Rescue*

18 **WEIR LAW GROUP, LLC**

19 /s/ Shana D. Weir

20 SHANA D. WEIR, ESQ.

21 Nevada Bar No. 9468

22 6220 Stevenson Way

23 Las Vegas, NV 89120

24 (702) 509-4567 Telephone

25 *Co-counsel for Defendants Julie Pyle, Tammy*  
26 *Willet, & Vegas Shepherd Rescue*



CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' SUPPLEMENT TO REPLY IN SUPPORT OF COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Oklysey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave. #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 19<sup>th</sup> day of August, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH

## **EXHIBIT “A”**

**FAX COVER SHEET**

TO	Laura Crane
COMPANY	
FAX NUMBER	
FROM	
DATE	2021-02-11 18:49:52 GMT
RE	Zorikova

**COVER MESSAGE**

Please see attached partially executed settlement agreement.



**SETTLEMENT AGREEMENT AND FULL RELEASE OF ALL CLAIMS**

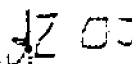
This Settlement Agreement and Full Release of Claims (hereinafter "AGREEMENT") is entered into by and between the County of San Bernardino (referred to hereafter as "COUNTY"), on the one hand, and Alia A. Zorikova and Olivia Dae Jeong (referred to hereafter as "CLAIMANTS") on the other hand. COUNTY and CLAIMANTS are collectively referred to herein as the "PARTIES."

A dispute has arisen between CLAIMANTS and COUNTY relating to CLAIMANTS' allegation that COUNTY employees wrongfully arrested CLAIMANTS and caused their personal property, including multiple German Shepard dogs, to be stolen in August 2020. (This is referred to hereafter as the "INCIDENT"). CLAIMANTS presented COUNTY with separate claims pursuant to Government Code section 911.2, seeking compensation for their claimed injuries and damages allegedly sustained in the INCIDENT. Alia A. Zorikova also filed a lawsuit (Case Number CIVDS2017383) in the Superior Court of California – County of San Bernardino, that names a COUNTY employee as a defendant and seeks compensation for injuries and damages allegedly sustained in the INCIDENT.


For the purposes of this AGREEMENT, the term "DISPUTE" shall include all facts and/or claims which relate in any way whatsoever to the INCIDENT, all factual and/or legal matters which relate to any claims of CLAIMANTS against COUNTY set forth in the claims and lawsuit referenced previously, and/or any claims of CLAIMANTS which could have been asserted in the claims or lawsuit whether related to the INCIDENT or not.

In order to buy peace and avoid further litigation, and in exchange for the consideration described herein, CLAIMANTS and COUNTY have agreed to settle their differences upon the following terms and conditions:

1. In consideration of the performance of this AGREEMENT by CLAIMANTS, COUNTY will pay CLAIMANTS the sum of \$325,000 ("SETTLEMENT SUM"). COUNTY shall issue a check in the sum of \$325,000 made payable to "Law Firm of Artin Sodaify" and will cause the check to be delivered to 4522 Woodman Ave #C308 Sherman Oaks, CA 91423. CLAIMANTS are solely responsible for allocation

County Initials 

1

County Initials 

of the settlement proceeds and satisfaction of any liens. The SETTLEMENT SUM, however, will not be issued until each of the following conditions precedent have been satisfied:

- a. All parties, including their relevant attorneys, have signed this AGREEMENT.
- b. Alla A. Zorikova causes Angela Marie Parsons to be dismissed, with prejudice, from the lawsuit Alla A. Zorikova filed with the Superior Court of California – County of San Bernardino resulting in Case Number CIVDS2017383.
- c. Law firm of Artin Sodaily provides counsel for COUNTY a completed W-9

2. CLAIMANTS hereby fully and permanently release and forever discharge COUNTY and their current and former employees, servants, representatives, officers, officials, agents and departments (collectively, "COUNTY RELEASEES") from any and all claims, demands, causes of action, rights, damages, costs, and liabilities of any nature whatsoever, whether now known or unknown, latent or patent, arising now or in the future, suspected or claimed, whether anticipatory or real, which they ever had, now have, or claim to have had against COUNTY RELEASEES arising out of or related in any way to the subject matter of the DISPUTE

3. CLAIMANTS fully understand and expressly waives their rights or benefits under California Civil Code § 1542, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

In addition, CLAIMANTS agree to waive all rights arising out of any law similar to California Civil Code section 1542 whether it is a local, state or federal law.

4. The PARTIES understand that COUNTY denies liability for any acts or omissions of the COUNTY and its employees with respect to the INCIDENT and

Claimant Initials 42 07

County Initials JK

DISPUTE. The PARTIES agree that this AGREEMENT relates to a compromise and settlement of the various claims between the PARTIES. The PARTIES agree that this AGREEMENT shall not be admissible in any suit or action at the instance of any party hereto or any third parties to show the liability of or any admission by any party hereto.

5. CLAIMANTS represent and warrant that no portion of the DISPUTE has been assigned or transferred to any other person, entity, firm or corporation not a party to this AGREEMENT, in any manner, including by way of subrogation of operation of law or otherwise. CLAIMANTS specifically represent and warrant that there are no claims or liens by any insurance company, including but not limited to any claim by any governmental entity, including but not limited to MediCal, Medicare or Medicaid, which have paid, or may in the future pay accident, medical or health benefits for CLAIMANTS related to the DISPUTE. In the event that any claim, demand, lien, or suit is made or instituted against COUNTY because CLAIMANTS made an actual assignment or transfer or failed to disclose an actual or potential lien against the proceeds of the DISPUTE, CLAIMANTS agree to save, defend, indemnify and hold COUNTY harmless against such claim or lien, and to pay and satisfy any such claim or lien, including necessary expenses of investigation, reasonable attorneys' fees and costs. This indemnity agreement shall also include all reasonable attorney's fees, costs and expenses incurred by COUNTY in defending such a claim or lien, and in asserting a claim against CLAIMANTS for indemnity pursuant to this paragraph. **CLAIMANTS expressly agree that this paragraph contains material terms to this AGREEMENT.**

6. CLAIMANTS represent that, other than Case Number Case Number CIVDS2017383 filed in the Superior Court-County of San Bernardino (as more fully described above), CLAIMANTS have not filed lawsuits, claims or actions against COUNTY with any federal, California, or local government agency, court, arbitration agency, or arbitrator pertaining to this incident. Further, this AGREEMENT shall constitute a bar to the filing and/or further pursuit of any such claims or actions.

7. The PARTIES agree that each will bear their own attorneys' fees and costs.

Claimant Initials AZ 07

County Initials JK

8. The PARTIES agree that this AGREEMENT shall be deemed breached and a cause of action accrued thereon immediately upon the commencement by any party of any action or proceeding contrary to the terms of this AGREEMENT. In any such action or proceeding this AGREEMENT may be pleaded as a defense, or may be asserted by way of counter-claim or cross-complaint.

9. The PARTIES fully understand and declare that if the facts under which this AGREEMENT is executed are found hereafter to be different from the facts now believed by them to be true they assume the risk of such possible differences in facts and hereby agree that this AGREEMENT shall be, and will remain, effective, notwithstanding such differences in facts.

10. The PARTIES further agree that this AGREEMENT shall be binding upon the PARTIES, their employees, agents, heirs, representatives, successors, assigns, officers, officials, agents and departments. Furthermore the benefits contained in this AGREEMENT shall inure to the benefit of the PARTIES hereto, their employees, agents, heirs, representatives, successors, assigns, officers, officials, agents and departments.

11. The PARTIES certify they have not received any representations, promises or inducement from any of the PARTIES or from their representatives other than those expressed in this AGREEMENT. The PARTIES further certify that they are each represented by counsel or have had the opportunity to obtain counsel if so desired. The PARTIES are entering into this AGREEMENT in reliance upon their knowledge and understanding of the facts, the legal implications thereof, and the liability therefore as per the advice and legal counsel of their attorneys, or with the knowing waiver of the right to obtain such advice and counsel. The PARTIES understand and agree that this AGREEMENT is intended to be and is the complete and entire agreement of the PARTIES with respect to all matters contained herein and the PARTIES hereby affirm their understanding of the terms of this AGREEMENT. The PARTIES agree that this AGREEMENT is a binding contract and not merely a recital. The PARTIES further understand and agree that this AGREEMENT may not be altered, amended, modified, or otherwise changed in any

Claimant initials AL CD

County initials JA

respect or particular whatsoever, except in writing duly executed by all PARTIES or their authorized representatives.

12. The PARTIES agree that the Court shall retain jurisdiction for purposes of enforcing this this AGREEMENT. This AGREEMENT shall be governed by and construed under and in accordance with the laws of the State of California.

13. This AGREEMENT may be signed in counterparts. Photocopied, PDF, or facsimile signatures shall be treated as originals.

IN WITNESS WHEREOF, the PARTIES sign this AGREEMENT on the respective dates indicated.

**THIS IS A FULL RELEASE OF  
ALL CLAIMS THAT I AM SIGNING**

DATED: 02/09/2021

ALLA A. ZORIKOVA  
ALLA A. ZORIKOVA

DATED: 02/09/2021

OLIVIA DAE JEONG  
OLIVIA DAE JEONG

DATED: 2/9/2021

LAW FIRM OF ARTIN SODAIFY  
LAW FIRM OF ARTIN SODAIFY

By: ARTIN SODAIFY  
Attorneys for CLAIMANTS

DATED: 2/12/2021

LYNDEN SALONGA  
San Bernardino County Claims Department  
Risk Management Division

Claimant Initials AS OT

County Initials dx

## **EXHIBIT “C”**

## Case # A-20-821249-C - Alla Zorikova, Plaintiff(s)vs.Julie Pyle, Defendant

### Envelope Information

<b>Envelope Id</b> 8411910	<b>Submitted Date</b> 8/19/2021 6:36 AM PST	<b>Submitted User Name</b> Casey@Gishlawfirm.com
-------------------------------	--	---

### Case Information

<b>Location</b> Department 20	<b>Category</b> Civ	<b>Case Type</b> Other Tort
<b>Case Initiation Date</b> 9/15/2020	<b>Case #</b> A-20-821249-C	
<b>Assigned to Judge</b> Johnson, Eric		

### Filings

<b>Filing Type</b> E-FileAndServe	<b>Filing Code</b> Supplement - SUPPL (CIV)
<b>Filing Description</b> DEFENDANTS' SUPPLEMENT TO REPLY IN SUPPORT OF COUNTER- MOTION TO DISMISS PLAINTIFF'S COMPLAINT	
<b>Filing Status</b> Accepted	<b>Accepted Date</b> 8/19/2021 6:37 AM PST
<b>Accept Comments</b> Auto Review Accepted	

### Lead Document

<b>File Name</b> 2021.08.19 Supplement to Reply Motion to Dismiss (CDG).pdf	<b>Security</b> Public Filed Document	<b>Download</b> Original File Court Copy
---	--	--

### eService Details

Status	Name	Firm	Served	Date Op
--------	------	------	--------	---------

Status	Name	Firm	Served	Date Opened
Sent	Alla Zorikova		Yes	8/19/2021 9:30 AM PST
Sent	Casey D. Gish, Esq.	The Law Office of Casey D. Gish	Yes	Not Opened
Sent	Shana Weir	Weir Law Group LLC	Yes	8/19/2021 8:01 AM PST
Sent	Shana Weir	Weir Law Group LLC	Yes	Not Opened
Error	Alla Zorikova		No	Not Opened
Sent	Shana Weir	Weir Law Group LLC	Yes	Not Opened

## Fees

### Supplement - SUPPL (CIV)

Description	Amount
Filing Fee	\$0.00
<b>Filing Total:</b>	<b>\$0.00</b>

Total Filing Fee	\$0.00
<b>Envelope Total:</b>	<b>\$0.00</b>
	<i>Waiver selected</i>

**Filing Attorney** Casey Gish



## **EXHIBIT “D”**



THE LAWYER OF CHOICE  
**CASEY D. GISH**

310.321.1147  
310.321.4277 • 310.321.4227 • 310.321.4277  
310.321.4277 • 310.321.4277  
6400 Randa Drive • Los Angeles, CA 90048

October 13, 2021

**SENT VIA E-SERVICE**

Alla Zorikova  
1905 Wilcox Ave. #175  
Los Angeles, CA 90068

Case Title: Zorikova v. Pile et al.

Dearest Alla:

Please see attached proposed Order Denying your Motion to Set Aside. Please review the proposed order any objections you have to the form of the order via writing. If you do not have any objections to the proposed Order, please sign that you approve the Order as its form and return it to me via eservice or via email. If I do not hear back from you before October 20, 2021, I will submit the proposed Order to the Court.

In addition, we are in receipt of your motion for sanctions which alleges that Defendants have violated this Court's order by failing to provide a copy of the settlement agreement between you and San Bernardino by August 16, 2021. As you are aware (because you opened the e-service document on August 19, 2021 at 9:31 a.m. PST), Defendants provided that settlement agreement as a supplement to its Reply in Support of Motion to Dismiss, filed on August 19, 2021. Therefore, your motion is entirely false, made in bad faith, and intended to deceive the court.

Please immediately vacate your motion or we will have no choice but to move for sanctions against you for violation of NRCF Rule 11. We will also seek all court costs and attorneys' fees in conjunction with the same.

Yours Truly,

*Casey D. Gish*

Casey D. Gish, Esq.

ORDR

CASEY D. GISH, ESQ.

Nevada Bar No. 906657

**THE LAW OFFICE OF CASEY D. GISH**

5840 S. Rainbow Blvd.

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5885 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle Tammy*

*Willey & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLEY, VEGAS

SHEPHERD RESCUE AND DOGS,

THROUGH N. INDIVIDUALS, AND ROB

BUSINESS ENTITIES, THROUGH N.

Defendant(s).

CASE NO. A-21-821249-0

DEPT. NO. XX

Hearing Date: 10/06/2021

Hearing Time: 9:00 a.m.

**ORDER DENYING PLAINTIFF'S MOTION TO SET ASIDE ORDER TO DISMISS  
WITH PREJUDICE**

THIS MATTER came on for hearing on the 29<sup>th</sup> day of September, 2021 at 10:30 a.m.

and, due to Plaintiff's alleged inability to sign on to the Court's video link for the hearing via

Blue Jeans, again on the 6<sup>th</sup> day of October, 2021 at 9:00 a.m. before the HONORABLE ERIC

JOHNSON; Plaintiff ALLA ZORIKOVA, appearing Pro Se; Defendants JULIE

1 PYLE, TAMMY WILLET and VEGAS SHEPHERD RESCUE appearing by and through their  
2 counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH; the Court  
3 having reviewed the papers and pleadings on file herein finds that Plaintiff's Motion to Set Aside  
4 Order of dismissal with prejudice is tantamount to one for reconsideration. Plaintiff failed to  
5 present any new facts or evidence and failed to present any reason for reconsideration.

6  
7 IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion to Set Aside  
8 Order to Dismiss with Prejudice is hereby DENIED.

9  
10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's In Forma  
11 Pauperis status is hereby revoked, as a result of Defendants providing this Court with evidence  
12 of Plaintiff's recent receipt of a \$325,000 settlement, and Plaintiff's failure to provide any  
13 objection to revocation prior to August 27, 2021, as ordered by the Court.

14 IT IS FURTHER ADJUDGED AND DECREED that Defendants' counsel, Casey D.  
15 Gish, Esq. and Shana D. Wein, Esq. are permitted to recover their attorney's fees and costs  
16 associated with having to defend and appear for the instant motion on September 29, 2021, and  
17 the subsequent hearing on October 6, 2021 and Casey D. Gish, Esq. and Shana Wein, Esq.  
18 having to appear for the instant motion on September 29, 2021, and Casey D. Gish, Esq. again  
19 having to appear on October 6, 2021, and they shall file a timely Memorandum of Costs and an  
20 Application for Attorneys Fees incurred as a result of defending the instant Motion and  
21 appearing for the September 29, 2021 hearing and the re-scheduled hearing on October 6, 2021.

22  
23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
24 New Trial and Plaintiff's Motion for Relief From Final Order currently set for hearing on  
25 October 20, 2021, are vacated as moot.

26  
27  
28  
DISTRICT COURT JUDGE

Submitted by:

CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
THE LAW OFFICE OF CASEY D. GISH  
5940 S. Rainbow Blvd  
Las Vegas, NV 89118  
[Casey@CDGlaw.com](mailto:Casey@CDGlaw.com)

SHANA D. WEIR, ESQ.  
Nevada Bar No. 9468  
WEIR LAW GROUP, PLLC  
6220 Stevenson Way  
Las Vegas, NV 89130  
[Shana@weirlaw.com](mailto:Shana@weirlaw.com)

Approved as to form:

Alla Zorkova  
Plaintiff, Pro Se

## **EXHIBIT “E”**

## Case # A-20-821249-C - Alla Zorikova, Plaintiff(s)vs.Julie Pyle, Defendant

### Envelope Information

**Envelope Id**

8717612

**Submitted Date**

10/13/2021 10:13 PM PST

**Submitted User Name**

Casey@Gishlawfirm.com

### Case Information

**Location**

Department 20

**Category**

Civil

**Case Type**

Other Tort

**Case Initiation Date**

9/15/2020

**Case #**

A-20-821249-C

**Assigned to Judge**

Johnson, Eric

### Filings

**Filing Type**

Serve

**Filing Code**

Service Only

**Filing Description**

Letter to Zorikova regarding proposed  
Order and Rule 11 sanctions

**Filing on Behalf of**

Julie Pyle

**Filing Status**

Served

### Service Document

**File Name**

2021.10.13 Letter to Zorikova regarding  
proposed order and Rule 11 sanctions  
.pdf

**Security****Download**

Original File  
Court Copy

### eService Details

**Status****Name****Firm****Served****Date Opened**

Sent:

Alla Zorikova

Yes

Not Opened

Status	Name	Firm	Served	Date Opened
Sent	Alla Zorikova		Yes	10/17/2021 5:05 PM PST
Sent	Casey D. Gish, Esq.	The Law Office of Casey D. Gish	Yes	10/13/2021 10:14 PM PST
Sent	Shana Weir	Weir Law Group LLC	Yes	10/13/2021 10:17 PM PST

Fees

Service Only

Description	Amount
Filing Fee	\$0.00
<b>Filing Total:</b>	<b>\$0.00</b>

Total Filing Fee	\$0.00
<b>Envelope Total:</b>	<b>\$0.00</b>

Filing Attorney Casey Gish





**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd.

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO PROVIDE  
STATEMENT OF FACTS**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through  
their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby opposes Plaintiff's Motion to  
2 Provide Statement of Facts. This Opposition is supported by the attached Points and Authorities,  
3 the pleadings and papers on file herein, and any argument allowed by the court.

4  
5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6 **I.**

7 **Factual Background**

8 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
9 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
10 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
11 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
12 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
13 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
14 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
15 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
16 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
17 around April 2021.<sup>2</sup>

18  
19  
20 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
21 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. Defendants  
22 opposed the motion and filed a counter-motion to dismiss.

23  
24 On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of  
25 process of Plaintiff's Complaint. The Court granted Defendant's Counter-Motion to Dismiss,  
26 finding service of process was ineffective and otherwise failed to comply with the statutes, and  
27  
28

<sup>2</sup> The docket does not reflect the date of filing of the bonds.

1 dismissed Plaintiff's Complaint with prejudice for abuse of process in this matter (given her  
2 multiple misrepresentations to the Court).

3 Plaintiff's Motion for Statement of Facts is not directed to Defendants. Rather, Plaintiff's  
4 Motion seeks to direct this Court to provide her with additional information regarding its order to  
5 dismiss her Complaint. This motion is not supported by any statutes or case law, and lacks any  
6 authority whatsoever. Frankly, it is tantamount to Plaintiff's third request for reconsideration and  
7 should be denied as the order is clear on its face.  
8

9  
10 **II.**

11 **POINTS AND AUTHORTIES**

12 **1. Plaintiff's Motion Must Be Denied because it Does Not Contain a Memorandum of**  
13 **Points and Authorities.**

14 Plaintiff's Motion is comprised of two sentences. There are no statutes or case law cited in  
15 support of Plaintiff's rogue motion. NRCP 13(2) requires that all Motion be supported by a  
16 Memorandum of Points and Authorities. The absence of a supporting Memorandum of Points and  
17 Authorities is to be construed by the Court as an admission that the motion is not meritorious and  
18 cause for its denial or as a waiver of all grounds not so supported. Plaintiff alleges that the Court  
19 has not provided her with any factual support for its order dismissing her case filed on September  
20 2, 2021. In fact, the order is eight pages long and states in sufficient detail the facts and  
21 circumstances surrounding the Court's decision. Plaintiff provides no legal or factual basis upon  
22 which the Court should even entertain the Motion.  
23

24 Based upon the Plaintiff's failure to support her Motion for Statement of Facts with an  
25 adequate Memorandum of Points and Authorities under NRCP 13(2), the Motion should be denied.  
26

27 **2. Plaintiff's Motion Is Tantamount to A Third Motion For Reconsideration**  
28 **Which Should Be Denied**

1 It should be noted that Plaintiff's case is up on appeal. However, Plaintiff continues to file  
2 baseless and vexatious motions in this Court, likely because she knows Defendants' counsel are  
3 providing their services pro bono. The instant motion is nothing more than a third attempt at  
4 reconsideration, after Plaintiff's first two attempts were denied. Lest there be any confusion,  
5 Plaintiff is seeking to have this Court retract, and issue a new order.

6  
7 Defendants hereby incorporate their Opposition to Plaintiff's Motion to Set Aside Order to  
8 Dismiss With Prejudice and their Opposition to Plaintiff's Motion for Relief From Final Order in  
9 support of their Opposition herein. Plaintiff certainly has not alleged any facts or circumstances,  
10 let alone new ones, that would serve for this Court to reconsider its decision for a third time.

11  
12 **III.**

13 **CONCLUSION**

14 Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion to Provide  
15 Statement of Facts be denied.

16 DATED this 20th day of October, 2021.

17  
18 **THE LAW OFFICE OF CASEY D. GISH**

19 /s/ Casey D. Gish

20 CASEY D. GISH, ESQ.

21 Nevada Bar No. 006657

22 5940 S. Rainbow Blvd

23 Las Vegas, NV 89118

24 *Co-counsel for Defendants Julie Pyle, Tammy*  
25 *Willet, & Vegas Shepherd Rescue*

26 **WEIR LAW GROUP, LLC**

27 /s/ Shana D. Weir

28 SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy*  
*Willet, & Vegas Shepherd Rescue*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO PROVIDE STATEMENT OF FACTS** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 20th day of October, 2021.

*/s/ Casey D. Gish*  
\_\_\_\_\_  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd.

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR RECUSAL**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby opposes Plaintiff's Motion For

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 Recusal. This Opposition is supported by the attached Points and Authorities, the pleadings and  
2 papers on file herein, and any argument allowed by the court.

3  
4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I.**

6 **Factual Background**

7 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
8 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
9 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
10 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
11 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
12 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
13 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
14 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
15 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
16 around April 2021.<sup>2</sup>

17  
18  
19 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
20 Order for Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. Defendants opposed  
21 the motion and filed a Countermotion to Dismiss.

22  
23 On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of  
24 process of Plaintiff's Complaint. The Court granted Defendant's Countermotion to Dismiss,  
25 finding service of process of Plaintiff's was ineffective and that Plaintiff had otherwise failed to  
26 comply with the statutes for proper service, and the Court dismissed Plaintiff's Complaint with  
27  
28

---

<sup>2</sup> The docket does not reflect the date of filing of the bonds.



1 prejudice for abuse of process in this matter (given her multiple misrepresentations to the Court).  
2 See Order filed September 2, 2021.

3 In addition to the instant Motion for Recusal, and since the August 18, 2021 hearing,  
4 Plaintiff has filed two motions for reconsideration (pursuant to the same statutes), a motion for a  
5 new trial, a motion for sanctions (alleging Defendants failed to comply with a court order to produce  
6 documents that Defendants actually produced in a document that Plaintiff opened via eservice), and  
7 a “motion to provide statement of facts” directed at Judge Johnson. The latter two motions are  
8 pending. Plaintiff also filed an appeal that is pending.

9  
10 Plaintiff filed her untimely Motion for Recusal of Judge Johnson on October 6, 2021,  
11 alleging that she filed an Affidavit of Prejudice in September, 2021<sup>3</sup>; and that Judge Johnson failed  
12 to respond to the same. Judge Johnson filed an Answer on October 7, 2021, which indicates in part,  
13 that Plaintiff failed to comply with service on him or his staff, as required by NRCP 1.235.

14  
15 On October 12, 2021, Plaintiff filed a rogue opposition to Judge Johnson’s Answer. In her  
16 Opposition, in addition to allegations against Judge Johnson, she made several false allegations  
17 regarding Defendants’ counsel and counsel’s representations to the Court, which can easily be  
18 debunked with the transcript from the hearing. She also made blatant false allegations that are easily  
19 verifiable relative to a non-party’s supposed contributions to Judge Johnson. She also made  
20 allegations against a lawyer who is not, and has never been, counsel in this case.

21  
22 ///

23  
24 ///

25  
26 ///

27  
28 <sup>3</sup> In her Opposition to Judge Johnson’s Answer, Plaintiff claims she emailed the Affidavit of Prejudice to Judge Johnson on October 7, 2021. (See Opposition at pp. 4, paragraph 10). Emailing, or E-serving, an Affidavit of Prejudice against a judge is not sufficient service pursuant to NRCP 1.235(4) which requires that a copy of the Affidavit of Prejudice be delivered to the Judge’s Chambers or served on the judge personally which Plaintiff failed to do.





## II.

### POINTS AND AUTHORTIES

#### 1. Plaintiff's Motion Admits It Is Not Timely

Plaintiff's motion indicates it is being brought under NRS 1.235(1), which states as follows:

1. Any party to an action or proceeding pending in any court other than the Supreme Court or the Court of Appeals, who seeks to disqualify a judge for actual or implied bias or prejudice must file an affidavit specifying the facts upon which the disqualification is sought. The affidavit of a party represented by an attorney must be accompanied by a certificate of the attorney of record that the affidavit is filed in good faith and not interposed for delay. Except as otherwise provided in subsections 2 and 3, the affidavit must be filed:

(a) Not less than 20 days before the date set for trial or hearing of the case; or

(b) Not less than 3 days before the date set for the hearing of any pretrial matter.

Here, the evidentiary hearing was conducted on August 18, 2021. The Order memorializing the hearing was filed on September 2, 2021. The Court's docket reflects that Plaintiff's improperly Affidavit of Prejudice was filed on September 8, 2021, three full weeks *after* the hearing. The information upon which Plaintiff bases her Motion for Recusal of Judge Johnson<sup>4</sup> (endorsement by an animal rights group and a "corruption investigation"), while without merit, is information that was publicly available to Plaintiff since the filing of her Complaint nearly a year prior to the hearing. Plaintiff could have moved for recusal at any point up until the hearing, but she did not.

In fact, in Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Plaintiff alleges that her daughter, "Olivia Jeong's poor 'demeanor' rised [sic] from her knowledge that Eric Johnson was endorsed by Animal Rights Activists Group, and most likely big 'donations' were

---

<sup>4</sup> The portion of her Affidavit of Prejudice that pertains to a Judge [Judge Foster] that is not involved in this case is unintelligible and serves as no basis for Judge Johnson's recusal.

1 poured in to influence his judgments.” See Plaintiff’s Motion to Set Aside Order to Dismiss with  
2 Prejudice, at pp. 7 at paragraph 37. This proves she was aware of Judge Johnson’s endorsement  
3 by NPAC and anyone else prior to that hearing.

4 The fact is she did not move to recuse Judge Johnson prior to the August 18, 2021 hearing,  
5 and she had in fact looked at the publicly available information on the internet, is provable.  
6 Plaintiff claims: “I had ‘opinion’ before this Hearing that Judge Eric Johnson one of the best judges  
7 in Nevada (based on my research), what happened to him??” See Plaintiff’s Motion to Set Aside  
8 Order to Dismiss with Prejudice, at p. 11 at paragraph 53.  
9

10 The truth is that Plaintiff is a vexatious litigant that continues to file baseless and frivolous  
11 motions, and continues to make blatant false representations about Judges, counsel and non-  
12 parties to this Court because she is unhappy with her conduct, her daughter’s conduct, and her  
13 failure to follow the rules, and the dismissal. She is also aware that Defendants’ counsel are  
14 providing their services entirely pro bono.  
15

16 **2. Even If Plaintiff’s Motion Was Timely, There Are No Substantive Grounds**  
17 **For Recusal**

18 The title of Plaintiff’s Motion indicates it is being brought under NRS 1.230. That statute  
19 states as follows:  
20

21 **Grounds for disqualifying judges other than Supreme Court justices or judges**  
22 **of the Court of Appeals.**

- 23 1. A judge shall not act as such in an action or proceeding when the judge  
24 entertains actual bias or prejudice for or against one of the parties to the  
25 action.  
26 2. A judge shall not act as such in an action or proceeding when implied  
27 bias exists in any of the following respects:  
28 (a) When the judge is a party to or interested in the action or  
proceeding.  
(b) When the judge is related to either party by consanguinity or  
affinity within the third degree.  
(c) When the judge has been attorney or counsel for either of the  
parties in the particular action or proceeding before the court.

(d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or uncontested matters, except in fixing fees for an attorney so related to the judge.

3. A judge, upon the judge's own motion, may disqualify himself or herself from acting in any matter upon the ground of actual or implied bias.

4. A judge or court shall not punish for contempt any person who proceeds under the provisions of this chapter for a change of judge in a case.

5. This section does not apply to the arrangement of the calendar or the regulation of the order of business.

While Judge Johnson's Answer to the instant Motion can stand for itself, it appears clear that NRS 1.230(2), NRS 1.230(3), NRS 1.230(4) and NRS 1.230(5) do not apply to the instant Motion. There are no allegations from Plaintiff that Judge Johnson is a party to the litigation; or was counsel for, or has any type of familial relationships with, any parties or counsel. Plaintiff apparently agrees with this analysis in her rogue Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice, wherein she prefers to rely on speculation, conjecture, and spurious allegations.

For brevity's sake, while Nevada Political Action for Animals (NPAC) is not a party to this case, and Defendants are not associated with NPAC in any way, shape or form, the undersigned has never represented NPAC in any court cases in any jurisdiction, let alone in front of Judge Johnson. It should also be noted that a trip to NPAC's website reveals that it endorsed *forty-eight* judicial candidates in Nevada in the last election, in addition to candidates in six non-judicial races. The revelation of NPAC's endorsement of Judge Johnson is not revealing at all, nor is it germane to Plaintiff's case being dismissed for inadequate service of process (which inadequacy was repeated in her failure to serve the instant motion on Judge Johnson). Further – and not that it matters, but as it is easily verifiable, contrary to Plaintiff's conspiratorial theories, NPAC has never donated to Judge Johnson.



Also, as discussed in Judge Johnson's Answer, Defendant Vegas Shepherd Rescue has never endorsed Judge Johnson nor contributed financially to his campaign.

Finally, Plaintiff's post-dismissal complaints about a "corruption investigation" are related to allegations that are two decades old, meritless and debunked; and simply meant to embarrass a sitting Judge who has served honorably on the bench for six years and has been through rigorous background investigations throughout his entire career. Does Plaintiff mean to say that a judge cannot preside over any cases or rule against anyone because one time in 2004, a criminal behaved like a criminal and his slanderous allegations made their way into the media? And it is noted that this criminal's statements regarding this judge were later revoked by this criminal himself as being false. This is an absurd result.

It cannot be overstated that Plaintiff only moved for recusal after Judge Johnson's dismissal of her case because the outcome was not favorable to her. The case was dismissed due to inadequate service of process and further, and for Plaintiff's abuse of process. Non-party endorsements and baseless allegations do not pass muster for this late and baseless m\Motion.

### III.

#### CONCLUSION

Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion for Recusal be denied.

DATED this 20th day of October, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue



THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR RECUSAL** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 20th day of October, 2021.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com



THE LAW OFFICE OF  
CASEY D. GISH



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd.

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR RECUSAL**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby opposes Plaintiff's Motion For

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 Recusal. This Opposition is supported by the attached Points and Authorities, the pleadings and  
2 papers on file herein, and any argument allowed by the court.

3  
4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I.**

6 **Factual Background**

7 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
8 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
9 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
10 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
11 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
12 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
13 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
14 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
15 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
16 around April 2021.<sup>2</sup>

17  
18  
19 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
20 Order for Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. Defendants opposed  
21 the motion and filed a Countermotion to Dismiss.

22  
23 On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of  
24 process of Plaintiff's Complaint. The Court granted Defendant's Countermotion to Dismiss,  
25 finding service of process of Plaintiff's was ineffective and that Plaintiff had otherwise failed to  
26 comply with the statutes for proper service, and the Court dismissed Plaintiff's Complaint with  
27  
28

---

<sup>2</sup> The docket does not reflect the date of filing of the bonds.





1 prejudice for abuse of process in this matter (given her multiple misrepresentations to the Court).  
2 See Order filed September 2, 2021.

3 In addition to the instant Motion for Recusal, and since the August 18, 2021 hearing,  
4 Plaintiff has filed two motions for reconsideration (pursuant to the same statutes), a motion for a  
5 new trial, a motion for sanctions (alleging Defendants failed to comply with a court order to produce  
6 documents that Defendants actually produced in a document that Plaintiff opened via eservice), and  
7 a “motion to provide statement of facts” directed at Judge Johnson. The latter two motions are  
8 pending. Plaintiff also filed an appeal that is pending.

10 Plaintiff filed her untimely Motion for Recusal of Judge Johnson on October 6, 2021,  
11 alleging that she filed an Affidavit of Prejudice in September, 2021<sup>3</sup>; and that Judge Johnson failed  
12 to respond to the same. Judge Johnson filed an Answer on October 7, 2021, which indicates in part,  
13 that Plaintiff failed to comply with service on him or his staff, as required by NRCP 1.235.

15 On October 12, 2021, Plaintiff filed a rogue opposition to Judge Johnson’s Answer. In her  
16 Opposition, in addition to allegations against Judge Johnson, she made several false allegations  
17 regarding Defendants’ counsel and counsel’s representations to the Court, which can easily be  
18 debunked with the transcript from the hearing. She also made blatant false allegations that are easily  
19 verifiable relative to a non-party’s supposed contributions to Judge Johnson. She also made  
20 allegations against a lawyer who is not, and has never been, counsel in this case.

22 ///

24 ///

25 ///

27 <sup>3</sup> In her Opposition to Judge Johnson’s Answer, Plaintiff claims she emailed the Affidavit of Prejudice to  
28 Judge Johnson on October 7, 2021. (See Opposition at pp. 4, paragraph 10). Emailing, or E-serving, an  
Affidavit of Prejudice against a judge is not sufficient service pursuant to NRCP 1.235(4) which requires  
that a copy of the Affidavit of Prejudice be delivered to the Judge’s Chambers or served on the judge  
personally which Plaintiff failed to do.



## II.

### POINTS AND AUTHORTIES

#### 1. Plaintiff's Motion Admits It Is Not Timely

Plaintiff's motion indicates it is being brought under NRS 1.235(1), which states as follows:

1. Any party to an action or proceeding pending in any court other than the Supreme Court or the Court of Appeals, who seeks to disqualify a judge for actual or implied bias or prejudice must file an affidavit specifying the facts upon which the disqualification is sought. The affidavit of a party represented by an attorney must be accompanied by a certificate of the attorney of record that the affidavit is filed in good faith and not interposed for delay. Except as otherwise provided in subsections 2 and 3, the affidavit must be filed:

(a) Not less than 20 days before the date set for trial or hearing of the case; or

(b) Not less than 3 days before the date set for the hearing of any pretrial matter.

Here, the evidentiary hearing was conducted on August 18, 2021. The Order memorializing the hearing was filed on September 2, 2021. The Court's docket reflects that Plaintiff's improperly Affidavit of Prejudice was filed on September 8, 2021, three full weeks *after* the hearing. The information upon which Plaintiff bases her Motion for Recusal of Judge Johnson<sup>4</sup> (endorsement by an animal rights group and a "corruption investigation"), while without merit, is information that was publicly available to Plaintiff since the filing of her Complaint nearly a year prior to the hearing. Plaintiff could have moved for recusal at any point up until the hearing, but she did not.

In fact, in Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Plaintiff alleges that her daughter, "Olivia Jeong's poor 'demeanor' rised [sic] from her knowledge that Eric Johnson was endorsed by Animal Rights Activists Group, and most likely big 'donations' were

---

<sup>4</sup> The portion of her Affidavit of Prejudice that pertains to a Judge [Judge Foster] that is not involved in this case is unintelligible and serves as no basis for Judge Johnson's recusal.

1 poured in to influence his judgments.” See Plaintiff’s Motion to Set Aside Order to Dismiss with  
2 Prejudice, at pp. 7 at paragraph 37. This proves she was aware of Judge Johnson’s endorsement  
3 by NPAC and anyone else prior to that hearing.

4 The fact is she did not move to recuse Judge Johnson prior to the August 18, 2021 hearing,  
5 and she had in fact looked at the publicly available information on the internet, is provable.  
6 Plaintiff claims: “I had ‘opinion’ before this Hearing that Judge Eric Johnson one of the best judges  
7 in Nevada (based on my research), what happened to him??” See Plaintiff’s Motion to Set Aside  
8 Order to Dismiss with Prejudice, at p. 11 at paragraph 53.

9 The truth is that Plaintiff is a vexatious litigant that continues to file baseless and frivolous  
10 motions, and continues to make blatant false representations about Judges, counsel and non-  
11 parties to this Court because she is unhappy with her conduct, her daughter’s conduct, and her  
12 failure to follow the rules, and the dismissal. She is also aware that Defendants’ counsel are  
13 providing their services entirely pro bono.

14  
15  
16 **2. Even If Plaintiff’s Motion Was Timely, There Are No Substantive Grounds  
17 For Recusal**

18 The title of Plaintiff’s Motion indicates it is being brought under NRS 1.230. That statute  
19 states as follows:

20  
21 **Grounds for disqualifying judges other than Supreme Court justices or judges  
22 of the Court of Appeals.**

- 23 1. A judge shall not act as such in an action or proceeding when the judge  
24 entertains actual bias or prejudice for or against one of the parties to the  
25 action.  
26 2. A judge shall not act as such in an action or proceeding when implied  
27 bias exists in any of the following respects:  
28 (a) When the judge is a party to or interested in the action or  
proceeding.  
(b) When the judge is related to either party by consanguinity or  
affinity within the third degree.  
(c) When the judge has been attorney or counsel for either of the  
parties in the particular action or proceeding before the court.

(d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or uncontested matters, except in fixing fees for an attorney so related to the judge.

3. A judge, upon the judge's own motion, may disqualify himself or herself from acting in any matter upon the ground of actual or implied bias.

4. A judge or court shall not punish for contempt any person who proceeds under the provisions of this chapter for a change of judge in a case.

5. This section does not apply to the arrangement of the calendar or the regulation of the order of business.

While Judge Johnson's Answer to the instant Motion can stand for itself, it appears clear that NRS 1.230(2), NRS 1.230(3), NRS 1.230(4) and NRS 1.230(5) do not apply to the instant Motion. There are no allegations from Plaintiff that Judge Johnson is a party to the litigation; or was counsel for, or has any type of familial relationships with, any parties or counsel. Plaintiff apparently agrees with this analysis in her rogue Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice, wherein she prefers to rely on speculation, conjecture, and spurious allegations.

For brevity's sake, while Nevada Political Action for Animals (NPAC) is not a party to this case, and Defendants are not associated with NPAC in any way, shape or form, the undersigned has never represented NPAC in any court cases in any jurisdiction, let alone in front of Judge Johnson. It should also be noted that a trip to NPAC's website reveals that it endorsed *forty-eight* judicial candidates in Nevada in the last election, in addition to candidates in six non-judicial races. The revelation of NPAC's endorsement of Judge Johnson is not revealing at all, nor is it germane to Plaintiff's case being dismissed for inadequate service of process (which inadequacy was repeated in her failure to serve the instant motion on Judge Johnson). Further – and not that it matters, but as it is easily verifiable, contrary to Plaintiff's conspiratorial theories, NPAC has never donated to Judge Johnson.



Also, as discussed in Judge Johnson's Answer, Defendant Vegas Shepherd Rescue has never endorsed Judge Johnson nor contributed financially to his campaign.

Finally, Plaintiff's post-dismissal complaints about a "corruption investigation" are related to allegations that are two decades old, meritless and debunked; and simply meant to embarrass a sitting Judge who has served honorably on the bench for six years and has been through rigorous background investigations throughout his entire career. Does Plaintiff mean to say that a judge cannot preside over any cases or rule against anyone because one time in 2004, a criminal behaved like a criminal and his slanderous allegations made their way into the media? And it is noted that this criminal's statements regarding this judge were later revoked by this criminal himself as being false. This is an absurd result.

It cannot be overstated that Plaintiff only moved for recusal after Judge Johnson's dismissal of her case because the outcome was not favorable to her. The case was dismissed due to inadequate service of process and further, and for Plaintiff's abuse of process. Non-party endorsements and baseless allegations do not pass muster for this late and baseless m\Motion.

### III.

#### CONCLUSION

Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion for Recusal be denied.

DATED this 20th day of October, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue



THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR RECUSAL** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 20th day of October, 2021.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

  
THE LAW OFFICE OF  
CASEY D. GISH



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S OPPOSITION TO

DEFENDANT'S CONTRA-MOTION FOR

SANCTIONS

JULIE PYLE, TAMMY WILLET, VEGAS

Department 20

SHEPHERD RESCUE AND DOES I

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Defendant filed his Contra-motion for Sanction.
2. In that Motion he demands sanctions for "frivolous motion for sanctions" filed by Plaintiff for Defendant's failure to submit to the Court Confidential Settlement



between San Bernardino County and Plaintiff as was ordered by Court.

3. I did not receive copy of the pleading in which Defendant had submitted (as he claims) to the Court Confidential Settlement between San Bernardino County and Plaintiff as he was ordered.
4. Furthermore, I had asked Defendant to provide me with that copy especially after I had received notification from Court that he filed Contra-Motion for Sanctions.  
(Exhibit 1)
5. I did not receive any reply from Defendant as he never replies on any of my correspondence. For a year and 3 months of initial demands by my attorneys and myself to return my dogs and emails sent to him during litigations, neither my attorneys nor I had not received a single reply from Gish, nor from Defendant Pyle.
6. This Defendant provides Court with knowingly false statements and lies, facts of falsity of those Defendant's statements submitted to the Court multiple times, particularly in Plaintiff's Motion for Sanctions for False Statements. Each Plaintiff's allegation for false Defendant's statement supported with clearly undisputable evidences (Plaintiff's Motion for Sanctions for False Statements to Court attached as Exhibit 2).
7. Plaintiff confronted Defendant multiple times with requests to amend his falsehood's pleadings or withdraw it.

8. Defendant had not replied.
9. What he did instead is attempted to fabricate a case against Plaintiff via attempt to set her up for "false service and false Affidavits of Service", while Plaintiff had hired Olivia Jeong for service, who signed affidavits and Plaintiff filed those with the Court without any personal knowledge regarding how service was done on Oct 05,09 of 2020 by Olivia Jeong.
10. Defendant shamelessly submits constantly evasive falsehoods to the Court and unfortunately for Defendant, each and every false statement by Defendant expose it's falsity by undisputable and clear evidences presented by Plaintiff.
11. Regarding forgotten Memorandum of Points and Authorities in Plaintiff's Motion for Sanctions: Defendant failed to address any statutes nor legal grounds regarding that it would be justified to apply on person monetary sanctions for omission of Points and Authorities. There is no statutes allowing sanctions for omitting Memorandum of Law in the motion, and there is no statutes nor legal grounds that would justify such motion as frivolous based on the omission of authorities.
12. Plaintiff filed electronically multiple files at the time of filing that motion and point of authorities most likely failed to come through electronic filing.
13. Defendant failed to notify Plaintiff that Point of Authorities had been omitted, otherwise, Plaintiff would refile it right away.
14. Defendant was notified ( Exhibit 3) that pursuant to CA Criminal Penal Code

Ch.5 849, 851 Plaintiff had never been "arrested", but only "detained" based on the very well known to Defendant facts that District Attorney had never filed neither case against Plaintiff nor charges and by law it is only "detention" instead of "arrest".

15. Plaintiff requested Defendant to remove false instances of his falsehoods regarding "Plaintiff's arrest" (Exhibit 3); however, Defendant failed of doing so.
16. There is Animal Enterprise Terrorism Act implemented into law after FBI had completed their investigations and charged animal rights terrorists with up to 20 years in jail. (Exhibit 4).

WHEREFORE, I ask this Court to deny Defendants baseless motion for sanctions as Defendant has been misleading the Court constantly, fabricating his (because clearly Ms Pyle is not participating in it, but Gish does) baseless attacks on Plaintiff and defending himself by trying to frame Plaintiff with faults that have been actually committed by Defendant.

Sincerely,

Alla Zorikova

10/18/2021

•

- CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 10/25/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/25/2021



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION FOR SANCTIONS

Department 20

JULIE PYLE, TAMMY WILLET, VEGAS

SHEPHERD RESCUE AND DOES I

HEARING REQUESTED

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. On September 02 of 2021 Court entered order, in which Defendant was ordered to provide Court with Copy of his "found via Freedom of Information Act" Plaintiff's CONFIDENTIAL settlement with San Bernardino County.

2. As today, Oct 06 of 2021, Defendant failed to provide Court with that settlement.

WHEREFORE, Plaintiff asks this Court to apply monetary or other Sanctions for not compliance with the Court's order

Sincerely,

Alla Zorikova

10/06/2021

- 

- CERTIFICATE OF SERVICE

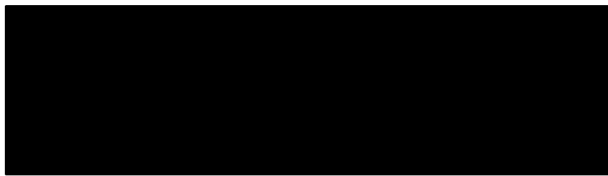
I, Alla Zorikova, certify that I had emailed the copy of the same on 10/06/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

10/06/2021



*Steven D. Ostrison*







## Sanctions

C

Кому: Casey@gishlawfirm.com

Сегодня, 17:55

Подробнее ▼

Gish, send me pleading/document in which you, as you claiming, submitted to court San Bernardino County settlement



Ответить



Переслать



**Info important**

A-20-821249-C

*Alina B. Gish*

Кому: Casey@gishlawfirm.com

Сегодня, 12:21

[Подробнее](#) ▾

Dear Casey Gish,

CA code (criminal procedure) ch.5 849, 851 classifies detention of Alla Zorikova On 08/08/21 as a "DETENTION" instead of "arrest".

You hereby requested to stop immediately any false reference to detention that took place as an "arrest".

You have been notified and failure to amend all your pleadings to the court as well as to advise to your client Bryan Pease in defamation case Zorikova v Pease to immediately withdraw any and all reference to "arrest" of Ms Zorikova that he posted publicly, will result in additional damages that will be demanded from you and your client.

This information should make your Sunday better :).

Sincerely,

Ms Zorikova



Ответить



Ответить всем



Переслать

1 **DAO**

2 **EIGHTH JUDICIAL DISTRICT COURT**  
3 **CLARK COUNTY, NEVADA**

4  
5 ALLA ZORIKOVA,

6 Plaintiff,

7 vs.

8 JULIE PYLE, ET AL.,

9 Defendant.

Case No. A-20-821249-C

Dept. No. XX

10  
11 **DECISION AND ORDER**

12  
13 Plaintiff Alla Zorikova filed an Affidavit of Prejudice on September 8, 2021, and then filed a  
14 Motion to Recuse Judge Eric Johnson on October 6, 2021. Judge Johnson responded to the Motion  
15 on October 7, 2021. In her Affidavit and Motion, Plaintiff alleges 1) Judge Johnson<sup>1</sup> is biased  
16 against her due to her political beliefs, nationality, and status as a dog breeder, 2) that Judge  
17 Johnson's endorsement from "Animal Rights Activists Group" is disqualifying, and 3) that Judge  
18 Johnson's decisions and rulings in the matter demonstrate bias and/or prejudice against her. Based  
19 on a review of the papers, Judge Johnson's response, and pursuant to EDCR 2.23(c), Plaintiff's  
20 motion is denied.

21 **I. Factual and Procedural Background**

22 On September 15, 2020, Plaintiff Alla Zorikova filed a complaint against Julie Pyle, Tammy  
23 Willet, and Vegas Shepherd Rescue. Plaintiff's complaint alleged six causes of action, including  
24 theft, civil conspiracy, property damage, intentional infliction of emotional distress, fraud and  
25 trespass. Plaintiff's complaint stated she owns, trains and sells German Shepherds from a San  
26 Bernardino, CA property. Plaintiff further alleged that from August 8-10, 2020, the Defendants

27 <sup>1</sup> The Court notes that Plaintiff's Affidavit refers to a "Judge Foster," as well as Judge Eric Johnson. Plaintiff cites  
28 "Judge Foster (Dep 20)," which is Judge Johnson's department number. For the purposes of this decision, the Court  
assumes that all allegations of bias in the Affidavit and Motion pertain to Judge Johnson.

1 “intentionally organized [the] act of stealing Dogs from Plaintiff’s private property,” and she later  
2 discovered 25 of the 50 dogs were in the possession of Vegas Pet Rescue Project, while the  
3 remaining dogs were located at Devore Animal Shelter in California. On the day of the alleged theft,  
4 August 8, 2020, Plaintiff’s complaint states that she and her daughter were arrested, but no charges  
5 were filed as of the date of the complaint filing.

6 After numerous papers and motions were filed in the present case, the matter came before  
7 Judge Johnson on August 18, 2021 for an evidentiary hearing to determine whether service of the  
8 summons and complaint were proper under NRCP 4 and 4.2. After testimony and evidence were  
9 presented, the court found that Plaintiff’s witness’s testimony regarding service of process was  
10 inconsistent and evasive, and therefore not credible. The court further found that Plaintiff’s own  
11 testimony was not credible, and that she provided false testimony to the court. Finally, based upon  
12 video evidence submitted by Defendants and Plaintiff’s testimony, the court found that Plaintiff  
13 herself effected service, which is improper under NRCP 4(c)(3). As a result of the August 18, 2021  
14 evidentiary hearing, the court dismissed the present action with prejudice and found Plaintiff abused  
15 the judicial process through her false and misleading testimony to the court. The court sanctioned  
16 Plaintiff in the form of Defendants’ attorney’s fees and costs.

17 Following Judge Johnson’s September 2, 2021 order of dismissal, Plaintiff filed an  
18 “Affidavit of Prejudice” on September 8, 2021. Plaintiff placed a header in her Affidavit stating “To:  
19 Eight [sic] Judicial District Court, Clark County, CC: To Presiding Judge,” but provided no  
20 certificate of service demonstrating that service was proper pursuant to NRS 1.235(4). In her  
21 Affidavit, Plaintiff alleged that she observed bias and prejudice from Judge Johnson<sup>2</sup> and that she  
22 felt discriminated against on the basis of her nationality (Russian). Plaintiff further stated “Judge  
23 Johnson is clearly biased, politically involved and prejudicial toward Russian/German Female,  
24 Trump Supporter, Dog Breeder, ProSc Plaintiff” and that her constitutional rights were violated.  
25 Plaintiff suggests that Judge Johnson is biased in favor of Defendants’ counsel, who Plaintiff  
26 describes as animal rights activists. On October 6, 2021, following the Affidavit, Plaintiff filed a

---

27 <sup>2</sup> Named “Judge Foster” on page 1 of the Affidavit, but as stated previously, this Court assumes all allegations pertain to  
28 Judge Johnson for the purposes of this decision.

1 Motion for Recusal pursuant to NRS 1.230 and 1.235. The Motion included a certificate of service  
2 stating opposing counsel was provided a copy of the Motion, but did not provide for service upon  
3 the judge, as required by NRS 1.235(4).

4 On October 7, 2021, Judge Johnson responded to Plaintiff's Motion for Recusal. Judge  
5 Johnson stated he was not served with either the Affidavit or the Motion pursuant to NRS 1.235. He  
6 further stated he has not exercised bias or prejudice against any party to the matter, and that he has  
7 no conflict of interest in the case, nor is he related to any party in the matter. Judge Johnson stated  
8 that he has not been endorsed to his knowledge by Defendant Vegas Shepherds Rescue, but that he  
9 was previously endorsed by Nevada Political Action for Animals (not a party to the matter).  
10 Regardless, Judge Johnson stated, even had a party in the present case endorsed him, it would not  
11 require his disqualification so long as he could be impartial. Judge Johnson reiterated his duty to  
12 preside over cases assigned to him, pursuant to Nevada's Code of Judicial Conduct (NCJC) 2.7.  
13 Judge Johnson denies Plaintiff's allegations that he is biased against her nationality, political beliefs  
14 or status as a dog breeder, and noted that Plaintiff did not provide specific facts to the allegations.  
15 Judge Johnson also denied suggestion from Plaintiff that he had "consulted defendants' attorney"  
16 multiple times, stating that he had no contact with Defendants' counsel outside of the courtroom and  
17 that he has no personal or professional relationship with counsel outside the present case. Finally,  
18 Judge Johnson stated that Plaintiff's primary grievance appears to rest with his decisions and actions  
19 in official proceedings—namely the August 18, 2021 evidentiary hearing—and such rulings and  
20 actions are insufficient grounds for judicial disqualification.

## 21 22 **II. Discussion**

### 23 **A. Legal Standard**

24 Nevada Revised Statute 1.230 provides the statutory grounds for disqualifying district Court  
25 judges. The statute in pertinent part provides:

- 26 1. A judge shall not act in an action or proceeding when the judge entertains actual  
27 bias or prejudice for or against one of the parties to the action.
- 28 2. A judge shall not act as such in an action or proceeding when implied bias exists  
in any of the following respects:

- (a) When the judge is a party to or interested in the action or proceeding.
- (b) When the judge is related to either party by consanguinity or affinity within the third degree.
- (c) When the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.
- (d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or contested matters, except in fixing fees for an attorney so related to the judge.

Rule 2.7 of the Revised Nevada Code of Judicial Conduct provides that a “judge shall hear and decide matters assigned to the judge, except when disqualification is required by Rule 2.11,” the rule which details substantive grounds for judicial disqualification. Pursuant to NCJC 2.11(A):

(A) A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party’s lawyer, or personal knowledge of facts that are in dispute in the proceeding.

(2) The judge knows that the judge, the judge’s spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:

...

(c) a person who has more than a de minimis interest that could be substantially affected by the proceeding; or

...

A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might be reasonably questioned. Ybarra v. State, 247 P.3d 269, 271 (Nev. 2011). The test for whether a judge’s impartiality might be reasonably questioned is objective and courts must decide whether a reasonable person, knowing all the facts, would harbor reasonable doubts about a judge’s impartiality. Id. at 272.

The burden is on the party asserting the challenge to establish sufficient factual and legal grounds warranting disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 116 Nev. 640, 643 (2000). A judge has a duty to preside to the conclusion of all proceedings, in the absence of some statute, rule of court, ethical standard, or compelling reason otherwise. Id. A judge is presumed to be unbiased. Millen v. District Court, 148 P.3d 694, 701 (Nev. 2006). A judge is presumed to be impartial, and the burden is on the party asserting the challenge to establish sufficient factual grounds warranting disqualification. Ybarra, 247 P.3d at 272. Additionally, the

1 Court must give substantial weight to a judge's determination that the judge may not voluntarily  
2 disqualify themselves, and the judge's decision cannot be overturned in the absence of clear abuse of  
3 discretion. In re Pet. To recall Dunleavy, 104 Nev. 784 (1988).

4 The Nevada Supreme Court has stated "rulings and actions of a judge during the course of  
5 official judicial proceedings do not establish legally cognizable grounds for disqualifications." Id. at  
6 1275. The personal bias necessary to disqualify must "stem from an extrajudicial source and result  
7 in an opinion on the merits on some basis other than what the judge learned from participation in the  
8 case." Id. "To permit an allegation of bias, partially founded upon a justice's performance of his [or  
9 her] constitutionally mandated responsibilities, to disqualify that justice from discharging those  
10 duties would nullify the court's authority and permit manipulation of justice, as well as the court."  
11 Id.

12 **B. Disqualification is not warranted because Ms. Zorikova has not established sufficient**  
13 **factual and legal grounds for disqualification.**

14 As the party seeking disqualification, Plaintiff bears the burden of establishing sufficient  
15 factual grounds to warrant disqualification. Las Vegas Downtown Redevelopment Agency v.  
16 District Court, 5 P.3d 1059, 1061 (Nev. 2000). However, the rulings and actions of a judge during  
17 the course of official judicial proceedings do not establish legally cognizable grounds for  
18 disqualification. In re Pet. To recall Dunleavy, 104 Nev. 784, 789 (1988).

19 Here, Ms. Zorikova has failed to establish sufficient factual grounds to warrant  
20 disqualification of Judge Johnson because her claims stem from Judge Johnson's decisions during  
21 official court proceedings and rulings. The facts do not demonstrate the extreme bias or prejudice  
22 against Ms. Zorikova that would be necessary for Judge Johnson's disqualification. There is no  
23 evidence that Judge Johnson's actions or rulings have been influenced by bias toward or prejudice  
24 against any party to this case.

25 In addition to Judge Johnson's substantive decisions and rulings, Plaintiff alleges that  
26 because Judge Johnson was endorsed by "Animal Rights Activists Group," and Defendants' counsel  
27 are "Animal Rights Activists," that disqualification is warranted. However, the Nevada Supreme  
28 Court has held that statements and legal campaign contributions made during elections do not

1 demonstrate the extreme bias needed to disqualify a judge, absent other extreme circumstances. *See,*  
2 *Ivey v. Dist. Ct.*, 129 Nev. 154, 159 (2013); *City of Las Vegas Downtown Redevelopment Agency*  
3 *v. Hecht*, 113 Nev. 632, 636 (1997); *Dunleavy*, at 789-790; and *City of Las Vegas Downtown*  
4 *Redevelopment Agency v. Eighth Jud. Dist. Ct. ex rel. Cty. of Clark*, 116 Nev. 640, 644 (2000). No  
5 such “extreme” circumstances or facts relating to bias or prejudice are present here that would  
6 require disqualification of Judge Johnson. The record does not indicate bias in favor of defense  
7 counsel, and outside of Plaintiff’s general allegations that Judge Johnson has been previously  
8 endorsed by “Animal Rights Activists Group”—which Judge Johnson acknowledges, though denies  
9 such endorsement has led to bias or prejudice in this matter—and that defense counsel are “Animal  
10 Rights Activists,” no other facts are alleged to support disqualification.

11 The primary concerns of Ms. Zorikova revolve around the substantive rulings of Judge  
12 Johnson and the previous endorsement he received from a nonparty entity, which she believes  
13 indicates bias against her. As discussed above, absent extreme circumstances which do not appear in  
14 this matter, any legally permissible campaign contributions or endorsements made to Judge Johnson  
15 do not suggest facts or legal grounds to disqualify him. A motion or affidavit for disqualification is  
16 an inappropriate vehicle to attack the substantive rulings of the underlying case. As a result, the  
17 Motion for Recusal and Affidavit are DENIED.

### 18 19 Conclusion

20 Ms. Zorikova does not bring any cognizable claims supported by factual or legal allegations  
21 against Judge Johnson. The record does not support Ms. Zorikova’s allegations of bias by Judge  
22 Johnson, and Judge Johnson’s rulings and actions in the course of official judicial proceedings are  
23 not evidence of bias or prejudice. Thus, Ms. Zorikova’s request to disqualify Judge Johnson is  
24 denied.

Dated this 27th day of October, 2021

25  
26 

27  
28 \_\_\_\_\_  
628 F55 D424 D14F  
Linda Marie Bell  
District Court Judge



1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 10/27/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**



**RPLY**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS'  
APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS AS A RESULT OF  
PLAINTIFF'S MOTION TO SET ASIDE**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through  
their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, and hereby replies to Plaintiff's  
2 Opposition to Defendants' Application for an award of attorney's fees and costs pursuant to NRS  
3 18.005, NRS 18.010, NRS 18.020, NRS 17.130 and NRCP 68 incurred as a result of Plaintiff's  
4 Motion to Set Aside. This Reply is supported by the attached Points and Authorities, Defendants'  
5 Memorandum of Costs and Disbursements, the pleadings and papers on file herein, and any  
6 argument allowed by the court.  
7

8 **MEMORANDUM OF POINTS AND AUTHORITIES**

9 **I.**

10 **LEGAL ARGUMENT**

11  
12 **A. PLAINTIFF'S OPPOSITION LACKS THE REQUIRED MEMORANDUM OF  
13 POINTS AND AUTHORITIES AND MUST THEREFORE BE DENIED**

14 Plaintiff's Opposition does not contain a Memorandum of Points and Authorities as required  
15 by Nevada law and the Nevada Rules of Civil Procedure. NRCP 13(2) requires that all Motions  
16 and Oppositions be supported by a Memorandum of Points and Authorities. The absence of a  
17 supporting Memorandum of Points and Authorities is to be construed by the Court as an admission  
18 that the motion is meritorious and cause for its denial or as a waiver of all grounds not so supported.  
19

20 Based upon the Plaintiff's failure to support her Opposition with an adequate Memorandum  
21 of Points and Authorities under NRCP 13(2), the Application for Fees and Costs should be granted.  
22

23 **B. DEFENDANTS ARE ENTITLED TO AN AWARD OF ATTORNEY'S FEES**

24 Pursuant to NRS 18.010(2)(a), the court may make an allowance for attorney's fees "when  
25 the prevailing party has not recovered more than \$20,000.00." Thus, while the district court has  
26 virtually no discretion to deny a fee award to a prevailing party, the court has discretion in  
27 determining the amount of said award, which "is tempered only by reason and fairness." *University  
28 of Nevada, Las Vegas v. Tarkanian*, 110 Nev. 581,590-591,879 P.2d 1180,1186 (1994).



Accordingly, in Nevada, this “analysis may begin with any method rationally designed to calculate a reasonable amount, including those based on a ‘lodestar’ amount or a contingency fee.” *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864, 124 P.3d 530, 48-49 (2005), (citing *Herbst v. Humana Health Ins. of Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989), *Lealao v. Beneficial California, Inc.*, 82 Cal.App.4<sup>th</sup> 19, 97 Cal. Rptr. 2d 797, 821 (2000) and *Glendora Com. Redevek Agency v. Demeter*, 155 Cal.App.3d 465, 202 Cal.Rptr. 389 (1984).

### C. THE ATTORNEYS’ FEES REQUESTED ARE REASONABLE UNDER NEVADA LAW

In Nevada, the court must also consider the factors laid out in *Brunzell v. Golden Gate National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of attorney’s fees. *See Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable “as long as the Court provides sufficient reasoning and findings in support of its ultimate determination,” *Id.*

The Nevada Supreme Court clarified the four *Brunzell* factors in *Schouweiler v. Yancey Co.*, 101 Nev. 827, 712 P.2d 786 (1985) as follows:

- (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill;
- (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation;
- (3) the work actually performed by the lawyer; the skill, time and attention given to the work; and
- (4) the result: whether the attorney was successful and what benefits were derived.

101 Nev. at 833-834, 712 P.2d at 790.

Here, as detailed below, all four of the *Brunzell* factors are satisfied.

First, Defendants were represented by attorney CASEY D. GISH and SHANA WEIR. Mr. Gish has been a practicing attorney in the State of Nevada and California for over 22 years with no



1 record of discipline in either state. Ms. Weir has been a practicing attorney in the State of Nevada  
2 for over 15 years with no record of discipline.

3 Mr. Gish began his legal career in Nevada in 1997 when he served as an extern to the Nevada  
4 Supreme Court. He was then appointed as the Law Clerk to the Honorable David Huff, State of  
5 Nevada Third Judicial District Court, from 1998 to 1999. Prior to opening THE LAW OFFICE OF  
6 CASEY D. GISH in 2015 as the firm's managing member, CASEY D. GISH tried multiple jury  
7 trials and bench trials in Las Vegas, Reno, Orange County, and Los Angeles County. He has  
8 litigated cases throughout Nevada and California in both state court and federal court. He has won  
9 multiple appeals to the Nevada Supreme Court, and was successful in a published opinion from the  
10 Nevada Supreme Court (*Vega vs. Eastern Courtyard Associates*, 24 P.3d 219 (Nev. 2001)). His  
11 cases have ranged from small cases to cases in excess of \$90 million dollars. He has previously and  
12 currently worked for law firms such as Parker, Nelson & Associates; Cisneros & Associates; and  
13 Cisneros & Marias, etc. All of these firms are well known in the Las Vegas legal community with  
14 a reputation for experienced and professional attorneys.  
15  
16  
17

18 While working for Cisneros & Marias, Mr. Gish was the handling attorney for all of the  
19 firm's veterinary malpractice cases and represented veterinarians in more than 10 trials, all of which  
20 resulted in a verdict in favor of his clients. Just prior to opening his own firm, Mr. Gish was the  
21 senior trial attorney for two (2) years at the firm of Ferris and Associates. Mr. Gish has also been  
22 appointed as an Arbitrator on hundreds of cases for the Clark County Mandatory Arbitration  
23 Program.  
24

25 Prior to opening THE WEIR LAW GROUP in 2019, the firm's managing member SHANA  
26 WEIR, has tried multiple jury trials and bench trials throughout the State of Nevada. Her cases  
27 have ranged from small cases to the 2 largest class action cases in the history of the State of Nevada  
28 with multiple billions of dollars in potential damages at issue. She has previously worked for law



1 firms such as Springel & Fink, and Parker, Nelson & Associates. Prior to opening her own firm,  
2 she was the Supervising Partner at Parker, Nelson & Associates. All of these firms are well known  
3 in the Las Vegas legal community with a reputation for experienced and professional attorneys.

4 Both Mr. Gish and Ms. Weir are well known in the Las Vegas community for practicing in  
5 the area of animal rights and for donating their time and resources in animal cruelty cases. Due to  
6 their extensive experience in this area of law, they have both become experts in their fields of  
7 practice. Based upon their expertise, experience, and specialized knowledge of animal cruelty  
8 cases, a rate of \$500/hour is justified in this matter. In addition, the number of hours spent by  
9 counsel for the Defendants in preparing the extensive the Opposition to the Motion to Set Aside (8  
10 pages, plus exhibits). The amount of attorney time required just to prepare these papers was  
11 enormous, and the amount of attorney time required to research and review the facts and documents  
12 underlying and supporting these papers was even more extensive. In addition, the number of hours  
13 spent by counsel for the Defendants in preparing the Defendants' Opposition to Plaintiff's Motion  
14 to Set Aside and preparation for and attendance at two separate hearings on the Motion, were  
15 reasonable, warranted, and justified.

16  
17  
18 Second, animal cruelty cases are very specialized and difficult by nature. They are factually  
19 and legally intensive. While there may be more technically complex matters, animal cruelty cases  
20 clearly require attention to detail and an understanding of the presentation of defenses to complex  
21 veterinary evidence in order to establish damages and defenses. Animal cruelty cases often times  
22 require several different veterinary disciplines and legal disciplines to understand and present to  
23 enable a claimant or a defendant to achieve the best results. Counsel's understanding of the various  
24 issues that are needed to successfully present, or defend, a case supports the conclusion that the  
25 attorney's fees were earned and are fair and reasonable. At the end of the day, Defendants' attorneys  
26  
27  
28



1 diligently and successfully represented them in this case through the two hearings on the Plaintiff's  
2 Motion to Set Aside, achieving a denial of the Motion.

3 Third, counsel's skill, time, and attention given to this case were above average. The  
4 preparation was thorough and complete. Counsel for Plaintiff spent numerous hours reviewing  
5 voluminous filings from Plaintiff, reviewing documents, reviewing potential testimony and  
6 potential discovery, drafting and repeatedly revising the Opposition to the Motion to Set Aside and  
7 preparing for and attending both hearings on the Motion to Set Aside. Considering the amount of  
8 time and effort exerted by Defendants' counsel, and both attorneys' considerable expertise in this  
9 area of practice, the fees are clearly substantiated. Based upon their expertise, experience, and  
10 specialized knowledge of animal cruelty cases, a rate of \$500/hour is justified in this matter. In  
11 addition, the number of hours spent by counsel for the Defendants in preparing the Opposition to  
12 Plaintiff's Motion to Set Aside (8 pages, plus exhibits) and preparation for and attendance at the  
13 TWO hearings on the Motion to Set Aside was significant. The amount of attorney time required  
14 just to prepare these papers was extensive, and the amount of attorney time required to research and  
15 review the facts and documents underlying and supporting these papers and attend both hearings  
16 requested by Plaintiff was even more extensive. Therefore, Defendants request that all of their  
17 attorneys' fees incurred by each of their counsel pertaining to the Plaintiff's Motion to Set Aside,  
18 in the total amount of (14.5 hours billed by Gish – 3.2 hours billed by Weir) at the rate of \$500/hr,  
19 for the total amount of \$8,850.00 (\$7,250.00 billed by Gish - \$1,600.00 billed by Weir), be awarded  
20 to Defendants from Plaintiff.  
21  
22  
23  
24

25 Fourth, the result speaks for itself. The favorable award of denial of Plaintiff's Motion to  
26 Set Aside is attributable in substantial part to the diligence, determination, hard work, expertise,  
27 and skill of Defendants' counsel, who developed, litigated, and obtained this favorable result.  
28 Defendants achieved the objective they sought, denial of Plaintiff's Motion to Set Aside. Although



1 the Court has the final decision on the matter, counsel respectfully submits the quality of its work  
2 product reflects the hours spent on the case.

3 Plaintiff's Opposition claims that \$500.00 per hour for attorneys fees is unreasonable.  
4 Plaintiff's Opposition is without merit. The Clark County District Court regularly awards attorneys  
5 fees in the amount of \$500.00 per hour in much simpler car accident cases. The subject case is  
6 much more complex, factually and legally, than most car accident cases, and an award of at least  
7 \$500.00 per hour for the work performed in this case by counsel for Defendants is demonstrated  
8 and warranted. Here, the factual and legal issues were much more complex than a simple motor  
9 vehicle accident. Animal cruelty cases are much more factually intensive and legally intensive than  
10 Plaintiff would suggest. And the complexity of this matter was due to the actions of the Plaintiff,  
11 not the Defendants. Therefore, Plaintiff should be required to compensate Defendants' counsel for  
12 the specialized and complex work that was required in this case.  
13  
14

#### 15 **D. DEFENDANTS' COSTS ARE RECOVERABLE AS A MATTER OF RIGHT**

16 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
17 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
18 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
19 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
20 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
21 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
22 276-277, 112 P.3d 1082, 1092 (2005).  
23  
24

25 Pursuant to NRS 18.020, Defendants are entitled to an award of costs. Pursuant to NRS  
26 18.005, Defendant's recoverable costs and disbursements as a result of Plaintiff's Motion to Set  
27 Aside are **\$14.30**.  
28



1                   **E. PLAINTIFF'S COST BONDS ALLEGEDLY DEPOSITED WITH THE COURT**

2           As this Court knows, the issue of whether Plaintiff deposited out-of-state security of costs  
3 bonds was heavily contested in this matter. Plaintiff claims to have posted \$1,500 in security with  
4 this Court pursuant to NRS 18.130, but it is undisputed that Plaintiff never filed the required Notice  
5 of Posting of the Bond as per NRS 18.130(1). In the event Plaintiff did actually post \$1,500 in  
6 security with this Court, and in the event the Application for Fees is Granted, Defendants  
7 respectfully request that the posted security funds be immediately released to Defendants' counsel  
8 for disbursement.  
9

10                   **F. PLAINTIFF'S OPPOSITION IS NOTHING BUT AN INCOMPREHENSIBLE**  
11                   **REGURIGATION OF FACTS/ISSUES THAT WERE ALREADY DECIDED**  
12                   **BY THIS COURT AT THE EVIDENTIARY HEARING OF THIS MATTER.**

13           The vast majority of Plaintiff's Opposition is nothing but incomprehensible and spurious  
14 allegations and unsupported conclusions of facts and law impugning the integrity of this Court and  
15 counsel. The allegations and conclusions themselves are unsupported factually and legally and are  
16 sanctionable and should not be tolerated by this Court. These allegations violate multiple rules of  
17 Civil Procedure, Nevada statutory law, and ethical standards. Plaintiff holds herself out as being  
18 legally trained with the best attorneys in Europe, and yet she disregards the most basic rules of civil  
19 procedure, ethics, and statutes prohibiting the presentation of false and perjurious evidence to a  
20 Court of law. Her egregious and perjurious conduct should not be permitted by this Court.  
21

22                   **II.**

23                   **CONCLUSION**

24           Based upon the foregoing, Defendants respectfully request that their Application for Fees,  
25 Costs, and Disbursements be GRANTED in the amount of **\$14.30** for costs/disbursements, and  
26 **\$8,850** for attorney's fees for a total amount of **\$8,864.30**. It is further requested that any security  
27  
28

1 funds that were deposited by Plaintiff with this Court for security of costs pursuant to NRS 18.130,  
2 be immediately released by the Court to counsel for the Defendants.

3 DATED this 27<sup>th</sup> day of October, 2021.

4 **THE LAW OFFICE OF CASEY D. GISH**  
5 /s/ Casey D. Gish  
6 CASEY D. GISH, ESQ.  
7 Nevada Bar No. 006657  
8 5940 S. Rainbow Blvd  
9 Las Vegas, NV 89118  
10 Casey@GishLawFirm.com  
11 *Co-counsel for Defendants Julie Pyle, Tammy*  
12 *Willet, & Vegas Shepherd Rescue*

13 **WEIR LAW GROUP, LLC**  
14 /s/ Shana D. Weir  
15 SHANA D. WEIR, ESQ.  
16 Nevada Bar No. 9468  
17 6220 Stevenson Way  
18 Las Vegas, NV 89120  
19 *Co-counsel for Defendants Julie Pyle, Tammy*  
20 *Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

  
THE LAW OFFICE OF  
CASEY D. GISH

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
*Plaintiff*

Executed on the 27<sup>th</sup> day of October, 2021.

*/s/ Casey D. Gish*

\_\_\_\_\_  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



*Heather A. Hume*  
CLERK OF THE COURT

**ORDR**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 10/06/2021

Hearing Time: 9:00 a.m.

**ORDER DENYING PLAINTIFF'S MOTION TO SET ASIDE ORDER TO DISMISS  
WITH PREJUDICE**

THIS MATTER came on for hearing on the 29<sup>th</sup> day of September, 2021 at 10:30 a.m.  
and, due to Plaintiff's alleged inability to sign on to the Court's video link for the hearing via  
Blue Jeans, again on the 6<sup>th</sup> day of October, 2021 at 9:00 a.m. before the HONORABLE ERIC  
JOHNSON; Plaintiff ALLA ZORIKOVA, appearing Pro Se; Defendants, JULIE





1 PYLE, TAMMY WILLET and VEGAS SHEPHERD RESCUE appearing by and through their  
2 counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH; the Court  
3 having reviewed the papers and pleadings on file herein finds that Plaintiff's Motion to Set Aside  
4 Order of dismissal with prejudice is tantamount to one for reconsideration. Plaintiff failed to  
5 present any new facts or evidence and failed to present any reason for reconsideration.

6  
7 IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion to Set Aside  
8 Order to Dismiss with Prejudice is hereby DENIED.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's In Forma  
10 Pauperis status is hereby revoked, as a result of Defendants providing this Court with evidence  
11 of Plaintiff's recent receipt of a \$325,000 settlement, and Plaintiff's failure to provide any  
12 objection to revocation prior to August 27, 2021, as ordered by the Court.

13  
14 IT IS FURTHER ADJUDGED AND DECREED that Defendants' counsel, Casey D.  
15 Gish, Esq. and Shana D. Weir, Esq. are permitted to recover their attorney's fees and costs  
16 associated with having to defend and appear for the instant motion on September 29, 2021, and  
17 the subsequent hearing on October 6, 2021 and Casey D. Gish, Esq. and Shana Weir, Esq.  
18 having to appear for the instant motion on September 29, 2021, and Casey D. Gish, Esq. again  
19 having to appear on October 6, 2021; and they shall file a timely Memorandum of Costs and an  
20 Application for Attorneys Fees incurred as a result of defending the instant Motion and  
21 appearing for the September 29, 2021 hearing and the re-scheduled hearing on October 6, 2021.

22  
23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
24 New Trial and Plaintiff's Motion for Relief From Final Order currently set for hearing on  
25 October 20, 2021, are vacated as moot.

26 Dated this 28th day of October, 2021

27  
28   
DISTRICT COURT JUDGE

1 Submitted by:  
2

3  
4 CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
5 THE LAW OFFICE OF CASEY D. GISH  
5940 S. Rainbow Blvd  
6 Las Vegas, NV 89118  
7 Casey@GishLawFirm.com  
8

9 SHANA D. WEIR, ESQ.  
Nevada Bar No. 9468  
10 WEIR LAW GROUP, LLC  
11 6220 Stevenson Way  
Las Vegas, NV 89120  
12 sweir@weirlawgroup.com  
13

14 Approved as to form:  
15

16 ALLA ZORIKOVA  
17 Plaintiff, Pro Se  
18



5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/28/2021

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru

Steven B. Grier  
CLERK OF THE COURT

DAO

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

ALLA ZORIKOVA,

Plaintiff,

vs.

JULIE PYLE, ET AL.,

Defendant.

Case No. A-20-821249-C

Dept. No. XX

**DECISION AND ORDER**

Plaintiff Alla Zorikova filed an Affidavit of Prejudice on September 8, 2021, and then filed a Motion to Recuse Judge Eric Johnson on October 6, 2021. Judge Johnson responded to the Motion on October 7, 2021. In her Affidavit and Motion, Plaintiff alleges 1) Judge Johnson<sup>1</sup> is biased against her due to her political beliefs, nationality, and status as a dog breeder, 2) that Judge Johnson's endorsement from "Animal Rights Activists Group" is disqualifying, and 3) that Judge Johnson's decisions and rulings in the matter demonstrate bias and/or prejudice against her. Based on a review of the papers, Judge Johnson's response, and pursuant to EDCR 2.23(c), Plaintiff's motion is denied.

**I. Factual and Procedural Background**

On September 15, 2020, Plaintiff Alla Zorikova filed a complaint against Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue. Plaintiff's complaint alleged six causes of action, including theft, civil conspiracy, property damage, intentional infliction of emotional distress, fraud and trespass. Plaintiff's complaint stated she owns, trains and sells German Shepherds from a San Bernardino, CA property. Plaintiff further alleged that from August 8-10, 2020, the Defendants

<sup>1</sup> The Court notes that Plaintiff's Affidavit refers to a "Judge Foster," as well as Judge Eric Johnson. Plaintiff cites "Judge Foster (Dep 20)," which is Judge Johnson's department number. For the purposes of this decision, the Court assumes that all allegations of bias in the Affidavit and Motion pertain to Judge Johnson.



1 “intentionally organized [the] act of stealing Dogs from Plaintiff’s private property,” and she later  
2 discovered 25 of the 50 dogs were in the possession of Vegas Pet Rescue Project, while the  
3 remaining dogs were located at Devore Animal Shelter in California. On the day of the alleged theft,  
4 August 8, 2020, Plaintiff’s complaint states that she and her daughter were arrested, but no charges  
5 were filed as of the date of the complaint filing.

6 After numerous papers and motions were filed in the present case, the matter came before  
7 Judge Johnson on August 18, 2021 for an evidentiary hearing to determine whether service of the  
8 summons and complaint were proper under NRCP 4 and 4.2. After testimony and evidence were  
9 presented, the court found that Plaintiff’s witness’s testimony regarding service of process was  
10 inconsistent and evasive, and therefore not credible. The court further found that Plaintiff’s own  
11 testimony was not credible, and that she provided false testimony to the court. Finally, based upon  
12 video evidence submitted by Defendants and Plaintiff’s testimony, the court found that Plaintiff  
13 herself effected service, which is improper under NRCP 4(c)(3). As a result of the August 18, 2021  
14 evidentiary hearing, the court dismissed the present action with prejudice and found Plaintiff abused  
15 the judicial process through her false and misleading testimony to the court. The court sanctioned  
16 Plaintiff in the form of Defendants’ attorney’s fees and costs.

17 Following Judge Johnson’s September 2, 2021 order of dismissal, Plaintiff filed an  
18 “Affidavit of Prejudice” on September 8, 2021. Plaintiff placed a header in her Affidavit stating “To:  
19 Eight [sic] Judicial District Court, Clark County, CC: To Presiding Judge,” but provided no  
20 certificate of service demonstrating that service was proper pursuant to NRS 1.235(4). In her  
21 Affidavit, Plaintiff alleged that she observed bias and prejudice from Judge Johnson<sup>2</sup> and that she  
22 felt discriminated against on the basis of her nationality (Russian). Plaintiff further stated “Judge  
23 Johnson is clearly biased, politically involved and prejudicial toward Russian/German Female,  
24 Trump Supporter, Dog Breeder, ProSc Plaintiff” and that her constitutional rights were violated.  
25 Plaintiff suggests that Judge Johnson is biased in favor of Defendants’ counsel, who Plaintiff  
26 describes as animal rights activists. On October 6, 2021, following the Affidavit, Plaintiff filed a

---

27 <sup>2</sup> Named “Judge Foster” on page 1 of the Affidavit, but as stated previously, this Court assumes all allegations pertain to  
28 Judge Johnson for the purposes of this decision.

1 Motion for Recusal pursuant to NRS 1.230 and 1.235. The Motion included a certificate of service  
2 stating opposing counsel was provided a copy of the Motion, but did not provide for service upon  
3 the judge, as required by NRS 1.235(4).

4 On October 7, 2021, Judge Johnson responded to Plaintiff's Motion for Recusal. Judge  
5 Johnson stated he was not served with either the Affidavit or the Motion pursuant to NRS 1.235. He  
6 further stated he has not exercised bias or prejudice against any party to the matter, and that he has  
7 no conflict of interest in the case, nor is he related to any party in the matter. Judge Johnson stated  
8 that he has not been endorsed to his knowledge by Defendant Vegas Shepherds Rescue, but that he  
9 was previously endorsed by Nevada Political Action for Animals (not a party to the matter).  
10 Regardless, Judge Johnson stated, even had a party in the present case endorsed him, it would not  
11 require his disqualification so long as he could be impartial. Judge Johnson reiterated his duty to  
12 preside over cases assigned to him, pursuant to Nevada's Code of Judicial Conduct (NCJC) 2.7.  
13 Judge Johnson denies Plaintiff's allegations that he is biased against her nationality, political beliefs  
14 or status as a dog breeder, and noted that Plaintiff did not provide specific facts to the allegations.  
15 Judge Johnson also denied suggestion from Plaintiff that he had "consulted defendants' attorney"  
16 multiple times, stating that he had no contact with Defendants' counsel outside of the courtroom and  
17 that he has no personal or professional relationship with counsel outside the present case. Finally,  
18 Judge Johnson stated that Plaintiff's primary grievance appears to rest with his decisions and actions  
19 in official proceedings—namely the August 18, 2021 evidentiary hearing—and such rulings and  
20 actions are insufficient grounds for judicial disqualification.

## 21 22 **II. Discussion**

### 23 **A. Legal Standard**

24 Nevada Revised Statute 1.230 provides the statutory grounds for disqualifying district Court  
25 judges. The statute in pertinent part provides:

- 26 1. A judge shall not act in an action or proceeding when the judge entertains actual  
27 bias or prejudice for or against one of the parties to the action.
- 28 2. A judge shall not act as such in an action or proceeding when implied bias exists  
in any of the following respects:

- (a) When the judge is a party to or interested in the action or proceeding.
- (b) When the judge is related to either party by consanguinity or affinity within the third degree.
- (c) When the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.
- (d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or contested matters, except in fixing fees for an attorney so related to the judge.

Rule 2.7 of the Revised Nevada Code of Judicial Conduct provides that a “judge shall hear and decide matters assigned to the judge, except when disqualification is required by Rule 2.11,” the rule which details substantive grounds for judicial disqualification. Pursuant to NCJC 2.11(A):

(A) A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party’s lawyer, or personal knowledge of facts that are in dispute in the proceeding.

(2) The judge knows that the judge, the judge’s spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:

...

(c) a person who has more than a de minimis interest that could be substantially affected by the proceeding; or

...

A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might be reasonably questioned. Ybarra v. State, 247 P.3d 269, 271 (Nev. 2011). The test for whether a judge’s impartiality might be reasonably questioned is objective and courts must decide whether a reasonable person, knowing all the facts, would harbor reasonable doubts about a judge’s impartiality. Id. at 272.

The burden is on the party asserting the challenge to establish sufficient factual and legal grounds warranting disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 116 Nev. 640, 643 (2000). A judge has a duty to preside to the conclusion of all proceedings, in the absence of some statute, rule of court, ethical standard, or compelling reason otherwise. Id. A judge is presumed to be unbiased. Millen v. District Court, 148 P.3d 694, 701 (Nev. 2006). A judge is presumed to be impartial, and the burden is on the party asserting the challenge to establish sufficient factual grounds warranting disqualification. Ybarra, 247 P.3d at 272. Additionally, the

1 Court must give substantial weight to a judge's determination that the judge may not voluntarily  
2 disqualify themselves, and the judge's decision cannot be overturned in the absence of clear abuse of  
3 discretion. In re Pet. To recall Dunleavy, 104 Nev. 784 (1988).

4 The Nevada Supreme Court has stated "rulings and actions of a judge during the course of  
5 official judicial proceedings do not establish legally cognizable grounds for disqualifications." Id. at  
6 1275. The personal bias necessary to disqualify must "stem from an extrajudicial source and result  
7 in an opinion on the merits on some basis other than what the judge learned from participation in the  
8 case." Id. "To permit an allegation of bias, partially founded upon a justice's performance of his [or  
9 her] constitutionally mandated responsibilities, to disqualify that justice from discharging those  
10 duties would nullify the court's authority and permit manipulation of justice, as well as the court."  
11 Id.

12 **B. Disqualification is not warranted because Ms. Zorikova has not established sufficient**  
13 **factual and legal grounds for disqualification.**

14 As the party seeking disqualification, Plaintiff bears the burden of establishing sufficient  
15 factual grounds to warrant disqualification. Las Vegas Downtown Redevelopment Agency v.  
16 District Court, 5 P.3d 1059, 1061 (Nev. 2000). However, the rulings and actions of a judge during  
17 the course of official judicial proceedings do not establish legally cognizable grounds for  
18 disqualification. In re Pet. To recall Dunleavy, 104 Nev. 784, 789 (1988).

19 Here, Ms. Zorikova has failed to establish sufficient factual grounds to warrant  
20 disqualification of Judge Johnson because her claims stem from Judge Johnson's decisions during  
21 official court proceedings and rulings. The facts do not demonstrate the extreme bias or prejudice  
22 against Ms. Zorikova that would be necessary for Judge Johnson's disqualification. There is no  
23 evidence that Judge Johnson's actions or rulings have been influenced by bias toward or prejudice  
24 against any party to this case.

25 In addition to Judge Johnson's substantive decisions and rulings, Plaintiff alleges that  
26 because Judge Johnson was endorsed by "Animal Rights Activists Group," and Defendants' counsel  
27 are "Animal Rights Activists," that disqualification is warranted. However, the Nevada Supreme  
28 Court has held that statements and legal campaign contributions made during elections do not

1 demonstrate the extreme bias needed to disqualify a judge, absent other extreme circumstances. *See,*  
2 *Ivey v. Dist. Ct.*, 129 Nev. 154, 159 (2013); *City of Las Vegas Downtown Redevelopment Agency*  
3 *v. Hecht*, 113 Nev. 632, 636 (1997); *Dunleavy*, at 789-790; and *City of Las Vegas Downtown*  
4 *Redevelopment Agency v. Eighth Jud. Dist. Ct. ex rel. Cty. of Clark*, 116 Nev. 640, 644 (2000). No  
5 such “extreme” circumstances or facts relating to bias or prejudice are present here that would  
6 require disqualification of Judge Johnson. The record does not indicate bias in favor of defense  
7 counsel, and outside of Plaintiff’s general allegations that Judge Johnson has been previously  
8 endorsed by “Animal Rights Activists Group”—which Judge Johnson acknowledges, though denies  
9 such endorsement has led to bias or prejudice in this matter—and that defense counsel are “Animal  
10 Rights Activists,” no other facts are alleged to support disqualification.

11 The primary concerns of Ms. Zorikova revolve around the substantive rulings of Judge  
12 Johnson and the previous endorsement he received from a nonparty entity, which she believes  
13 indicates bias against her. As discussed above, absent extreme circumstances which do not appear in  
14 this matter, any legally permissible campaign contributions or endorsements made to Judge Johnson  
15 do not suggest facts or legal grounds to disqualify him. A motion or affidavit for disqualification is  
16 an inappropriate vehicle to attack the substantive rulings of the underlying case. As a result, the  
17 Motion for Recusal and Affidavit are DENIED.

### 18 19 Conclusion

20 Ms. Zorikova does not bring any cognizable claims supported by factual or legal allegations  
21 against Judge Johnson. The record does not support Ms. Zorikova’s allegations of bias by Judge  
22 Johnson, and Judge Johnson’s rulings and actions in the course of official judicial proceedings are  
23 not evidence of bias or prejudice. Thus, Ms. Zorikova’s request to disqualify Judge Johnson is  
24 denied.

Dated this 27th day of October, 2021

25  
26 

27  
28 \_\_\_\_\_  
628 F55 D424 D14F  
Linda Marie Bell  
District Court Judge

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 10/27/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

**ORDR**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 10/06/2021

Hearing Time: 9:00 a.m.

**ORDER DENYING PLAINTIFF'S MOTION TO SET ASIDE ORDER TO DISMISS  
WITH PREJUDICE**

THIS MATER came on for hearing on the 29<sup>th</sup> day of September, 2021 at 10:30 a.m.  
and, due to Plaintiff's alleged inability to sign on to the Court's video link for the hearing via  
Blue Jeans, again on the 6<sup>th</sup> day of October, 2021 at 9:00 a.m. before the HONORABLE ERIC  
JOHNSON; Plaintiff ALLA ZORIKOVA, appearing Pro Se; Defendants, JULIE



1 PYLE, TAMMY WILLET and VEGAS SHEPHERD RESCUE appearing by and through their  
2 counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH; the Court  
3 having reviewed the papers and pleadings on file herein finds that Plaintiff's Motion to Set Aside  
4 Order of dismissal with prejudice is tantamount to one for reconsideration. Plaintiff failed to  
5 present any new facts or evidence and failed to present any reason for reconsideration.

6  
7 IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion to Set Aside  
8 Order to Dismiss with Prejudice is hereby DENIED.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's In Forma  
10 Pauperis status is hereby revoked, as a result of Defendants providing this Court with evidence  
11 of Plaintiff's recent receipt of a \$325,000 settlement, and Plaintiff's failure to provide any  
12 objection to revocation prior to August 27, 2021, as ordered by the Court.

13  
14 IT IS FURTHER ADJUDGED AND DECREED that Defendants' counsel, Casey D.  
15 Gish, Esq. and Shana D. Weir, Esq. are permitted to recover their attorney's fees and costs  
16 associated with having to defend and appear for the instant motion on September 29, 2021, and  
17 the subsequent hearing on October 6, 2021 and Casey D. Gish, Esq. and Shana Weir, Esq.  
18 having to appear for the instant motion on September 29, 2021, and Casey D. Gish, Esq. again  
19 having to appear on October 6, 2021; and they shall file a timely Memorandum of Costs and an  
20 Application for Attorneys Fees incurred as a result of defending the instant Motion and  
21 appearing for the September 29, 2021 hearing and the re-scheduled hearing on October 6, 2021.

22  
23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
24 New Trial and Plaintiff's Motion for Relief From Final Order currently set for hearing on  
25 October 20, 2021, are vacated as moot.

26 Dated this 28th day of October, 2021

27  
28   
DISTRICT COURT JUDGE



1 Submitted by:  
2  
3

4 CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
5 THE LAW OFFICE OF CASEY D. GISH  
5940 S. Rainbow Blvd  
6 Las Vegas, NV 89118  
7 Casey@GishLawFirm.com  
8

9 SHANA D. WEIR, ESQ.  
Nevada Bar No. 9468  
10 WEIR LAW GROUP, LLC  
11 6220 Stevenson Way  
Las Vegas, NV 89120  
12 sweir@weirlawgroup.com  
13

14 Approved as to form:  
15

16 Alla Zorikova  
17 Plaintiff, Pro Se  
18



5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/28/2021

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru

*Steven D. Grier*

**ORDR**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C  
DEPT. NO. XX

Hearing Date: 10/06/2021  
Hearing Time: 9:00 a.m.

**ORDER DENYING PLAINTIFF'S MOTION TO SET ASIDE ORDER TO DISMISS  
WITH PREJUDICE**

THIS MATTER came on for hearing on the 29<sup>th</sup> day of September, 2021 at 10:30 a.m.  
and, due to Plaintiff's alleged inability to sign on to the Court's video link for the hearing via  
Blue Jeans, again on the 6<sup>th</sup> day of October, 2021 at 9:00 a.m. before the HONORABLE ERIC  
JOHNSON; Plaintiff ALLA ZORIKOVA, appearing Pro Se; Defendants, JULIE



1 PYLE, TAMMY WILLET and VEGAS SHEPHERD RESCUE appearing by and through their  
2 counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH; the Court  
3 having reviewed the papers and pleadings on file herein finds that Plaintiff's Motion to Set Aside  
4 Order of dismissal with prejudice is tantamount to one for reconsideration. Plaintiff failed to  
5 present any new facts or evidence and failed to present any reason for reconsideration.

6  
7 IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion to Set Aside  
8 Order to Dismiss with Prejudice is hereby DENIED.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's In Forma  
10 Pauperis status is hereby revoked, as a result of Defendants providing this Court with evidence  
11 of Plaintiff's recent receipt of a \$325,000 settlement, and Plaintiff's failure to provide any  
12 objection to revocation prior to August 27, 2021, as ordered by the Court.

13  
14 IT IS FURTHER ADJUDGED AND DECREED that Defendants' counsel, Casey D.  
15 Gish, Esq. and Shana D. Weir, Esq. are permitted to recover their attorney's fees and costs  
16 associated with having to defend and appear for the instant motion on September 29, 2021, and  
17 the subsequent hearing on October 6, 2021 and Casey D. Gish, Esq. and Shana Weir, Esq.  
18 having to appear for the instant motion on September 29, 2021, and Casey D. Gish, Esq. again  
19 having to appear on October 6, 2021; and they shall file a timely Memorandum of Costs and an  
20 Application for Attorneys Fees incurred as a result of defending the instant Motion and  
21 appearing for the September 29, 2021 hearing and the re-scheduled hearing on October 6, 2021.

22  
23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
24 New Trial and Plaintiff's Motion for Relief From Final Order currently set for hearing on  
25 October 20, 2021, are vacated as moot.

26 Dated this 28th day of October, 2021

27  
28   
DISTRICT COURT JUDGE

1 Submitted by:  
2

3  
4 CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
5 THE LAW OFFICE OF CASEY D. GISH  
5940 S. Rainbow Blvd  
6 Las Vegas, NV 89118  
7 Casey@GishLawFirm.com  
8

9 SHANA D. WEIR, ESQ.  
Nevada Bar No. 9468  
10 WEIR LAW GROUP, LLC  
11 6220 Stevenson Way  
Las Vegas, NV 89120  
12 sweir@weirlawgroup.com  
13

14 Approved as to form:  
15

16 ALLA ZORIKOVA  
17 Plaintiff, Pro Se  
18



5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 10/28/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

*Heather S. Hume*  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

**ORDER**

11 Defendant(s).

12 **INTRODUCTION**

13 Defendants Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue ("Defendants") filed  
14 an Application for Fees, Costs, and Disbursements As a Result of Plaintiff's Motion to Set Aside  
15 on October 12, 2021. Plaintiff filed her Objections to Defendants' Fees and Costs on October 19,  
16 2021. Defendants filed their Reply on October 27, 2021. The matter was subsequently taken under  
17 advisement.  
18

19 After considering the pleadings and argument of counsel, the Court awards \$6,720.00 in  
20 attorney's fees and \$14.30 in costs.  
21

22 **DISCUSSION**

23 I. **Relevant Procedural History**

24 After holding an evidentiary hearing on August 18, 2021, the Court orally pronounced its  
25 decision to dismiss Plaintiff's complaint with prejudice. Subsequently, Plaintiff filed a Motion to  
26 Set Aside the Court's Order dismissing her Complaint on August 23, 2021. Defendants filed their  
27 Opposition to Plaintiff's Motion on September 06, 2021. The Court set a hearing on Plaintiff's  
28 Motion to Set Aside on September 29, 2021.

1 On the date of the hearing, Defendants, through their counsel, Casey D. Gish and Shana  
2 Weir appeared. Plaintiff failed to appear at this hearing. The Court verbally denied the Motion and  
3 granted fees and costs to Defendants. Several hours after the hearing, Plaintiff contacted chambers  
4 and claimed she was unable to log into to the Court's video conference link. The Court  
5 subsequently rescheduled the hearing on Plaintiff's Motion to Set Aside. At the rescheduled  
6 hearing on October 06, 2021, the Court stated that it viewed the Motion to Set Aside essentially  
7 as a motion for reconsideration. The Court denied Plaintiff's Motion to Set Aside under the same  
8 basis discussed in its prior decision dismissing the case. The Court noted nothing new had been  
9 raised to warrant reconsideration. Seeing no evidentiary or legal basis for Plaintiff's Motion to Set  
10 Aside, the Court denied the Motion and granted Defendants' request for fees and costs incurred in  
11 defending and appearing for both of the hearings on Plaintiff's Motion to Set Aside.

12  
13  
14 II. Attorneys' Fees

15 NRS 18.010(b) allows a court to award attorney's fees "when the court finds that the claim,  
16 counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought  
17 or maintained without reasonable ground or to harass the prevailing party." Rule 11 of the Nevada  
18 Rules of Civil Procedure also authorizes the court to grant an award of attorney fees as sanctions  
19 against a party who pursues a claim without reasonable ground.  
20

21 In Nevada, courts must consider the factors laid out in *Brunzell v. Golden Gate National*  
22 *Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of attorney's fees.  
23 *See Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable "as long as the Court  
24 provides sufficient reasoning and findings in support of its ultimate determination." *Id.* The  
25 *Brunzell* factors are as follows: "(1) the qualities of the attorney, (2) the character of the work to  
26 be done, (3) the actual work performed by the attorney, and (4) the case's result." also *Haley v.*  
27  
28



1 *Dist. Ct.*, 128 Nev. 171, 178, 273 P.3d 855, 860 (2012) citing *Brunzell v. Golden Gate Nat'l Bank*,  
2 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).

3 Defendants ask for a total of \$8,864.30 in attorney's fees with 14.5 hours billed by Mr.  
4 Gish and 3.2 hours billed by Ms. Weir. The Court has reviewed Mr. Gish's request for \$7,250.00  
5 and subtracts \$450 for billing the Court deems unnecessary. The Court has reviewed Ms. Weir's  
6 request for \$1600.00 and does not subtract any specific entries. The Court however reduces both  
7 amounts by 20% for general and block entries, leaving \$5440.00 for Mr. Gish and \$1280.00 for  
8 Ms. Weir. The Court finds imposing attorney's fees and costs is an appropriate sanction given the  
9 frivolous nature of Plaintiff's Motion to Set Aside as discussed *supra* as well as at the prior hearing  
10 on Plaintiff's Motion.  
11

12 The Court further finds granting \$6,720.00 is reasonable under the *Brunzell* factors.  
13 Defendants provided the Court with information as to each attorney's experience and the Court  
14 reviewed the paperwork and briefing in this case by all counsel. The Court finds the attorneys  
15 working on the case to be experienced and qualified, especially in light of their hourly fees.  
16 Plaintiff's motion to set aside raised numerous factual and legal issues which required time to  
17 review and respond, justifying the work done on the case. Finally, Defendants' counsels were  
18 successful in defending the case, having it dismissed with prejudice and obtaining a denial of the  
19 motion to set aside. The Court finds a total award of \$6,720.00 to be a reasonable award of  
20 attorney's fees supported by the *Brunzell* factors and circumstances of this case.  
21  
22

### 23 III. Costs

24 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
25 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
26 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
27 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
28

1 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
2 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
3 276-277, 112 P.3d 1082, 1092 (2005). Pursuant to NRS 18.020, Defendants are entitled to an  
4 award of costs.

5 Defendants request and Plaintiff does not contest \$14.30 in costs. The Court, consistent  
6 with its decision to award Defendants fees and costs, awards the full requested amount.  
7

8 **CONCLUSION**

9 IT IS ORDERED, ADJUDGED AND DECREED that Defendants' counsel, Casey G.  
10 Dish, Esq. and Shana D. Weir, Esq. shall be awarded reasonable attorney's fees for having to  
11 prepare for and litigate Plaintiff's futile Motion to Set Aside are hereby awarded \$6,720.00 in  
12 attorney's fees and \$14.30 in costs.  
13

14 Dated this \_\_\_ day of January, 2022.

Dated this 13th day of January, 2022

15  
16   
17 \_\_\_\_\_  
DISTRICT COURT JUDGE

18 **7BA A78 6627 08C9**  
19 **Eric Johnson**  
20 **District Court Judge**  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 1/13/2022**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

*Heather S. Hume*  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

**ORDER**

11 Defendant(s).

12 **INTRODUCTION**

13 Defendants Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue ("Defendants") filed  
14 an Application for Fees, Costs, and Disbursements on August 27, 2021. Plaintiff Alla Zorikova  
15 ("Plaintiff") filed her Opposition on September 08, 2021. Defendants filed their Reply on  
16 September 19, 2021.

17  
18 After considering the pleadings and argument of counsel, the Court awards \$10,217.00 in  
19 attorney's fees and \$1,485.65 in costs.

20 **DISCUSSION**

21  
22 I. **Relevant Procedural History**

23 On June 18, 2021, Defendants filed a Counter-Motion to Dismiss Plaintiff's Complaint  
24 under NRCP 12. On June 28, 2021, Plaintiff filed her Opposition to the Counter-Motion to  
25 Dismiss. On July 21, 2021, Defendants filed their Reply to Plaintiff's Opposition. On August 18,  
26 2021, this Court conducted an evidentiary hearing on the issue of service of process of Plaintiff's  
27 Complaint. At the conclusion of the hearing, the Court granted Defendants' Counter-Motion to  
28 Dismiss and based upon Plaintiff's abuse of process in this matter, dismissed Plaintiff's Complaint

1 with Prejudice. The Court also instructed Defendants to submit an Application for their fees and  
2 costs, and a supporting memorandum of costs. The Court memorialized its decision in a formal  
3 order issued September 02, 2021. The Court incorporates its findings of fact and conclusions of  
4 law here in with particular attention to the following findings:

5 8) Based on the evidence presented, the Court concludes the only effort at service  
6 of the summons and complaint at the 2620 Regatta Drive address was  
7 accomplished by Plaintiff herself on October 6, 2020. Ms. Jeong did not ride in  
8 a truck driven by an unknown middle age male from Barstow, California on  
9 October 5 and October 9, 2020 to the 2620 Regatta Drive address in Las Vegas,  
10 Nevada and deliver two separate packets of legal documents. The Court finds  
11 Plaintiff and Ms. Jeong presented false testimony at the hearing to attempt to  
12 establish service of the summons and complaint on defendants. The complaint  
13 is dismissed as to Defendants as any service of the summons and complaint  
14 which was attempted, was done by Plaintiff, an unqualified person under NRCP  
15 4(c)(3).

16 9) Plaintiff has abused the judicial process, including having presented false and  
17 misleading testimony to the Court, and having prepared and filed false and  
18 misleading documents with the Court. As a general proposition, the trial court  
19 has the inherent power to dismiss a plaintiff's action to protect the integrity of  
20 the judicial process and to sanction a party's failure to comply with the rules of  
21 procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v. Rizley*, 324  
22 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
23 presenting of false testimony at the August 18, 2021 hearing was willful and in  
24 bad faith, and not from any confusion or inability to comply with the rules  
25 concerning service of summons and complaint. Plaintiff may have been  
26 confused in October 2020 as a pro per party as to how to properly effect service.  
27 However, when Plaintiff discovered her personal service of process was not  
28 proper, she did not attempt to correct her actions under the rules or refile her  
complaint. Instead, Plaintiff decided to falsely represent she had properly served  
the defendants, claiming her daughter served the papers and then filing false  
affidavits of service with the Court. Plaintiff gave false testimony at the hearing  
and drew her daughter into her improper conduct by calling the daughter to give  
false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
Cir.1985)

Order, September 02, 2021 at 4-5.

In its Order, the Court also chose to sanction Plaintiff by imposing attorney fees and costs  
Defendants incurred in preparing the portion of their motion to dismiss concerning service by an  
unqualified person as well as for their preparation and attendance at the hearing on this issue on

1 August 18, 2021. *Id.* at 6. Consequently, the Court’s dismissal ordered that Defendants’ counsel,  
2 Casey D. Gish and Shana D. Weir “shall be awarded attorney’s fees for having to unnecessarily  
3 litigate the propriety of Plaintiff’s service of the summons and complaint. *Id.* at 7.

4 II. Attorneys’ Fees

5 Courts have “‘inherent equitable powers to dismiss actions or enter default judgments for  
6 ... abusive litigation practices.’” *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 92, 787 P.2d  
7 777, 779 (1990)(quoting *TeleVideo Systems, Inc. v. Heidenthal*, 826 F.2d 915, 916 (9th Cir.1987).  
8 These powers permit the Court to sanction parties for litigation abuses not specifically proscribed  
9 by statute. *Id.* Additionally, pursuant to NRS 18.010(2)(b), the court may make an allowance for  
10 attorney’s fees “when the court finds that the claim . . . was brought or maintained without  
11 reasonable ground . . . .” Nevada Rule of Civil Procedure 11 also authorizes courts to grant  
12 attorney fees as sanctions against a party who pursues a claim without reasonable grounds.  
13  
14

15 Here the Court finds Plaintiff’s willful and bad faith use of false testimony to attempt to  
16 establish proper service of the summons and complaint in this case constitutes an abuse of the  
17 litigation process, justifying the award of attorney’s fees. The Court also finds Plaintiff’s willful  
18 and bad faith use of false testimony to cover up her inadequate service demonstrated Plaintiff  
19 maintained her claims without reasonable ground. While Plaintiff may have had reasonable  
20 grounds to bring her complaint she knew she could not properly maintain her claims because of  
21 her improper service of documents. In Nevada, the Court must also consider the factors laid out  
22 in *Brunzell v. Golden Gate National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining  
23 a reasonable award of attorney’s fees. *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837,  
24 865, 124 P.3d 530, 548-49 (2005). In doing so, the award will be reasonable “as long as the Court  
25 provides sufficient reasoning and findings in support of its ultimate determination.” *Id.* The Court  
26 has discretion in determining the reasonableness of an award of attorneys’ fees, considering the  
27  
28

1 *Brunzell* factors. *Shuette*, 121 Nev. At 864, *see also Haley v. Dist. Ct.*, 128 Nev. 171, 178, 273  
2 P.3d 855, 860 (2012). The *Brunzell* factors are as follows: “(1) the qualities of the attorney, (2) the  
3 character of the work to be done, (3) the actual work performed by the attorney, and (4) the case’s  
4 result.” *Haley*, 128 Nev. at 178, 273 P.3d at 860 citing *Brunzell v. Golden Gate Nat’l Bank*, 85  
5 Nev. 345, 349, 455 P.2d 31, 33 (1969).

6  
7 As stated in its Order, the award for attorney’s fees is only for that work which was  
8 attributable to the inadequate service portion of the case. Defendants ask for a total of \$37,400.00  
9 in attorney’s fees with 46.4 hours billed by Mr. Gish and 28.4 hours bulled by Ms. Weir. Counsel  
10 has each attached their respective billing statements for the Court. The Court has reviewed  
11 Defendants’ attorneys’ billing entries. As for Mr. Gish’s request for \$23,200 in fees relating to  
12 Defendant’s motion to dismiss, the Court subtracts \$2,050 in billings that were not clear as to  
13 purpose or appear arguably unnecessary. The inadequate service of process portion of Defendant’s  
14 motion to dismiss represented only a small part of the motion and reply. The inadequate service  
15 issue only became an issue of larger importance when the Court indicated its concern and an  
16 evidentiary hearing was scheduled. Consequently, the Court reduces the requested fees by an  
17 additional \$13,959 to an award of \$7,191 in fees for Mr. Gish to cover time spent on the service  
18 issue and to remove any excessive or unnecessary billing in view of the general and block entry  
19 billing.  
20  
21

22 The Court has likewise reviewed Ms. Weir’s billing request for \$14,200 and her respective  
23 billing statements. The Court will exclude \$5,300 in billings that were not clear or arguably  
24 unnecessary or repetitive. The Court also reduces the requested fees by an additional \$5,874 to  
25 cover time spent on the service issue and to remove any excessive or unnecessary billing in view  
26 of the general and block entry billing. The Court awards \$3,026 in fees for Ms. Weir work as to  
27 the inadequate service issue. The Court orders a total of \$10,217 in attorney fees.  
28

1 The Court finds Mr. Gish and Ms. Weir were qualified and competent and adequately  
2 documented the work each performed. Defendants provided the Court with information as to each  
3 attorney's experience and the Court reviewed the paperwork and briefing in this case by all  
4 counsel. The Court finds the attorneys working on the case to be experienced and qualified,  
5 especially in light of their hourly fees. The litigation involved important and complicated factual  
6 scenarios and legal issues sufficient to justify the work done on the case. Finally, Defendants'  
7 counsels were successful in defending the case and having it dismissed with prejudice. The Court  
8 finds a total award of \$10,217 to be a reasonable award of attorney's fees supported by the *Brunzell*  
9 factors and circumstances of this case.

11 III. Costs

12 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
13 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
14 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
15 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
16 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
17 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
18 276-277, 112 P.3d 1082, 1092 (2005). Pursuant to NRS 18.020, Defendants are entitled to an  
19 award of costs.

22 Defendants request and Plaintiff does not contest \$1,485.65 in costs. The Court, consistent  
23 with its decision to award Defendants fees and costs, awards the full requested amount.

25 CONCLUSION

26 IT IS ORDERED, ADJUDGED AND DECREED that Defendants' counsel, Casey Gish,  
27 Esq. and Shana Weir, Esq. shall be awarded reasonable attorney's fees for having to unnecessarily  
28



1 litigate the propriety of Plaintiff's service of the summons and complaints and are hereby awarded  
2 \$10,217.00 in attorney's fees and \$1,485.65 in costs.

3 Dated this \_\_\_ day of January, 2022.

Dated this 13th day of January, 2022

5   
6 \_\_\_\_\_  
DISTRICT COURT JUDGE

8 **65A 633 DA36 AFDE**  
Eric Johnson  
District Court Judge

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 1/13/2022

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru



1 **NEOJ**

2 CASEY D. GISH, ESQ.

3 Nevada Bar No. 006657

4 **THE LAW OFFICE OF CASEY D. GISH**

5 5940 S. Rainbow Blvd

6 Las Vegas, NV 89118

7 Casey@GishLawFirm.com

8 (702) 583-5883 Telephone

9 (702) 483-4608 Facsimile

10 SHANA D. WEIR, ESQ.

11 Nevada Bar No. 9468

12 **WEIR LAW GROUP, LLC**

13 6220 Stevenson Way

14 Las Vegas, NV 89120

15 (702) 509-4567 Telephone

16 *Attorneys for Defendants*

17 *Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

21 Plaintiff(s),

DEPT. NO. XX

22 vs.

23 JULIE PYLE, TAMMY WILLET, VEGAS  
24 SHEPHERD RESCUE AND DOES I  
25 THROUGH X, INDIVIDUALS, AND ROE  
26 BUSINESS ENTITIES I THROUGH X,  
27  
28 Defendant(s).

29 **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' COUNSEL**  
30 **FOR ATTORNEY FEES & COSTS ON THE PREPARATION AND LITIGATION**  
31 **OF PLAINTIFF'S SUMMONS & COMPLAINT**

32 TO: ALLA ZORIKOVA; Plaintiff appearing Pro Se

33 PLEASE TAKE NOTICE that the following ORDER was entered in the above captioned  
34 matter on January 13, 2022.



1 A true and correct copy of the order is attached hereto.

2 DATED this 25th day of September, 2022.

3 **THE LAW OFFICE OF CASEY D. GISH**

4 */s/ Casey D. Gish*

5 SHANA D. WEIR, ESQ.  
Nevada Bar No. 006657

6 5940 S. Rainbow Blvd

7 Las Vegas, NV 89118

8 Casey@GishLawFirm.com

9 *Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

10 **WEIR LAW GROUP, LLC**

11 */s/ Shana D. Weir*

12 SHANA D. WEIR, ESQ.

13 Nevada Bar No. 9468

14 6220 Stevenson Way

15 Las Vegas, NV 89120

16 *Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' COUNSEL FOR ATTORNEY FEES & COSTS ON THE PREPARATION AND LITIGATION OF PLAINTIFF'S SUMMONS & COMPLAINT** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 25th day of January, 2022.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



*Heather S. Hume*  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

**ORDER**

11 Defendant(s).

12 **INTRODUCTION**

13 Defendants Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue ("Defendants") filed  
14 an Application for Fees, Costs, and Disbursements on August 27, 2021. Plaintiff Alla Zorikova  
15 ("Plaintiff") filed her Opposition on September 08, 2021. Defendants filed their Reply on  
16 September 19, 2021.

17  
18 After considering the pleadings and argument of counsel, the Court awards \$10,217.00 in  
19 attorney's fees and \$1,485.65 in costs.

20 **DISCUSSION**

21  
22 I. **Relevant Procedural History**

23 On June 18, 2021, Defendants filed a Counter-Motion to Dismiss Plaintiff's Complaint  
24 under NRCP 12. On June 28, 2021, Plaintiff filed her Opposition to the Counter-Motion to  
25 Dismiss. On July 21, 2021, Defendants filed their Reply to Plaintiff's Opposition. On August 18,  
26 2021, this Court conducted an evidentiary hearing on the issue of service of process of Plaintiff's  
27 Complaint. At the conclusion of the hearing, the Court granted Defendants' Counter-Motion to  
28 Dismiss and based upon Plaintiff's abuse of process in this matter, dismissed Plaintiff's Complaint

1 with Prejudice. The Court also instructed Defendants to submit an Application for their fees and  
2 costs, and a supporting memorandum of costs. The Court memorialized its decision in a formal  
3 order issued September 02, 2021. The Court incorporates its findings of fact and conclusions of  
4 law here in with particular attention to the following findings:

5 8) Based on the evidence presented, the Court concludes the only effort at service  
6 of the summons and complaint at the 2620 Regatta Drive address was  
7 accomplished by Plaintiff herself on October 6, 2020. Ms. Jeong did not ride in  
8 a truck driven by an unknown middle age male from Barstow, California on  
9 October 5 and October 9, 2020 to the 2620 Regatta Drive address in Las Vegas,  
10 Nevada and deliver two separate packets of legal documents. The Court finds  
11 Plaintiff and Ms. Jeong presented false testimony at the hearing to attempt to  
12 establish service of the summons and complaint on defendants. The complaint  
13 is dismissed as to Defendants as any service of the summons and complaint  
14 which was attempted, was done by Plaintiff, an unqualified person under NRCP  
15 4(c)(3).

16 9) Plaintiff has abused the judicial process, including having presented false and  
17 misleading testimony to the Court, and having prepared and filed false and  
18 misleading documents with the Court. As a general proposition, the trial court  
19 has the inherent power to dismiss a plaintiff's action to protect the integrity of  
20 the judicial process and to sanction a party's failure to comply with the rules of  
21 procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v. Rizley*, 324  
22 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
23 presenting of false testimony at the August 18, 2021 hearing was willful and in  
24 bad faith, and not from any confusion or inability to comply with the rules  
25 concerning service of summons and complaint. Plaintiff may have been  
26 confused in October 2020 as a pro per party as to how to properly effect service.  
27 However, when Plaintiff discovered her personal service of process was not  
28 proper, she did not attempt to correct her actions under the rules or refile her  
complaint. Instead, Plaintiff decided to falsely represent she had properly served  
the defendants, claiming her daughter served the papers and then filing false  
affidavits of service with the Court. Plaintiff gave false testimony at the hearing  
and drew her daughter into her improper conduct by calling the daughter to give  
false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
Cir.1985)

Order, September 02, 2021 at 4-5.

In its Order, the Court also chose to sanction Plaintiff by imposing attorney fees and costs  
Defendants incurred in preparing the portion of their motion to dismiss concerning service by an  
unqualified person as well as for their preparation and attendance at the hearing on this issue on

1 August 18, 2021. *Id.* at 6. Consequently, the Court’s dismissal ordered that Defendants’ counsel,  
2 Casey D. Gish and Shana D. Weir “shall be awarded attorney’s fees for having to unnecessarily  
3 litigate the propriety of Plaintiff’s service of the summons and complaint. *Id.* at 7.

4 II. Attorneys’ Fees

5 Courts have “‘inherent equitable powers to dismiss actions or enter default judgments for  
6 ... abusive litigation practices.’” *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 92, 787 P.2d  
7 777, 779 (1990)(quoting *TeleVideo Systems, Inc. v. Heidenthal*, 826 F.2d 915, 916 (9th Cir.1987).  
8 These powers permit the Court to sanction parties for litigation abuses not specifically proscribed  
9 by statute. *Id.* Additionally, pursuant to NRS 18.010(2)(b), the court may make an allowance for  
10 attorney’s fees “when the court finds that the claim . . . was brought or maintained without  
11 reasonable ground . . . .” Nevada Rule of Civil Procedure 11 also authorizes courts to grant  
12 attorney fees as sanctions against a party who pursues a claim without reasonable grounds.  
13

14 Here the Court finds Plaintiff’s willful and bad faith use of false testimony to attempt to  
15 establish proper service of the summons and complaint in this case constitutes an abuse of the  
16 litigation process, justifying the award of attorney’s fees. The Court also finds Plaintiff’s willful  
17 and bad faith use of false testimony to cover up her inadequate service demonstrated Plaintiff  
18 maintained her claims without reasonable ground. While Plaintiff may have had reasonable  
19 grounds to bring her complaint she knew she could not properly maintain her claims because of  
20 her improper service of documents. In Nevada, the Court must also consider the factors laid out  
21 in *Brunzell v. Golden Gate National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining  
22 a reasonable award of attorney’s fees. *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837,  
23 865, 124 P.3d 530, 548-49 (2005). In doing so, the award will be reasonable “as long as the Court  
24 provides sufficient reasoning and findings in support of its ultimate determination.” *Id.* The Court  
25 has discretion in determining the reasonableness of an award of attorneys’ fees, considering the  
26  
27  
28



1 *Brunzell* factors. *Shuette*, 121 Nev. At 864, *see also Haley v. Dist. Ct.*, 128 Nev. 171, 178, 273  
2 P.3d 855, 860 (2012). The *Brunzell* factors are as follows: “(1) the qualities of the attorney, (2) the  
3 character of the work to be done, (3) the actual work performed by the attorney, and (4) the case’s  
4 result.” *Haley*, 128 Nev. at 178, 273 P.3d at 860 citing *Brunzell v. Golden Gate Nat’l Bank*, 85  
5 Nev. 345, 349, 455 P.2d 31, 33 (1969).

6  
7 As stated in its Order, the award for attorney’s fees is only for that work which was  
8 attributable to the inadequate service portion of the case. Defendants ask for a total of \$37,400.00  
9 in attorney’s fees with 46.4 hours billed by Mr. Gish and 28.4 hours bulled by Ms. Weir. Counsel  
10 has each attached their respective billing statements for the Court. The Court has reviewed  
11 Defendants’ attorneys’ billing entries. As for Mr. Gish’s request for \$23,200 in fees relating to  
12 Defendant’s motion to dismiss, the Court subtracts \$2,050 in billings that were not clear as to  
13 purpose or appear arguably unnecessary. The inadequate service of process portion of Defendant’s  
14 motion to dismiss represented only a small part of the motion and reply. The inadequate service  
15 issue only became an issue of larger importance when the Court indicated its concern and an  
16 evidentiary hearing was scheduled. Consequently, the Court reduces the requested fees by an  
17 additional \$13,959 to an award of \$7,191 in fees for Mr. Gish to cover time spent on the service  
18 issue and to remove any excessive or unnecessary billing in view of the general and block entry  
19 billing.  
20  
21

22 The Court has likewise reviewed Ms. Weir’s billing request for \$14,200 and her respective  
23 billing statements. The Court will exclude \$5,300 in billings that were not clear or arguably  
24 unnecessary or repetitive. The Court also reduces the requested fees by an additional \$5,874 to  
25 cover time spent on the service issue and to remove any excessive or unnecessary billing in view  
26 of the general and block entry billing. The Court awards \$3,026 in fees for Ms. Weir work as to  
27 the inadequate service issue. The Court orders a total of \$10,217 in attorney fees.  
28

1 The Court finds Mr. Gish and Ms. Weir were qualified and competent and adequately  
2 documented the work each performed. Defendants provided the Court with information as to each  
3 attorney's experience and the Court reviewed the paperwork and briefing in this case by all  
4 counsel. The Court finds the attorneys working on the case to be experienced and qualified,  
5 especially in light of their hourly fees. The litigation involved important and complicated factual  
6 scenarios and legal issues sufficient to justify the work done on the case. Finally, Defendants'  
7 counsels were successful in defending the case and having it dismissed with prejudice. The Court  
8 finds a total award of \$10,217 to be a reasonable award of attorney's fees supported by the *Brunzell*  
9 factors and circumstances of this case.  
10

11 III. Costs

12 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
13 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
14 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
15 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
16 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
17 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
18 276-277, 112 P.3d 1082, 1092 (2005). Pursuant to NRS 18.020, Defendants are entitled to an  
19 award of costs.  
20  
21

22 Defendants request and Plaintiff does not contest \$1,485.65 in costs. The Court, consistent  
23 with its decision to award Defendants fees and costs, awards the full requested amount.  
24

25 CONCLUSION

26 IT IS ORDERED, ADJUDGED AND DECREED that Defendants' counsel, Casey Gish,  
27 Esq. and Shana Weir, Esq. shall be awarded reasonable attorney's fees for having to unnecessarily  
28

litigate the propriety of Plaintiff's service of the summons and complaints and are hereby awarded  
\$10,217.00 in attorney's fees and \$1,485.65 in costs.

Dated this \_\_\_ day of January, 2022.

Dated this 13th day of January, 2022

  
DISTRICT COURT JUDGE

65A 633 DA36 AFDE  
Eric Johnson  
District Court Judge

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 1/13/2022**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**



1 **NEOJ**

2 CASEY D. GISH, ESQ.

3 Nevada Bar No. 006657

4 **THE LAW OFFICE OF CASEY D. GISH**

5 5940 S. Rainbow Blvd.

6 Las Vegas, NV 89118

7 Casey@GishLawFirm.com

8 (702) 583-5883 Telephone

9 (702) 483-4608 Facsimile

10 SHANA D. WEIR, ESQ.

11 Nevada Bar No. 9468

12 **WEIR LAW GROUP, LLC**

13 6220 Stevenson Way

14 Las Vegas, NV 89120

15 (702) 509-4567 Telephone

16 *Attorneys for Defendants*

17 *Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

21 Plaintiff(s),

DEPT. NO. XX

22 vs.

23 JULIE PYLE, TAMMY WILLET, VEGAS  
24 SHEPHERD RESCUE AND DOES I  
25 THROUGH X, INDIVIDUALS, AND ROE  
26 BUSINESS ENTITIES I THROUGH X,  
27  
28 Defendant(s).

29 **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' COUNSEL**  
30 **ATTORNEY FEES AND COSTS FOR THE PREPARATION AND**  
31 **LITIGATION OF PLAINTIFF'S MOTION TO SET ASIDE**

32 TO: ALLA ZORIKOVA; Plaintiff appearing Pro Se

33 PLEASE TAKE NOTICE that the following ORDER was entered in the above captioned  
34 matter on January 13, 2022.



1 A true and correct copy of the order is attached hereto.

2 DATED this 25th day of January, 2022.

3 THE LAW OFFICE OF CASEY D. GISH  
4 /s/ Casey D. Gish  
5 \_\_\_\_\_  
6 Nevada Bar No. 006657  
7 5940 S. Rainbow Blvd  
8 Las Vegas, NV 89118  
9 Casey@GishLawFirm.com  
10 Co-counsel for Defendants Julie Pyle, Tammy  
11 Willet, & Vegas Shepherd Rescue

12 WEIR LAW GROUP, LLC  
13 /s/ Shana D. Weir  
14 \_\_\_\_\_  
15 SHANA D. WEIR, ESQ.  
16 Nevada Bar No. 9468  
17 6220 Stevenson Way  
18 Las Vegas, NV 89120  
19 Co-counsel for Defendants Julie Pyle, Tammy  
20 Willet, & Vegas Shepherd Rescue

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' COUNSEL ATTORNEY FEES AND COSTS ON THE PREPARATION AND LITIGATION OF PLAINTIFF'S MOTION TO SET ASIDE** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 25th day of January, 2022.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



*Heather S. Hume*  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

**ORDER**

11 Defendant(s).

12 **INTRODUCTION**

13 Defendants Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue ("Defendants") filed  
14 an Application for Fees, Costs, and Disbursements As a Result of Plaintiff's Motion to Set Aside  
15 on October 12, 2021. Plaintiff filed her Objections to Defendants' Fees and Costs on October 19,  
16 2021. Defendants filed their Reply on October 27, 2021. The matter was subsequently taken under  
17 advisement.  
18

19 After considering the pleadings and argument of counsel, the Court awards \$6,720.00 in  
20 attorney's fees and \$14.30 in costs.  
21

22 **DISCUSSION**

23 I. **Relevant Procedural History**

24 After holding an evidentiary hearing on August 18, 2021, the Court orally pronounced its  
25 decision to dismiss Plaintiff's complaint with prejudice. Subsequently, Plaintiff filed a Motion to  
26 Set Aside the Court's Order dismissing her Complaint on August 23, 2021. Defendants filed their  
27 Opposition to Plaintiff's Motion on September 06, 2021. The Court set a hearing on Plaintiff's  
28 Motion to Set Aside on September 29, 2021.



1 On the date of the hearing, Defendants, through their counsel, Casey D. Gish and Shana  
2 Weir appeared. Plaintiff failed to appear at this hearing. The Court verbally denied the Motion and  
3 granted fees and costs to Defendants. Several hours after the hearing, Plaintiff contacted chambers  
4 and claimed she was unable to log into to the Court's video conference link. The Court  
5 subsequently rescheduled the hearing on Plaintiff's Motion to Set Aside. At the rescheduled  
6 hearing on October 06, 2021, the Court stated that it viewed the Motion to Set Aside essentially  
7 as a motion for reconsideration. The Court denied Plaintiff's Motion to Set Aside under the same  
8 basis discussed in its prior decision dismissing the case. The Court noted nothing new had been  
9 raised to warrant reconsideration. Seeing no evidentiary or legal basis for Plaintiff's Motion to Set  
10 Aside, the Court denied the Motion and granted Defendants' request for fees and costs incurred in  
11 defending and appearing for both of the hearings on Plaintiff's Motion to Set Aside.  
12

13  
14 II. Attorneys' Fees

15 NRS 18.010(b) allows a court to award attorney's fees "when the court finds that the claim,  
16 counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought  
17 or maintained without reasonable ground or to harass the prevailing party." Rule 11 of the Nevada  
18 Rules of Civil Procedure also authorizes the court to grant an award of attorney fees as sanctions  
19 against a party who pursues a claim without reasonable ground.  
20

21 In Nevada, courts must consider the factors laid out in *Brunzell v. Golden Gate National*  
22 *Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of attorney's fees.  
23 *See Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable "as long as the Court  
24 provides sufficient reasoning and findings in support of its ultimate determination." *Id.* The  
25 *Brunzell* factors are as follows: "(1) the qualities of the attorney, (2) the character of the work to  
26 be done, (3) the actual work performed by the attorney, and (4) the case's result." also *Haley v.*  
27  
28

1 *Dist. Ct.*, 128 Nev. 171, 178, 273 P.3d 855, 860 (2012) citing *Brunzell v. Golden Gate Nat'l Bank*,  
2 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).

3 Defendants ask for a total of \$8,864.30 in attorney's fees with 14.5 hours billed by Mr.  
4 Gish and 3.2 hours billed by Ms. Weir. The Court has reviewed Mr. Gish's request for \$7,250.00  
5 and subtracts \$450 for billing the Court deems unnecessary. The Court has reviewed Ms. Weir's  
6 request for \$1600.00 and does not subtract any specific entries. The Court however reduces both  
7 amounts by 20% for general and block entries, leaving \$5440.00 for Mr. Gish and \$1280.00 for  
8 Ms. Weir. The Court finds imposing attorney's fees and costs is an appropriate sanction given the  
9 frivolous nature of Plaintiff's Motion to Set Aside as discussed *supra* as well as at the prior hearing  
10 on Plaintiff's Motion.  
11

12 The Court further finds granting \$6,720.00 is reasonable under the *Brunzell* factors.  
13 Defendants provided the Court with information as to each attorney's experience and the Court  
14 reviewed the paperwork and briefing in this case by all counsel. The Court finds the attorneys  
15 working on the case to be experienced and qualified, especially in light of their hourly fees.  
16 Plaintiff's motion to set aside raised numerous factual and legal issues which required time to  
17 review and respond, justifying the work done on the case. Finally, Defendants' counsels were  
18 successful in defending the case, having it dismissed with prejudice and obtaining a denial of the  
19 motion to set aside. The Court finds a total award of \$6,720.00 to be a reasonable award of  
20 attorney's fees supported by the *Brunzell* factors and circumstances of this case.  
21  
22

### 23 III. Costs

24 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
25 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
26 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
27 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
28

1 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
2 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
3 276-277, 112 P.3d 1082, 1092 (2005). Pursuant to NRS 18.020, Defendants are entitled to an  
4 award of costs.

5 Defendants request and Plaintiff does not contest \$14.30 in costs. The Court, consistent  
6 with its decision to award Defendants fees and costs, awards the full requested amount.  
7

8 **CONCLUSION**

9 IT IS ORDERED, ADJUDGED AND DECREED that Defendants' counsel, Casey G.  
10 Dish, Esq. and Shana D. Weir, Esq. shall be awarded reasonable attorney's fees for having to  
11 prepare for and litigate Plaintiff's futile Motion to Set Aside are hereby awarded \$6,720.00 in  
12 attorney's fees and \$14.30 in costs.  
13

14 Dated this \_\_ day of January, 2022.

Dated this 13th day of January, 2022

15  
16   
17 \_\_\_\_\_  
DISTRICT COURT JUDGE

18 **7BA A78 6627 08C9**  
19 **Eric Johnson**  
20 **District Court Judge**  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 1/13/2022**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

er of District: *Arthur Henson*

Dept No. XX

**IN THE 8<sup>TH</sup> JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

ALLA ZORIKOVA, Plaintiff }  
vs } Case: A-20-821249-C

JULIE PYLE, TAMMY WILLET,  
VEGAS SHEPHERD RESCUE,  
Defendants }

## NOTICE OF APPEAL

Notice is hereby given that Alla Zorikova, Plaintiff above named, hereby appeals to the Supreme Court of Nevada from the order awarding attorney fees to Defendant Pyle entered in this action on 13 day of January, 2022 signed and filed with the Court on 25<sup>th</sup> day of January of 2022.

I was served with this order on January 25 of 2022.

/s/ Alla Zorikova, Plaintiff in Pro Per



Dated: January 24 of 2022

Alla Zorikova, Plaintiff in Pro Per

1905 Wilcox Ave., #175,

Los Angeles, CA 90068

Stevejohn19732017@gmail.com

323-854-9167



Alla Zorikova  
1905 Wilcox Av., #175  
Los Angeles, CA 90068  
3232095186  
Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

: A-20-821249-C

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

PROOF OF SERVICE

**PROOF OF SERVICE**

I, the undersigned, declare as follows:

I am resident of the County of Los Angeles, State of California. I am over the age of 18 years, and not a party to the within action. My business address is 1905 Wilcox Av., #175, Los Angeles, CA 90068.

On January 29 of 2022 I served the foregoing document(s) **NOTICE OF APPEAL ON ORDER FOR ATTORNEY FEES** the following party(ies) in this action addressed as follows:

**PLEASE SEE ATTACHED SERVICE LIST**

(BY MAIL) I caused a true copy of each document, placed in a sealed envelope with postage fully paid, to be placed in the United States mail at Los Angeles, CA. I understand that the service shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

(BY PERSONAL SERVICE) I caused to be delivered each such document by hand to each addressee above.

(BY CERTIFIED MAIL – CCP §§1020, et seq.) I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by addressee that said documents were received.

(BY FACSIMILE) By use of facsimile machine number (310) 651-8681, I served a copy of the within documents) on the above interested parties at the facsimile numbers listed above. The transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine.

**X (BY ELECTRONIC SERVICE)** On January 29 of 2022 I caused the documents to be sent to the persons at their electronic notification addresses. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on January 29 of 2022, in Texas. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Date 01/29/2022

/s/ Olivia Jeong

By: Olivia Jeong



SERVICE LIST SENT VIA U.S. MAIL/EMAIL

Casey Gish LAW OFFICES OF CASEY GISH 5940 s. Rainbow Blvd., Las Vegas, NV 89118;  
702-583-5883 [casey@gishlawfirm.com](mailto:casey@gishlawfirm.com);

CAMP BOW WOW 210 S. Rainbow Blvd., Las Vegas, NV 89145





1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**  
9

10 ALLA ZORIKOVA,

11 Plaintiff(s),

12 vs.

13 JULIE PYLE,

14 Defendant(s),  
15

Case No: A-20-821249-C

Dept No: XX

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Alla Zorikova

20 2. Judge: Eric Johnson

21 3. Appellant(s): Alla Zorikova

22 Counsel:

23 Alla Zorikova  
24 1905 Wilcox Ave. #175  
Los Angele, CA 90068

25 4. Respondent (s): Julie Pyle

26 Counsel:

27 Casey D. Gish, Esq.  
28 5940 S. Rainbow Blvd.  
Las Vegas, NV 89118

1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
2 Permission Granted: N/A

3 Respondent(s)'s Attorney Licensed in Nevada: Yes  
4 Permission Granted: N/A

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

6 7. Appellant Represented by Appointed Counsel On Appeal: N/A

7 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, September 25, 2020  
8 \*\*Expires 1 year from date filed (Expired, Withdrawn by Court  
September 29, 2021)

9 Appellant Filed Application to Proceed in Forma Pauperis: No  
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: September 15, 2020

12 10. Brief Description of the Nature of the Action: TORT - Other

13 Type of Judgment or Order Being Appealed: Judgment

14 11. Previous Appeal: Yes

15 Supreme Court Docket Number(s): 83478

16 12. Child Custody or Visitation: N/A

17 13. Possibility of Settlement: Unknown

18 Dated This 1 day of February 2022.

19 Steven D. Grierson, Clerk of the Court

20  
21 /s/ Heather Ungermann  
22 Heather Ungermann, Deputy Clerk  
23 200 Lewis Ave  
24 PO Box 551601  
25 Las Vegas, Nevada 89155-1601  
(702) 671-0512

26 cc: Alla Zorikova  
27  
28



Alla Zorikova  
1905 Wilcox Av., #175  
Los Angeles, CA 90068  
3232095186  
Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

: A-20-821249-C

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

PROOF OF SERVICE

**PROOF OF SERVICE**

I, the undersigned, declare as follows:

I am over the age of 18 years, and not a party to the within action. My business address is 1905 Wilcox Av., #175, Los Angeles, CA 90068.

On January 29 of 2022 I served the foregoing document(s) **NOTICE OF APPEAL ON ORDER FOR ATTORNEY FEES** the following party(ies) in this action addressed as follows:

**PLEASE SEE ATTACHED SERVICE LIST**

**X (BY MAIL)** I caused a true copy of each document, placed in a sealed envelope with postage fully paid, to be placed in the United States mail at Los Angeles, CA. I understand that the service shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

**(BY PERSONAL SERVICE)** I caused to be delivered each such document by hand to each addressee above.

(BY CERTIFIED MAIL – CCP §§1020, et seq.) I caused said document(s) to be deposited with the United States Mail, postage prepaid, return receipt requested, signed by addressee that said documents were received.

(BY FACSIMILE) By use of facsimile machine number (310) 651-8681, I served a copy of the within documents) on the above interested parties at the facsimile numbers listed above. The transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine.

**X (BY ELECTRONIC SERVICE)** On 02/12 of 2022 I caused the documents to be sent to the persons at their electronic notification addresses. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on 02/12/22. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Date 02/12/2022

/s/ Olivia Jeong

By: Olivia Jeong



#### SERVICE LIST SENT VIA U.S. MAIL/EMAIL

Casey Gish LAW OFFICES OF CASEY GISH 5940 s. Rainbow Blvd., Las Vegas, NV 89118;  
702-583-5883 [casey@gishlawfirm.com](mailto:casey@gishlawfirm.com);

CAMP BOW WOW 210 S. Rainbow Blvd., Las Vegas, NV 89145

Jylie Pyle

Vegas Shepherd Rescue

Tammy Willet

2620 Regatta Dr, Las Vegas, NV 89128

[vsrsharon@protonmail.com](mailto:vsrsharon@protonmail.com)

[juliepyle@ktnv.com](mailto:juliepyle@ktnv.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**June 09, 2021**

---

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

---

**June 09, 2021      8:30 AM      Motion for Temporary  
Restraining Order**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Erin Burnett  
Shelley Boyle

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:** Gish, Casey D.      Attorney

**JOURNAL ENTRIES**

- Parties appeared via Bluejeans.

Argument and colloquy regarding the require Security Bond posting by Pltf. COURT NOTED, the Bond was posted 04.21.21. Mr. Gish stated he never received notice of the Bond posting. Statement by Ms. Zorikova. COURT ADVISED, Mr Gish will have until 06.18.21 to file a Motion to Dismiss, and ORDERED, matter CONTINUED; Pltf's. Response DUE 06.25.21, Deft's. Reply DUE 07.02.21. Pltf's. Motion for Leave of Court to Amend Compliant by Adding Defts., SET 06.30.21, RESET.

07.07.21    9:00 A.M.    PLTF'S MOTION FOR LEAVE OF COURT TO AMEND COMPLIANT TO ADD DEFT'S....HEARING ON PLTF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLTF'S DOGS AND FOR ORDER TO RETURN PLTF'S DOGS AND PLTF'S DECLARATION IN SUPPORT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****July 06, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
                                  vs.  
                                  Julie Pyle, Defendant(s)

**July 06, 2021      11:30 AM      Minute Order**

**HEARD BY:** Johnson, Eric**COURTROOM:** Chambers**COURT CLERK:** Kathryn Hansen-McDowell**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff Alla Zorikova filed an Ex-Parte Motion to Extend Plaintiff s Deadline to Respond to Defendant s Motion to Dismiss and/or Continue Hearing on Defendant s Motion to Dismiss and Declaration in Support on July 5, 2021. The matter was subsequently scheduled for hearing on August 11, 2021.

Good cause appearing, pursuant to EDCR 2.23(c) the Court hereby GRANTS the Ex-Parte Motion to Extend Plaintiff s Deadline to Respond to Defendant s Motion to Dismiss and/or Continue Hearing on Defendant s Motion to Dismiss and Declaration in Support. The new briefing schedule for Defendants June 18, 2021 Motion to Dismiss is as follows: Plaintiff Zorikova s Opposition is due July 14, 2021, and Defendants Reply is due July 21, 2021.

The Court hereby VACATES the August 11, 2021 hearing on Plaintiff s Ex-Parte Motion to Extend Plaintiff s Deadline to Respond to Defendant s Motion to Dismiss and/or Continue Hearing on Defendant s Motion to Dismiss and Declaration in Support. The remaining motions set for hearing on July 14, 2021 have been continued to August 11, 2021 at 8:30 a.m.

Plaintiff is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

PRINT DATE: 02/22/2022

Page 2 of 12

Minutes Date: June 09, 2021

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey  
File & Serve.7/6/2021 khm

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****August 10, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

**August 10, 2021      1:00 PM      Minute Order**

**HEARD BY:** Johnson, Eric**COURTROOM:** Chambers**COURT CLERK:** Kathryn Hansen-McDowell**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff Zorikova filed an Ex-Parte Motion for TRO on October 24, 2020, a Motion for Leave to Amend Complaint on May 28, 2021 and a Motion for Default Judgment on June 8, 2021. Subsequently, Defendants Julie Pyle, Tammy Willet and Vegas Shepherd Rescue filed an Opposition thereto and Countermotion to Dismiss Plaintiff s Complaint. The matter was subsequently scheduled for hearing on August 11, 2021.

After considering the pleadings and argument of counsel, the Court is setting an evidentiary hearing for Wednesday, August 18, 2021 at 9:15 a.m. as to the issue of the process server s identity. In particular, the Court expects Defendants to provide video of the process server whom they allege is Plaintiff Zorikova. Since this will be determinative as to the other motions, the August 11, 2021 hearing on Plaintiff s Ex-Parte Motion for TRO, Plaintiff s Motion for Leave to Amend Complaint, Plaintiff s Motion for Default Judgment, Defendants Julie Pyle, Tammy Willet and Vegas Shepherd Rescue s Opposition thereto and Countermotion to Dismiss Plaintiff s Complaint are rescheduled to August 18, 2021 at 9:15 a.m.

08/18/2021 9:15 AM EVIDENTIARY HEARING

MOTIONS RESCHEDULED TO: 08/18/2021 9:15 AM

PRINT DATE: 02/22/2022

Page 4 of 12

Minutes Date: June 09, 2021



CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 8/10/21 KHM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****August 18, 2021**

A-20-821249-C      Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

**August 18, 2021      9:15 AM      All Pending Motions**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Trisha Garcia

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Gish, Casey D.	Attorney
	Pyle, Julie	Defendant
	Weir, Shana	Attorney
	Zorikova, Alla	Plaintiff

**JOURNAL ENTRIES**

- EVIDENTIARY HEARING . . DEFENDANTS OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT; OPPOSITION TO PLAINTIFF'S MOTION TO AMEND; AND DEFENDANTS COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT . . . PLAINTIFF'S MOTION FOR LEAVE OF COURT TO AMEND COMPLAINT BY ADDING DEFENDANTS . . . PLAINTIFF'S MOTION FOR LEAVE OF COURT TO AMEND COMPLAINT BY ADDING DEFENDANTS . . . PLAINTIFF'S PRO PER MOTION FOR DEFAULT JUDGMENT AND PLAINTIFF'S DECLARATION IN SUPPORT . . . HEARING ON PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT

Court noted the evidentiary hearing was to determine if the complaint was served by the Plaintiff, Ms. Zorikova or a process server. Arguments by Ms. Zorikova and Mr. Gish. Witness testimony and exhibits presented. (see lists). Colloquy regarding ability to contact Ms. Zorikova's daughter to testify.

PRINT DATE: 02/22/2022

Page 6 of 12

Minutes Date: June 09, 2021

Court allowed Ms. Zorikova to retrieve her cell phone from her car which contained her daughter's contact information and ORDERED, her not to contact anyone until she was back in the courtroom. Mr. Gish orally requested a staff member accompany the Plaintiff; Court GRANTED the request and a department staff member accompanied her. MATTER TRAILED:

MATTER RECALLED: all parties present as before. Testimony continued. Further arguments by Ms. Zorikova and Mr. Gish. COURT stated its FINDINGS and ORDERED, CASE DISMISSED with Prejudice. COURT FURTHER ORDERED, Deft.s counsel may receive attorney's fees for the portion of the motion for dismissal, for preparation, service and for the hearing. Counsel to submit their bills and Brunzell factors by August 27, 2021, Plaintiff's response due September 10, 2021 and Defense reply due by September 17, 2021. Mr. Gish to prepare an order, circulate to opposing party and submit to the department.

Ms. Zorikova stated she planned to file an appeal. Court explained the appeal time clock starts once the order was signed. Colloquy regarding notification of order and how to receive transcripts.

Mr. Gish orally requested to have the Plaintiff's in forma pauperis changed arguing the Plaintiff received a 1/3 of a million dollar settlement. Upon Court's inquiry, Ms. Zorikova stated that information was confidential. Mr. Gish explained how the information was obtained. Mr. Gish stated the request was not included with his paperwork. Colloquy regarding the information being reference in Defense's reply on page 21. Mr. Gish stated they could file the documents by tomorrow. Court instructed, counsel to file a copy of the settlement agreement as a supplement to their motion; to decertify in forma pauperis for the Plaintiff. Ms. Zorikova stated she would have her attorney address the matter as to who breached the confidential agreement and noted it could be put in writing that she no longer needed in forma pauperis status. Mr. Gish stated he would put it in writing. Following colloquy regarding whether it was a voluntary withdraw, Court directed defense counsel to file the supplement and allowed Plaintiff until August 27, 2021 to respond. Colloquy regarding whether Ms. Zorikova could file a motion to reconsider. Further colloquy regarding which law firm Ms. Weir worked at and the Court's endorsements.

COURT ADDITIONALLY ORDERED, the 9/15/2021 hearing VACATED.

**PLEADING  
CONTINUES  
IN NEXT  
VOLUME**

# IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLA ZORIKOVA,  
Appellant(s),

vs.

JULIE PYLE; TAMMY WILLET; AND  
VEGAS SHEPHERD RESCUE,  
Respondent(s),

Case No: A-20-821249-C

Docket No: 84186

# RECORD ON APPEAL VOLUME 3

ATTORNEY FOR APPELLANT  
ALLA ZORIKOVA, PROPER PERSON  
1905 WILCOX AVE. #175  
LOS ANGELES, CA 90068

ATTORNEY FOR RESPONDENT  
CASEY D. GISH, ESQ.  
5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118

A-20-821249-C      Alla Zorikova, Plaintiff(s) vs. Julie Pyle, Defendant(s)

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 235
2	236 - 470
3	471 - 705
4	706 - 940
5	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Affidavit of Prejudice	579 - 579
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	177 - 177
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	178 - 178
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	179 - 179
1	9/24/2020	Application to Proceed Informa Pauperis (Confidential)	15 - 17
1	6/18/2021	Association of Counsel	196 - 197
3	9/7/2021	Case Appeal Statement	565 - 566
4	2/1/2022	Case Appeal Statement	930 - 931
2	8/16/2021	Certificate of Mailing	453 - 456
1	5/6/2021	Certificate of Service	136 - 136
5	2/23/2022	Certification of Copy and Transmittal of Record	
1	10/6/2020	Clerk's Notice of Nonconforming Documents	60 - 62
1	9/15/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, Intentional Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	1 - 11
1	9/24/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, International Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	18 - 37
4	10/27/2021	Decision and Order	860 - 866
4	10/28/2021	Decision and Order	881 - 887

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/6/2021	Declaration of Olivia Jeong in Support of Plaintiff's Exparte Application Hearing on 06/09/2021	110 - 135
1	10/26/2020	Defendant, Julie Pyle's Demand for Security of Costs	91 - 93
1	10/26/2020	Defendant, Tammy Willet's Demand for Security of Costs	94 - 96
1	10/26/2020	Defendant, Vegas Shepherd Rescue's Demand for Security of Costs	97 - 99
3	8/27/2021	Defendants' Application for Fees, Costs, and Disbursements	495 - 526
4	10/12/2021	Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	750 - 777
3	8/27/2021	Defendants' Memorandum of Costs and Disbursements	486 - 494
4	10/12/2021	Defendants' Memorandum of Costs and Disbursements	745 - 749
3	9/6/2021	Defendants' Opposition to Motion to Set Aside Order to Dismiss with Prejudice	547 - 564
1	6/18/2021	Defendants' Opposition to Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	198 - 226
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continued)	705 - 705



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continuation)	706 - 716
2	6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	312 - 318
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	831 - 839
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	840 - 848
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for Relief from Final Order	687 - 704
4	10/20/2021	Defendants' Opposition to Plaintiff's Motion for Sanctions; and Countermotion for Sanctions	785 - 825
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion to Provide Statement of Facts	826 - 830
3	9/19/2021	Defendants' Reply to Plaintiff's Opposition to Application for Fees, Costs, and Disbursements	676 - 686
4	10/27/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	867 - 876
2	7/21/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	397 - 420
2	8/19/2021	Defendants' Supplement to Reply in Support of Counter-Motion to Dismiss Plaintiff's Complaint	457 - 467
4	2/23/2022	District Court Minutes (Continued)	934 - 0
5	2/23/2022	District Court Minutes (Continuation)	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/24/2020	Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support	63 - 90
4	10/7/2021	Judge Eric Johnson's Answer to Plaintiff's Motion for Recusal	730 - 735
3	9/4/2021	Miscellaneous Filing - Attachment to Plaintiff's Notice of Appeal (Order From Which Appeal Takes Place)	538 - 546
1	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continued)	227 - 235
2	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continuation)	236 - 311
2	8/15/2021	Miscellaneous Filing - Exhibit 1 in Support of Plaintiff's Motion for Sanctions	450 - 450
4	9/29/2021	Miscellaneous Filing - Exhibit 1 in support of Plaintiff's Motion to reschedule hearing	718 - 718
2	6/29/2021	Miscellaneous Filing - Exhibit 1 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	348 - 348
1	5/28/2021	Miscellaneous Filing - Exhibit 1 Supporting Motion to Add Defendants	139 - 139
1	5/28/2021	Miscellaneous Filing - Exhibit 2 for Motion to Add Party	140 - 140
2	8/15/2021	Miscellaneous Filing - Exhibit 2 in Support of Plaintiff's Motion for Sanctions	451 - 451
2	6/29/2021	Miscellaneous Filing - Exhibit 4 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	378 - 378

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/29/2021	Miscellaneous Filing - Exhibit 4 to Motion to Add a Party	141 - 141
1	5/29/2021	Miscellaneous Filing - Exhibit 5 to Motion to Add a Party	142 - 170
2	7/22/2021	Miscellaneous Filing - Exhibits to Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	421 - 442
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	625 - 633
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 to Support Plaintiff's Opposition to Counter-motion	858 - 858
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 11 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	634 - 634
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 12 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	635 - 635
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibit 19 to Opposition to Dismiss	395 - 395
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	638 - 641
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set	642 - 645

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Aside, Mot for Relilief from Judgm., Mot for New Trial	
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	349 - 377
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 to Support Plaintiff's Opposition to Counter-motion	859 - 859
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 4 to Support Plaintiff's Opposition to Counter-motion	857 - 857
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	379 - 379
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	636 - 636
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 6 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	380 - 382
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 7 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	637 - 637
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 8 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	383 - 383
4	10/19/2021	Miscellaneous Filing - Plaintiff's Exhibit A to Opposition to Defendant's Fees/costs	784 - 784
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 3 to Opposition to Dismiss	391 - 391

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 4 to Opposition to Dismiss	392 - 392
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 5 to Opposition to Dismiss	393 - 393
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 6 to Opposition to Dismiss	394 - 394
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	673 - 673
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	674 - 674
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	675 - 675
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	672 - 672
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	647 - 647
1	9/15/2020	Motion to Proceed in Forma Pauperis (Confidential)	12 - 13
1	10/29/2020	Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return	100 - 100

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Plaintiff's Dogs and Plaintiff's Declaration in Support	
3	9/4/2021	Notice of Appeal	537 - 537
4	1/29/2022	Notice of Appeal	926 - 927
2	7/6/2021	Notice of Change of Hearing	390 - 390
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel Attorney Fees and Costs on the Preparation and Litigation of Plaintiff's Motion to Set Aside	918 - 925
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel for Attorney Fees & Costs on the Preparation and Litigation of Plaintiff's Summons & Complaint	908 - 917
3	9/7/2021	Notice of Entry of Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint with Prejudice	567 - 578
1	11/2/2020	Notice of Hearing	105 - 105
1	4/29/2021	Notice of Hearing	109 - 109
1	6/1/2021	Notice of Hearing	176 - 176
1	6/9/2021	Notice of Hearing	184 - 184
2	7/6/2021	Notice of Hearing	389 - 389
2	8/16/2021	Notice of Hearing	452 - 452
3	8/23/2021	Notice of Hearing	485 - 485
3	9/14/2021	Notice of Hearing	646 - 646
4	9/30/2021	Notice of Hearing	719 - 719
4	9/30/2021	Notice of Hearing	720 - 720
4	10/8/2021	Notice of Hearing	736 - 736

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	12/4/2020	Order	106 - 108
3	9/2/2021	Order	528 - 536
4	1/13/2022	Order	896 - 900
4	1/13/2022	Order	901 - 907
1	9/20/2020	Order Denying Motion to Proceed in Forma Pauperis (Confidential)	14 - 14
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	877 - 880
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	888 - 891
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	892 - 895
1	9/25/2020	Order to Proceed Informa Pauperis (Confidential)	38 - 39
1	5/7/2021	Plaintiff Zorikova's Exhibit 15 in Support of Plaintiff's Application for TRO; Declaration of Casey Gish, Esq.	137 - 137
2	7/5/2021	Plaintiff's Declaration #2 in Support of Her Motion to Extend Time or Continue Hearing 07/07/2021; Hearing Requested	387 - 388
2	7/5/2021	Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support; Hearing Requested	384 - 386
3	9/12/2021	Plaintiff's Motion for New Trial, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCP 59(a) (A)(B)(F)(G); Hearing Requested	591 - 607

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/6/2021	Plaintiff's Motion for Recusal and Memorandum of Law Pursuant to Nevada Code Title 1 State Judicial Department NRS 1.230, 1.235 (1)(5)(a)(b); Hearing Requested	721 - 724
3	9/12/2021	Plaintiff's Motion for Relief from Final Order, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCPC 60 (b)(1)(3)(6); Hearing Requested	608 - 624
4	10/6/2021	Plaintiff's Motion for Sanctions; Hearing Requested	725 - 727
4	10/25/2021	Plaintiff's Motion for Sanctions; Hearing Requested	854 - 856
4	9/29/2021	Plaintiff's Motion Motion to Reschedule Hearing and Declaration in Support; Hearing Requested	717 - 717
4	10/6/2021	Plaintiff's Motion to Provide Statement of Facts; Hearing Requested	728 - 729
4	10/19/2021	Plaintiff's Objections to Defendant Fees and Costs Exhibit "A" Attached	778 - 783
3	8/28/2021	Plaintiff's Objections to Defendant's Costs and Proposed Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately)	527 - 527
1	10/31/2020	Plaintiff's Objections to Defendant's Demand for Security Costs and Declaration in Support	101 - 103
4	10/25/2021	Plaintiff's Opposition to Defendant's Contra-Motion for Sanctions	849 - 853
4	10/12/2021	Plaintiff's Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice	737 - 744



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/31/2020	Plaintiff's Proof of Service of Objections to Defendant's Demand of Security Costs and Declaration in Support	104 - 104
1	6/8/2021	Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support; Hearing Requested	180 - 182
1	5/28/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	138 - 138
1	5/29/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	171 - 175
2	7/13/2021	Plaintiff's Certificate of Service	396 - 396
2	8/14/2021	Plaintiff's Ex Parte Motion for Sanctions for Defendant's False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support. Hearing Requested	443 - 449
2	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continued)	468 - 470
3	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continuation)	471 - 484

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Plaintiff's Opposition for Defendants Costs and Fees	580 - 590
3	9/19/2021	Plaintiff's Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	648 - 671
2	6/28/2021	Plaintiff's Opposition to Defendant's Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	319 - 342
2	6/29/2021	Plaintiff's Plaintiff's Declaration in Support for Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs	343 - 347
4	1/29/2022	Proof of Service	928 - 929
4	2/12/2022	Proof of Service	932 - 933
1	6/8/2021	Proof of Service for Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support	183 - 183
1	6/10/2021	Proof of Service of Plaintiff's First Set of Interrogatories on Defendants Pyle, Willet, Vegas Shepherd Rescue	185 - 195
1	10/2/2020	Summons - Civil (Unsigned)	40 - 43
1	10/2/2020	Summons - Civil (Unsigned)	44 - 47
1	10/2/2020	Summons - Civil (Unsigned)	48 - 51
1	10/2/2020	Summons - Civil (Unsigned)	52 - 55

A-20-821249-C

Alla Zorikova, Plaintiff(s)

vs.

Julie Pyle, Defendant(s)

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/2/2020	Summons - Civil (Unsigned)	56 - 59

16. Plaintiff does not have any recollection of filing any Affidavits of Summons for this case in June of 2021, but does not exclude possibility of filing.

17. Plaintiff has been visited Las Vegas (but does not have any recollection of the dates); however, as claimed by Defendants one of the visits was on October 06 of 2020 (that's why Defendants falsely claimed "service" on October 06 of 2020 and Plaintiff have been referencing the same date in her pleadings relying on Defendant's true statements as to date of filing of Olivia's Jeong Affidavits of Service, instead of date of visits of Plaintiff).

18. Plaintiff does not have clear recollection of any details of Service. Plaintiff had not realized, nor had any previous experience that Defendants and THE COURT might think of an attempt to use dates, details etc in service process as a clever but fake tool to Dismiss this big on MERITS and hurtfull for stolen dogs and Plaintiff case, filed for LARCENY, emotional distress and other causes of action.

19. Plaintiff studied at Universities in CA with making President's Honor Roll in such sophisticated subjects as Computer Science, Math etc. Therefore, Plaintiff surely does not have any "recollection abilities problems"; however, it is almost a year past by from the dates of service by Olivia Jeong and Plaintiff's visits to Las Vegas. Plaintiff does not recall most of the environment where she was in Las Vegas, nor details, nor almost (would be trully to state) anything except of what it stated on written documents.

20. However, Court unfairly was upset that ncither Plaintiff, nor Olivia Jeong would recall details of place where Plaintiff was as visitor and Olivia Jeong was as server.

21. To provide the Court with leverage to see credibility of witness and to clearly prove that Olivia Jeong does not need to be "led" by leading questions (designed, in my opinion, as

supporting tool for those who cannot speak truth for themselves and therefore need to be “led” in order to answer not truthfully but “correctly”).

22. It is obvious, in my opinion, that agenda of the Court was to dismiss this case no matter what before the hearing on August 18th even started.

23. First, Defendants went with attempts to “prove” that Plaintiff Alla Zorikova was impersonalizing herself as Olivia Jeong. Defendant’s bad faith’s attempts failed.

24. Next, Defendant attempted to pretend that his video will prove something that Plaintiff denied.

25. There were NO need for searching any videos of plaintiff’s visit in Las Vegas based on Plaintiff’s true statement in previous pleadings (Exhibit \_\_6\_\_) that she was visiting most of all Nevada’s Defendants places of business and residence , as well as speaking with neighbors regarding her stolen German Shepherds.

26. Casey Gish still denying and stated during hearing on August 18 of 2020 that this is not true that he is with Board of Directors for SNARL (Exhibit \_7\_).

27. Olivia Jeong signed and fillied in handwriting Declaration (admitted into evidence as Exhibit 1) and is Exhibit 8 here, on which she confirmed the service she made on Defendants filed with he Court. She served according to NRCP 4.2 (a) (2).

28. Further, Defendants viciously attempted to attack Olivia’s Jeong’s signatures, which is failed as well.

29. Further more, after hours and hours of baseless “evidence such as video of Plaintiff visiting office” and hearsay’s written statements of absent T Willet, overruling each Plaintiff’s objection

during constantly leading questions “testimony” of Pyle, The Court could not find more grounds for it’s against the evidences order, but baselessly pointing on “DEMEANOR” of Olivia Jeong during her testimony’s answers and therefore finding Olivia’s and Plaintiff’s testimony as uncredible, while all Pyle’s and hearsay Willet’s statements found credible, which clearly exposed Court’s bias and unfairness toward Plaintiff.

30. Then followed threats to Plaintiff and her witness of arrests from Gish, while he, with his “license” was standing and blatantly lied and lied in the face of the Court and Plaintiff.

31. See below Gish’s fraudulent statement of false “FACTS” taken only from his single document he filed with the Court.

32. This Court clearly abuses it’s power by covering up clear falsehoods of Defendants and trying to unfairly accuse Plaintiff without any evidences nor facts using “power of Court’s Discretion and opinion”. In this country (this Court agrees or not) People has Constitution, in which their fundamental right for fair hearing cannot be abused neither by the Court, nor by anyone else.

33. Judgments and Orders based on baseless, not supported with evidences “opinions” are easily overturned.

34. One County (San Bernardino) had already attempted warrantless false arrest of Plaintiff and paid price for it (disciplinary and monetary).

35. Nevada turned much worse than California, based on Plaintiff’s personal experience.

36. Plaintiff is making sure that true facts of this case, hearing and the Court’s motivation to issue this unfair order will be exposed publically on one of the Plaintiff’s website and other

sources. (with true undisputable in it's trustworthy copies of pleadings). People are be able to respond in blog and state their experience and knowledge of Nevada's Courts.

37. Olivia Jeong's poor "demeneer" rised from her knowledge that Eric Johnson was endorsed by Animal Rights Activists Group, and most likely, big "donations" were poured in to influence his judgements.

38. Why she (as any other person would) think so? Because obviously as a proven fact all hearing was unfair and order as a result of unfair hearing is ridiculous.

39. "Animal Right Activists", called by public lately as "terrorists", while more and more exposure on their offen violent activity toward humans and animals. See

<http://humanrightsvsanimalrights.org>

Almost nothing on that website (yet) written by Plaintiff, all true facts there provided by experienced credible breeders, founders, dog show judges etc, those, who work hard providing Americans with products instead of destroying businesses and people under cover up of "animals and trees cannot speak" and "people are the animals, while animals are "fur kids". In USA animals are property. Period. And People have rights to own animals. This right is undisputable. And those who destroys, steal and damage other people's property need bare bad consequences of bad actions.

40. This is USA, not communistic Cuba nor China. People fought for freedoms here and have fundamental rights in this Country for fair Hearing, Due Process and FAIR TRIAL.

41. It's totally unprecedented and unheard of dismissing very (obviously) privileged Defendants with Prejudice for such technical error as insufficient service, if even it would be found.

42. "with Prejudice" dismissal is Dismissal on Merits. Only. Did we even argued once Merits of this Case? No. What we had clearly had is obviously false facts and statements (with clear and convincing evidentiary support of it's falsity).

43. What is tyranny? Tyrony can exist when first and foremost People's rights for Due Process, fair Hearing and fair Trial - FUNDAMENTAL Constitutional rights are denied. When deputy without any warrants nor grounds can arrest people. When judges make they rulings against the evidences yet based on their "OPINION".

44. Sorry, if this Court has opinion that female cannot drive from TX to CA nonstop for 1 day (single example of many of this Court's "opinions"). As well as other "opinions".

45. I, Plaintiff, also have "opinion", in my this opinion, Judge Eric Johnson, who was endorsed by Animal Rights Activists Group and therefore had (in my opinion) received donations from that group. Why groups make donations and endorsement to judges? In my "opinion", it's a legalizid way to influence judge's decisions. Judge Eric Johnson stated that he did not ask for that endorsement; however, most likely and in my "opinion" he did not refund unwanted donation either. Regarding this case, in my "opinion" Judge Eric Johnson was influenced in his unfair, biased, against the clear evidences, decision by his endorsers or, even possibly blackmailed or bribed by Gish or by his buddies (unfortunatelly, so far ot's only my "opinion"). I could bring my this "opinion" in front of Federal or Nevada's [the most corrupted, small, human/child/drug/dog trafficking pod (in my opinion) and based on personal experience observation] District Attorney



or DOJ; however, I understand (and it would be fair to say) that without clear and convincing evidences (or at least some evidences), all District Attorney would say to me: "Ms Zorikova, go and put your "opinion" in your ...". And it would be totally correct, that where "opinions" belongs to vs clear (and moreover, better if convincing) evidences.

46. Yes, Courts have discretion treshhold; however, it's clearly abuse of discretion and abuse of power to make all ruling based on bare discretion, instead of facts, evidences and law.

47. My legal "practice " started about 20 years ago in Europe, when I was working with the bests of the best group of European Attorneys representing my kiled multi-millioner oligarh father and our workers. That group (as well as my father) introduced me to "insides" of how legal business is done, it was disgusting to hear all that dirty details back there. Still the same disgusting to see double standarts and unfair rullings today for me and for other American People. Why American? Because when People are leaving their tyranic and corrupted countries, they come to USA as the ONLY island of freedom, hope for justice, fair trails, fair opportunuties and fair dealings with criminals, country, where thieves cannot steal , pay off bribes, lie, deceive, get away with crime and continue their activities, while victims of those can not be stoped from seeking justice via baseless, against the evidences, facts and law "opinions".

48. There were total 0 of evidences during the Hearing on August 18th of 2021 that would support the Court's opinion that service was not done properly. Defendant nervoniously jumped from one attempt to another, comming through Olivia's non exsistence and all affidavits and declarations signed by Alla Zorikova instead of her, when it did not fly, Defendants argued similarity of signatures on Affidavits of Service and Declarations, than he jumped to argument that Olivia does not have license to serve and claimed that by law (even stated NRCP 4 (b)) she

must be licensed, than he attempted to state that Olivia is not over 18 by inquiring her birthday and on and on. While Defendant (as represented by Gish) lied constantly during his turns to speak (clear and convincing evidences of "Licensed Attorney Casey Gish lying in front of Court" evidence- Gish stated \$350,000 calculated as \$10,000 plus \$325,000), (It took whole hour for us to receive Plaintiff's admission that she is on that video he presented, while Plaintiff had stated even in her pleadings weeks ago that she was visiting Defendant's residences and businesses in Las Vegas on October 6 and stated that the impossible to identify Hat with Mask on video is her, Alla Zorikova)), [Plaintiff's was cited (or similar word) with Notice (or similar word) from San Bernardirno County for illegally keeping her dogs (or similar words) while in reality that Notice (Defendant's Exhibit 4) is nothing more than 30 days notice of non primary use as for new residential construction]. Only these lies of Gish are very clear and obviously observed (yet neither NOT pointed out nor stoped by the Court even while objected by Plaintiff).

49. I had experience with Court reporters "reporting" false statemnets, however, hopefully we have unedited audio on CD that we can compare. Yes, I sometimes need my attorney with me to act as minimum as witness to defend myself from false allegations or from being groundlessly arrested as a clever way to get rid of unwanted witness.

50. I had inquired yesterday regarding amount of donations received by Eric Johnson from that Animal Rights Activists. Defendants stated that they received \$100,000 in Donations for this "defense", wonder from who? In my "opinion", without research done yet - from PETA.

51. I warned my attorneys, business partners and security team that in case anything happens to me or Olivia Jeong (such as we will be killed), all evidences and "opinions" we have will go to authorities and will be published anyway.

52. Again, all these pleadings are published for people to learn from, it will be propagated on Internet shortly. Today, we, the People, have this tool - have our own media and channels, and no need to rely on fake corrupted media. San Bernardino County made a correct choice do not get exposed, they settled their mistakes.

53. I had "opinion" before this Hearing that Judge Eric Johnson one of the best judges in Nevada (based on my research), what happened to him??

54. I am filing on Monday case against Gish, Gregory, SNARL, Weeks in Federal District Texas Court with the same allegations as in this current case and it would be fair if Defendants Pyle, Willet and VSPR would join those Defendants to save taxpayers money instead of coming through Appeal and only then filing against these Defendants. I will ask for this case to be transferred to Federal District Texas Court if Supreme Court will grant the Appeal anyway. I will not proceed further with this case in Courts of Nevada (no, thank you).

56. Below Plaintiff provides not a full list of those false facts based on just a single Defendant's filings **Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO:**

A. **In Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO** on page 3 line 25

Defendant states: "Plaintiff did not provide photos of her own" regarding proof of stolen dog's ownership, while in a reality, Plaintiff attached multiple pictures of herself with her dogs that are displayed as stolen on Defendant's Facebook page.

B. On page 4 of the same, line 9 to 27 Defendants are fully defrauding the Court with paragraphs of clearly false, evasive and obviously designed to cover up the truth, statements such as: a) On line 10 Defendants falsely states that Plaintiff stated she houses 50 dogs in cages. Plaintiff had never stated so in none of her pleadings nor

motions not otherwise, because she never keeps nor kept dogs in cages. All dogs are walking free on huge acreage of her property or kept in roomy kennels with huge play zone area.

b). On line 12 Defendant falsely and baselessly without any supporting evidences states that Plaintiff was conducting business in San Bernardino County since May 2018, which is not true. C). On line 14 Defendants falsely states that Plaintiff is an established illegal operator of puppy mills throughout of USA and her dogs are kept in inhumane conditions. No one never “established” that Plaintiff is an “illegal operator” and operates “puppy mill”. Plaintiff does not run an illegal businesses nor operates any “puppy mill”. D). On line 18 Defendants falsely and baselessly state that Plaintiff raising her dogs in inhumane and cruel conditions outside of Barstow, California, while claiming multiple times that NONE of the Defendants have ever been on Plaintiff’s property and therefore never observed, nor has personal knowledge of any conditions. However, what Defendant has certain knowledge is that Plaintiff does not run any business from December of 2020 until current in San Bernardino County, California, yet Defendants falsely states otherwise.

C. Further, on page 5 Defendants once again baselessly and falsely (while claiming they had never been on Plaintiff’s property and never saw her or her dogs while on property) state that there were no even dirt roads nor the Dogs had not have water, food, shelter in contradiction to true and credible Animal Control Report (Exhibit 1).

D. Further, on line 7 of the same Defendants (while attaching referred Notice of Violation as Exhibit and therefore, with inability to claim “innocent mistake” Defendants falsely state that “Notice of Violation was issued for operating kennel without permit” , while true

fact is that the Notice of Violation was given for “\_No Primary Use\_” (Exhibit 2 ) regarding absence of residential construction on the property.

- E. Further, on line 20 Defendants refer to “breeder license” which are not required for Plaintiff while not operating in San Bernardirno County.
- F. On page 6 line 17, page 22 line1 Defendants state that they “found from Freedom of Information Act” settlement amount, which is falsehood based on the true fact that settlement was confidential and amount of the same cannot be disclosed. Also Defendants state wrong amount (they could not “find” the true one legally).
- G. Further, on line 20 Defendants falsely state that “Plaintiff sued various Defendants for alleged theft in multiple countries in California”, while Defendants know that Plaintiff filed lawsuit related in San Bernardirno County while San Diego’s lawsuit is against Pease as for defamation and libel.
- H. Further on page 7 line 27 Defendants state that “Deputies visited home of Pyle”, while in reality 3 different judges issued search warrants under which Deputies conducted a search.
- I. On page 11 line 9 Defendants falsely state that “litigation is ongoing regarding “false arrest” cause of Plaintiff. There is no any ongoing litigation and the “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed.
- J. On page 16 line 12 to 16, page 18 line 3 Defendants falsely state that “it is UNDESPUTED that Plaintiff is currently under criminal investigation” . While the true

UNDESPUTED fact is that “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed, no any charges has been filed against Plaintiff by District Attorney.

K. Further, on page 18 line 24 Defendants knowingly (by introducing the same referred exhibit “Notice of Violations” ) falsely once again states that “Notice of Violation” is a “Citation for operating an illegal kennel operation”, which is indisputably not true.

### **MEMORANDUM OF POINTS AND AUTHORITIES.**

NRCP 4.2 (a) (2)

NRCP 60 (b) (1) (3) (6);

NRCP 41 (a) and (b) contain opposite directives as to whether a dismissal without prejudice. A notice of dismissal under Rule 41 (a) is *without* prejudice stated otherwise in the notice. *Emerson v. District Ct.*, 127 Nev. Adv. Op. 61, 24, 230 n.2 (2011). in contrast, a Rule 41(b) involuntary dismissal is *with* less the dismissal is for a lack of jurisdiction, improper venue, or failure to join a party under NRCP 19.

Rule 41(b) dismissal may dismiss the entire action or discrete claims. Second, a Rule 41(b) dismissal operates as an adjudication on the merits, unless otherwise stated in the order, or if the dismissal is based on lack of jurisdiction, improper venue, or failure to join a party under Rule 19. *See Home Sav. Ass'n v. Aetna Cas. & Sur. Co.*, 109 Nev. 558, 561, 854 P.2d 851, 853 (1993); *Dubin v. Harell*, 79 Nev. 467, 471, 386 P.2d 729 731-32 (1963).


NRCP 41(b) is also different from its federal counterpart in that the Nevada rule does not take into account the plaintiff's "failure to prosecute" a case, which is specifically reserved for NRCP 41 (e)

Like its federal counterpart, NRCP 41(b) does not specifically mention lesser sanctions as an alternative to dismissal. Yet, many federal courts will consider lesser sanctions short of dismissal, including awards of fees and costs and conditional dismissal. *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986). The court is not required to "exhaust every sanction short of dismissal before finally dismissing a case" but must merely "explore possible and meaningful alternatives." *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986). This approach is consistent with the Nevada Supreme Court's consideration of NRCP 37(b) sanctions in *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 787 P.2d 777 (1990). Although *Young* involved discovery sanctions under NRCP 37, the policies set forth in *Young* are analogies to those in Rule 41(b) and should be raised if sanctions are being considered under Rule 41(b).

NRCP 60 (b) (1) (3) (6)

WHEREFORE

Plaintiff respectfully asks this Court and Honorable Judge Eric Johnson, please list and present evidences supporting your order to Dismiss this Case WITH Prejudice or Set Aside your Order and/or issue at minimum Order of Dismissal WITHOUT Prejudice.

Respectfully,  08/22/2021

## **DECLARATION OF ALLA ZORIKOVA IN SUPPORT OF MOTION FOR SANCTIONS**

Under penalty of perjury and law of Nevada I, Alla Zorikova, state that the foregoing is true and correct to the best of my knowledge and based on personal knowledge declare the following:

1. I am Plaintiff in this action
2. There were never any “inhumane conditions” on any of our property in regards to dogs welfare.
3. All Dogs always had food, water, shelter, were in excellent health, did not need any medical attention and never been distressed.
4. “Arrest case “ in Victorville District’s Attorney Office #082001029 against me has been turned down in 2020 and closed. NO any charges has never been filed by District Attorney and all records of that arrest will be destroyed shortly.
5. Animal Control Officers on 3 different visits found all our dogs having water, shelter, being in good health and not distressed.
6. Our top World German Shepherds are judged by world class judges and are top bloodlines, confirmation and pedigree dogs. Each dog values from \$15,000 up to \$500,000 and it is outrageous for defendants attempting to claim that these dogs are “not having water nor food”. Our Dogs fed via very selective human grade organic meat diet, puppies are fed from best of the best meat available for humans from Whole Foods Market.
7. My Dogs kept free on hundreds acres of our private property or in state of art roomy kennels with huge play zone attached to kennels, not in “cages”.



8. I am not running any business nor have any dogs in San Bernardino County, CA nor in Missouri.
9. Criminal investigation against thieves of my German Shepherds, case #082001074 in Victorville's District Attorney Office is still ongoing and special homicide unit Detectives submitted their findings on thieves to District Attorney Office couple weeks ago.
10. I hired Olivia Jeong, not party of this lawsuit and over 18 years old, to serve Summons with Complaint on Defendants.
11. I filed Affidavits of Service filled out and signed by Olivia Jeong with the Court.
12. I was not contacted by Defendants regarding any objections to/issues with the Service.
13. Defendants have been clearly notified by responding multiple times to the Plaintiff's Motions.

Respectfully,  08/22/2021

#### CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 08/24/2021 to Casey Gish.

Respectfully,  08/22/2021

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
8/23/2021 4:47 PM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support in the above-entitled matter is set for hearing as follows:

**Date:** September 29, 2021  
**Time:** 10:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

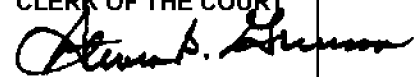
STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court



**MEMO**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

sweir@weirlawgroup.com

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

CASE NO.A-20-821249-C

Plaintiff(s),

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS**

Pursuant to NRS 18.005, NRS 18.010, NAR 17(B), NRS 17.130 and *Albios v. Horizon Communities, Inc.*, 122 Nev. 409, 132 P.3d 1022 (2006), Defendants<sup>1</sup> hereby submits their Memorandum of Costs, Disbursements, and Interest as follows:

1. Clerk's Fees/Filing Fees (Exhibit A)..... \$3.50

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant.





CASEY D. GISH

2. Reporter's Fees for Depositions including Transcripts and Video	
Conference Services .....	\$0.00
3. Juror's Fees/Jury Demand Fee .....	\$0.00
4. Witness Fees.....	\$0.00
5. Expert Witness Fees .....	\$0.00
6. Interpreter's Fees.....	\$0.00
7. Process Server's Fees.....	\$0.00
8. Official Reporter's Fees.....	\$0.00
9. Bond Costs.....	\$0.00
10. Bailiff Fees.....	\$0.00
11. Facsimile.....	\$0.00
12. Photocopies (statutory rate of 0.60 per page per <u>NRS 18.005(12)</u> and <u>NRS 18.010</u> allow a prevailing party to recover "reasonable copy costs." NRS 629.061(2) allows for a reasonable charge of .60 cents per page for copying costs for medical records. This is also the copy charge rate that the Clark County Discovery Commissioner allows to be recovered for copying charges for medical records.)	
This includes pleading documents and exhibits, correspondence, reports and documents sent via emails and attachments)	
426 pages - Ms. Weir's portion .....	\$255.60
1969 pages - Mr. Gish's portion.....	\$1,181.40
13. Long Distance Calls.....	\$0.00
14. Postage (Exhibit B) .....	\$33.19
15. Travel - Mileage & Lodging @ statutory rate of 0.575 per mile	
Casey D. Gish, Esq. - 20.8 miles (Exhibit C).....	\$11.96
16. Costs/Fees Pursuant to NRS 19.0335.....	\$0.00
17. Computerized Legal Research Fees.....	\$0.00
18. Any Other Expenses Necessary to the Subject Action.....	\$0.00
<b>TOTAL COSTS:</b>	<b><u>\$1,485.65</u></b>

**VERIFICATION**

Under penalty of perjury, the foregoing cost items are correct and have been necessarily incurred in the action or proceeding pursuant to NRS 18.020, NRS 18.010(1), *Las Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008), and *Village Builders 96 v. U.S. Labs*, 121 Nev. 261, 276-277, 112 P.3d 1082, 1092 (2005).

DATED this 27th day of August, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

*/s/ Casey D. Gish*

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

*/s/ Shana D. Weir*

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

sweir@weirlawgroup.com

(702) 509-4567 Telephone

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 27th day of August, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



# EXHIBIT "A"

## Clerk's Fees/Filing Fees Summary

Date	Document	Charge
6/18/2021	Ms. Shana Weir Notice of Association of Counsel	3.50
	Defendants' Opposition To Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and	
6/18/2021	Defendants Counter-Motion to Dismiss Plaintiff's Complaint	0.00 <i>Fee waived due to CDG's</i>
6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	0.00 <i>representation as pro bono</i>
7/21/2021	Defendants Reply to Plaintiffs Opposition to Defendants Counter-Motion to Dismiss Plaintiffs Complaint	0.00 <i>attorney</i>
	<b>TOTAL</b>	<b>3.50</b>

## **EXHIBIT “B”**



## Detailed receipt

The UPS Store - US

Page 1 of 1  
8/16/2021  
11:03 PM

**Receipt number** 121081603758000345  
**Transaction number** V0375-  
292108161648253625334  
**Date** 8/16/2021  
**Transaction time** 09:49:18 AM  
**Store number** 0375  
**Register number** POS0375B  
**Operator ID** 106373  
**Customer account**  
**Entry status** Posted  
**Comment** CMS: THE LAW OFFICES OF  
CASEY D GISH

Product number	Product name	Price	Quantity	Cash discount amount	Net amount	VAT	Total
1005	NDA	33.19	1	0.00	33.19	0.00	33.19
<b>Total</b>			<b>1.00</b>	<b>0.00</b>	<b>33.19</b>	<b>0.00</b>	<b>33.19</b>

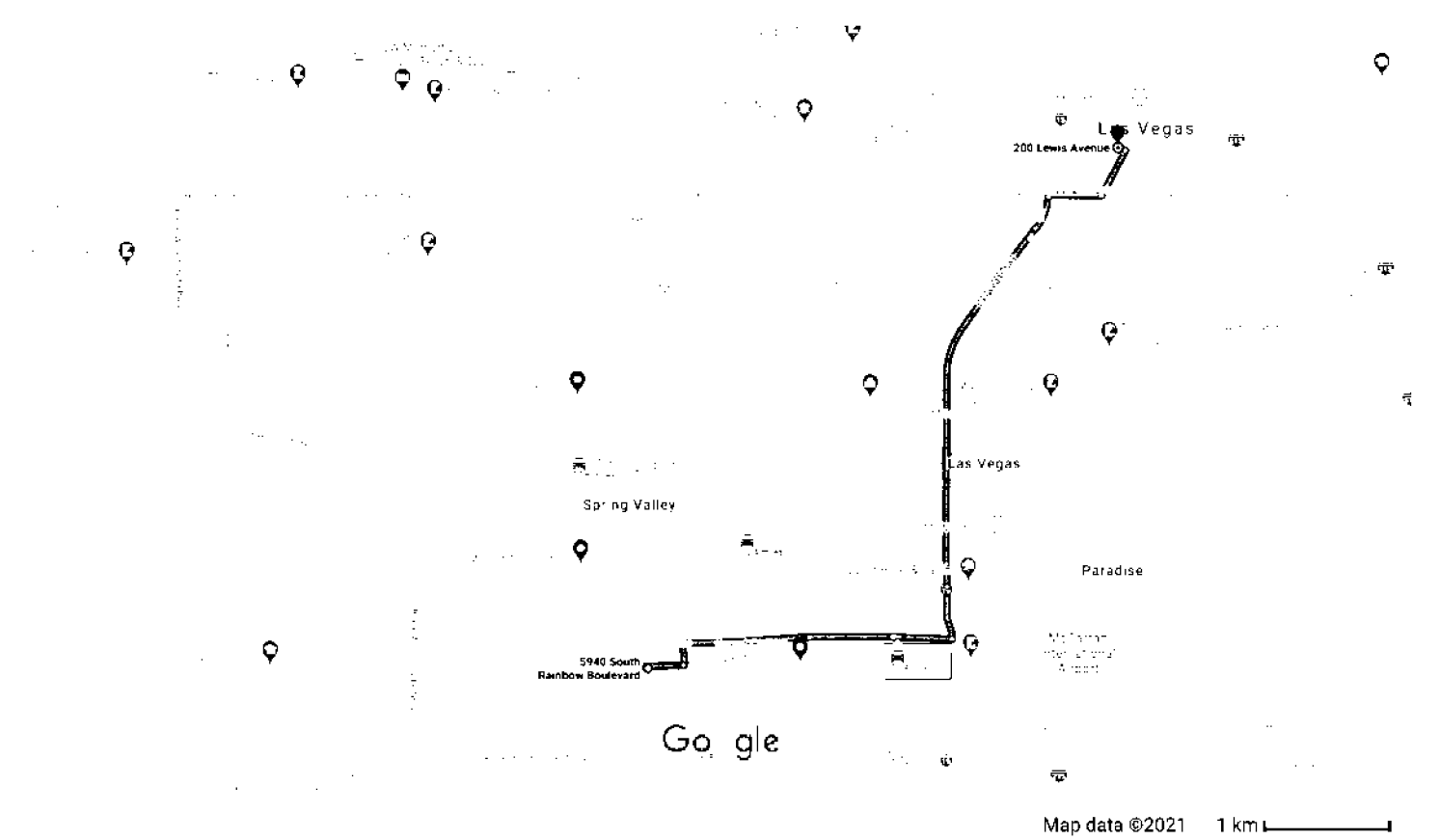
Card or account	Currency	Amount in transaction currency	Exchange rate	Tendered
*****5839	USD	33.19	100.00	33.19
<b>Payment total</b>				<b>33.19</b>

## **EXHIBIT “C”**

Google Maps

5940 S Rainbow Blvd to 200 Lewis Ave, Las Vegas, NV 89155, USA

Drive 10.4 miles, 20 min



- via W Russell Rd and I-15 N

Fastest route, lighter traffic than usual

20 min

10.4 miles
- via NV-592/W Flamingo Rd and I-15 N

22 min

10.6 miles
- via I-15 N

23 min

10.4 miles

Explore 200 Lewis Ave

Restaurants

Hotels

Gas stations

Parking lots

More



1 **APPL**

2 CASEY D. GISH, ESQ.

3 Nevada Bar No. 006657

4 **THE LAW OFFICE OF CASEY D. GISH**

5 5940 S. Rainbow Blvd

6 Las Vegas, NV 89118

7 Casey@GishLawFirm.com

8 (702) 583-5883 Telephone

9 (702) 483-4608 Facsimile

10 SHANA D. WEIR, ESQ.

11 Nevada Bar No. 9468

12 **WEIR LAW GROUP, LLC**

13 6220 Stevenson Way

14 Las Vegas, NV 89120

15 (702) 509-4567 Telephone

16 *Attorneys for Defendants*

17 *Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

21 Plaintiff(s),

DEPT. NO. XX

22 vs.

23 JULIE PYLE, TAMMY WILLET, VEGAS  
24 SHEPHERD RESCUE AND DOES I  
25 THROUGH X, INDIVIDUALS, AND ROE  
26 BUSINESS ENTITIES I THROUGH X,  
27  
28

Defendant(s).

**DEFENDANTS' APPLICATION FOR FEES, COSTS,  
AND DISBURSEMENTS**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue,  
through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D.  
GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby requests for an award

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 of attorney's fees and costs pursuant to NRS 18.005, NRS 18.010, NRS 18.020, NRS 17.130 and  
2 NRCP 68. This application is supported by the attached Points and Authorities, Defendants'  
3 Memorandum of Costs and Disbursements, the pleadings and papers on file herein, and any  
4 argument allowed by the court.  
5

6  
7 **NOTICE OF MOTION**

8 Please take notice that the following DEFENDANTS' APPLICATION FOR FEES,  
9 COSTS, AND DISBURSEMENTS, is hereby set for hearing on the \_\_\_\_\_ day of  
10 \_\_\_\_\_, 2021 at the hour of \_\_\_\_\_ before the Honorable Eric Johnson,  
11 District Court Judge, Department XX.  
12

13  
14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 **I.**

16 **INTRODUCTION**

17  
18 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
19 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
20 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
21 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her  
22 on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
23 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
24 of process on Defendants on October 5, 2020, October 6, 2020, and October 9, 2020. This case  
25 was stayed on December 4, 2020 after Defendants timely filed Demands for Security of Costs due  
26 to Plaintiff being a California resident outside this Court's Jurisdiction.  
27  
28





Defendant Vegas Shepherd Rescue is a Nevada non-profit rescue group dedicated to rescuing homeless, abandoned, and abused dogs. Defendants Tammy Willet and Julie Pyle are the President and Director of Vegas Shepherd Rescue.

In the Complaint, Ms. Zorikova claims that 25 of her missing dogs were retrieved from Devore Animal Shelter in San Bernardino County, California, on August 12, 2020 (*See* Complaint on file herein, pp. 3, #17). She also claims that the other 25 dogs are in the possession of Vegas Pet Rescue Project and/or Jamie Gregory (*See* Complaint on file herein, pp. 4, #21). Neither Vegas Pet Rescue Project nor Jamie Gregory are defendants in this action.<sup>2</sup> Later, she claims that 7 of the 25 German Shepherds are displayed on Vegas Shepherd Rescue's Facebook page (*See* Complaint on file herein, at pp. 4, #24).

In support of her claim that Defendants hereinstole her dogs, she attached photos which she alleges are screen shots of 5 dogs (Exhibits 4-8 are identified as Beacon, Berkley, Cypress, Lodi, and Malibu), from a Facebook page for Defendant. (*See* Ex Parte Motion, at attachments 4-8). It is unclear where the photo of the dog depicted in attachment 3 came from, or who that dog is, as the photo does not identify it as being from Vegas Shepherd Rescue's Facebook page. It is unclear whether the dog in attachment 9 is duplicative of other dogs or a different dog, as the name is not identified therein. She does not allege the age, sex, names, dates of birth, microchip information, or otherwise demonstrate any proof of ownership or suggest why she believes the dogs depicted in Exhibits 3-9 are hers. She has provided no photos of her own, the names she gave those dogs, identifying characteristics, their ages, sex, date of birth or microchip information. There is no discussion or evidence regarding the identity of the remainder of the 16 dogs she alleges were stolen by Defendants, except there is also a reference to a dog called Baker

<sup>2</sup> Vegas Pet Rescue Project and Jamie Gregory have been sued in another action that has been dismissed by Judge Nancy Alf for Plaintiff's failure to post the required security bonds demanded by the Defendants in that case, including Defendant, Casey D. Gish (Case No. A-20-820761-C)



1 in one paragraph of her Motion. *See* Motion, at pp. 6: 6-10. In sum, Plaintiff has provided no  
2 evidence of identity or ownership of the dogs in Exhibits 3-9 (which constitutes 5 identified  
3 dogs), plus Baker (number 6); and no evidence at all of the remaining 19 dogs.

4 Defendants are not in possession of dogs Plaintiff claims are hers because they have all  
5 been adopted out nearly a year ago and were spayed/neutered in compliance with Clark County  
6 criminal and civil ordinances.  
7

## 8 II.

### 9 FACTUAL BACKGROUND

#### 10 A. THE ARREST

11  
12 According to the California Secretary of State, Plaintiff owns and operates a protection  
13 dogs training business in Los Angeles, CA. However, as Plaintiff indicates in her Motion, she  
14 actually houses upwards of 50 dogs in cages in the middle of the desert on vacant unimproved  
15 land, approximately 25 miles outside of Hinkley, CA. *See* Motion on file herein, at pp. 2, #13.  
16 According to property records, Plaintiff has owned this land since May 17, 2018, and likely has  
17 been illegally conducting her business at this location since that time. Clearly, Plaintiff is an  
18 established illegal operator of puppy mills throughout the United States, and her dogs are kept in  
19 inhumane and cruel conditions that she goes to great lengths to conceal from the purchasers of her  
20 dogs. Her website(s) portray her dogs as being bred and raised in luxurious surroundings in Los  
21 Angeles, when in fact they are raised in horrific, cruel, and inhumane conditions in the California  
22 desert outside of Barstow, California.

23 Plaintiff and her daughter were arrested for felony animal cruelty on August 8, 2020 when  
24 San Bernardino Sheriff deputies became aware of approximately 50+dogs being housed on  
25 unimproved land in cages in the middle of the desert approximately 2 hours outside of Barstow, in  
26 the middle of the summer. The location of the property wherein the dogs were found was  
27 extremely remote, approximately 24 miles into the middle of the desert, north of Hinkley,  
28 California (which is outside of Barstow), on completely vacant, and unimproved, desert land.  
There were no dirt roads, no running water, no housing structures, or electricity. There are no



1 neighbors or towns for miles. The dogs did not have any permanent housing or shelter from the  
2 extreme elements of the blistering desert heat, food or water, which is a violation of California  
3 law and San Bernardino County code.

4 Pursuant to a public records request, and only after Plaintiff's arrest, Plaintiff attempted to  
5 inquire about and file for a kennel permit, which was unable to be granted to her because kennel  
6 permits are not allowed on vacant unimproved land. San Bernardino issued her a violation notice  
7 on October 13, 2020 for operating a kennel without a permit. The photos depicted in those records  
8 show the condition of the property on August 8, 2020, when Plaintiff was arrested.

9 As the property was totally vacant and unimproved with only a small makeshift shanty or  
10 shed that was filthy with garbage and raw rotting meat everywhere. The shed had no toilet, sink,  
11 shower or bed. Therefore, Plaintiff could not possibly not live there and likely leaves the dogs tied  
12 up and alone for long periods of time, without food, water or human interaction/companionship  
13 (which is illegal under California law and under San Bernardino ordinances). The dogs most were  
14 likely exposed to predatory animals due to inadequate fencing around the property and lack of  
15 shelter.

16 Ms. Zorikova and Ms. Jeong represent themselves to be breeders of "protection dogs"  
17 whose company is based out of Los Angeles; and whose dogs are trained to bite  
18 (<http://www.vonmarkgrafgermanshepherds.us>). Screen shots of the website are attached as  
19 Exhibit 6. Neither Ms. Zorikova, nor Ms. Jeong, and/or VonMarkGraf German Shepherds has a  
20 breeder license, which is a violation of the California Puppy Mill Ban under California Health and  
21 Safety Code Sec. 122354.5 and is also a prohibited deceptive and unfair business under the  
22 California Legal Remedies Act, Civil Code Sec. 1750 et seq. Furthermore, pursuant to San  
23 Bernardino County Code, it is illegal to have more than 5 dogs on the property without a breeder  
24 license or kennel permit. Ms. Zorikova's property contained over 70 dogs.

25 Ms. Zorikova and Ms. Jeong remain under investigation for felony animal cruelty in  
26 California according to the San Bernardino County District Attorney's Office.

27 ///

28 ///





**B. THE ALLEGED "THEFT"**

Plaintiff claims that Defendants went on her property and stole her dogs at some point between August 8 and 10, 2020, while she was incarcerated on felony animal cruelty charges in San Bernardino County, California. However, Defendants have never, ever, been on Plaintiff's property, to steal her dogs or otherwise. In fact, for the last 8 years, Defendant Tammy Willet has not lived in the State of Nevada. She was not in the State of Nevada or the State of California in all of 2020. Defendant Julie Pyle lives in the State of Nevada; however, she was not in the State of California at any point in August 2020.

At no time were Defendants contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. Defendants were not in any way, shape or form, associated with the San Bernardino County Government Officials' request for removal of dogs from Plaintiff's property.

Plaintiff's claims are self-defeating, in that she acknowledges that law enforcement officials told people (who are not Defendants) to go on the property and remove dogs. This directive by California government officials is the subject of multiple lawsuits by Ms. Zorikova against the Sheriff's department in San Bernardino County and San Diego County, California, a portion of which recently settled to Ms. Zorikova and her daughter Olivia Jeong for \$325,000. Plaintiff has also sued various people in multiple counties in California, including rescue groups there, for the alleged theft and return of her 25 dogs.

**C. VEGAS SHEPHERD RESCUE**

As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found, abused, abandoned, and/or surrendered dogs – primarily German Shepherd Dogs as the name implies; obtain necessary medical attention, including spay and neuter as required by Nevada/Clark County law, and adopt them out. Vegas Shepherd Rescue also takes shepherds in



1 from kill shelters and adopts them out. Vegas Shepherd Rescue rescues and places upwards of a  
2 hundred dogs a year, approximately 85% of which are German Shepherd Dogs. Vegas Shepherd  
3 Rescue has performed this service as a non-profit corporation that exists entirely on donations  
4 since its inception in 2012. When Defendants come into possession of any dog, they immediately  
5 check to see if there is a microchip. When they obtain veterinary care, which they do for each dog  
6 that comes into their possession, the veterinarian also checks to see if there is a microchip.  
7

8 Plaintiff alleges her dogs are all microchipped. (*See* Complaint, pp. 4, #20). Defendants  
9 are not, and have never been in possession of any dogs that have a microchip registered to Ms.  
10 Zorikova, Ms. Jeong, and/or Von Mark Graf German Shepherds. Because Plaintiff has alleged  
11 that “thieves remove microchips;” and for brevity’s sake, Defendants have never removed or  
12 directed the removal of a dog’s microchip. Defendants’ veterinarians have likewise never  
13 removed a microchip (and Defendants are unsure if that is even legal for veterinarians to do so).  
14

15 It appears that Plaintiff simply stumbled upon a German Shepherd rescue group’s  
16 Facebook and decided, without proof, to claim various dogs as hers. She actually has no idea what  
17 dogs are hers. Puppy mills are like that. Take the case of Beacon, for example (Plaintiff’s Exhibit  
18 4). Defendants came into possession of Beacon, on July 8, 2020, a full month before Plaintiff was  
19 arrested and a full month before any of the facts that are the subject of Plaintiff’s claims. Beacon  
20 was found by a trucker running alongside the highway. The trucker brought Beacon to Defendants.  
21 Beacon had been shot in the face and required extensive medical care before being adopted.  
22 Beacon was not microchipped.  
23  
24

25 After Plaintiff and her daughter were arrested for felony animal cruelty by San Bernardino  
26 County Sheriff’s deputies, Plaintiff filed a police report for theft against various people, including  
27 Julie Pyle. In response, San Bernardino County Sheriff’s deputies visited Ms. Pyle at her Las  
28 Vegas home in early September 2020. There, the deputies and Ms. Pyle talked for 40 minutes. The



1 Sheriff determined Ms. Pyle was not in possession of any of Plaintiff's German Shepherds. The  
2 Sheriff did not find any reason to enter the residence of Ms. Pyle.

3 As a practical matter Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August  
4 and September of 2020, with the last dog being adopted on or about September 15, 2020, weeks  
5 before Plaintiff served her Complaint on Defendants.  
6

#### 7 **D. DEFENDANTS' MOTION TO DISMISS**

8 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
9 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. On June 18,  
10 2021, Defendants filed their Opposition to Plaintiff's Ex Parte Application for Temporary  
11 Restraining Order and filed their own Counter-Motion to Dismiss Plaintiff's Complaint under  
12 NRCP 12. On June 28, 2021, Plaintiff filed her Opposition to the Counter-Motion to Dismiss and  
13 filed her Reply to Defendants' Opposition to her Ex Parte Application for Temporary Restraining  
14 Order. On July 21, 2021, Defendants filed their Reply to Plaintiff's Opposition to Defendants'  
15 Counter-Motion to Dismiss. On August 18, 2021 at 8:30 a.m. this Court conducted an evidentiary  
16 hearing on the issue of service of process of Plaintiff's Complaint. At the conclusion of the  
17 hearing, which lasted over half of a day, the Court granted Defendant's Counter-Motion to  
18 Dismiss and based upon Plaintiff's abuse of process in this matter, dismissed Plaintiff's  
19 Complaint with Prejudice and also instructed counsel for Defendants to submit an Application for  
20 their Fees and Costs, and a supporting Memorandum of Costs, in connection with the preparation  
21 of the Counter-Motion to Dismiss.  
22  
23  
24

## 25 **II.**

### 26 **LEGAL ARGUMENT**

#### 27 **A. DEFENDANTS ARE ENTITLED TO AN AWARD OF ATTORNEY'S FEES**

28



Pursuant to NRS 18.010(2)(a), the court may make an allowance for attorney's fees "when the prevailing party has not recovered more than \$20,000.00." Thus, while the district court has virtually no discretion to deny a fee award to a prevailing party, the court has discretion in determining the amount of said award, which "is tempered only by reason and fairness." *University of Nevada, Las Vegas v. Tarkanian*, 110 Nev. 581,590-591,879 P.2d 1180,1186 (1994).

Accordingly, in Nevada, this "analysis may begin with any method rationally designed to calculate a reasonable amount, including those based on a 'lodestar' amount or a contingency fee." *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864, 124 P.3d 530, 48-49 (2005), (citing *Herbst v. Humana Health Ins. of Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989), *Lealao v. Beneficial California, Inc.*, 82 Cal.App.4<sup>th</sup> 19, 97 Cal. Rptr. 2d 797, 821 (2000) and *Glendora Com. Redevek Agency v. Demeter*, 155 Cal.App.3d 465, 202 Cal.Rptr. 389 (1984).

## **B. THE ATTORNEYS' FEES REQUESTED ARE REASONABLE UNDER NEVADA LAW**

In Nevada, the court must also consider the factors laid out in *Brunzell v. Golden Gate National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of attorney's fees. *See Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable "as long as the Court provides sufficient reasoning and findings in support of its ultimate determination," *Id.*

The Nevada Supreme Court clarified the four *Brunzell* factors in *Schouweiler v. Yancey Co.*, 101 Nev. 827,712 P.2d 786 (1985) as follows:

- (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill;
- (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation;

1 (3) the work actually performed by the lawyer; the skill, time and attention given to  
2 the work; and

3 (4) the result: whether the attorney was successful and what benefits were derived.

4 101 Nev. at 833-834, 712 P.2d at 790.

5 Here, as detailed below, all four of the *Brunzell* factors are satisfied.

6  
7 First, Defendants were represented by attorney CASEY D. GISH and SHANA WEIR.  
8 Mr. Gish has been a practicing attorney in the State of Nevada and California for over 22 years  
9 with no record of discipline in either state. Ms. Weir has been a practicing attorney in the State of  
10 Nevada for over 15 years with no record of discipline.

11  
12 Mr. Gish began his legal career in Nevada in 1997 when he served as an extern to the  
13 Nevada Supreme Court. He was then appointed as the Law Clerk to the Honorable David Huff,  
14 State of Nevada Third Judicial District Court, from 1998 to 1999. Prior to opening THE LAW  
15 OFFICE OF CASEY D. GISH in 2015 as the firm's managing member, CASEY D. GISH tried  
16 multiple jury trials and bench trials in Las Vegas, Reno, Orange County, and Los Angeles  
17 County. He has litigated cases throughout Nevada and California in both state court and federal  
18 court. He has won multiple appeals to the Nevada Supreme Court, and was successful in a  
19 published opinion from the Nevada Supreme Court (*Vega vs. Eastern Courtyard Associates*, 24  
20 P.3d 219 (Nev. 2001)). His cases have ranged from small cases to cases in excess of \$90 million  
21 dollars. He has previously and currently worked for law firms such as Parker, Nelson &  
22 Associates; Cisneros & Associates; and Cisneros & Marias, etc. All of these firms are well  
23 known in the Las Vegas legal community with a reputation for experienced and professional  
24 attorneys.  
25  
26

27 While working for Cisneros & Marias, Mr. Gish was the handling attorney for all of the  
28 firm's veterinary malpractice cases and represented veterinarians in more than 10 trials, all of





1 which resulted in a verdict in favor of his clients. Just prior to opening his own firm, Mr. Gish  
2 was the senior trial attorney for two (2) years at the firm of Ferris and Associates. Mr. Gish has  
3 also been appointed as an Arbitrator on hundreds of cases for the Clark County Mandatory  
4 Arbitration Program.

5 Prior to opening THE WEIR LAW GROUP in 2019, the firm's managing member  
6 SHANA WEIR, has tried multiple jury trials and bench trials throughout the State of Nevada.  
7 Her cases have ranged from small cases to the 2 largest class action cases in the history of the  
8 State of Nevada with multiple billions of dollars in potential damages at issue. She has previously  
9 worked for law firms such as Springel & Fink, and Parker, Nelson & Associates. Prior to opening  
10 her own firm, she was the Supervising Partner at Parker, Nelson & Associates. All of these firms  
11 are well known in the Las Vegas legal community with a reputation for experienced and  
12 professional attorneys.  
13

14 Both Mr. Gish and Ms. Weir are well known in the Las Vegas community for practicing  
15 in the area of animal rights and for donating their time and resources in animal cruelty cases. Due  
16 to their extensive experience in this area of law, they have both become experts in their fields of  
17 practice. Based upon their expertise, experience, and specialized knowledge of animal cruelty  
18 cases, a rate of \$500/hour is justified in this matter. In addition, the number of hours spent by  
19 counsel for the Defendants in preparing the extensive Counter-Motion to Dismiss (15 pages, plus  
20 hundreds of pages of exhibits) and Reply to the Opposition to the Counter-Motion to Dismiss (24  
21 pages, plus additional voluminous exhibits). The amount of attorney time required just to prepare  
22 these papers was enormous, and the amount of attorney time required to research and review the  
23 facts and documents underlying and supporting these papers was even more extensive.  
24

25 Second, animal cruelty cases are very specialized and difficult by nature. They are  
26 factually and legally intensive. While there may be more technically complex matters, animal  
27  
28



1 cruelty cases clearly require attention to detail and an understanding of the presentation of  
2 defenses to complex veterinary evidence in order to establish damages and defenses. Animal  
3 cruelty cases often times require several different veterinary disciplines and legal disciplines to  
4 understand and present to enable a claimant or a defendant to achieve the best results. Counsel's  
5 understanding of the various issues that are needed to successfully present, or defend, a case  
6 supports the conclusion that the attorney's fees were earned and are fair and reasonable. At the  
7 end of the day, Defendants' attorneys diligently and successfully represented them in this case  
8 through the Motion to Dismiss, achieving a dismissal of Plaintiff's claims after an extensive  
9 evidentiary hearing.  
10

11  
12 Third, counsel's skill, time, and attention given to this case were above average. The  
13 preparation was thorough and complete. Counsel for Plaintiff spent numerous hours reviewing  
14 voluminous filings from Plaintiff, reviewing documents, reviewing potential testimony and  
15 potential discovery, drafting and repeatedly revising the Defendants' Motion to Dismiss, meeting  
16 with clients, conducting teleconferences with clients, and preparing this case for the evidentiary  
17 hearing on their Motion to Dismiss, and then attending a lengthy evidentiary hearing. In fact, the  
18 Court specifically stated that Defendant's witness at the evidentiary hearing, Ms. Julie Pyle, was  
19 credible. Counsel spent considerable time preparing Ms. Pyle for her testimony at the evidentiary  
20 hearing conducted by this Court. Considering the amount of time and effort exerted by  
21 Defendants' counsel, and both attorneys' considerable expertise in this area of practice, the fees  
22 are clearly substantiated. Based upon their expertise, experience, and specialized knowledge of  
23 animal cruelty cases, a rate of \$500/hour is justified in this matter. In addition, the number of  
24 hours spent by counsel for the Defendants in preparing the extensive Counter-Motion to Dismiss  
25 (15 pages, plus hundreds of pages of exhibits) and Reply to the Opposition to the Counter-Motion  
26 to Dismiss (24 pages, plus additional voluminous exhibits) and preparation for and attendance at  
27  
28



1 the evidentiary hearing on the Counter-Motion which lasted in excess of 5 hours. The amount of  
2 attorney time required just to prepare these papers was enormous, and the amount of attorney time  
3 required to research and review the facts and documents underlying and supporting these papers  
4 was even more extensive. Therefore, Defendants request that all of their attorneys' fees incurred  
5 by each of their counsel pertaining to the Counter-Motion to Dismiss, in the total amount of 74.8  
6 hours (46.4 hours billed by Gish – 28.4 hours billed by Weir) at the rate of \$500/hr, for the total  
7 amount of \$37,400 (\$23,200 billed by Gish - \$14,200 billed by Weir), be awarded to Defendants  
8 from Plaintiff. *Please see Gish billing statement attached hereto as "Exhibit 2" and Weir billing*  
9 *statement attached hereto as "Exhibit 3".*

10  
11  
12 Fourth, the result speaks for itself. The favorable award of dismissal of Plaintiff's  
13 Complaint against Defendants is attributable in substantial part to the diligence, determination,  
14 hard work, expertise, and skill of Defendants' counsel, who developed, litigated, and obtained this  
15 favorable result. Defendants achieved the objective they sought, dismissal of Plaintiff's case.  
16 Although the Court has the final decision on the matter, counsel respectfully submits the quality  
17 of its work product reflects the hours spent on the case.

### 18 **C. DEFENDANTS' COSTS ARE RECOVERABLE AS A MATTER OF RIGHT**

19  
20 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
21 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball,*  
22 *Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is  
23 required to file a verified memorandum of costs within 5 days after entry of judgment, or such  
24 further time as the court or judge may grant, stating under oath that the cost items are correct and  
25 "have been necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs,*  
26 121 Nev. 261, 276-277, 112 P.3d 1082, 1092 (2005).  
27  
28





Pursuant to NRS 18.020, Defendants are entitled to an award of costs. Pursuant to NRS 18.005, Defendant's recoverable costs and interest in this matter are **\$1,485.65**. Please see Plaintiff's Memorandum of Costs and Disbursements attached hereto as "Exhibit 1."

#### **D. PLAINTIFF'S COST BONDS ALLEGEDLY DEPOSITED WITH THE COURT**

As this Court knows, the issue of whether Plaintiff deposited out-of-state security of costs bonds was heavily contested in this matter. Plaintiff claims to have posted \$1,500 in security with this Court pursuant to NRS 18.130, but it is undisputed that Plaintiff never filed the required Notice of Posting of the Bond as per NRS 18.130(1). In the event Plaintiff did actually post \$1,500 in security with this Court, and in the event this Application is Granted, Defendants respectfully request that the posted security funds be immediately released to Defendants' counsel for disbursement.

### **III.**

#### **CONCLUSION**

Based upon the foregoing, Defendants respectfully request that their Application for Fees, Costs, and Disbursements be GRANTED in the amount of **\$1,485.65** for costs/disbursements, and **\$37,400** for attorney's fees for a total amount of **\$38,88.65**. It is further requested that any security funds that were deposited by Plaintiff with this Court for security of costs pursuant to NRS 18.130, be immediately released by the Court to counsel for the Defendants.

DATED this 27th day of August, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

*/s/ Casey D. Gish*

Nevada Bar No. 006657  
5940 S. Rainbow Blvd  
Las Vegas, NV 89118  
Casey@GishLawFirm.com  
(702) 583-5883 Telephone



(702) 483-4608 Facsimile  
*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.  
Nevada Bar No. 9468  
6220 Stevenson Way  
Las Vegas, NV 89120  
sweir@weirlawgroup.com  
(702) 509-4567 Telephone  
*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS** on the parties whose address appears below:

     VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.



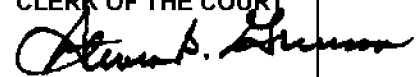
1 \_\_\_\_\_ VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein.  
2 Via email by transmitting through an email service maintained by the person on whom it is served  
3 at the email address provided by that person. The copy of the document served by email bears a  
4 notation of the date and time of transmission and the email address to which transmitted.

5 ALLA ZORIKOVA  
6 1905 Wilcox Ave, #175  
7 Los Angeles, CA 90068  
8 P: (323) 209-5186  
9 E: stevejohn19732017@gmail.com  
10 Plaintiff

11 Executed on the 27th day of August, 2021.

12 /s/ Casey D. Gish  
13 An employee of THE LAW OFFICE OF  
14 CASEY D. GISH  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## **EXHIBIT “1”**



**MEMO**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

sweir@weirlawgroup.com

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

CASE NO.A-20-821249-C

Plaintiff(s),

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS**

Pursuant to NRS 18.005, NRS 18.010, NAR 17(B), NRS 17.130 and *Albios v. Horizon Communities, Inc.*, 122 Nev. 409, 132 P.3d 1022 (2006), Defendants<sup>1</sup> hereby submits their Memorandum of Costs, Disbursements, and Interest as follows:

1. Clerk's Fees/Filing Fees (Exhibit A)..... \$3.50

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant.





CASEY D. GISH

2. Reporter's Fees for Depositions including Transcripts and Video	
Conference Services .....	\$0.00
3. Juror's Fees/Jury Demand Fee .....	\$0.00
4. Witness Fees.....	\$0.00
5. Expert Witness Fees .....	\$0.00
6. Interpreter's Fees.....	\$0.00
7. Process Server's Fees.....	\$0.00
8. Official Reporter's Fees.....	\$0.00
9. Bond Costs.....	\$0.00
10. Bailiff Fees.....	\$0.00
11. Facsimile.....	\$0.00
12. Photocopies (statutory rate of 0.60 per page per <u>NRS 18.005(12)</u> and <u>NRS 18.010</u> allow a prevailing party to recover "reasonable copy costs." NRS 629.061(2) allows for a reasonable charge of .60 cents per page for copying costs for medical records. This is also the copy charge rate that the Clark County Discovery Commissioner allows to be recovered for copying charges for medical records.)	
This includes pleading documents and exhibits, correspondence, reports and documents sent via emails and attachments)	
426 pages - Ms. Weir's portion .....	\$255.60
1969 pages - Mr. Gish's portion.....	\$1,181.40
13. Long Distance Calls.....	\$0.00
14. Postage (Exhibit B) .....	\$33.19
15. Travel - Mileage & Lodging @ statutory rate of 0.575 per mile	
Casey D. Gish, Esq. - 20.8 miles (Exhibit C).....	\$11.96
16. Costs/Fees Pursuant to NRS 19.0335.....	\$0.00
17. Computerized Legal Research Fees.....	\$0.00
18. Any Other Expenses Necessary to the Subject Action.....	\$0.00
<b>TOTAL COSTS:</b>	<b><u>\$1,485.65</u></b>

**VERIFICATION**

Under penalty of perjury, the foregoing cost items are correct and have been necessarily incurred in the action or proceeding pursuant to NRS 18.020, NRS 18.010(1), *Las Vegas Fetish & Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008), and *Village Builders 96 v. U.S. Labs*, 121 Nev. 261, 276-277, 112 P.3d 1082, 1092 (2005).

DATED this 27th day of August, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

*/s/ Casey D. Gish*

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

*/s/ Shana D. Weir*

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

sweir@weirlawgroup.com

(702) 509-4567 Telephone

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' MEMORANDUM OF COSTS AND DISBURSEMENTS** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 27th day of August, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH





# EXHIBIT "A"

## Clerk's Fees/Filing Fees Summary

Date	Document	Charge
6/18/2021	Ms. Shana Weir Notice of Association of Counsel	3.50
	Defendants' Opposition To Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and	
6/18/2021	Defendants Counter-Motion to Dismiss Plaintiff's Complaint	0.00 <i>Fee waived due to CDG's</i>
	Defendants' Opposition to Plaintiff's Motion for Default	
6/22/2021	Judgment	0.00 <i>representation as pro bono</i>
	Defendants Reply to Plaintiffs Opposition to Defendants Counter-	
7/21/2021	Motion to Dismiss Plaintiffs Complaint	0.00 <i>attorney</i>
	<b>TOTAL</b>	<b>3.50</b>

## **EXHIBIT “B”**

## Detailed receipt

The UPS Store - US

Page 1 of 1  
8/16/2021  
11:03 PM

**Receipt number** 121081603758000345  
**Transaction number** V0375-  
292108161648253625334  
**Date** 8/16/2021  
**Transaction time** 09:49:18 AM  
**Store number** 0375  
**Register number** POS0375B  
**Operator ID** 106373  
**Customer account**  
**Entry status** Posted  
**Comment** CMS: THE LAW OFFICES OF  
CASEY D GISH

Product number	Product name	Price	Quantity	Cash discount amount	Net amount	VAT	Total
1005	NDA	33.19	1	0.00	33.19	0.00	33.19
<b>Total</b>			<b>1.00</b>	<b>0.00</b>	<b>33.19</b>	<b>0.00</b>	<b>33.19</b>

Card or account	Currency	Amount in transaction currency	Exchange rate	Tendered
*****5839	USD	33.19	100.00	33.19
<b>Payment total</b>				<b>33.19</b>

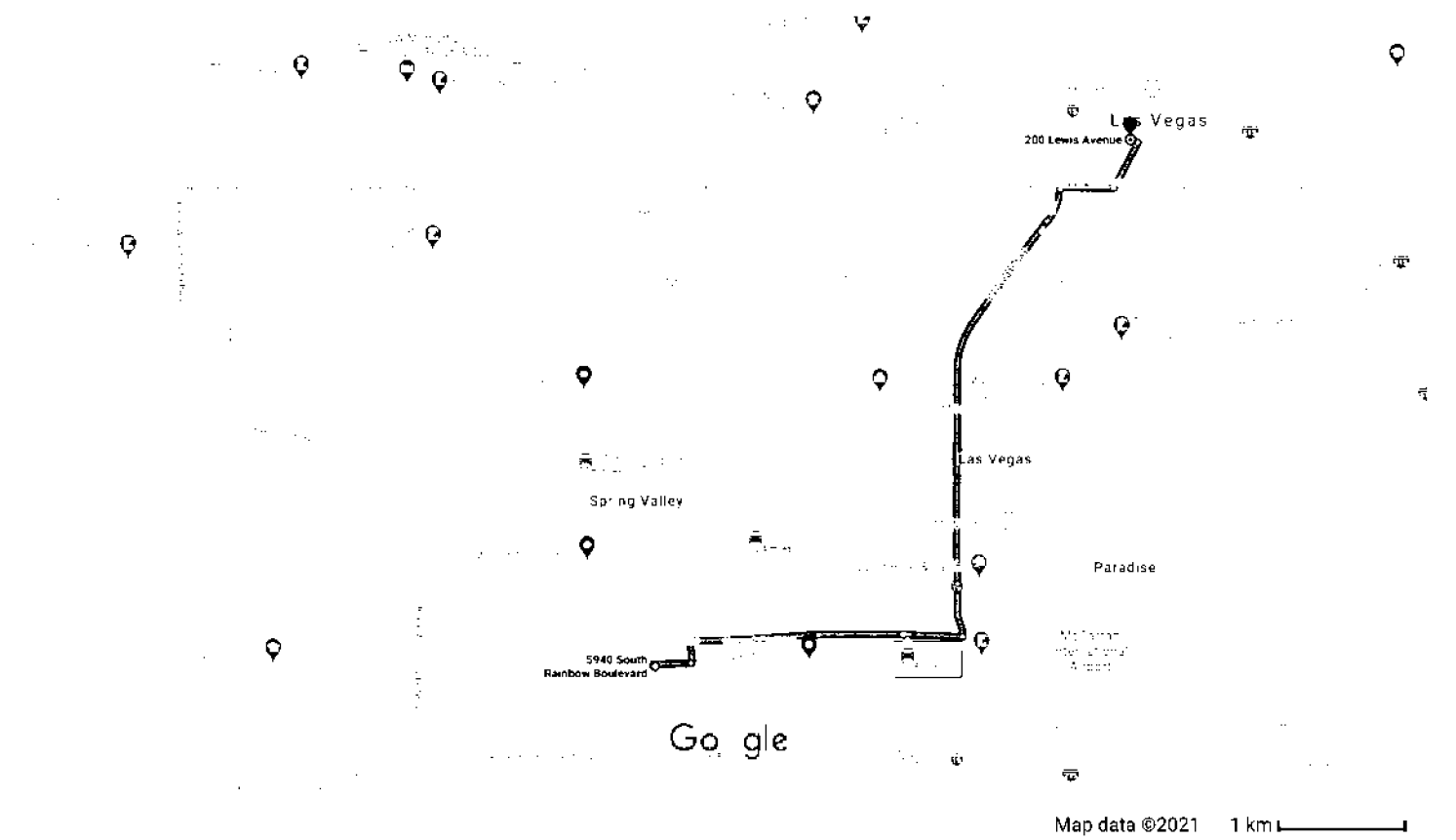
## **EXHIBIT “C”**

Go

gle Maps

5940 S Rainbow Blvd to 200 Lewis Ave, Las Vegas, NV 89155, USA

Drive 10.4 miles, 20 min



- via W Russell Rd and I-15 N

Fastest route, lighter traffic than usual

20 min

10.4 miles
- via NV-592/W Flamingo Rd and I-15 N

22 min

10.6 miles
- via I-15 N

23 min

10.4 miles

Explore 200 Lewis Ave

Restaurants

Hotels

Gas stations

Parking lots

More

## **EXHIBIT “2”**



THE LAW OFFICE OF  
**CASEY D. GISH**

p: 702 - 583 - 5883

e: casey@cdgish.com

5940 S. Rainbow Blvd., Suite 100, Las Vegas, NV 89118  
5940 S. Rainbow Blvd., Las Vegas, NV 89118

August 27, 2021

INVOICE NUMBER: 001

Client: Vegas Shepherd Rescue/Pyle/Willet  
Matter: Alla Zorikova

DATE	TASK	TIME	AMOUNT (\$500/hr)
05/02/21	Review and analyze Plaintiff's Complaint, Plaintiff's Amended Complaint, and all exhibits thereto re: causes of action alleged in each (and compare same) to determine claims that can be challenged in Motion to Dismiss	5.3	\$2,650
06/5/21	Conduct Legal research regarding Motion to Dismiss including required elements of claims alleged under Nevada statutory law and Nevada case-law	1.8	\$900
06/11/21	Begin drafting motion to dismiss re: legal standard and legal argument	4.9	\$2,450
06/16/21	Telephone call with clients re: procedural posture and facts regarding case.	.7	\$350
06/18/21	Continue drafting Motion to Dismiss re: legal standard and legal argument	1.9	\$950
06/18/21	Exchange multiple emails with clients and co-counsel re: declarations.	.9	\$450
06/20/21	Review, revise, and finalize legal standard and legal arguments section of Motion to Dismiss and review and organize exhibits thereto	1.8	\$900
06/21/21	Receipt and review of 4 emails from Plaintiff re: filings	.4	\$200
06/29/21	Receipt and Review of Plaintiff's Opposition to Motion to dismiss, including attached declarations and exhibits	1.9	\$950
06/29/21	Exchange of multiple emails with clients re: defense strategy	.4	\$200
07/16/21	Review settlement agreement between Plaintiff, daughter Olivia Jeong, and San Bernardino County to be used in support of Reply in support of Motion to Dismiss relative to Plaintiff's in forma pauperis status	.5	\$250
07/22/21	Begin drafting, revising, finalizing, and filing Reply in support of Motion to Dismiss, including compiling and organizing exhibits to Reply	6.8	\$3,400



THE LAW OFFICE OF  
**CASEY D. GISH**

p: 702 - 583 - 5883

e: casey@cdgish.com

5940 S. Rainbow Blvd., Las Vegas, NV 89118

5940 S. Rainbow Blvd., Las Vegas, NV 89118

08/17/21	Exchange emails with clients re: surveillance video, and strategy for attendance at hearing, and service of process	.9	\$450
08/17/21	Prepare for hearing on Defendants' Motion to Dismiss by reviewing all pleadings and exhibits regarding same and preparing outline of direct testimony questions of Julie Pyle, preparing outline of cross-examination questions of Plaintiff and Olivia Jeong, and preparing outline of Opening Statement, and preparing outline of Closing Statement	5.7	\$2,850
08/17/21	Telephone call with co-counsel and client Julie Pyle re: preparation for hearing on Defendants' Motion to Dismiss	2.4	\$1,200
08/17/21	Travel to and Attend evidentiary hearing on Defendants' Motion to Dismiss	5.9	\$2,950
08/19/21	Prepare and file Defendants' Supplement to Reply to Opposition to Motion to Dismiss	2.0	\$1000
08/23/21	Revise and finalize proposed Order regarding evidentiary hearing on Motion to Dismiss and prepare letter to Plaintiff regarding proposed Order	1.9	\$950
8/27/2021	Prepare email to Court regarding proposed Order on Motion to Dismiss	.3	\$150
<b>TOTAL:</b>			<b>\$23,200</b>



## **EXHIBIT “3”**



DATE: 08/24/21

INVOICE NUMBER: 001

Client: Vegas Shepherd Rescue/Pyle/Willet  
 Matter: AllaZorikova

DATE	TASK	TIME	AMOUNT (\$500/hr)
06/09/21	Review and analyze Plaintiff's Complaint, Plaintiff's Amended Complaint, and all exhibits thereto re: causes of action alleged in each (and compare same) to determine claims that can be brought in Motion to Dismiss	3.7	\$1,850
06/10/21	Legal research regarding motion to dismiss including elements of claims alleged in Nevada pattern jury instructions.	2.9	\$1,450
06/10/21	Begin drafting motion to dismiss re: statement of facts	3.8	\$1,900
06/15/21	Exchange emails with clients re: conference call and association of counsel.	.4	\$200
06/16/21	Telephone call with clients re: procedural posture and facts regarding case.	.7	\$350
06/16/21	Drafted and revised declarations of 1) Tammy Willet and 2) Julie Pyle regarding facts of case.	1.4	\$700
06/18/21	Exchange several emails with clients re: declarations.	.9	\$450
06/18/21	Review, revise and finalize motion to dismiss.	1.1	\$550
06/19/21	Reviewed 4 emails from Plaintiff re: filings.	.4	\$200
06/28/21	Reviewed Plaintiff's Opposition to Motion to dismiss, including attached declarations and exhibits.	1.4	\$700
06/29/21	Exchange emails with clients re: defense strategy.	.4	\$200
07/15/21	Review settlement agreement between Plaintiff and San Bernardino to be used in support of reply in support of motion to dismiss relative to Plaintiff's in forma pauperis status.	.3	\$150
07/21/21	Begin drafting and revising reply in support of motion to dismiss.	2.3	\$1,150
08/17/21	Exchange emails with clients re: surveillance video, and strategy for attendance at hearing, and service of process.	.9	\$450
08/17/21	Review surveillance video.	.2	\$100
08/17/21	Preparation for hearing on Defendants' Motion to Dismiss by reviewing all pleadings and exhibits regarding same.	.5	\$250
08/17/21	Telephone call with co-counsel and Julie Pyle re: preparation for hearing.	.6	\$300

08/17/21	Attended hearing on Defendant's motion to dismiss.	4.4	\$2,200
08/18/21	Begin drafting and revising proposed order regarding hearing on motion to dismiss.	2.1	\$1,050
<b>Total</b>		<b>28.4</b>	<b>\$14,200</b>



*Heather L. Smith*

CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

11 Defendant(s).

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.

6  
7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.

10           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
11 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
12 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
13 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
14 affidavits of service to be filed within the time for filing an answer or responsive pleading.  
15

16           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
17 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
18 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
19 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
20 unqualified person under NRCP 4(c)(3).  
21

22           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
23 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
24 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
25

26  
27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.

1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28



1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
11 DISTRICT COURT JUDGE

12 **EAB 33D 383C 575F**  
13 **Eric Johnson**  
14 **District Court Judge**  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 9/2/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
22 known addresses on 9/3/2021

23 **Casey Gish**

**Van Law Firm**

**Attn: Casey D. Gish**

**5940 S. Rainbow Blvd.**

**Las Vegas, NV, 89118**

Electronically  
9/4/2021 5:00  
Steven D. Gri  
CLERK OF TH



Steven D. Grier  
CLERK OF THE COURT  


1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

11 Defendant(s).

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.

6  
7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.

10           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
11 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
12 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
13 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
14 affidavits of service to be filed within the time for filing an answer or responsive pleading.  
15

16           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
17 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
18 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
19 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
20 unqualified person under NRCP 4(c)(3).  
21

22           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
23 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
24 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
25

26  
27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.



1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28

1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
DISTRICT COURT JUDGE

11 **EAB 33D 383C 575F**  
12 **Eric Johnson**  
13 **District Court Judge**  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 9/2/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
22 known addresses on 9/3/2021

23 **Casey Gish**

**Van Law Firm**

**Attn: Casey D. Gish**

**5940 S. Rainbow Blvd.**

**Las Vegas, NV, 89118**



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO MOTION TO SET ASIDE**  
**ORDER TO DISMISS WITH PREJUDICE**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue,  
through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D.

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.







1 GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby opposes to Plaintiff's  
2 Motion to Set Aside this Court's Order To Dismiss with Prejudice. This Opposition is supported  
3 by the attached Points and Authorities, the pleadings and papers on file herein, and any argument  
4 allowed by the court.  
5

## 6 **MEMORANDUM OF POINTS AND AUTHORITIES**

### 7 **I.**

#### 8 **INTRODUCTION**

9 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
10 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
11 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
12 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her  
13 on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
14 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
15 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
16 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
17 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
18 around April 2021.<sup>2</sup>

19 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
20 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. On June 18,  
21 2021, Defendants filed an Opposition to Plaintiff's Ex Parte Application for Temporary  
22 Restraining Order; and Counter-Motion to Dismiss Plaintiff's Complaint pursuant to NRCP  
23 12(b). On June 28, 2021, Plaintiff filed her Opposition to the Counter-Motion to Dismiss. On  
24 July 21, 2021, Defendants filed their Reply in support of their Motion to Dismiss.  
25  
26  
27  
28

---

<sup>2</sup>The docket does not reflect the date of filing of the bonds.



On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of process of Plaintiff's Complaint. The Court granted Defendant's Counter-Motion to Dismiss, finding service of process was ineffective, and dismissed Plaintiff's Complaint with prejudice for abuse of process in this matter (see order filed September 2, 2021, attached hereto as Exhibit A).

Prior to the September 2, 2021 Order being filed, on August 23, 2021, Plaintiff filed the instant Motion to Set Aside Order To Dismiss With Prejudice. The Motion itself essentially reiterates Plaintiff's position that the summons and Complaint were properly served on all Defendants. Because Plaintiff does not like the outcome of the Motion to Dismiss, she alleges that Judge Johnson has been bribed by counsel and/or influenced by donations from "animal rights activists," and she intends to sue all Defendants for the same causes of action in Texas.<sup>3</sup> And finally, Plaintiff provides a statement of fraudulent statements she claims were made by counsel that are not germane to a finding of inadequate service of process, of which the Court took no evidence or testimony (*see Motion* at pp. 11-14, which are summarized as follows: 1) no evidence of ownership of dogs; 2) housing dogs in cages); 3) illegal business/conduct; 4) property conditions; 5) animal neglect; 6) County violations; 7) business licensing; 8) settlement with San Bernardino; 9) other lawsuits; 10) search warrants; 11) Plaintiff's arrest; 12) Plaintiff's criminal investigation; and 13) County violations.

For reasons discussed herein, the motion is untimely, and without merit; and therefore, must be denied.

## II.

### POINTS AND AUTHORITIES

---

<sup>3</sup>Plaintiff's proposed claims will be barred res judicata and Defendants will seek fees and costs associated with defending those claims as well.



Plaintiff's motion seeks to set aside the court's order, and cites to NRCP 60(b)(1), NRCP 60(b)(3), and NRCP 60(b)(6) in support of the same. NRCP 60(b) states:

Grounds for Relief From a Final Judgment, Order, or Proceeding. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, proceeding for the following reasons:

(1) mistake, inadvertence, surprise or excusable neglect;

....

(3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;

...

(6) any other reason that justifies relief.

**A. Plaintiff's Motion to Set Aside is Untimely and Should Be Denied**

Plaintiff filed her motion on August 23, 2021, which was 11 days before the September 2, 2021 Order disposing of her claims was filed by this Court. Thus, at the time Plaintiff filed her motion, there was no order that could have been construed by anyone to be final that was in place for the Court to set aside. Therefore, Plaintiff's motion should be denied as untimely.

**B. Alternatively, Plaintiff's Motion to Set Aside Should Be Denied On The Merits**

The district court has wide discretion in deciding whether to grant or deny a motion to set aside a judgment under NRCP 60(b). *See, e.g., Union Petrochemical Co. v. Scott*, 96 Nev. 337, 609 P.2d 323 (1980). Here, the Court took over a half day of live testimony, evidence and argument from Plaintiff, Plaintiff's daughter, and Defendants regarding the issue of service of process. The court provided its own well-reasoned and thought-out nine-page Order in support of its findings that Plaintiff abused the judicial process by presenting false and misleading testimony, and having prepared and filed false and misleading documents with the Court. (*See Order* dated September 2, 2021 attached hereto as Exhibit A, at pp. 5: 1-3). Any additional testimony and evidence used to set aside this Court's order is likely to be false and misleading as well.



As discussed above, the alleged “fraud” Plaintiff claims in support of setting aside the Court’s order summarized in 13 separate paragraphs that have nothing to do with the issue of service of process. Thus, additional testimony or evidence on those topics does not change the fact that Plaintiff failed to effectuate service of process under the Nevada Rules of Civil Procedure.

**1. The Court Was Well Within Its Right to Dismiss Plaintiff’s Case for Abuse of Process, and Presenting False and Misleading Testimony and Evidence**

NRCP 41(b) states:

**Involuntary Dismissal: Effect.** If the plaintiff fails to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against the defendant. Unless the dismissal order or an applicable statute provides otherwise, a dismissal under Rule 41(b) and any dismissal not under this rule — except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 — operates as an adjudication on the merits.

Defendants generally agree with Plaintiff’s copy/paste of the 2016 Nevada Practice Manual that was posted on the law firm of Holland & Hart’s website wherein she provides that NRCP 41(b) dismissal does not specifically mention lesser sanctions as an alternative to dismissal. *See Motion* at pp. 15 (there are no numerical lines or paragraph numbers contained in the motion to provide a specific citation.) *See also Henderson v. Duncan*, 779 F.2d 1421, 1424 (9<sup>th</sup> Cir. 1986).

As the Court herein noted, “[a]s a general proposition, the trial court has the inherent power to dismiss a plaintiff’s action to protect the integrity of the judicial process and to sanction a party’s failure to comply with the rules of procedure or any order of the court. *See NRCP 41(b). Cf. Meeker v. Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). *See Order* dated September 2, 2021 at pp. 5: 3-7 attached hereto as Exhibit A. Here, not only did Plaintiff fail to follow the rules of civil procedure, she failed to follow the most basic rules of fundamental fairness, honesty and integrity which are the underpinnings of the adversarial American judicial system. Her conduct in this



1 matter, by her presentation of blatantly obvious perjurious testimony, filing of false documents  
2 with the Court, and her refusal to follow the most basic of the rules of civil procedure constituted  
3 an attempted Fraud on the Court. This type of behavior by a litigant, especially one who claims  
4 to be an attorney from one of the best law schools in Europe, cannot and should not be permitted  
5 by any Court because it undermines the entire judicial process and the undermines the integrity of  
6 the judicial process as a whole.  
7

8 When such egregious behavior takes place by a party, especially one that has supposedly  
9 had legal training from one of the best law schools in Europe, the Courts must issue sanctions  
10 which not only punish the behavior of the party, but serve to deter others in the future from  
11 engaging in such conduct. Plaintiffs' conduct in attempting to commit a Fraud on this Court by  
12 presenting perjurious testimony and filing falsified documents was not only sanctionable, it was  
13 criminal. NRCP 41(b) dismissal does not specifically mention or require lesser sanctions as an  
14 alternative to dismissal and therefore, dismissal with prejudice was not only proper, it was  
15 essential.  
16

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

III.

CONCLUSION

Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion to Set Aside Order To Dismiss With Prejudice, be denied.

DATED this 7th day of September, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue

WEIR LAW GROUP, LLC

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO SET ASIDE ORDER** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

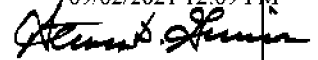
Executed on the 7th day of September, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



## **EXHIBIT “A”**



  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

11 Defendant(s).

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.  
6

7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.  
10

11           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
12 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
13 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
14 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
15 affidavits of service to be filed within the time for filing an answer or responsive pleading.  
16

17           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
18 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
19 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
20 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
21 unqualified person under NRCP 4(c)(3).  
22

23           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
24 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
25 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
26

27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.

1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28

1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
DISTRICT COURT JUDGE

11 **EAB 33D 383C 575F**  
12 **Eric Johnson**  
13 **District Court Judge**  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 9/2/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
22 known addresses on 9/3/2021

23 **Casey Gish**

**Van Law Firm**

**Attn: Casey D. Gish**

**5940 S. Rainbow Blvd.**

**Las Vegas, NV, 89118**



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**  
9

10 ALLA ZORIKOVA,

11 Plaintiff(s),

12 vs.

13 JULIE PYLE; TAMMY WILLET; VEGAS  
14 SHEPHERD RESCUE,

15 Defendant(s),  
16

Case No: A-20-821249-C

Dept No: XX

17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Alla Zorikova

20 2. Judge: Eric Johnson

21 3. Appellant(s): Alla Zorikova

22 Counsel:

23 Alla Zorikova  
24 1905 Wilcox, #175  
25 Los Angeles, CA 90068

26 4. Respondent (s): Julie Pyle; Tammy Willet; Vegas Shepherd Rescue

27 Counsel:

28 Casey D. Gish, Esq.  
5940 S. Rainbow Blvd.

Las Vegas, NV 89118

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, September 25, 2020  
*\*\*Expires 1 year from date filed*

Appellant Filed Application to Proceed in Forma Pauperis: No  
Date Application(s) filed: N/A

9. Date Commenced in District Court: September 15, 2020

10. Brief Description of the Nature of the Action: TORT - Other

Type of Judgment or Order Being Appealed: Dismissal

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 7 day of September 2021.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Alla Zorikova



1 **NEOJ**

2 CASEY D. GISH, ESQ.

3 Nevada Bar No. 006657

4 **THE LAW OFFICE OF CASEY D. GISH**

5 5940 S. Rainbow Blvd

6 Las Vegas, NV 89118

7 Casey@GishLawFirm.com

8 (702) 583-5883 Telephone

9 (702) 483-4608 Facsimile

10 SHANA D. WEIR, ESQ.

11 Nevada Bar No. 9468

12 **WEIR LAW GROUP, LLC**

13 6220 Stevenson Way

14 Las Vegas, NV 89120

15 (702) 509-4567 Telephone

16 *Attorneys for Defendants*

17 *Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

18 **DISTRICT COURT**

19 **CLARK COUNTY, NEVADA**

20 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

21 Plaintiff(s),

DEPT. NO. XX

22 vs.

23 JULIE PYLE, TAMMY WILLET, VEGAS  
24 SHEPHERD RESCUE AND DOES I  
25 THROUGH X, INDIVIDUALS, AND ROE  
26 BUSINESS ENTITIES I THROUGH X,  
27  
28

Defendant(s).

**NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION  
TO DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE**

TO: ALLA ZORIKOVA; Plaintiff appearing Pro Se

PLEASE TAKE NOTICE that the following ORDER was entered in the above captioned  
matter on September 2, 2021.

A true and correct copy of the order is attached hereto.



DATED this 7th day of September, 2021.

**THE LAW OFFICE OF CASEY D. GISH**

*/s/ Casey D. Gish*

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**WEIR LAW GROUP, LLC**

*/s/ Shana D. Weir*

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE** on the parties whose address appears below:

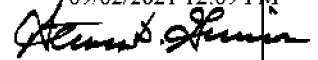
X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 7th day of September, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

11 Defendant(s).

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.

6  
7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.

10           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
11 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
12 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
13 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
14 affidavits of service to be filed within the time for filing an answer or responsive pleading.

15  
16           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
17 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
18 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
19 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
20 unqualified person under NRCP 4(c)(3).

21  
22           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
23 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
24 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
25

26  
27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.



1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28

1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
DISTRICT COURT JUDGE

11 **EAB 33D 383C 575F**  
12 **Eric Johnson**  
13 **District Court Judge**  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 9/2/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16 **Shana Weir**

**sweir@weirlawgroup.com**

17 **Alla Zorikova**

**stevejohn19732017@gmail.com**

18 **Alla Zorikova**

**olivia.car@mail.ru**

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
22 known addresses on 9/3/2021

23 **Casey Gish**

**Van Law Firm**

**Attn: Casey D. Gish**

**5940 S. Rainbow Blvd.**

**Las Vegas, NV, 89118**

NEVADA  
Department 20  
CASE # A-20-821249-C

From: Alla Zorikova  
1905 Wilcox Ave., #175  
Los Angeles, CA 90068  
323-209-5186  
E-mail: olivia.car@mail.ru

**AFFIDAVIT OF PREJUDICE**

STATE OF TEXAS

PERSONALLY came and appeared before me, the undersigned Notary, the within named ALLA ZORIKOVA, who is a resident of State of Texas, and makes this her statement and Affidavit upon oath and affirmation of belief and personal knowledge that the following matter, facts and things set forth are true and correct to the best of her knowledge:

1. I, Alla Zorikova, declare under penalty of perjury and law of Nevada that I have been prejudiced by Judge Eric Johnson, department 20, and this Judge denied my constitutional right for fair and impartial Hearing.

2. Plaintiff's Motion to Set Aside will be heard on September 29, 2021. Plaintiff is entitled to impartial, unbiased, fair and without prejudice Hearing.

3. Pursuant to Nevada Code TITLE 1 CHAPTER 1 NRS 1.235 Alla Zorikova, Plaintiff, states that she observed bias and prejudice from Animal Rights Activists Endorse Judge Foster (Dep 20) based on Plaintiff's action as ProSe in this litigation, her gender, her Russian nationality as Judge Foster assumes that Russian people, even though they are American Citizens are not capable of comprehend written English and is not capable to read statutes so that Defendant can state any false statement he desires on any topic including statutes interpretation and "noone has rights to object, as well Plaintiff to be a female and a dog breeder, while Animal Rights Activists are destroying pet breeders, farmers, zoos, horse shows, meat restaurants, butchers etc in



*Rebecca Enriquez*

America.

4. USA Constitutional Amendments 5th and 14th are twice implying fundamental right of not being deprived from private property without a due process and fair proceedings must be applied to USA Citizens, which are LEGAL OBLIGATIONS OF ALL STATES.

5. On August 18th of 2021 Hearing Judge Johnson stated that he was endorsed by Animal Rights Activists Group. Attorney's Gish and Weir (as she confirmed her affiliation with Animal Rights Activists during the hearing as well for Defendants in this case are both Animal Rights Activists, who are acting ProBono to fight against Pet Breeders, Pet Stores, Zoos, Horse Shows, Farmers, Butchers, Meat Restaurants and other American Businesses, majority of donations to which Gish admitted receiving \$100,000 in donations toward legal defence in this case) is sourced (in my opinion based on observed facts) from Rockefeller's family through PETA (see facts and details at <http://humanrightsanimalrights.com>).

6. The Hearing constituted of constant flow of evasive facts and statements by Casey Gish, which Judge Johnson simply ignored even Plaintiff Zorikova was pointing out fallacy (confirmed by clear facts) of those statements all the time. Judge Foster showed that he does not believe that female Zorikova can drive nor stop one day from TX to CA. Judge Johnson allowed leading by Gish testimony of his witness and overruled all objections of Plaintiff. Judge Johnson pretended that he is "looking for evidences of Zorikova's appearance at Defendant's office", while Plaintiff stated the same in her previous pleadings. Judge Johnson had consulted Gish multiple times if it is ok with him for one or another issue. Whole Hearing was felt as a circus, in which Defendants, represented by attorney/Defendant on the same issue in Federal Court that Plaintiff is filing shortly, Casey Gish, who stole Plaintiff's Dogs with clear in this case evidences and yet, who has been blocked by Judge Johnson from being sued by Plaintiff.

7. Therefore, Judge Johnson is clearly biased, politically involved and prejudicial toward Russian/German Female, Trump Supporter, Dog Breeder, ProSe Plaintiff Alla Zorikova and instead of serving American People in his public office (that based on the published facts he possibly occupied with failure to disclose the facts of twice being investigated for corruption (see <http://humanrightsanimalrights.com>), Judge Johnson believes that he is on a power trip to disregard any and all constitutional rights of Plaintiff and to cover up Defendant's false statements to the Court, while protecting them from being held accountable for its malicious actions committed toward Plaintiff.

DATED This the 8 day of September, 2021.

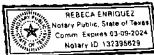
*Alla Zorikova*  
signature of Affiant



SWORN to subscribed before me.

This the 8 day of September, 2021

*Rebecca Enriquez*  
NOTARY PUBLIC



My Commission Expires

03/09/2024





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAUNTIF'S Opposition to Defendants

Costs and fees

JULIE PYLE, TAMMY WILLET, VEGAS

SHEPHERD RESCUE AND DOES I

Department 20

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

COMES NOW Plaintiff, Alla Zorikova and states following:

1. The Settlement between San Bernardirno County and Plaintiff is CONFIDENTIAL. The Settlement must be sealed if Courts will receive the Copy of this Settlement.
2. Plaintiff requests Settlement's copy between San Bernardirno County and any and all references to it be sealed.

3. Plaintiff is clearly prejudiced and filed Affidavit of Prejudice with the Court. American People has rights protected by 5th and 14th Amendments to Constitution as to Due Process, fair and impartial Hearings and Trials. While Nevada Judges additionally bound by its actions by NEVADA CODE OF JUDICIAL CONDUCT. It appears that while United States Attorney Eric Johnson, who was twice investigated in strip club case and forced to step down from this case (source: [veteranpolitics.org](http://veteranpolitics.org) [nevadaappeal.com](http://nevadaappeal.com)) yet failed to disclose these facts while applying on this position for Judge believes that he is allowed to act as he wish instead of serving people and executing his duties in this office with impartial, unbiased, based on facts and law judgment.

4. Further, (source: [nevadaappeal.com/news](http://nevadaappeal.com/news)) "Michael Galardi, (owner of the strip clubs) during plea negotiations, told authorities that Eric Johnson, a federal prosecutor in the two-year probe, was a patron at his topless clubs. Galardi later said the claim was not true. Johnson has declined comment, but left the case. Former County Commissioner Lance Malone, who worked as a lobbyist for Galardi, has been indicted in San Diego on public Corruption charges." The facts are that both Defendants/Attorneys on the same or similar causes to Plaintiff 1- Gish is in Las Vegas, Nevada and 2- Bryan Pease (second "probono attorney" from Animal Rights Activists cabal ) is in San Diego, CA, coincidence?

5. Plaintiff is not afraid even Gish was impose baseless threats on her constantly as to "I will get you on Attorney Fees, I will conduct investigations and complain and complain and complain (which he did) to any and all officials and guess what, I will get away with anything" . Plaintiff will stand up for her stolen dogs, for truth and justice even while Judge harasses Plaintiff and/or threatens her with arrest, charges her with other side's lying constantly attorney his attorney's fees and costs, impose sanctions etc. Judges must obey NEVADA CODE OF JUDICIAL CONDUCT, they oath they took to serve people in this public office. People have

Constitutionally granted right for fair trial and hearing and right to be heard by juries (Plaintiff had requested trial by JURIES), not by abusing court's discretion and judicial power judges alone.

6. Defendants stated during hearing that he received \$100,000 in donations to cover legal fees for this case. People, who is donating money will not be able to receive any "refunds"; however, Defendant will be unjust enriched if he receives AND DONATIONS AND will get paid from Plaintiff's expenses.

7. Hourly rate in Nevada for legal services is about \$150/hr. Gush did not spend 1/10 of the amount he claims he spent.

6. My dogs have been stolen and destroyed based on undeniable facts in this case, Defendant was brought to this Court to be hold accountable for his maliciopus action, not to be rewarded.

7. Defendant does not have any legal rights for his "costs and expenses", the all Hearing on the August 18th was nothing more than setted up circus with several surprises to Defendant, such as life call from Olivia Jenog, who he desired to find "not exsisted" and her appearance via phone messed up Defendant's plans.

8. NRCP 4.2 (a)(2) clearly states that NO personal service ever required on Defendant as falsely stated in Order to Dismiss.

9. In its order, the Court baselessly, solely on it's "opinion" instead of facts refers to "finding" Plaintiff's and her witness Olivia Jeong not credible, while Defefendant's hearsay and led answers testimony fully credible without justifying facts nor evidences.

9. The Court refers to "abuse of judicial process", which is malicious prosecution and it's totally inappropriate trying to apply "abuse of judicial process" to service deficiencies even if the same would exist.

10. What is clearly exists is the pages and pages of undeniable falsehood propounded by Defendants though Gish (see facts based on only one pleading below).

11. The Courts descriminate Plaintiff reffering to her as "Pro Per" person, who must be (because ProPer in Court's opinion cannot find Rule 4.2 nor can understand Englishand are not familiar with Rule 4.2 and therefore does not know how to serve properly.) Defendant, who manufactured this order to be signed by judge, perfectly aware that Plaintiff filed 3 cases in different jurisdictions on similar causes from the same event, that are ongoing with exception of Nevada's case, and in which "unknowledgable" Plaintiff (because in Court's OPINION ALL ProPer people cannot read nor write and are incompetent while attorneys have "LICENSE to LIE" and "Courts have power to threaten and to harass ) succesfully and properly served through appropriate service process numerous Defendants, and while Plaintiff served dozens Defendants during her ProPer practice and NEVER had neither complaints nor issues with service.

12. ProPer Plaintiff knows rules for service process and cites it below for all readers of the same to read ininstead of listening lies of Defendant (through Gish and Weir placed under Court's signature) that are refering to numbers suggesting that people canot understand what it said. Here it is:

" 4.2 (a)(2)

4.2(c)(1)(B)

#### Rule 4.2. Service Within Nevada

(a) **Serving an Individual.** Unless otherwise provided by these rules, service may be made on an individual:

(1) by delivering a copy of the summons and complaint to the individual personally;

(2) by leaving a copy of the summons and complaint at the individual's dwelling or usual place of abode with a person of suitable age and discretion who currently resides therein and is not an adverse party to the individual being served; or

(3) by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.

(c) **Serving Entities and Associations.**

(1) **Entities and Associations in Nevada.**

(A) An entity or association that is formed under the laws of this state, is registered to do business in this state, or has appointed a registered agent in this state, may be served by delivering a copy of the summons and complaint to:

- |   |  |
|---|--|
| (i) the registered agent of the entity or |  |
| association;                              | (ii) any officer or director of a                            |
| corporation;                              | (iii) any partner of a general                               |
| partnership;                              | (iv) any general partner of a limited                        |
| partnership;                              | (v) any member of a member managed limited-liability company |

(vi) any manager of a manager-managed limited-liability company;

(vii) any trustee of a business trust;

(viii) any officer or director of a miscellaneous organization mentioned in

(ix) any managing or general agent of any entity or association; or

(x) any other agent authorized by statute and the statute so requires, a

copy of the summons and complaint must also be mailed to the defendant entity or association at its last known address.

13. The Court in its order posted on September 02 of 2021 referring to "abuse of judicial process", which is malicious prosecution in bad faith, elements of which are:

" An abuse of process claim consists of two elements: (1) an ulterior purpose other than resolving a legal dispute, and (2) **a willful act in the use of process not proper in the regular conduct of the proceeding.** ...An "ulterior purpose" includes any "improper motive" underlying the issuance of legal process.

Dutt v. Kremp ::1995 ::Supreme Court of Nevada Decisions

and has nothing to do with any (if any) errors of service.

14. Plaintiff testified regarding service of Summons and Complaint that she hired and paid for service to Olivia Jeong, who is over 18 years old and not a party of the lawsuit. Plaintiff testified that she filed with the Court affidavits of service signed by Olivia Jeong. There were NONE of any evidences presented that this is not true facts, and it's minimum inappropriate for Court make false allegations toward Plaintiff that Court "finds" it to be not true statements.

15. Plaintiff testified that she visited all places of Defendant's (in all Nevada cases) and submitted where she preferred court's papers. This is NOT illegal. Plaintiff has rights to visit people's places and submit them all she wants at any time, people can refuse to take it, which they have rights to as well. It does not interfere with any other service of Summons and Complaints conducted by paid server or sheriff.

16. Olivia Jeong is NOT Plaintiff, nor she is party of this lawsuit and even if Court finds her testimony insufficient, Plaintiff does not have responsibility for her witness's testimony as Plaintiff relies on it and does not have personal knowledge regarding details that her witness refers in her testimony.

17. Plaintiff's stolen dogs were found in Defendant's possession, Defendants admitted having them, admitted that no one authorized taking them from Plaintiff, and yet, this Court dares to state that Plaintiff is acting in "bad faith" while lying on almost each page of its pleadings Defendant, who clearly had stolen Plaintiff's dogs are a "good" person, has a "good faith" and may continue their dirty business because always there will be judges (investigated previously twice for corruption) who will protect them from claims and moreover, will make sure Defendant's are getting paid, as they need funds in addition to those hundreds of thousands of dollars that they are already received. Donations of PETA in majority comes from Rockefeller's family (in case the Court is not aware where it comes from and believes that some sentimental grandmothers donating).

A. **In Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO** on page 3 line 25

Defendant states: "Plaintiff did not provide photos of her own" regarding proof of stolen

dog's ownership, while in a reality, Plaintiff attached multiple pictures of herself with her dogs that are displayed as stolen on Defendant's Facebook page.

B. On page 4 of the same , line 9 to 27 Defendants are fully defrauding the Court with paragraphs of clearly false, evasive and obviously designed to cover up the truth, statements such as: a) On line 10 Defendants falsely states that Plaintiff stated she houses 50 dogs in cages. Plaintiff had never stated so in none of her pleadings nor motions not otherwise, because she never keeps nor kept dogs in cages. All dogs are walking free on huge acreage of her property or kept in roomy kennels with huge play zone area.

b). On line 12 Defendant falsely and baselessly without any supporting evidences states that Plaintiff was conducting business in San Bernardirno County since May 2018, which is not true. C). On line 14 Defendants falsely states that Plaintiff is an established illegal operator of puppy mills throughout of USA and her dogs are kept in inhumane conditions. No one never "established" that Plaintiff is an "illegal operator" and operates "puppy mill". Plaintiff does not run an illegal businesses nor operates any "puppy mill".

D). On line 18 Defendants falsely and baselessly state that Plaintiff raising her dogs in inhumane and cruel conditions outside of Barstow, California, while claiming multiple times that NONE of the Defendants have ever been on Plaintiff's property and therefore never observed, nor has personal knowledge of any conditions. However, what Defendant has certain knowledge is that Plaintiff does not run any business from December of 2020 until current in San Bernardirno County, California, yet Defendants falsely states otherwise.



- C. Further, on page 5 Defendants once again baselessly and falsely (while claiming they had never been on Plaintiff's property and never saw her or her dogs while on property) state that there were no even dirt roads nor the Dogs had not have water, food, shelter in contradiction to true and credible Animal Control Report (Exhibit 1).
- D. Further, on line 7 of the same Defendants (while attaching referred Notice of Violation as Exhibit and therefore, with inability to claim "innocent mistake" Defendants falsely state that "Notice of Violation was issued for operating kennel without permit" , while true fact is that the Notice of Violation was given for "\_No Primary Use\_" (Exhibit 2 ) regarding absence of residential construction on the property.
- E. Further, on line 20 Defendants refer to "breeder license" which are not required for Plaintiff while not operating in San Bernardirno County.
- F. On page 6 line 17, page 22 line1 Defendants state that they "found from Freedom of Information Act" settlement amount, which is falsehood based on the true fact that settlement was confidential and amount of the same cannot be disclosed. Also Defendants state wrong amount (they could not "find" the true one legally).
- G. Further, on line 20 Defendants falsely state that "Plaintiff sued various Defendants for alleged theft in multiple countries in California", while Defendants know that Plaintiff filed lawsuit related in San Bernardirno County while San Diego's lawsuit is against Pease as for defamation and libel.
- H. Further on page 7 line 27 Defendants state that "Deputies visited home of Pyle", while in reality 3 different judges issued search warrants under which Deputies conducted a search.

- I. On page 11 line 9 Defendants falsely state that “litigation is ongoing regarding “false arrest” cause of Plaintiff. There is no any ongoing litigation and the “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed.
- J. On page 16 line 12 to 16, page 18 line 3 Defendants falsely state that “it is UNDESPUTED that Plaintiff is currently under criminal investigation” . While the true UNDESPUTED fact is that “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed, no any charges has been filed against Plaintiff by District Attorney.
- K. Further, on page 18 line 24 Defendants knowingly (by introducing the same referred exhibit “Notice of Violations” ) falsely once again states that “Notice of Violation” is a “Citation for operating an illegal kennel operation”, which is indisputably not true.

All Defendant's costs and expenses shall be DENIED.

Alla Zorikova

Alla Zorikova

09/04/2021

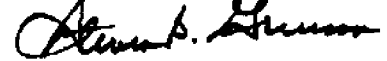
•

- CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 09/08/2021 to Casey Gish.

Alla Zorikova

09/04/2021



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION FOR NEW TRIAL,

Affidavit of Prejudice, Memorandum of

Points and Authorities

JULIE PYLE, TAMMY WILLET, VEGAS

Pursuant NRCP 59(a) (A)(B)(F)(G)

SHEPHERD RESCUE AND DOES I

THROUGH X, INDIVIDUALS, AND ROE

Department 20

BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Pursuant NRCP 59(a) (A)(B)(F)(G) Plaintiff asks this Court for a new Trial/Hearing based on misconduct of Defendant's Attorneys Gish and Weir, fact of Judge Johnson being twice investigated in public corruption case, his endorsement by Animal Rights Activists and clear

prejudice toward Plaintiff Alla Zorikova, in particularly for a Trial as this Court entered final judgment against the facts, evidences and law denied Plaintiff's rights for a Trial.

2. Plaintiff, while writing Affidavit for Prejudice regarding prejudice on her by Judge Eric Johnson, discovered outrageous facts of Judge Johnson's failure to disclose him being uninvestigated twice in connection with Las Vegas Strip Club's owner and by this owner's testimony Judge Johnson being a patron for this club is OUTRAGEOUS AND DISGUSTING. How this person can be possibly serving as judge and claim his status as "impartial, fair and unbiased Judge"? He can not. Moreover, if one reads pleadings of this case, listens audio recording from hearing and looks at the facts, it will appear clearly that this Judge is NOT impartial nor unbiased, which confirms his damaged reputation through involvement in Strip Club's Public Corruption Case, while most likely teaming up with undeniable liar in front of Court Casey Gish. I have constitutional rights to be heard by juries and NOT by involved in corruption judges.

3. Plaintiff is clearly prejudiced and filed Affidavit of Prejudice with the Court. American People has rights protected by 5th and 14th Amendments to Constitution as to Due Process, fair and impartial Hearings and Trials. While Nevada Judges additionally boundared in its actions by NEVADA CODE OF JUDICIAL CONDUCT. It appears that while United States Attorney Eric Johnson, who was twice investigated in strip club case and forced tp step down from this case (source: [\\_veteranpolitics.org](http://_veteranpolitics.org) [nevadaappeal.com](http://nevadaappeal.com)) yet failed to disclose these facts while applying on this position for Judge believes that he is allowed to act as he wish instead of serving people and executing his duties in this office with impartial, unbiased, based on facts and law judgment.

4. Further, (source: [nevadaappeal.com/news](http://nevadaappeal.com/news)) "Michael Galardi, (owner of te strip clubs) during plea negotiations, told authorities that Eric Johnson, a federal prosecutor in the two-

year probe, was a patron at his topless clubs. Galardi later said the claim was not true. Johnson has declined comment, but left the case. Former County Commissioner Lance Malone, who worked as a lobbyist for Galardi, has been indicted in San Diego on public Corruption charges." The facts are that both Defendants/Attorneys on the same or similar causes to Plaintiff 1- Gish is in Las Vegas, Nevada and 2- Bryan Pease (second "probono attorney" from Animal Rights Activists cabal ) is in San Diego, CA, coincidence?

5. Plaintiff is not afraid even Gish was impose baseless threats on her constantly as to "I will get you on Attorney Fees, I will conduct investigations and complain and complain and complain (which he did) to any and all officials and guess what, I will get away with anything" . Plaintiff will stand up for her stolen dogs, for truth and justice even while Judge harasses Plaintiff and/or threatens her with arrest, charges her with other side's lying constantly attorney his attorney's fees and costs, impose sanctions etc. Judges must obey NEVADA CODE OF JUDICIAL CONDUCT, they oath they took to serve people in this public office. People have Constitutionally granted right for fair trial and hearing and right to be heard by juries (Plaintiff had requested trial by JURIES), not by abusing court's discretion and judicial power judges alone.

6. Defendants stated during hearing that he received \$100,000 in donations to cover legal fees for this case. People, who is donating money will not be able to receive any "refunds"; however, Defendant will be unjust enriched if he receives AND DONATIONS AND will get paid from Plaintiff's expenses.

7. Hourly rate in Nevada for legal services is about \$150/hr. Gush did not spend 1/10 of the amount he claims he spent.

6. My dogs have been stolen and destroyed based on undeniable facts in this case, Defendant was brought to this Court to be held accountable for his malicious action, not to be rewarded.

7. Defendant does not have any legal rights for his "costs and expenses", the all Hearing on the August 18th was nothing more than set up circus with several surprises to Defendant, such as life call from Olivia Jenog, who he desired to find "not existed" and her appearance via phone messed up Defendant's plans.

8. NRCP 4.2 (a)(2) clearly states that NO personal service ever required on Defendant as falsely stated otherwise in Order to Dismiss.

9. In its order, the Court baselessly, solely on its "opinion" instead of facts refers to "finding" Plaintiff's and her witness Olivia Jeong not credible, while Defendant's hearsay and led answers testimony fully credible without justifying facts nor evidences.

10. The Court refers to "abuse of judicial process", which is malicious prosecution and it's totally inappropriate trying to apply "abuse of judicial process" to service deficiencies even if the same would exist. What clearly exists is the pages and pages of undeniable falsehood propounded by Defendants though Gish (see facts based on only one pleading below).

11. The Courts discriminate Plaintiff referring to her as "Pro Per" person, who must be (because ProPer in Court's opinion cannot find Rule 4.2 nor can understand English and are not familiar with Rule 4.2 and therefore does not know how to serve properly.) Defendant, who manufactured this order to be signed by judge, perfectly aware that Plaintiff filed 3 cases in different jurisdictions on similar causes from the same event, that are ongoing with exception of Nevada's case, and in which "unknowledgeable" Plaintiff (because in Court's OPINION ALL ProPer people cannot read nor write and are incompetent while attorneys

have "LICENSE to LIE" and "Courts have power to threaten and to harass ) succesfully and properly served through appropriate service process numerous Defendants, and while Plaintiff served dozens Defendants during her ProPer practice and NEVER had neither complaints nor issues with service.

12. ProPer Plaintiff knows rules for service process and cites it below for all readers of the same to read ininstead of listening lies of Defendant (through Gish and Weir placed under Court's signature) that are refering to numbers suggesting that people cannot understand what it said. Here it is:

" 4.2 (a)(2)

4.2(c)(1)(B)

#### **Rule 4.2. Service Within Nevada**

(a) **Serving an Individual.** Unless otherwise provided by these rules, service may be made on an individual:

(1) by delivering a copy of the summons amd complaint to the individual personally;

(2) by leaving a copy of the summons and complaint at the individual's dwelling or usual place of abode with a person of suitable age and discretion who currently resides therein and is not an adverse party to the individual being served; or

(3) by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.

(c) **Serving Entitiies and Associations.**

(1) **Entities and Associations in Nevada.**



(A) An entity or association that is formed under the laws of this state, is registered to do business in this state, or has appointed a registered agent in this state, may be served by delivering a copy of the summons and complaint to:

- (i) the registered agent of the entity or association;
- (ii) any officer or director of a corporation;
- (iii) any partner of a general partnership;
- (iv) any general partner of a limited partnership;
- (v) any member of a member managed limited-liability company
- (vi) any manager of a manager-managed limited-liability company;
- (vii) any trustee of a business trust;
- (viii) any officer or director of a miscellaneous organization mentioned in
- (ix) any managing or general agent of any entity or association; or
- (x) any other agent authorized by statute and the statute so requires, a copy of the summons and complaint must also be mailed to the defendant entity or association at its last known address.

13. The Court in its order posted on September 02 of 2021 referring to "abuse of judicial process", which is malicious prosecution in bad faith, elements of which are:

" An abuse of process claim consists of two elements: (1) an ulterior purpose other than resolving a legal dispute, and (2) **a willful act in the use of process not proper in the**

**regular conduct of the proceeding.** ...An "ulterior purpose" includes any "improper motive" underlying the issuance of legal process.

Dutt v. Kremp ::1995 ::Supreme Court of Nevada Decisions

and has nothing to do with any (if any) errors of service.

14. Plaintiff testified regarding service of Summons and Complaint that she hired and paid for service to Olivia Jeong, who is over 18 years old and not a party of the lawsuit. Plaintiff testified that she filed with the Court affidavits of service signed by Olivia Jeong. There were NONE of any evidences presented that this is not true facts, and it's minimum inappropriate for Court make false allegations toward Plaintiff that Court "finds" it to be not true statements.

15. Plaintiff testified that she visited all places of Defendant's (in all Nevada cases) and submitted where she preferred court's papers. This is NOT illegal. Plaintiff has rights to visit people's places and submit them all she wants at any time, people can refuse to take it, which they have rights to as well. It does not interfere with any other service of Summons and Complaints conducted by paid server or sheriff.

16. Olivia Jeong is NOT Plaintiff, nor she is party of this lawsuit and even if Court finds her testimony insufficient, Plaintiff does not have responsibility for her witness's testimony as Plaintiff relies on it and does not have personal knowledge regarding details that her witness refers in her testimony.

17. Plaintiff's stolen dogs were found in Defendant's possession, Defendants admitted having them, admitted that no one authorized taking them from Plaintiff, and yet, this Court dares to state that Plaintiff is acting in "bad faith" while lying on almost each page of its pleadings Defendant, who clearly had stolen Plaintiff's dogs are a "good" person, has a "good faith" and

may continue their dirty business because always there will be judges (investigated previously twice for corruption) who will protect them from claims and moreover, will make sure Defendant's are getting paid, as they need funds in addition to those hundreds of thousands of dollars that they are already received. Donations of PETA in majority comes from Rockefeller's family (in case the Court is not aware where it comes from and believes that some sentimental grandmothers donating).

18. The Court erroneously entered order to Dismiss the Case with Prejudice (Exhibit 1)

19. This Court shall grant a new hearing/trial.

20. It is clear that Defendants constructed an unconscionable plan and scheme, implemented with false representation of facts to the Court, false statements all over of all Defendants pleadings and filed documents, and even constantly led by Gish testimony (leading questions objections were overruled constantly) of Pyle, based on the fact that the only witness Pyle (Defendant herself) did not have personal knowledge neither objected service of documents, nor she could recognize anyone on the introduced by Defendants into evidence's video.

21. Dismissal with Prejudice is allowed only for cases decided on merits, not on any technical errors, which include claimed improper service. Plaintiff believes that the Court did NOT conspire with Defendants and therefore was defrauded and deceived by Defendants and will correct the order accordingly.

22. Plaintiff filed complaint on September 24 of 2020 or about this date.

23. Plaintiff filed requests for Summons on Defendants Pyle, Willet and Vegas Shepherd Rescue (Exhibit \_2\_) in September of 2020.

24. The Court issued Summons (Exhibit 3\_) .

25. Plaintiff hired on October 03 of 2020 or about this date person over 18 years old and not a party of this lawsuit Olivia Jeong for service of the complaint, Summons and exhibits.

26. On November 02 of 2020, or about this date, Olivia Jeong submitted to Plaintiff signed Affidavits of Service of Summons, Complaint and Exhibits for Defendants Pyle, Willet and VSRP.

27. Plaintiff filed with this Court Proof of Service, true and correct copies of which attached as (Exhibit \_3\_).

28. Plaintiff does not have clear recollection how Affidavits of Service have been filed, it could be filed electronically or by mail or submitted to the Court in person.

29. Plaintiff recalls difficulties filing electronically and mailing several documents to the Court.

30. Defendants have never objected any service and instead filed other pleadings in this case displaying clearly that they have been NOTIFIED.

31. Similar Affidavits have been filed for Defendants Gregory, SNARL and others for the first filed case on the same matter with Judge Alif, which has been dismissed for the lack of payments to the Court by Plaintiff. True and correct copies of the Filed Affidavits attached as Exhibit \_4\_.

32. In August of 2021 Plaintiff discovered on Court's Docket that Affidavits of Service have been filed with the Court on this case for Defendants Pyle, Willet and VSRP. True and correct copy of that Affidavits attached as (Exhibit 5).

33. Plaintiff does not have any recollection of filing any Affidavits of Summons for this case in June of 2021, but does not exclude possibility of filing.

34. Plaintiff has been visited Las Vegas (but does not have any recollection of the dates); however, as claimed by Defendants one of the visits was on October 06 of 2020 (that's why Defendants falsely claimed "service" on October 06 of 2020 and Plaintiff have been referencing the same date in her pleadings relying on Defendant's true statements as to date of filing of Olivia's Jeong Affidavits of Service, instead of date of visits of Plaintiff).

35. Plaintiff does not have clear recollection of any details of Service. Plaintiff had not realized, nor had any previous experience that Defendants and THE COURT might think of an attempt to use dates, details etc in service process as a clever but fake tool to Dismiss this big on MERITS and hurtful for stolen dogs and Plaintiff case, filed for LARCENY, emotional distress and other causes of action.

36. Plaintiff studied at Universities in CA with making President's Honor Roll in such sophisticated subjects as Computer Science, Math etc. Therefore, Plaintiff surely does not have any "recollection abilities problems"; however, it is almost a year past by from the dates of service by Olivia Jeong and Plaintiff's visits to Las Vegas. Plaintiff does not recall most of the environment where she was in Las Vegas, nor details, nor almost (would be trully to state) anything except of what it stated on written documents.

37. However, Court unfairly was upset that neither Plaintiff, nor Olivia Jeong would recall details of place where Plaintiff was as visitor and Olivia Jeong was as server.

38. To provide the Court with leverage to see credibility of witness and to clearly prove that Olivia Jeong does not need to be "led" by leading questions (designed, in my opinion, as supporting tool for those who cannot speak truth for themselves and therefore need to be "led" in order to answer not truthfully but "correctly").

39. It is obvious, in my opinion, that agenda of the Court was to dismiss this case no matter what before the hearing on August 18th even started.

40. First, Defendants went with attempts to “prove” that Plaintiff Alla Zorikova was impersonalizing herself as Olivia Jeong. Defendant’s bad faith’s attempts failed.

41. Next, Defendant attempted to pretend that his video will prove something that Plaintiff denied.

42. There were NO need for searching any videos of plaintiff’s visit in Las Vegas based on Plaintiff’s true statement in previous pleadings (Exhibit \_\_6\_\_) that she was visiting most of all Nevada’s Defendants places of business and residence , as well as speaking with neighbors regarding her stolen German Shepherds.

43. Casey Gish still denying and stated during hearing on August 18 of 2020 that this is not true that he is with Board of Directors for SNARL (Exhibit \_7\_).

44. Olivia Jeong signed and fillied in handwriting Declaration (admitted into evidence as Exhibit 1) and is Exhibit 8 here, on which she confirmed the service she made on Defendants filed with he Court. She served according to NRCP 4.2 (a) (2).

45. Further, Defendants viciously attempted to attack Olivia’s Jeong’s signatures, which is failed as well.

46. Further more, after hours and hours of baseless “evidence such as video of Plaintiff visiting office” and hearsay’s written statements of absent T Willet, overruling each Plaintiff’s objection during constantly leading questions “testimony” of Pyle, The Court could not find more grounds for it’s agaisnst the evidences order, but baselesely pointing on “DEMEANOR” of Olivia Jeong during her testimony’s answers and therefore finding Olivia’s and Plaintiff’s testimone as uncredible, while all Pyle’s and hearsay Willet’s

statements found credible, which clearly exposed Court's bias and unfairness toward Plaintiff.

47. Then followed threats to Plaintiff and her witness of arrests from Gish, while he, with his "license" was standing and blatantly lied and lied in the face of the Court and Plaintiff.

48. See below Gish's fraudulent statement of false "FACTS" taken only from his single document he filed with the Court.

49. This Court clearly abuses its power by covering up clear falsehoods of Defendants and trying to unfairly accuse Plaintiff without any evidences nor facts using "power of Court's Discretion and opinion". In this country (this Court agrees or not) People has Constitution, in which their fundamental right for fair hearing cannot be abused neither by the Court, nor by anyone else.

50. Judgments and Orders based on baseless, not supported with evidences "opinions" are easily overturned.

51. One County (San Bernardino) had already attempted warrantless false arrest of Plaintiff and paid price for it (disciplinary and monetary).

52. Nevada turned much worse than California, based on Plaintiff's personal experience.

53. Plaintiff is making sure that true facts of this case, hearing and the Court's motivation to issue this unfair order will be exposed publically on one of the Plaintiff's website and other sources. (with true undisputable in its trustworthy copies of pleadings). People are able to respond in blog and state their experience and knowledge of Nevada's Courts.

54. Olivia Jeong's poor "demeneer" rised from her knowledge that Eric Johnson was endorsed by Animal Rights Activists Group, and most likely, big "donations" were poured in to influence his judgements.

55. Why she (as any other person would) think so? Because obviously as a proven fact all hearing was unfair and order as a result of unfair hearing is ridiculous.

56. "Animal Right Activists", called by public lately as "terrorists", while more and more exposure on their offen violent activity toward humans and animals. See

<http://humanrightsvsanimalrights.org>

Almost nothing on that website (yet) written by Plaintiff, all true facts there provided by experienced credible breeders, founders, dog show judges etc, those, who work hard providing Americans with products instead of destroying businesses and people under cover up of "animals and trees cannot speak" and "people are the animals, while animals are "fur kids". In USA animals are property. Period. And People have rights to own animals. This right is undisputable. And those who destroys, steal and damage other people's property need bare bad consequences of bad actions.

A. **In Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO** ( Exhibit 10)on

page 3 line 25 Defendant states: "Plaintiff did not provide photos of her own" regarding proof of stolen dog's ownership, while in a reality, Plaintiff attached multiple pictures of herself with her dogs that are displayed as stolen on Defendant's Facebook page.

B. On page 4 of the same , line 9 to 27 Defendants are fully defrauding the Court with paragraphs of clearly false, evasive and obviously designed to cover up the truth, statements such as: a) On line 10 Defendants falsely states that Plaintiff stated she



houses 50 dogs in cages. Plaintiff had never stated so in none of her pleadings nor motions not otherwise, because she never keeps nor kept dogs in cages. All dogs are walking free on huge acreage of her property or kept in roomy kennels with huge play zone area.

- b). On line 12 Defendant falsely and baselessly without any supporting evidences states that Plaintiff was conducting business in San Bernardino County since May 2018, which is not true. C). On line 14 Defendants falsely states that Plaintiff is an established illegal operator of puppy mills throughout of USA and her dogs are kept in inhumane conditions. No one never “established” that Plaintiff is an “illegal operator” and operates “puppy mill”. Plaintiff does not run an illegal businesses nor operates any “puppy mill”. D). On line 18 Defendants falsely and baselessly state that Plaintiff raising her dogs in inhumane and cruel conditions outside of Barstow, California, while claiming multiple times that NONE of the Defendants have ever been on Plaintiff’s property and therefore never observed, nor has personal knowledge of any conditions. However, what Defendant has certain knowledge is that Plaintiff does not run any business from December of 2020 until current in San Bernardino County, California, yet Defendants falsely states otherwise.
- C. Further, on page 5 Defendants once again baselessly and falsely (while claiming they had never been on Plaintiff’s property and never saw her or her dogs while on property) state that there were no even dirt roads nor the Dogs had not have water, food, shelter in contradiction to true and credible Animal Control Report (Exhibit 11).
- D. Further, on line 7 of the same Defendants (while attaching referred Notice of Violation as Exhibit and therefore, with inability to claim “innocent mistake” Defendants falsely state that “Notice of Violation was issued for operating kennel without permit” , while true fact is that the Notice of Violation was given for “\_No

Primary Use\_” (Exhibit 12 ) regarding absence of residential construction on the property.

- E. Further, on line 20 Defendants refer to “breeder license” which are not required for Plaintiff while not operating in San Bernardino County.
- F. On page 6 line 17, page 22 line1 Defendants state that they “found from Freedom of Information Act” settlement amount, which is falsehood based on the true fact that settlement was confidential and amount of the same cannot be disclosed. Also Defendants state wrong amount (they could not “find” the true one legally).
- G. Further, on line 20 Defendants falsely state that “Plaintiff sued various Defendants for alleged theft in multiple countries in California”, while Defendants know that Plaintiff filed lawsuit related in San Bernardino County while San Diego’s lawsuit is against Pease as for defamation and libel.
- H. Further on page 7 line 27 Defendants state that “Deputies visited home of Pyle”, while in reality 3 different judges issued search warrants under which Deputies conducted a search.
- I. On page 11 line 9 Defendants falsely state that “litigation is ongoing regarding “false arrest” cause of Plaintiff. There is no any ongoing litigation and the “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed.
- J. On page 16 line 12 to 16, page 18 line 3 Defendants falsely state that “it is UNDESPUTED that Plaintiff is currently under criminal investigation” . While the true UNDESPUTED fact is that “arrest” case #082001029 against plaintiff was turned

down by Victorville's District Attorney back in 2020 and closed, no any charges has been filed against Plaintiff by District Attorney.

K. Further, on page 18 line 24 Defendants knowingly (by introducing the same referred exhibit "Notice of Violations" ) falsely once again states that "Notice of Violation" is a "Citation for operating an illegal kennel operation", which is indisputably not true.

## **LEGAL STANDARTS**

NRCP 59(a) (A)(B)(F)(G)

NRCP 4.2 (a)(2)

4.2(c)(1)(B)

USA Constitutional Amendments V, XIV

Dutt v. Kremp ::1995 ::Supreme Court of Nevada Decisions

United Air Lines, Inc v. Wiener 335 F. 2d 379 (9th Cir.1964)

Lioce v. Cohen 124 Nev.1 2008 . (In this case Motion for a new Trial based on attorney misconduct was granted and attorney's misconduct facts have been reffered to Nevada Disciplinary Committee).

WHEREFORE, Plaintiff respectfully asks this Court to grant her Motion for a new Trial/Hearing and for other relief Court finds deemed and proper. Plaintiff requests statement of reasoning denying or granting this motion.

Sincerely,

Alla Zorikova

09/04/2021

• 

• CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 09/12/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

09/11/2021





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

PLAINTIFF'S MOTION FOR RELIEF

FROM FINAL ORDER, Affidavit of

Prejudice, Memorandum of Points and

Authorities

Pursuant NRCP 60 (b)(1)(3)(6)

JULIE PYLE, TAMMY WILLET, VEGAS

SHEPHERD RESCUE AND DOES I

THROUGH X, INDIVIDUALS, AND ROE

BUSINESS ENTITIES I THROUGH X,

Department 20

DEFENDANTS

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

1. Pursuant NRCp 60 (b)(1)(3)(6) Plaintiff asks this Court for relief from final order to Dismiss this Case with Prejudice as this order denies Plaintiff's Constitutional rights to fair, unbiased, impartial judgment .

2. Plaintiff, while writing Affidavit for Prejudice regarding prejudice on her by Judge Eric Johnson, discovered outrageous facts of Judge Johnson's failure to disclose him being uninvestigated twice in connection with Las Vegas Strip Club's owner and by this owner's testimony Judge Johnson being a patron for this club is OUTRAGEOUS AND DISGUSTING. How this person can be possibly serving as judge and claim his status as "impartial, fair and unbiased Judge"? He can not. Moreover, if one reads pleadings of this case, listens audio recording from hearing and looks at the facts, it will appear clearly that this Judge is NOT impartial nor unbiased, which confirms his damaged reputation through involvement in Strip Club's Public Corruption Case, while most likely teaming up with undeniable liar in front of Court Casey Gish. I have constitutional rights to be heard by juries and NOT by involved in corruption judges.

3. Plaintiff is clearly prejudiced and filed Affidavit of Prejudice with the Court. American People has rights protected by 5th and 14th Amendments to Constitution as to Due Process, fair and impartial Hearings and Trials. While Nevada Judges additionally boundared in its actions by NEVADA CODE OF JUDICIAL CONDUCT. It appears that while United States Attorney Eric Johnson, who was twice investigated in strip club case and forced tp step down from this case (source: [\\_veteranpolitics.org](http://_veteranpolitics.org) [nevadaappeal.com](http://nevadaappeal.com)) yet failed to disclose these facts while applying on this position for Judge believes that he is allowed to act as he wish instead of serving people and executing his duties in this office with impartial, unbiased, based on facts and law judgment.

4. Further, (source: nevadaappeal.com/news) "Michael Galardi, (owner of te strip clubs) during plea negotiations, told authorities that Eric Johnson, a federal prosecutor in the two-year probe, was a patron at his topless clubs. Galardi later said the claim was not true. Johnson has declined comment, but left the case. Former County Commissioner Lance Malone, who worked as a lobbyist for Galardi, has been indicted in San Diego on public Corruption charges." The facts are that both Defendants/Attorneys on the same or similar causes to Plaintiff 1- Gish is in Las Vegas, Nevada and 2- Bryan Pease (second "probono attorney" from Animal Rights Activists cabal ) is in San Diego, CA, coincidence?

5. Plaintiff is not afraid even Gish was impose baseless threats on her constantly as to "I will get you on Attorney Fees, I will conduct investigations and complain and complain and complain (which he did) to any and all officials and guess what, I will get away with anything" . Plaintiff will stand up for her stolen dogs, for truth and justice even while Judge harasses Plaintiff and/or threatens her with arrest, charges her with other side's lying constantly attorney his attorney's fees and costs, impose sanctions etc. Judges must obey NEVADA CODE OF JUDICIAL CONDUCT, they oath they took to serve people in this public office. People have Constitutionally granted right for fair trial and hearing and right to be heard by juries (Plaintiff had requested trial by JURIES), not by abusing court's discretion and judicial power judges alone.

6. Defendants stated during hearing that he received \$100,000 in donations to cover legal fees for this case. People, who is donating money will not be able to receive any "refunds"; however, Defendant will be unjust enriched if he receives AND DONATIONS AND will get paid from Plaintiff's expenses.

7. Hourly rate in Nevada for legal services is about \$150/hr. Gush did not spend 1/10 of the amount he claims he spent.
6. My dogs have been stolen and destroyed based on undeniable facts in this case, Defendant was brought to this Court to be hold accountable for his maliciopus action, not to be rewarded.
7. Defendant does not have any legal rights for his "costs and expenses", the all Hearing on the August 18th was nothing more than setted up circus with several surprises to Defendant, such as life call from Olivia Jenog, who he desired to find "not exsisted" and her appearance via phone messed up Defendant's plans.
8. NRCP 4.2 (a)(2) clearly states that NO personal service ever required on Defendant as falsely stated in Order to Dismiss.
9. In its order, the Court baselessly, solely on it's "opinion" instead of facts refers to "finding" Plaintiff's and her witness Olivia Jeong not credible, while Defefendant's hearsay and led answers testimony fully credible without justifying facts nor evidences.
9. The Court refers to "abuse of judicial process", which is malicious prosecution and it's totally inappropriate trying to apply "abuse of judicial process" to service deficiencies even if the same would exist.
10. What is clearly exists is the pages and pages of undeniable falsehood propounded by Defendants though Gish (see facts based on only one pleading below).
11. The Courts descriminate Plaintiff reffering to her as "Pro Per" person, who must be (because ProPer in Court's opinion cannot find Rule 4.2 nor can understand Englishand are not familiar with Rule 4.2 and therefore does not know how to serve properly.) Defendant, who



manufactured this order to be signed by judge, perfectly aware that Plaintiff filed 3 cases in different jurisdictions on similar causes from the same event, that are ongoing with exception of Nevada's case, and in which "unknowledgable" Plaintiff (because in Court's OPINION ALL ProPer people cannot read nor write and are incompetent while attorneys have "LICENSE to LIE" and "Courts have power to threaten and to harass ) succesfully and properly served through appropriate service process numerous Defendants, and while Plaintiff served dozens Defendants during her ProPer practice and NEVER had neither complaints nor issues with service.

12. ProPer Plaintiff knows rules for service process and cites it below for all readers of the same to read instead of listening lies of Defendant (through Gish and Weir placed under Court's signature) that are refering to numbers suggesting that people canot understand what it said. Here it is:

" 4.2 (a)(2)

4.2(c)(1)(B)

#### Rule 4.2. Service Within Nevada

(a) **Serving an Individual.** Unless otherwise provided by these rules, service may be made on an individual:

(1) by delivering a copy of the summons amd complaint to the individual personally;

(2) by leaving a copy of the summons and complaint at the individual's dwelling or usual place of abode with a person of suitable age and discretion who currently resides therein and is not an adverse party to the individual being served; or

(3) by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.

**(c) Serving Entities and Associations.**

**(1) Entities and Associations in Nevada.**

(A) An entity or association that is formed under the laws of this state, is registered to do business in this state, or has appointed a registered agent in this state, may be served by delivering a copy of the summons and complaint to:

- (i) the registered agent of the entity or association;
- (ii) any officer or director of a corporation;
- (iii) any partner of a general partnership;
- (iv) any general partner of a limited partnership;
- (v) any member of a member managed limited-liability company;
- (vi) any manager of a manager-managed limited-liability company;
- (vii) any trustee of a business trust;
- (viii) any officer or director of a miscellaneous organization mentioned in
- (ix) any managing or general agent of any entity or association; or
- (x) any other agent authorized by statute and the statute so requires, a copy of the summons and complaint must also be mailed to the defendant entity or association at its last known address.

13. The Court in it's order posted on September 02 of 2021 referring to "abuse of judicial process", which is malicious prosecution in bad faith, elements of which are:

" An abuse of process claim consists of two elements: (1) an ulterior purpose other than resolving a legal dispute, and (2) **a willful act in the use of process not proper in the regular conduct of the proceeding.** ...An "ulterior purpose" includes any "improper motive" underlying the issuance of legal process.

Dutt v. Kremp ::1995 ::Supreme Court of Nevada Decisions

and has nothing to do with any (if any) errors of service.

14. Plaintiff testified regarding service of Summons and Complaint that she hired and paid for service to Olivia Jeong, who is over 18 years old and not a party of the lawsuit. Plaintiff testified that she filed with the Court affidavits of service signed by Olivia Jeong. There were NONE of any evidences presented that this is not true facts, and it's minimum inappropriate for Court make false allegations toward Plaintiff that Court "finds" it to be not true statements.

15. Plaintiff testified that she visited all places of Defendant's (in all Nevada cases) and submitted where she preferred court's papers. This is NOT illegal. Plaintiff has rights to visit people's places and submit them all she wants at any time, people can refuse to take it, which they have rights to as well. It does not interfere with any other service of Summons and Complaints conducted by paid server or sheriff.

16. Olivia Jeong is NOT Plaintiff, nor she is party of this lawsuit and even if Court finds her testimony insufficient, Plaintiff does not have responsibility for her witness's testimony as

Plaintiff relies on it and does not have personal knowledge regarding details that her witness refers to in her testimony.

17. Plaintiff's stolen dogs were found in Defendant's possession, Defendants admitted having them, admitted that no one authorized taking them from Plaintiff, and yet, this Court dares to state that Plaintiff is acting in "bad faith" while lying on almost each page of its pleadings. Defendant, who clearly had stolen Plaintiff's dogs, is a "good" person, has a "good faith" and may continue their dirty business because always there will be judges (investigated previously twice for corruption) who will protect them from claims and moreover, will make sure Defendants are getting paid, as they need funds in addition to those hundreds of thousands of dollars that they are already receiving. Donations of PETA in majority come from Rockefeller's family (in case the Court is not aware where it comes from and believes that some sentimental grandmothers are donating).

18. The Court erroneously entered order to Dismiss the Case with Prejudice (Exhibit 1)

19. This Court shall grant a new hearing/trial.

20. It is clear that Defendants constructed an unconscionable plan and scheme, implemented with false representation of facts to the Court, false statements all over of all Defendants' pleadings and filed documents, and even constantly led by Gish testimony (leading questions objections were overruled constantly) of Pyle, based on the fact that the only witness Pyle (Defendant herself) did not have personal knowledge, neither objected to service of documents, nor she could recognize anyone introduced by Defendants into evidence video.

21. Dismissal with Prejudice is allowed only for cases decided on merits, not on any technical errors, which include claimed improper service. Plaintiff believes that the Court did NOT

conspire with Defendants and therefore was defrauded and deceived by Defendants and will correct the order accordinally.

22. Plaintiff filed complaint on September 24 of 2020 or about this date.

23. Plaintiff filed requests for Summons on Defendants Pyle, Willet and Vegas Shepherd Rescue (Exhibit \_2\_) in September of 2020.

24. The Court issued Summons (Exhibit 3\_) .

25. Plaintiff hired on October 03 of 2020 or about this date person over 18 years old and not a party of this lawsuit Olivia Jeong for service of the complaint, Summons and exhibits.

26. On November 02 of 2020, or about this date, Olivia Jeong submitted to Plaintiff signed Affidavits of Service of Summons, Complaint and Exhibits for Defendants Pyle, Willet and VSRP.

27. Plaintiff filed with this Court Proof of Service, true and correct copies of which attached as (Exhibit \_3\_).

28. Plaintiff does not have clear recollection how Affidavits of Service have been filed, it could be filed electronically or by mail or submitted to the Court in person.

29. Plaintiff recalls difficulties filing electronically and mailing several documents to the Court.

30. Defendants have never objected any service and instead filed other pleadings in this case displaying clearly that they have been NOTIFIED.

31. Similar Affidavits have been filed for Defendants Gregory, SNARL and others for the first filed case on the same matter with Judge Alif, which has been dismissed for the lack of payments to the Court by Plaintiff. True and correct copies of the Filed Affidavits attached as Exhibit \_4\_.

32. In August of 2021 Plaintiff discovered on Court's Docket that Affidavits of Service have been filed with the Court on this case for Defendants Pyle, Willet and VSRP. True and correct copy of that Affidavits attached as (Exhibit 5).

33. Plaintiff does not have any recollection of filing any Affidavits of Summons for this case in June of 2021, but does not exclude possibility of filing.

34. Plaintiff has been visited Las Vegas (but does not have any recollection of the dates); however, as claimed by Defendants one of the visits was on October 06 of 2020 (that's why Defendants falsely claimed "service" on October 06 of 2020 and Plaintiff have been referencing the same date in her pleadings relying on Defendant's true statements as to date of filing of Olivia's Jeong Affidavits of Service, instead of date of visits of Plaintiff).

35. Plaintiff does not have clear recollection of any details of Service. Plaintiff had not realized, nor had any previous experience that Defendants and THE COURT might think of an attempt to use dates, details etc in service process as a clever but fake tool to Dismiss this big on MERITS and hurtfull for stolen dogs and Plaintiff case, filed for LARCENY, emotional distress and other causes of action.

36. Plaintiff studied at Universities in CA with making President's Honor Roll in such sophisticated subjects as Computer Science, Math etc. Therefore, Plaintiff surely does not have any "recollection abilities problems"; however, it is almost a year past by from the dates of service by Olivia Jeong and Plaintiff's visits to Las Vegas. Plaintiff does not recall most of the

environment where she was in Las Vegas, nor details, nor almost (would be trully to state) anything except of what it stated on written documents.

37. However, Court unfairly was upset that neither Plaintiff, nor Olivia Jeong would recall details of place where Plaintiff was as visitor and Olivia Jeong was as server.

38. To provide the Court with leverage to see credibility of witness and to clearly prove that Olivia Jeong does not need to be “led” by leading questions (designed, in my opinion, as supporting tool for those who cannot speak truth for themselves and therefore need to be “ led” in order to answer not truthfully but "correctly").

39. It is obvious, in my opinion, that agenda of the Court was to dismiss this case no matter what before the hearing on August 18th even started.

40. First, Defendants went with attempts to “prove” that Plaintiff Alla Zorikova was impersonalizing herself as Olivia Jeong. Defendant’s bad faith’s attempts failed.

41. Next, Defendant attempted to pretend that his video will prove something that Plaintiff denied.

42. There were NO need for searching any videos of plaintiff’s visit in Las Vegas based on Plaintiff’s true statement in previous pleadings (Exhibit \_\_6\_\_) that she was visiting most of all Nevada’s Defendants places of business and residence , as well as speaking with neighbors regarding her stolen German Shepherds.

43. Casey Gish still denying and stated during hearing on August 18 of 2020 that this is not true that he is with Board of Directors for SNARL (Exhibit \_7\_).

44. Olivia Jeong signed and filled in handwriting Declaration (admitted into evidence as Exhibit 1) and is Exhibit 8 here, on which she confirmed the service she made on Defendants filed with the Court. She served according to NRCp 4.2 (a) (2).

45. Further, Defendants viciously attempted to attack Olivia's Jeong's signatures, which is failed as well.

46. Further more, after hours and hours of baseless "evidence such as video of Plaintiff visiting office" and hearsay's written statements of absent T Willet, overruling each Plaintiff's objection during constantly leading questions "testimony" of Pyle, The Court could not find more grounds for it's against the evidences order, but baselessly pointing on "DEMEANOR" of Olivia Jeong during her testimony's answers and therefore finding Olivia's and Plaintiff's testimony as uncredible, while all Pyle's and hearsay Willet's statements found credible, which clearly exposed Court's bias and unfairness toward Plaintiff.

47. Then followed threats to Plaintiff and her witness of arrests from Gish, while he, with his "license" was standing and blatantly lied and lied in the face of the Court and Plaintiff.

48. See below Gish's fraudulent statement of false "FACTS" taken only from his single document he filed with the Court.

49. This Court clearly abuses it's power by covering up clear falsehoods of Defendants and trying to unfairly accuse Plaintiff without any evidences nor facts using "power of Court's Discretion and opinion". In this country (this Court agrees or not) People has Constitution, in which their fundamental right for fair hearing cannot be abused neither by the Court, nor by anyone else.



50. Judgments and Orders based on baseless, not supported with evidences “opinions” are easily overturned.

51. One County (San Bernardino) had already attempted warrantless false arrest of Plaintiff and paid price for it (disciplinary and monetary).

52. Nevada turned much worse than California, based on Plaintiff’s personal experience.

53. Plaintiff is making sure that true facts of this case, hearing and the Court’s motivation to issue this unfair order will be exposed publically on one of the Plaintiff’s website and other sources. (with true undisputable in it’s trustworthy copies of pleadings). People are be able to respond in blog and state their experience and knowledge of Nevada's Courts.

54. Olivia Jeong’s poor “demeneer” rised from her knowledge that Eric Johnson was endorsed by Animal Rights Activists Group, and most likely, big “donations” were poured in to influence his judgements.

55. Why she (as any other person would) think so? Because obviously as a proven fact all hearing was unfair and order as a result of unfair hearing is ridiculous.

56. “Animal Right Activists”, called by public lately as “terrorists”, while more and more exposure on their offen violent activity toward humans and animals. See

<http://humanrightsvsanimalrights.org>

Almost nothing on that website (yet) written by Plaintiff, all true facts there provided by experienced credible breeders, founders, dog show judges etc, those, who work hard providing Americans with products instead of destroying businesses and people under cover up of "animals and trees cannot speak" and "people are the animals, while animals are "fur kids". In USA

animals are property. Period. And People have rights to own animals. This right is undisputable. And those who destroys, steal and damage other people's property need bare bad consequences of bad actions.

- A. **In Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO** (Exhibit 10) on page 3 line 25 Defendant states: "Plaintiff did not provide photos of her own" regarding proof of stolen dog's ownership, while in a reality, Plaintiff attached multiple pictures of herself with her dogs that are displayed as stolen on Defendant's Facebook page.
- B. On page 4 of the same , line 9 to 27 Defendants are fully defrauding the Court with paragraphs of clearly false, evasive and obviously designed to cover up the truth, statements such as: a) On line 10 Defendants falsely states that Plaintiff stated she houses 50 dogs in cages. Plaintiff had never stated so in none of her pleadings nor motions not otherwise, because she never keeps nor kept dogs in cages. All dogs are walking free on huge acreage of her property or kept in roomy kennels with huge play zone area.
- b). On line 12 Defendant falsely and baselessly without any supporting evidences states that Plaintiff was conducting business in San Bernardirno County since May 2018, which is not true. C). On line 14 Defendants falsely states that Plaintiff is an established illegal operator of puppy mills throughout of USA and her dogs are kept in inhumane conditions. No one never "established" that Plaintiff is an "illegal operator" and operates "puppy mill". Plaintiff does not run an illegal businesses nor operates any "puppy mill".
- D). On line 18 Defendants falsely and baselessly state that Plaintiff raising her dogs in inhumane and cruel conditions outside of Barstow, California, while claiming multiple times that NONE of the Defendants have ever been on Plaintiff's property and therefore

never observed, nor has personal knowledge of any conditions. However, what Defendant has certain knowledge is that Plaintiff does not run any business from December of 2020 until current in San Bernardino County, California, yet Defendants falsely states otherwise.

- C. Further, on page 5 Defendants once again baselessly and falsely (while claiming they had never been on Plaintiff's property and never saw her or her dogs while on property) state that there were no even dirt roads nor the Dogs had not have water, food, shelter in contradiction to true and credible Animal Control Report (Exhibit 11).
- D. Further, on line 7 of the same Defendants (while attaching referred Notice of Violation as Exhibit and therefore, with inability to claim "innocent mistake" Defendants falsely state that "Notice of Violation was issued for operating kennel without permit" , while true fact is that the Notice of Violation was given for "\_No Primary Use\_" (Exhibit 12 ) regarding absence of residential construction on the property.
- E. Further, on line 20 Defendants refer to "breeder license" which are not required for Plaintiff while not operating in San Bernardino County.
- F. On page 6 line 17, page 22 line1 Defendants state that they "found from Freedom of Information Act" settlement amount, which is falsehood based on the true fact that settlement was confidential and amount of the same cannot be disclosed. Also Defendants state wrong amount (they could not "find" the true one legally).
- G. Further, on line 20 Defendants falsely state that "Plaintiff sued various Defendants for alleged theft in multiple countries in California", while Defendants know that Plaintiff

filed lawsuit related in San Bernardino County while San Diego's lawsuit is against Pease as for defamation and libel.

- H. Further on page 7 line 27 Defendants state that "Deputies visited home of Pyle", while in reality 3 different judges issued search warrants under which Deputies conducted a search.
- I. On page 11 line 9 Defendants falsely state that "litigation is ongoing regarding "false arrest" cause of Plaintiff. There is no any ongoing litigation and the "arrest" case #082001029 against plaintiff was turned down by Victorville's District Attorney back in 2020 and closed.
- J. On page 16 line 12 to 16, page 18 line 3 Defendants falsely state that "it is UNDESPUTED that Plaintiff is currently under criminal investigation" . While the true UNDESPUTED fact is that "arrest" case #082001029 against plaintiff was turned down by Victorville's District Attorney back in 2020 and closed, no any charges has been filed against Plaintiff by District Attorney.
- K. Further, on page 18 line 24 Defendants knowingly (by introducing the same referred exhibit "Notice of Violations" ) falsely once again states that "Notice of Violation" is a "Citation for operating an illegal kennel operation", which is indisputably not true.

## **LEGAL STANDARTS**

NRCP 60 (b)(1)(3)(6)NRCP 4.2 (a)(2)

4.2(c)(1)(B)

USA Constitutional Amendments V, XIV

WHEREFORE, Plaintiff requests a relief from final order be granted and for any other relief this Court finds deemed and proper. Plaintiff requests statement of reasoning denying or granting this motion.

Sincerely,

Alla Zorikova

09/04/2021

- 
- CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 09/12/2021 to Casey Gish through Court's electronic service.

Alla Zorikova

09/11/2021

Steve D. Grier  
CLERK OF THE COURT  


1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 **ALLA ZORIKOVA;**

**CASE NO.A-20-821249-C**

**DEPT. NO. XX**

5 **Plaintiff(s),**

6 **vs.**

**Hearing Date: 8/18/2021**

**Hearing Time: 9:15 a.m.**

7 **JULIE PYLE, TAMMY WILLET, VEGAS**  
8 **SHEPHERD RESCUE AND DOES I**  
9 **THROUGH X, INDIVIDUALS, AND ROE**  
10 **BUSINESS ENTITIES I THROUGH X,**

11 **Defendant(s).**

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.

6  
7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.

10           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
11 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
12 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
13 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
14 affidavits of service to be filed within the time for filing an answer or responsive pleading.  
15

16           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
17 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
18 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
19 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
20 unqualified person under NRCP 4(c)(3).  
21

22           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
23 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
24 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
25

26  
27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.

1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two



1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28

1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
DISTRICT COURT JUDGE

11 **EAB 33D 383C 575F**  
12 **Eric Johnson**  
13 **District Court Judge**  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 9/2/2021

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 9/3/2021

22 Casey Gish

Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118

A20-172252-1		ASSIST/POLICE	Priority Level 3	Total Animals 20	Animal Type C
Activity Address	LOCKHART RD RED MOUNTAIN				
Activity Comment	O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST LOG# BA022				
Caller Information:					
Result Codes: 1 RSVLD					
Officer	P999067	CHAVEZ	Clerk	B4869	
Call Date	08/08/20 02 02 PM				
New Date	08/08/20 02 02 PM				
Dispatch Date	08/08/20 02 30 PM				
Working Date	08/08/20 04 13 PM				
Complete Date	08/08/20 04 21 PM				

Memo

08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/0-85

8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. We hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty. The phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons. I explained to her Sheriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G Sheps were in pens with shade cloth. All the G sheps had shade and shelter all had little water. None of the dogs appear to be in distress, and all appear to be healthy and normal. S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16 20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder ...c3865

8/8/20 directions to the property: hwy 15 north to hwy 58 west, go north on Haper lake Rd for about 6.8 mi. you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mi dirt rd go right for 0.8 mil then left at the red pole the prop will be to your right....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 OI next to O-67 advising abandonment for the 50+ dogs and 1 chicken. When I was leaving Dep Parsons had someone pull over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly. H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. We pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 21 dogs and 2 goats were impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85

*Steven D. Grierson*

# Land Use Services Department

## Code Enforcement

### NOTICE OF VIOLATION

TO: **ZINAIDA, DMITREEVA ETAL OR**  
**JEONG, OLIVIA**

NOTICE DATE: **10/13/2020**

ASSESSOR'S PARCEL NUMBER: **0502-085-75-0000**

CASE #: **C202002475**

SITUS ADDRESS: **1335 TRUMP BLVD BARSTOW CA 92311**

MAILING ADDRESS: **[REDACTED]**

THE INDICATED VIOLATION(S) OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND/OR THE SAN BERNARDINO COUNTY CODE WERE OBSERVED ON THE SUBJECT PROPERTY DURING AN INSPECTION CONDUCTED ON **10/02/2020**:

☐ IPMC 302.8 - **Motor Vehicles**: No inoperative motor vehicle shall be parked, kept, or stored on any premises other than in a garage.

Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.4 - **Unlawful Structures**: An unlawful structure that was erected, altered, or occupied contrary to law

☐ Room Addition ☐ Garage Conversion ☐ Patio Cover ☐ Decking ☐ Carport ☐ Residence / Manufactured ☐ Shed-Cargo Container-Barn-Animal Enclosure

Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.5(7) - **Dangerous Structure on Premises**: The building or structure is neglected, damaged, dilapidated, unsecured, abandoned, or an attractive nuisance.

Corrective Action: \_\_\_\_\_

☐ IPMC 102.2 - **Maintenance**: Structure or premises shall be maintained in good working order.

Corrective Action: \_\_\_\_\_

☐ IPMC 302.7 - **Accessory Structures**: Accessory structures, including detached garages, fences and walls, shall be maintained, structurally sound, and in good repair.

Corrective Action: \_\_\_\_\_

☐ IPMC 308.1 - **Garbage**: Exterior and interior of property shall be free from any accumulation of rubbish or garbage.

Corrective Action: \_\_\_\_\_

☐ IPMC 504.1 - **Plumbing Systems and Fixtures**: Plumbing fixtures shall be properly installed and maintained in working order.

Corrective Action: \_\_\_\_\_

☐ IPMC 506.1 - **Sanitary Drainage**: Plumbing fixtures shall be properly connected to either a public sewer system or an approved private sewage disposal system.

Corrective Action: \_\_\_\_\_

☐ IPMC 602.2 - **Heating Facilities**: Dwellings shall be provided with heating facilities.

Corrective Action: \_\_\_\_\_

☐ SBCC 41.2503 - **Rental Dwelling Unit License Required**: A license is required for the operation of each rental dwelling unit.

Corrective Action: \_\_\_\_\_

☐ SBCC 84.25.070 A & C - **Occupancy/Camping**: It is unlawful to temporarily or permanently occupy any vehicle or temporary structure.

Corrective Action: \_\_\_\_\_

☐ SBCC 84.04.090(h) - **Animal Density Standards**: The number of animals shall be within approved limits.

Corrective Action: \_\_\_\_\_

☒ SBCC 82.02.020(b) **No Primary Use - Vacant**

Corrective Action: *Operating a kennel on a property listed as vacant with no established Primary Use is not allowed. Remove 2 sheds, personal items, vehicles, dogs and makeshift animal enclosures.*

The indicated violations must be corrected within **30** days from the date of this notice. A re-inspection of this property to verify compliance will be completed after **11/12/2020**. Failure to correct the existing violation(s) may result in the issuance of administrative citations and/or civil or criminal prosecution. A lien and a special assessment on the property tax roll may also be placed against the subject property to recover any regulatory costs incurred by the County.

If you have questions regarding this notice please contact Code Enforcement at (909) 884-4056 or (760) 995-8140.

Notice received by: **Standard Mail** Code Enforcement Officer: **G. Arroyo**



NEVADA  
Department 20  
CASE # A-20-821249-C

From: Alla Zorikova  
1905 Wilcox Ave., #175  
Los Angeles, CA 90068  
323-209-5186  
E-mail: olivia.car@mail.ru

**AFFIDAVIT OF PREJUDICE**

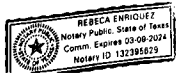
STATE OF TEXAS

PERSONALLY came and appeared before me, the undersigned Notary, the within named ALLA ZORIKOVA, who is a resident of State of Texas, and makes this her statement and Affidavit upon oath and affirmation of belief and personal knowledge that the following matter, facts and things set forth are true and correct to the best of her knowledge:

1. I, Alla Zorikova, declare under penalty of perjury and law of Nevada that I have been prejudiced by Judge Eric Johnson, department 20, and this Judge denied my constitutional right for fair and impartial Hearing.

2. Plaintiff's Motion to Set Aside will be heard on September 29, 2021. Plaintiff is entitled to impartial, unbiased, fair and without prejudice Hearing.

3. Pursuant to Nevada Code TITLE 1 CHAPTER 1 NRS 1.235 Alla Zorikova, Plaintiff, states that she observed bias and prejudice from Animal Rights Activists Endorse Judge Foster (Dep 20) based on Plaintiff's action as ProSe in this litigation, her gender, her Russian nationality as Judge Foster assumes that Russian people, even though they are American Citizens are not capable of comprehend written English and is not capable to read statutes so that Defendant can state any false statement he desires on any topic including statutes interpretation and "noone has rights to object, as well Plaintiff to be a female and a dog breeder, while Animal Rights Activists are destroying pet breeders, farmers, zoos, horse shows, meat restaurants, butchers etc in



*Rebecca Enriquez*

America.

4. USA Constitutional Amendments 5th and 14th are twice implying fundamental right of not being deprived from private property without a due process and fair proceedings must be applied to USA Citizens, which are LEGAL OBLIGATIONS OF ALL STATES.

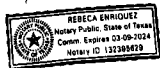
5. On August 18th of 2021 Hearing Judge Johnson stated that he was endorsed by Animal Rights Activists Group. Attorney's Gish and Weir (as she confirmed her affiliation with Animal Rights Activists during the hearing as well for Defendants in this case are both Animal Rights Activists, who are acting ProBono to fight against Pet Breeders, Pet Stores, Zoos, Horse Shows, Farmers, Butchers, Meat Restaurants and other American Businesses, majority of donations to which Gish admitted receiving \$100,000 in donations toward legal defence in this case) is sourced (in my opinion based on observed facts) from Rockefeller's family through PETA (see facts and details at <http://humanrightsanimalrights.com>).

6. The Hearing constituted of constant flow of evasive facts and statements by Casey Gish, which Judge Johnson simply ignored even Plaintiff Zorikova was pointing out fallacy (confirmed by clear facts) of those statements all the time. Judge Foster showed that he does not believe that female Zorikova can drive nor stop one day from TX to CA. Judge Johnson allowed leading by Gish testimony of his witness and overruled all objections of Plaintiff. Judge Johnson pretended that he is "looking for evidences of Zorikova's appearance at Defendant's office", while Plaintiff stated the same in her previous pleadings. Judge Johnson had consulted Gish multiple times if it is ok with him for one or another issue. Whole Hearing was felt as a circus, in which Defendants, represented by attorney/Defendant on the same issue in Federal Court that Plaintiff is filing shortly, Casey Gish, who stole Plaintiff's Dogs with clear in this case evidences and yet, who has been blocked by Judge Johnson from being sued by Plaintiff.

7. Therefore, Judge Johnson is clearly biased, politically involved and prejudicial toward Russian/German Female, Trump Supporter, Dog Breeder, ProSe Plaintiff Alla Zorikova and instead of serving American People in his public office (that based on the published facts he possibly occupied with failure to disclose the facts of twice being investigated for corruption (see <http://humanrightsanimalrights.com>), Judge Johnson believes that he is on a power trip to disregard any and all constitutional rights of Plaintiff and to cover up Defendant's false statements to the Court, while protecting them from being held accountable for its malicious actions committed toward Plaintiff.

DATED This the 8 day of September, 2021.

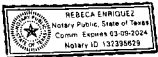
*Rebecca Enriquez*  
signature of Affiant



SWORN to subscribed before me.

This the 8 day of September, 2021.

*Rebecca Enriquez*  
NOTARY PUBLIC



My Commission Expires 03/09/2024



Electronically Filed  
9/12/2021 3:39 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

- 1           2.     Unless you respond, your default will be entered upon application of the  
2                 Plaintiff(s) and failure to so respond will result in a judgment of default  
3                 against you for the relief demanded in the Complaint, which could result in  
4                 the taking of money or property or other relief requested in the Complaint.  
5           3.     If you intend to seek the advice of an attorney in this matter, you should do  
6                 so promptly so that your response may be filed on time.  
7           4.     The State of Nevada, its political subdivisions, agencies, officers,  
8                 employees, board members, commission members and legislators each  
9                 have 45 days after service of this Summons within which to file an Answer  
10                or other responsive pleading to the Complaint.  
11

12  
13 Submitted by:

STEVEN D. GRIERSON  
CLERK OF COURT

14 By: \_\_\_\_\_  
15                      Deputy Clerk                      Date

16 \_\_\_\_\_  
17                      Regional Justice Center  
18                      200 Lewis Avenue  
19                      Las Vegas, NV 89155

20 **NOTE: When service is by publication, add a brief statement of the object of the**  
21 **action. See Nevada Rules of Civil Procedure 4(b).**  
22  
23  
24  
25  
26  
27  
28

**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Electronically Filed  
9/12/2021 3:39 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

- 1 2. Unless you respond, your default will be entered upon application of the  
2 Plaintiff(s) and failure to so respond will result in a judgment of default  
3 against you for the relief demanded in the Complaint, which could result in  
4 the taking of money or property or other relief requested in the Complaint.
- 5 3. If you intend to seek the advice of an attorney in this matter, you should do  
6 so promptly so that your response may be filed on time.
- 7 4. The State of Nevada, its political subdivisions, agencies, officers,  
8 employees, board members, commission members and legislators each  
9 have 45 days after service of this Summons within which to file an Answer  
10 or other responsive pleading to the Complaint.  
11

12  
13 Submitted by:

STEVEN D. GRIERSON  
CLERK OF COURT

14 By: \_\_\_\_\_  
15 Deputy Clerk Date

16 \_\_\_\_\_  
17 Regional Justice Center  
18 200 Lewis Avenue  
19 Las Vegas, NV 89155  
20

21 **NOTE: When service is by publication, add a brief statement of the object of the**  
22 **action. See Nevada Rules of Civil Procedure 4(b).**  
23  
24  
25  
26  
27  
28



**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
9/14/2021 1:15 PM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion for New Trial and Plaintiff's Motion for Relief from Final Order in the above-entitled matter are set for hearing as follows:

**Date:** October 20, 2021  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Marie Kramer  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Marie Kramer  
Deputy Clerk of the Court

admitted to sheriff having the dogs, but will not say where the dogs are currently.

80. Olivia Jeong has been serving complaint on Defendants. Alla Zorikova was visiting all locations of Defendants, residential, doggy day care of Gish (full of those 2 by 3 feet iron cages, called "rooms") and business in order to send Olivia in the most appropriate location. Alla Zorikova left copies at multiple business locations but not as service process, just to make sure Defendants have it because Alla Zorikova was there anyway and in order to give additional clear notice to Defendants that real owner of the dogs stolen is appeared once again and desires her dogs back. Olivia Jeong dully served the documents as required.

81. Defendants Willet and Pyle can be served as at their personal residence, on street, at any place whatsoever, or at their place of business. They were served at their place of business.

82. Moreover, it's clear that Defendants are all notified and aware of this lawsuit by pleading in this case and therefore, well notified.

83. Defendants Pyle and Willet are founders of Vegas Pet Rescue Project and not its

Electronically Filed  
9/19/2021 6:21 AM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S OPPOSITION TO  
DEFENDANTS COUNTER-MOTION TO  
DISMISS AND REPLY TO DEFENDANT'S  
OPPOSITION TO PLAINTIFF'S EX PARTE  
MOTION TO RETURN PLAINTIFF'S  
DOGS, PLAINTIFF'S DECLARATION IN  
SUPPORT. EXHIBITS ATTACHED

Department 20

HEARING 07/07/2021

COMES NOW Plaintiff, Alla Zorikova states following:

INTRODUCTION

1. Defendants, and each of them, admitted possessing in August/September 7 of Plaintiff's Dogs (Defendant's Declarations paragraph #10), Defendant's admissions to sheriff as Plaintiff's Exhibit 1\_).
2. Defendants admitted that no one authorized them to take Plaintiff's dogs from her private property (Defendant's paragraph #6 of Motion to Dismiss).
3. Defendants admitted that they spayed/neutered Plaintiff's dogs.
4. Defendants admitted that they sold Plaintiff's Dogs on September 15<sup>th</sup> of 2020, which is more than a month later from when Plaintiff notified Defendants that they have her Dogs in their possession.
5. Rescues do not have legal authority to go and take people's dogs without appropriate authorization from governmental authorities. Moreover, it appears that these "rescues" offending sheriffs as well and concealing from them any information regarding Plaintiff's stolen dogs. Criminal investigation on stolen dogs is still ongoing.
6. Plaintiff did not give any authorization to Defendants to take her Dogs from her private property.
7. Plaintiff had notified Defendants on August 12<sup>th</sup> of 2020 and multiple times thereafter that they have to return her dogs and they are not allowed to sale, alter, destroy or kill Plaintiff's dogs. (Exhibit 2\_).
8. Defendants failed to provide evidences nor to state if they know who trespassed Plaintiff's property, took the dogs and than transported the stolen dogs to Defendants. Therefore, Defendants are liable for trespass of Plaintiff's property.

9. Conspiracy arises based on the facts that clearly Defendants conspired with someone (who will be added as defendants) who delivered the Dogs to Defendants and with who possibly Defendants made agreement regarding stolen dogs disposition.
10. Defendants, and each of them, clearly acted and continue to act in bad faith and therefore, corporate veil is \_\_\_\_\_ and Defendants, as persons became responsible for their actions.
11. Plaintiff timely had emailed to Casey Gish notice of posted security costs bond (Exhibit 3\_).
12. Complaint has been duly served on Defendants (Declaration of Olivia Jeong).
13. August 08th of 2020 false arrest of Plaintiff matter has been settled in December of 2020 with San Bernardino county in favor of Plaintiff as to false arrest and false imprisonment causes.

PLAINTIFF'S OPPOSITION supported by Statement of Facts and Memorandum of Law

Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020, alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud; 5) intentional infliction of emotional distress; and 6) property damage.

14. Alla Zorikova has Master's Degree in biology/zoology from top European University and worked at Kaliningrad Research Institute as scientist and had successfully bred generations of top line healthy german shepherds, showed them on top USA and European Dog shows and recognized as a reputable breeder of German Shepherd dogs.
15. Her business has 5 stars google reviews and has happy thrilled with their puppies customers.

16. Defendants, and each of them, on the other hand, do not have any license/education nor certification in order to have at least some competency to discuss biological cycle, diet, needs nor training, biological needs of the dogs, nor as of other animals.
17. Plaintiff Alla Zorikova provides her customers with top world class super healthy german shepherd puppies and adult trained dogs, delivering to community loyal loving companions, who often becomes loved family member. Plaintiff's customers are very pleased and appreciated opportunity to have such a beloved one by their side. Defendants, in opposition, do all they possibly can to destroy through physical attack, coming out with harmful legal bills proposals etc. USA breeders while Defendants are allegedly trafficking "meat farm dogs" from Korea to USA customers and offending pet stores and breeders. Their slogan is "no puppy born in USA".
18. Since Plaintiff filed her original complaint, numerous facts have been revealed during ongoing stolen dogs investigation and based on discovery and factual allegations stated in civil cases that are currently running in CA on this matter. As well as other new facts raised.
19. Defendants Willet and Pyle both admitted in their Declarations paragraph 10 (Exhibit \_\_\_\_ ) that they disposed Dogs Malibu, Lodi, Backer..... via adoption .
20. Plaintiff found out that Defendants, and each of them, has her dogs in their possession on August 12 of 2020 and immediately, the same date, emailed, mailed letters to Defendants (Exhibit \_4\_) and called to Defendants with demand to return her dogs and the Defendants do not sale, alter, kill, nor dispose the Dogs in any way, which was a long before maliciously, with clear purpose to hurt Plaintiff, spayed and neutered Plaintiff



Dogs and disposed them for adoption as they are admitted by now in their paragraph 10 of their Declarations (Exhibit 5\_).

21. This vicious act clearly exposes Defendants' malicious intent to hurt Plaintiff, to destroy USA breeding stock and unfairly to gain profit. Top line Greman Shepherd 2 years old dog Mailbu (Zariza) was pregnant with 12 puppies in August of 2020 and was due on October 01 of 2020. Vicious claim of Defendants that all dogs were spayed and neutered as on before September 15<sup>th</sup> of 2020 expose horrible dog cruelty Defendants had committed by placing heavily and clearly pregnant dog under surgeon knife, while killing unborn puppies and most likely the mama (instead of giving her out for adoption as allegedly false claimed).
22. Plaintiff had stated to Willet that if Willet claims that the Plaintiff's dogs got into her possession by innocent mistake, than she better return the dogs immediately to the Plaintiff and disclose the location for the dogs, especially after sheriff was searching on warrants rescue's houses and property following stolen dogs investigation. Defendant Willet failed to address this matter, failed to return the Dogs, failed to disclose their location, and therefore, exposed her bad evil intent to steal and destroy Plaintiff's Dogs.
23. Therefore, there are clear need raised for the Plaintiff's original Complaint filed on October 15<sup>th</sup> of 2020 to be amended. Plaintiff had filed Motion to Amend Complaint by adding defendants and is filing today her Motion for eave of Court to Amend her Complaint.
24. Defendants failed to state if someone else on their behalf trespassed Plaintiff's private property, took Plaintiff's Dogs and submitted them to the Defendants.

25. As for today, by admitting possession Of Dogs Malibu, Lodi \_\_\_\_\_, which belong to Plaintiff, it's a fact that Defendants took yourself those dogs from Plaintiff's property, unless they will expose who took the dogs and than submitted the Dogs to Defendants.
26. Plaintiff dully served Complaint on Defendants on October 06, 2021.
27. Pursuant NRCP \_\_\_\_\_ Defendant was allowed 21 days to file Motion for Security Costs Bond.
28. Plaintiff Alla Zorikova was falsely arrested on August 08 of 2021 and released from jail on August 11 of 2021.
29. NO charges have been filed by District Attorney against Alla Zorikova, nor against her family members. Further, San Bernardirno County had settled false arrest case in favor of Alla Zorikova in December of 2020.
30. Animal Control Officers visited Plaintiff's San Bernardirno private property on 3 different occasion by 3 different animal control officers, and every time their witnessed that all dogs had shelter, water, were not distressed and in good health (Exhibit 6\_).
31. Plaintiff filed police report regarding her stolen on August 09 of 2020 25 top world class bloodlines, top purebred pedigree, trained, titled german shepherds, each valued from \$10,000 to \$300,000.
32. San Bernardirno Sheriff's department opened criminal investigation that is still ongoing.
33. San Bernardirno Sheriff clearly stated that there were NO any authorization never given to any rescues nor anyone else to remove German Shepherds from Plaintiff's property. (Exhibit 7\_).
34. Animal Control personnel had legal duties to wait 48 hours to look for dog's owners if the animals became involuntarily abundant (caused by Plaintiff's sudden false arrest and

her denial of release from jail on bonds, denial her phone calls to her attorney or dog's caregivers and denial access to Plaintiff by animal control officers).

35. However, even if for any and all reasons, legitimate or not, ANY dogs found abundant on private property, all Defendants could legally do is to call to animal control and to report the incident.

36. Dogs are private property according to Nevada, Federal or any other State law.

37. If thief's are stealing someone's property, such as car, for instance, this action cannot be justified by the fact of that car being blocking the road or some other event.

38. Casey Gish wrote himself his declaration (Exhibit 8) that animal control officer Molina screamed and yelled at him requesting to return dogs to Alla Zorikova.

39. 3 different State judges issued search warrants to search thieves of Alla Zorikova's dogs property in California and Nevada

40. This fact is clearly states that there were NO any authorization ever given to to rescues nor to private parties to take the Dogs from Plaintiff's private property and Defendants better stop pretending that they had acted in good faith and "rescued" poor abandon dogs, while in reality thieves had stolen the dogs and are currently refusing to state to sheriff and to detectives where the dogs are, as well as they are refusing to provide any documentation regarding placement of Plaintiff's dogs.

41. By simple logic, if Defendants, as they claim, would ever had intend of "saving the dogs" instead of stealing them, they would COOPERATE with the sheriff and would disclose, in good faith, all information regarding who called them on August 09 of 2020 and where are the dogs now. Defendants (if having a good faith), would certainly help

locating the dogs and return them to Plaintiff as animal control officers and sheriff demanded and had ordered them.

42. However, this is NOT the case. Casey Gish, who is a board member (Exhibit 9\_) of the same “rescue” that is suspect of stealing Plaintiff’s dogs couched all Defendants and legally represents them in all cases, this person is also member of the board or managing the “rescue” that “rescuing” (trafficking) for several years “meat farm dogs” from Korea and most likely from China as well. (Exhibit 10\_).

43. Defendants state themselves that Plaintiff had served Complaint on October 06 of 2020.

44. Plaintiff had been provided initial information regarding who is possessing her dogs by San Bernardino Sheriff and San Bernardino Animal Control Officers and that was Southern Nevada Animal Rescue League (founder J Gregory and Casey Gish). Later, Animal Control Officer sent to Plaintiff those pictures that they captured from Facebook on August 10 of 2020 (before all pages were deleted), San Bernardino County Detectives stated to Plaintiff that Vegas Shepherd Rescue is the possessor of the dogs as well as Plaintiff and her attorney found additional pictures of Plaintiff’s dogs displayed for sale on Defendant’s Vegas Shepherd Rescues Facebook page (Exhibit 11\_).

45. Plaintiff is attaching a true and accurate copy of full pages taken via screenshot method by Plaintiff’s cellphone (Exhibit\_12\_). On these pages is clearly viewable website URL of Defendant Vegas Shepherd Rescue

46. Malibu (Zariza) is outstanding female, producing 12 puppies in her litter 5 litters X 12 puppies = 60 puppies X \$7,000/puppy = \$420,000 is her approximate real value , moreover, Zariza has very special strong genes in her against deadly diseases and therefore, her blood cells are priceless whatsoever as genetic stock of german shepherds,

not saying that Zariza, born in Plaintiff's house was her favorite family member and named Zariza (Queen) for reason. Not a one single licensed veterinarian would commit crime of spaying pregnant dog; therefore, most likely Defendants lied regarding "all dogs were spayed and neutered". Receiving monetary compensation for only such dog as Zariza vs returning her to Plaintiff, will never be an adequate remedy. Zariza was whelped and raised by Plaintiff and extremely strong emotional bond exists between Plaintiff and Zariza, no monetary compensation can ever substitute loss of Zariza for Plaintiff. "Adoption family", if such exists, would not have problems substituting their new arrived dog with someone else, or receive their adoption fees back.

47. Most likely, there is no any adoption families as to which Plaintiff's stolen dogs have been sent to, otherwise, why it would be such a big deal to disclose this info months ago to sheriff and to Plaintiff.

48. And even if Plaintiff's conditions would not be appropriate, or in any other circumstances, it cannot justify in any meaning Defendant's malicious act of theft and disposition of Plaintiff's dogs. For instance, if someone (without initial evil motive to steal and sale a child for human trafficking crime) see child staying alone on the road decides to take him home and conceal from looking for him parents and from police, that person, when found, will be responsible for crime of kidnapping, legal action he could do to bring the child to police department only.

49. Animal control officers demanded Gish to return the dogs to Alla Zorikova (Exhibit 13\_\_), and how Gish responded to authorities ? – yelling and screaming with false allegations against Plaintiff, while it was totally not his business. Gish clearly was not interested to hear the truth not regarding the fact that the dogs were looked by

authorities, sheriff, owner, nor by any other facts, which once again clearly exposes Defendants, represented by Gish, who also was Defendant in the original complaint but was somehow by accident deleted from the list.

50. Defendants perfectly know from CA lawsuits, including Defamation Lawsuit that Plaintiff Zorikova filed against Bryan Pease and Californian's Defendants that Plaintiff long ago does NOT run any kennels in California, nor she keeps any dogs on San Bernardino private property. Even their own hired private investigators stated in their reports back in October of 2020 that they did not see any dogs on the property. Yet, Defendants, once again, clearly with malicious, evil intent falsely state that "she keeps them in the middle of the desert" (Page 10, line 10 Defendant's motion to dismiss).
51. On page 11 of its Motion to Dismiss Defendants, and each of them state that "Plaintiff's viable claims, if any, are likely against the Sheriff's department or other San Bernardino officials for directing people or rescue groups". However, in their declarations (Exhibit 14 \_\_) both Defendants state that NO ONE from deputies authorities directed them.
52. Litigation with the county was completed and yes, San Bernardino county had paid Ms. Zorikova a compensation for false imprisonment and false arrest cause and Deputy Parsons by this settlement was dismissed as Defendant from San Bernardino civil lawsuit filed by Plaintiff in September of 2020. However, this settlement is irrelevant toward any other causes such as theft of Plaintiff's dogs and defendants as in CA and NV.
53. Plaintiff won her hearing against anti - SLAPP motion brought by Bryan Pease in Plaintiff's defamation lawsuit filed against Pease (alliance of Casey Gish in all this matter, including their "rescuing" and importing foreign rescue dogs activities), who

dares baselessly, falsely, and with clearly evil intent publicly call Plaintiff “dog abuser”, “ illegally run business” etc. Based on undisputable evidences, Court found (Exhibit 15\_) that Plaintiff will most likely succeed on the merits and denied Peses special motion to strike lawsuit (anti SLAPP).

54. Defendants must return Plaintiff’s dogs immediately or must disclose their location and state (with supporting clear and convincing evidences) why it would be impossible to return the dogs (for instance, Defendants killed the dogs , or Defendants disposed the dogs, or raped the dogs and disposed them, or sold their blood and organs, or sold the dogs for very big money, which violates their “adoption, non profit” policy and for any other evil reason that even hard to imagine for ordinary person).

55. Furthermore, Defendants propose under their paragraph f) claim that Plaintiff has “dirty hands” and state without any and all supporting evidences, without personal knowledge malicious false allegations as to “Plaintiff running illegal businesses etc.”, which is totally false.

56. Further, Defendants states “She provides pictures on her website of beautiful German Shepherd Dogs in clean and healthy conditions”, again, those are real pictures of real our dogs in real our luxurious conditions.

57. Defendants falsely baselessly state that these are “These images are actually stock images taken by her from other sites on the internet.” – outrageous!!!. How than Plaintiff’s dogs and Plaintiff herself appeared on those images. This is phenomenal, how people can be so disgraceful, deceiving, nasty and not smart. (attached are images of Zariza (Malibu), Hanz (Bacon) , Plaintiff Zorikova, and her daughter Olivia our trainer Jose in those “stock images pictures”. (Exhibit 16)

58. Plaintiff has state of the art one of the best in USA facilities for her dogs, has just a few breeding females, her dogs enjoy daily training, running on 200 acres of private property, living in top grade dog kennels, enjoying raw organic meats, and dogs are one of the most good looking german shepherds in a world. (Defendants attached for us pictures of our facilities and dogs claiming without any evidences that those are “stock images” – simply outrageous, how Plaintiff than and our dogs and our trainers and our cars and our equipment and our sleeves and our bite suits and our training facilities appeared on those “stock images”?? Not speaking that Plaintiff has those original images on her computer and photcamera. Again, Plaintiff hopes that Court will grant her future Motion for Sanctions for false representation to the Court against Defendants). Our dogs trained for military, law enforcement and protection, and in San Bernardirno County dogs were trained in hard bite, jumping on vechicles, protect under firearms, acclimatizing to desert’s temperatures etc. There is no any legal restrictions in USA, nor in California, regarding protection training of specialty breed, such as German Shepherds, nor any other breed.

59. Further, Defendants are falsely state that some “undisputed facts” while failing to provide any references to those “undisputed facts”/“*Her “house of horrors” was investigated by San Bernardino County authorities and she was cited for her failure to have proper structures on her land adequate to meet the basic minimum requirements that kennel/breeding facilities must comply with in San Bernardino County*” ???

60. None of this is true, it’s unclear why Defendants dare to state all these false statements.

Yes, attached is the “Notice of violation” in which clearly states that violation consists of Plaintiff occupying non residential status land, not “house of horror” and that Notice



gives 30 days for correction of that violation. That's all it is. Reasonable notice with due process in place for correction.

61. There were no any "San Bernardino County investigators", while there are detectives and investigators on stolen from Plaintiff dogs that are investigating Defendants.

Defendants yourself states that our website displays "lush Locations", all of those are REAL locations. REAL our dogs, our swimming pools, our Mercedes used for training, and our location's mansions. In addition to this, our dogs often sold to only high profile individuals, celebrities and businessmen around the world, who also has mansions for training. And to state baselessly "This is a lie and it is fraudulent." Is inappropriate, again, Plaintiff sincerely hopes that the Court grants her Motion for Sanctions to deter Defendants from representing to the Court false, baseless, malicious statements with clear purpose to deceive the Court and hurt Plaintiff.

62. Again, Animal Control Report clearly states that plaintiff's Dogs had water, shelter, were not distressed and in good health. This FACT exposes that Defendants knowingly, viciously am maliciously purouting onto the Court false allegations.

63. Our business has nothing to do with any "puppy mill" as falsely and baselessly claimed by Defendant. If Defendants name such as our small operation, top purebred show and protection german shepherds dog business a "puppy mill" than all breeding businesses are "puppy mills" in their sick minds. However, those minds are not as "sick" as "criminal", it is a fact that Defendants trafficking "rescued dogs" from Korean and other countries, making huge profit while offending USA based breeders, farmers and restaurants.

64. Again, neither Plaintiff nor her dogs neither reside in San Bernardino County of California, there is no and breeding business on Plaintiff's private land in San Bernardino County.
65. NO any breeding license required in San Bernardino County, even assuming that Plaintiff would have kennel there, which is not the case. Dogs are property, and on notice, owner of the Dogs have rights to move dogs to place where he can fulfill all legal requirements, including to Europe, or to sale the dogs.
66. Furthermore, Defendants again, knowingly and maliciously falsely state that "Ms. Zorikova's property contained over 70 dogs." There were few adult dogs, other were puppies, most of which had been already, before August of 2020 sold as about \$4,000 to \$7,000/puppy and were in training in August of 2020. Nevertheless, it was minimum 3 time less of adult dogs than Defendants falsely state with the purpose to deceive the Court, get yourself out from under criminal investigation against them and in order to hurt Plaintiff.
67. County had paid to Plaintiff her damages as for false arrest and false imprisonment. Again, NO charges have been ever filed against Plaintiff by District Attorney.
68. Defendants clearly the defendant engaged in extreme and outrageous conduct with either the intention of, or reckless disregard for, causing emotional distress, (2) the plaintiff suffered severe or extreme emotional distress, and (3) actual or proximate causation .
69. Most our studs and breeding females were born in our house, were raised and trained from the time they were born, were shown on German shepherd shows, they all are totally loved, taken grate care off and are part of our family, treated a lot of time in priority compare to our own needs. They are all our loved pets, even though we had

puppies from them. To lose them causes extreme emotional distress and irreparable harm.

Each pet owner, who faced loss of his dog via theft or death, will know the devastating feeling of loss of loved one. No disputable facts. And the pain from loss multiplies if several of those stolen and most likely killed.

70. Defendants are concealing names of people where the dogs stolen have been “adopted to”

not only from plaintiff, but also from Sheriff, why would it be? The answer is simple:

there were NEVER any adoption took place, the Dogs were or sold for tens or hundreds of thousands/each of dollars, brought to conspiracy partnership to shadow breeders or have been totally destroyed via organs harvesting, murder, rape or both. Defendants mentioning in their pleadings that veterinary discovered “feces in their stomach”, how it can be “discovered” without animal being dead??

71. Bonifide purchaser cannot be applied to “adoption”, which is not a purchase, price paid toward the adopted dog is “adoption fees”, vs sold property value paid. And rescues are “nonprofit”.

72. Plaintiff will recognize each of her dog instantly and will pay DNA test costs if need proof of ownership be done.

73. Defendants failed to provide any and all evidences regarding if the Plaintiff’s dogs were truly adopted nor where they are currently located. If it would be true that the Dogs are just adopted by innocence pet owners in great homes, why would be Defendants concealing this fact?

74. All proof of ownership of the Dogs have been provided to Defendants in August of 2020, including American Kennel Club pedigrees, certified pedigrees, pictures of those dogs while on Plaintiff’s property, microchip # for each dog. However, Plaintiff, as biologist

and dog breeder realizes that NOTHING can be altered by thieves except of dog's DNA. Therefore, the true tests will be DNA tests only that Plaintiff, again, will pay until this matter is heard on trial and decided by jury.

75. The main facts cleared and admitted now:

a). Defendants admitted (Declarations of both Defendants) that they took possession of Plaintiff's Dogs.

b). There were NO authorization from any governmental authority given to Defendants to take Plaintiff's Dogs.

76. Costs bond: Defendants are not entitled to any increased bond costs per defendant as they are clearly showed their bad faith and represented to the Court clearly false facts and statements. If Defendants would be having a good faith, they would immediately return stolen dogs to plaintiff or to sheriff as both, Plaintiff and sheriff demanded the return as early as August 12, 13 of 2020, while Defendants refused of doing so, concealed the dogs, concealed at the beginning fact possessing them and sold/disposed the Dogs by November of 2020. Defendants by acting in good faith and returning stolen dogs could

77. prevent this litigation and avoid their "pro bono attorney fees"

78. There is no any "forum shopping present" regarding Defendant's opposition to add Defendants.

79. Defendants Gregory and others have been dismissed without prejudice by judge Alf for not paying security deposits. In Fall of 2020 Plaintiff could not afford security bond costs based on the fact of destruction of her business and property by Defendants; therefore, involuntarily, Plaintiff allowed case be dismissed without prejudice, meaning, those Defendants can be sued again, that's why plaintiff asks to add them here. In addition to

this, as stated in Plaintiff's motion, sheriff's investigation of stolen dogs led to the fact of Plaintiff's dogs being stolen by SNARL, J Gregory, Casey Gish and others, these people admitted to sheriff having the dogs, but will not say where the dogs are currently.

80. Olivia Jeong has been serving complaint on Defendants. Alla Zorikova was visiting all locations of Defendants, residential, doggy day care of Gish (full of those 2 by 3 feet iron cages, called "rooms") and business in order to send Olivia in the most appropriate location, Alla Zorikova left copies at multiple business locations but not as service process, just to make sure Defendants have it because Alla Zorikova was there anyway and in order to give additional clear notice to Defendants that real owner of the dogs stolen is appeared once again and desires her dogs back. Olivia Jeong dully served the documents as required.

81. Defendants Willet and Pyle can be served as at their personal residence, on street, at any place whatsoever, or at their place of business. They were served at their place of business.

82. Moreover, it's clear that Defendants are all notified and aware of this lawsuit by pleading in this case and therefore, well notified.

83. Defendants Pyle and Willet are founders of Vegas Pet Rescue Project and not its "employees"; therefore, defense of "acting in the scope of employment" does not apply. Moreover, Defendants Willet ad Pyle has clearly bad faith, act of concealment of stolen dogs and therefore, "employment scope" does not apply.

LEGAL STANDARTS

84. Opposing Defendant's Polarograph e: There are exceptions from neutering/spaying dogs in Clark county, which apply to Plaintiff's German shepherds and therefore do not required to be spayed/neutered.
85. Furthermore, Dogs were unlawfully taken from California by Defendants and had to be returned to Plaintiff immediately upon her request as well as request sheriffs and requests of San Bernardino County Animal Control officer Molina (Declaration of Def Gish Exhibit \_17\_) and had to leave Clark county in order to not violate any Clark's county laws of spaying and neutering (even if legal exceptions would be disregarded). All defendants had to do is to comply with that law- not steal Plaintiff's dogs and to return them to her if got into their possession. There are law for dogs visiting Clark county during 30 days they don't have to be spayed/neutered. Defendants are trying once again to falsify /represent true law and facts to the Court. They refer to Clark County Ordinances 7.14, while this ordinance clearly states list of exemptions under 7.14.020 and therefore does not apply to A) if animals are designated for breeding B) applies to medical conditions as of pregnant dogs (Zariza was pregnant). Referenced by Defendants North Las Vegas Ordinance 6.04 is definitions sections only, has no relevance.
- C) (1): Animals received special training (such as protection)
- Therefore, Defendants defense of "uncleaned hands" cannot be applied based on the totally and clearly false, deceptive, malicious, vicious, baseless bare statements of lies and falsehoods by defendants against Plaintiff.
86. Mentioned by Defendants Municipal Ordinance 10.08 is a traffic violations ordinance (totally irrelevant).

87. Henderson Ordinance 7.04 refers to pet's licensing in Henderson county, Nevada, and it is outrageous to assume why would be Plaintiff, residing in California, would be under licensing regulations of Nevada's county??
88. Attorney General's Adam Paul Maxalt "*the nonprofit organization itself, however, maybe held liable for negligent or wrongful acts of its employees or agents. Under Nevada Revised Statutes (NRS) 41.480, a director maybe held personally liable for injuries caused by the director's misconduct, fraud, or knowing violation of the law.*"
89. The business judgment rule exists in all states and generally prevents courts from holding corporate directors or officers personally liable for harm resulting from actions taken in their corporate capacities as long as they "acted on an informed basis, in good faith and in the honest belief that the action taken was in the best interests of the company." *E.g. Wynn Resorts, Ltd. v. Eighth Judicial Dist. Court in & for Cty. of Clark*, 399 P.3d 334, 344 (Nev. 2017) (citations omitted). In Nevada, the business judgment rule is codified by statute providing that directors or officers will not be held individually liable unless they engage in "intentional misconduct, fraud or a knowing violation of law." NRS 78.138(7)(a)-(b). Supreme Court of Nevada, in *Shoen v. SAC Holding Corp.*, appeared to contradict the statute when it held: "[w]ith regard to the duty of care, the business judgment rule *does not protect the gross negligence* of uninformed directors and officers." 137 P.3d 1171, 1184 (Nev. 2006) (emphasis added). This caused some Nevada courts to allow duty-of-care claims against individual directors and officers for gross negligence, in contravention of the statutory text.
90. The Supreme Court of Nevada resolved this discrepancy in *Chur v. Eighth Judicial District Court in and for County of Clark*, where it clarified that the statute alone

provides the basis for director and officer liability. 458 P.3d 336, 338 (Nev. 2020). There, the Petitioners (“Directors”) were former directors of Lewis & Clark LTC Risk Retention Group, Inc. (“Lewis & Clark”). Lewis & Clark went into liquidation in 2012 after the Nevada Division of Insurance filed a receivership action, and the state Commissioner of Insurance was appointed receiver (“Commissioner”). The Commissioner sued the Directors on claims of gross negligence and deepening insolvency. The Directors moved to dismiss, for judgment on the pleadings, and then for reconsideration. They argued that the Commissioner was seeking to hold them liable for grossly negligent conduct alone, which was not permitted by Nevada’s statutory business judgment rule. Relying on the gross negligence language from Schoen, the district court denied all three motions.

91. NRS 78.138(3) provides that “[a] director or officer is not individually liable for damages as a result of an act or failure to act in his or her capacity as a director or officer except as described in subsection 7.” Subsection 7 of the statute then requires a two-step analysis for imposing individual liability on a director or officer. First, a plaintiff must rebut the presumption of the business judgment rule, that “directors and officers, in deciding upon matters of business, are presumed to act in good faith, on an informed basis and with a view to the interests of the corporation.” NRS 78.138(7)(a). Second, the “director’s or officer’s act or failure to act” must constitute “a breach of his or her fiduciary duties,” and that breach must further involve “intentional misconduct, fraud or a knowing violation of law.” NRS 78.138(7)(b)(1)-(2). This, the *Chur* court explained, provides the “sole circumstance under which a director or officer may be held individually liable for damages stemming from the director’s or officer’s conduct in an official capacity.” *Chur*,



458 P.3d at 340 (emphasis added). Thus, the Supreme Court “disavow[ed]” *Shoen* to the extent it implied that allegations of gross negligence could, without more, state a breach of duty of care claim. *Id.* The Court then considered the Commissioner’s allegations. The Court assumed that the allegations met the first requirement of NRS 78.138 -- that the Commissioner rebutted the good-faith presumption. It was left with whether the Commissioner’s allegations of gross negligence could constitute a breach of fiduciary duty involving “intentional misconduct” or a “knowing violation” of the law. The Court considered and adopted the Tenth Circuit Court of Appeals’ definition of “intentional” and “knowing” under NRS 78.138, a question it had not previously considered. *Chur*, 458 P.3d at 342 (citing *In re ZAGG Inc. Shareholder Derivative Action*, 826 F.3d 1222, 1232-33 (10th Cir. 2016)). Under that definition, a “claimant must establish that the director or officer had knowledge that the alleged conduct was wrongful in order to show a ‘knowing violation of law’ or ‘intentional misconduct’ pursuant to NRS 78.138(7)(b).” *Chur*, 458 P.3d at 342. Because knowledge of wrongdoing “is an appreciably higher standard than gross negligence -- defined by Black’s Law Dictionary (11th ed. 2019) as ‘reckless disregard of a legal duty,’” the Court held that the Commissioner’s allegations could not meet that standard. *Id.* Thus, the Court ordered that the Directors’ motion for judgment on the pleadings be granted.

92. News of *Chur* should come as a relief to corporate directors and officers subject to Nevada jurisdiction. It confirms the core principle of the business judgment rule that had been called into question in *Shoen*: that courts cannot interfere with the business judgments of officers and directors based on gross negligence alone.

93. Again, Defendants stated in multiple pleadings and declarations by now that NOONE from government authorities neither permitted them nor gave any authorization to take Plaintiff's dogs. Moreover, sheriff were searching on search warrants Nevada's suspect houses and places of business looking for Plaintiff's stolen dogs; therefore, false pretended claim that some deputies called them simply does not make any sense and exposes Defendants as messed up in its own lies falsehood storytellers.
94. Attached are the accurate and true copies of screenshots of Plaintiff's stolen german shepherds screenshots of which were taken from Vegas Rescue Pet Gropup's website, Defendants did not deny above having and "adopting" those dogs. Plaintiff attaches (Exhibit \_18\_) her true pictures of her with the same those dogs as an evidence of ownership.
95. Defendants are also concealing source where their received from Plaintiff's dogs., which is once again expose their bad faith and legitimizes Plaintiff's claim.
96. Plaintiff does not operate any businesses in Missouri. Attached Defendants business registration is under name of Olivia Jeong. Nevertheless neither Alla Zorikova nor Olivia Jeong does not have any kennels nor dogs in Missouri, nor any breeding facilities, nor property, nor had been visited state of Missouri for years. Plaintiff. Again, respectfully asks this Court to apply sanctions pursuant to NRCP \_\_\_\_ in order to defer Defendants from harassing Plaintiff and destroying her reputation and business via these and other false, malicious, baseless statements.
97. On page 6 Defendants refer to Animal Control report once again, deceiving the Court by pretending that this is a "police report exposing AKC GSD vehicle" instead of reporting Animal Control of Plaintiff's dogs having shelter, water, not be in distress and in good

health on the day of Plaintiff's arrest and the reason why Animal Control refused take Plaintiff's dogs on August 08 of 2020.

98. In Defendant's paragraph 11: *"At no time were Defendants contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. See Exhibits 9 and 10. Defendants were not in any way, shape or form, associated with the San Bernardino County Government Officials' request for removal of dogs from Plaintiff's property. Id"*

99. Plaintiff asks this Court to allow her to Amend her complaint.

100. Defendants are claiming that the Dogs were adopted and therefore, easily retrievable.

101. Referring Defendant's E:


What true evil motive Defendants are having by over and over, baselessly, maliciously, knowingly falsely stating that Plaintiff's dogs were voluntarily abundant in a desert vacant land without food, water, shelter, and basic needs, while Defendants claim NONE of them never has been on Plaintiff's that property, nor never saw Plaintiff nor her dogs, while, on the other hands, 3 different Animal Control Officers, on 3 Different occasions, August 10 of 202, August 17 of 202, October about 20<sup>th</sup> of 2020 personally visited Plaintiff's private property (Exhibit Deed 19\_) and provided Animal Control Report that Defendant were looked at so many times

102. Order, granting Plaintiff Motion for TRO will disclose a lot of concealed so far by Defendants true facts regarding where are the dogs now, what happened to them, who submitted the Dogs to Defendants in the first place

103. Again, multiple call and letters by Plaintiff and her attorney has been made to Gish, Willet and Pyle (Exhibit 20) on as early date as August 12<sup>th</sup> of 2020, the very next date when San Bernardino County Sheriff stated to plaintiff that her dogs were stolen by Las Vegas people. Plaintiff and her attorney were even driving to Las Vegas at that date to pick up the Dogs, but Defendants denied having them. Therefore, it is shamelessly false to state that Defendants ever had any “good faith” in this matter.

WHEREFORE

Plaintiff respectfully asks this Court to allow her to amend her complaint, to deny Defendants motion to dismiss as Defendants failed to provide facts, evidences nor legal authorities that would justify their motion.

Respectfully, 

06/27/2021

CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 06/27/21 to Casey Gish.

Alla Zorikova

06/27/21





AOS

1 Alla Zorikova  
 2 (Your Name)  
 3 1905 W. Lock Ave, #175  
 4 (Your Mailing Address)  
 5 CA 90068  
 6 (Your City, State, Zip Code)  
 7 823 208 5186  
 8 (Your Telephone Number)

9 (Your Fax Number)  
 10 olivia.cao@mail.ru  
 11 (Your E-mail Address)

Plaintiff, Self-Represented

## EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

Plaintiff's Name: ZorikovaCase No.: A-20-820761-CDept. No.: 27

vs.

Plaintiff,

Defendant's Name: Gregory et al

Defendant.

## AFFIDAVIT/DECLARATION OF SERVICE UNDER PENALTY OF PERJURY

(Insert name of person performing service) Olivia Jeong, being dulysworn or under penalty of perjury, states that at all times relevant, I was over 18 years of age and not a party to or interested in the above-captioned case; that I served a copy of the ☒ Summons, ☒ Complaint,☐ Other (specify) Oct. 09 on (insert date andtime you served) 10/09, 20 20, at the hour of 1 p.m., on Defendant (insert Defendant'sname) Vegas Pet Rescue Project by the

following method (complete appropriate paragraph below):

☐ Personal service per NRCPC 4.2(a)(1): Delivering and leaving a copy with (insert

Defendant's name) \_\_\_\_\_ at (insert address at

which you served) \_\_\_\_\_

///

Page 1 of 2

For more forms and information, visit [www.civillawselfhelpcenter.org](http://www.civillawselfhelpcenter.org).Rev. 2/10/2019  
© Civil Law Self-Help Center☒ Substitute service per NRCPC 4.2(a)(2): Delivering and leaving a copy with (insert name orphysical description of person served) Receptionist lady brown hair about 50 y.o.

and discretion residing at Defendant's dwelling house or usual place of abode, at (insert Defendant's address)

2620 Rosetta Dr, #102 Las Vegas, NV 89128☐ Service on a business entity per NRCPC 4.2(c)(1)(A): Delivering and leaving a copy

with (insert name or physical description of person served) \_\_\_\_\_

who is Defendant's (check one) ☐ registered agent, ☐ officer or director, ☐ partner, ☐ member, ☐ manager,☐ trustee, or ☒ other (specify) receptionist, at (insert address at which you served)2620 Rosetta Dr, #102 Las Vegas, NV 89128☐ Other method of service authorized by Nevada statute or court rule:

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

SERVER'S SIGNATURE: [Signature] Date: 10/20/20

Server's Phone: \_\_\_\_\_

Server's ☐ Residential/ ☒ Business Address: 1905 Wilcox Ave, #175 LA, CA 90068☐ I am a licensed process server or an employee of a licensed process server; my license or registration number is (insert license or registration number): \_\_\_\_\_☒ I am not required to be licensed under chapter 648 of the Nevada Revised Statutes or another provision of law because am not engaged in the business of serving legal process within the State of Nevada.

Page 2 of 2

For more forms and information, visit [www.civillawselfhelpcenter.org](http://www.civillawselfhelpcenter.org).

Rev. 2/20/2019

673

1 Alla Zorikova  
 2 (Your Name)  
 3 1905 Wilcox Ave, #175  
 4 (Your Mailing Address)  
 5 Las Vegas, NV 89102  
 6 (Your City, State, Zip Code)  
 7 5232085186  
 8 (Your Telephone Number)  
 9 (Your Fax Number)  
 10 olive-cargo@mail.ru  
 11 (Your E-mail Address)  
 12 Plaintiff, Self-Represented

EIGHTH JUDICIAL DISTRICT COURT  
 CLARK COUNTY, NEVADA

13 Plaintiff's Name: Zorikova Case No.: A-20-821249-C  
 14 vs. Plaintiff, Dept. No.: 20  
 15 Defendant's Name: Pyle et al Defendant.

## AFFIDAVIT/DECLARATION OF SERVICE UNDER PENALTY OF PERJURY

16 (Insert name of person performing service) Olivia Jeang, being duly  
 17 sworn or under penalty of perjury, states that at all times relevant, I was over 18 years of age and not a  
 18 party to or interested in the above-captioned case; that I served a copy of the ☒ Summons, ☒ Complaint,  
 19 ☐ Other (specify) check 09 ON (insert date and  
 20 time you served) 10/20, 2020, at the hour of 1 p.m., on Defendant (insert Defendant's  
 21 name) Tammy Willet by the  
 22 following method (complete appropriate paragraph below):

23 ☐ Personal service per NRCP 4.2(a)(1): Delivering and leaving a copy with (insert  
 24 Defendant's name) \_\_\_\_\_ at (insert address at  
 25 which you served) \_\_\_\_\_

1 ☒ Substitute service per NRCP 4.2(a)(2): Delivering and leaving a copy with (insert name or  
 2 physical description of person served) Receptionist, lady Brown hair about 50y.o, a person of suitable age  
 3 and discretion residing at Defendant's dwelling house or usual place of abode, at (insert Defendant's address)  
 4 2620 Regatta Dr. #102 Las Vegas, NV 89128

5 ☐ Service on a business entity per NRCP 4.2(c)(1)(A): Delivering and leaving a copy  
 6 with (insert name or physical description of person served) \_\_\_\_\_  
 7 who is Defendant's (check one) ☐ registered agent, ☐ officer or director, ☐ partner, ☐ member, ☐ manager,  
 8 ☐ trustee, or ☒ other (specify) receptionist, at (insert address at which you served)  
 9 2620 Regatta Dr., #102 Las Vegas, NV 89128

10 ☐ Other method of service authorized by Nevada statute or court rule:  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_

13 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF  
 14 NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

15 SERVER'S SIGNATURE: [Signature] Date: 10/20/20  
 16 Server's Phone: \_\_\_\_\_

17 Server's ☐ Residential/ ☒ Business Address: 1905 Wilcox Ave #175 L.A., CA, 90068  
 18 ☐ I am a licensed process server or an employee of a licensed process server; my license or registration  
 19 number is (insert license or registration number): \_\_\_\_\_

20 ☒ I am not required to be licensed under chapter 648 of the Nevada Revised Statutes or another  
 21 provision of law because am not engaged in the business of serving legal process within the State of  
 22 Nevada.

AOS

1 Alla Zorikova  
 2 (Your Name)  
 3 1905 Wilcox Ave, #175  
 4 (Your Mailing Address)  
 5 L.A., CA 90068  
 6 (Your City, State, Zip Code)  
 7 323 299 186  
 8 (Your Telephone Number)

9 (Your Fax Number)  
 10 olivia.caa@mail.ru  
 11 (Your E-mail Address)

Plaintiff, Self-Represented

EIGHTH JUDICIAL DISTRICT COURT  
 CLARK COUNTY, NEVADA

12 Plaintiff's Name: Zorikova  
 13 Plaintiff,  
 14 vs.  
 15 Defendant's Name: Gregory et al  
 16 Defendant.

Case No.: A-20-820761-C  
 Dept. No.: 27

## AFFIDAVIT/DECLARATION OF SERVICE UNDER PENALTY OF PERJURY

17 (Insert name of person performing service) Olivia Jeong, being duly  
 18 sworn or under penalty of perjury, states that at all times relevant, I was over 18 years of age and not a  
 19 party to or interested in the above-captioned case; that I served a copy of the ☒ Summons, ☒ Complaint,  
 20 ☐ Other (specify) 07/09 on (insert date and  
 21 time you served) 10/20, 2020, at the hour of 1 P.M., on Defendant (insert Defendant's  
 22 name) Jamie Gregory by the  
 23 following method (complete appropriate paragraph below):

24 ☐ Personal service per NRCP 4.2(a)(1): Delivering and leaving a copy with (insert  
 25 Defendant's name) \_\_\_\_\_ at (insert address at  
 26 which you served) \_\_\_\_\_  
 27  
 28

Page 1 of 2

Rev. 2/8/2019  
 © Civil Law Self-Help Center

1 ☒ Substitute service per NRCP 4.2(a)(2): Delivering and leaving a copy with (insert name or  
 2 physical description of person served) Receptionist, lady brown hair, about 50 y.o, a person of suitable age  
 3 and discretion residing at Defendant's dwelling house or usual place of abode, at (insert Defendant's address)  
 4 2620 Rosetta Dr, #102, Las Vegas, NV 89128  
 5 ☐ Service on a business entity per NRCP 4.2(c)(1)(A): Delivering and leaving a copy  
 6 with (insert name or physical description of person served) \_\_\_\_\_  
 7 who is Defendant's (check one) ☐ registered agent, ☐ officer or director, ☐ partner, ☐ member, ☐ manager,  
 8 ☐ trustee, or ☒ other (specify) receptionist, at (insert address at which you served)  
 9 2620 Rosetta Dr, #102, Las Vegas, NV 89128  
 10 ☐ Other method of service authorized by Nevada statute or court rule:  
 11  
 12

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF  
 NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

SERVER'S SIGNATURE: [Signature] Date: 10/20/20

Server's Phone:

Server's ☐ Residential/ ☒ Business Address: 1905 Wilcox Ave, #175, L.A., CA 90068

☐ I am a licensed process server or an employee of a licensed process server; my license or registration  
 number is (insert license or registration number): \_\_\_\_\_

☒ I am not required to be licensed under chapter 648 of the Nevada Revised Statutes or another  
 provision of law because am not engaged in the business of serving legal process within the State of  
 Nevada.

Page 2 of 2

For more forms and information, visit www.civillawselfhelpcenter.org.

Rev. 2/8/2019  
 © Civil Law Self-Help Center

675





**RPLY**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO APPLICATION FOR  
FEES, COSTS, AND DISBURSEMENTS**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through  
their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby replies to Plaintiff's Opposition  
2 to Defendants' Application for Fees and Costs and Disbursements.

3  
4 **I.**

5 **LEGAL ARGUMENT**

6 **A. DEFENDANTS ARE ENTITLED TO AN AWARD OF ATTORNEY'S FEES**

7 Pursuant to NRS 18.010(2)(a), the court may make an allowance for attorney's fees "when  
8 the prevailing party has not recovered more than \$20,000.00." Thus, while the district court has  
9 virtually no discretion to deny a fee award to a prevailing party, the court has discretion in  
10 determining the amount of said award, which "is tempered only by reason and fairness." *University*  
11 *of Nevada, Las Vegas v. Tarkanian*, 110 Nev. 581,590-591,879 P.2d 1180,1186 (1994).

12 Accordingly, in Nevada, this "analysis may begin with any method rationally designed to  
13 calculate a reasonable amount, including those based on a 'lodestar' amount or a contingency fee."  
14 *Shuette v. Beazer Homes Holdings Corp.*, 121 Nev. 837, 864, 124 P.3d 530, 48-49 (2005), (citing  
15 *Herbst v. Humana Health Ins. of Nevada*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989), *Lealao v.*  
16 *Beneficial California, Inc.*, 82 Cal.App.4<sup>th</sup> 19, 97 Cal. Rptr. 2d 797, 821 (2000) and *Glendora Com.*  
17 *Redevok Agency v. Demeter*, 155 Cal.App.3d 465, 202 Cal.Rptr. 389 (1984).

18 **B. THE ATTORNEYS' FEES REQUESTED ARE REASONABLE UNDER**  
19 **NEVADA LAW**

20 In Nevada, the court must also consider the factors laid out in *Brunzell v. Golden Gate*  
21 *National Bank*, 95 Nev. 345, 349, 455 P.2d 31 (1969) in determining a reasonable award of  
22 attorney's fees. *See Shuette*, 121 Nev. at 865. In doing so, the award will be reasonable "as long as  
23 the Court provides sufficient reasoning and findings in support of its ultimate determination," *Id.*

24 The Nevada Supreme Court clarified the four *Brunzell* factors in *Schouweiler v. Yancey Co.*,  
25 101 Nev. 827,712 P.2d 786 (1985) as follows:  
26  
27  
28

- (1) the qualities of the advocate: his ability, his training, education, experience, professional standing and skill;
- (2) the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation;
- (3) the work actually performed by the lawyer; the skill, time and attention given to the work; and
- (4) the result: whether the attorney was successful and what benefits were derived.

101 Nev. at 833-834, 712 P.2d at 790.

Here, as detailed below, all four of the *Brunzell* factors are satisfied.

First, Defendants were represented by attorney CASEY D. GISH and SHANA WEIR. Mr. Gish has been a practicing attorney in the State of Nevada and California for over 22 years with no record of discipline in either state. Ms. Weir has been a practicing attorney in the State of Nevada for over 15 years with no record of discipline.

Mr. Gish began his legal career in Nevada in 1997 when he served as an extern to the Nevada Supreme Court. He was then appointed as the Law Clerk to the Honorable David Huff, State of Nevada Third Judicial District Court, from 1998 to 1999. Prior to opening THE LAW OFFICE OF CASEY D. GISH in 2015 as the firm's managing member, CASEY D. GISH tried multiple jury trials and bench trials in Las Vegas, Reno, Orange County, and Los Angeles County. He has litigated cases throughout Nevada and California in both state court and federal court. He has won multiple appeals to the Nevada Supreme Court, and was successful in a published opinion from the Nevada Supreme Court (*Vega vs. Eastern Courtyard Associates*, 24 P.3d 219 (Nev. 2001)). His cases have ranged from small cases to cases in excess of \$90 million dollars. He has previously and currently worked for law firms such as Parker, Nelson & Associates; Cisneros & Associates; and Cisneros & Marias, etc. All of these firms are well known in the Las Vegas legal community with a reputation for experienced and professional attorneys.



1 While working for Cisneros & Marias, Mr. Gish was the handling attorney for all of the  
2 firm's veterinary malpractice cases and represented veterinarians in more than 10 trials, all of which  
3 resulted in a verdict in favor of his clients. Just prior to opening his own firm, Mr. Gish was the  
4 senior trial attorney for two (2) years at the firm of Ferris and Associates. Mr. Gish has also been  
5 appointed as an Arbitrator on hundreds of cases for the Clark County Mandatory Arbitration  
6 Program.  
7

8 Prior to opening THE WEIR LAW GROUP in 2019, the firm's managing member SHANA  
9 WEIR, has tried multiple jury trials and bench trials throughout the State of Nevada. Her cases  
10 have ranged from small cases to the 2 largest class action cases in the history of the State of Nevada  
11 with multiple billions of dollars in potential damages at issue. She has previously worked for law  
12 firms such as Springel & Fink, and Parker, Nelson & Associates. Prior to opening her own firm,  
13 she was the Supervising Partner at Parker, Nelson & Associates. All of these firms are well known  
14 in the Las Vegas legal community with a reputation for experienced and professional attorneys.  
15

16 Both Mr. Gish and Ms. Weir are well known in the Las Vegas community for practicing in  
17 the area of animal rights and for donating their time and resources in animal cruelty cases. Due to  
18 their extensive experience in this area of law, they have both become experts in their fields of  
19 practice. Based upon their expertise, experience, and specialized knowledge of animal cruelty  
20 cases, a rate of \$500/hour is justified in this matter. In addition, the number of hours spent by  
21 counsel for the Defendants in preparing the extensive Counter-Motion to Dismiss (15 pages, plus  
22 hundreds of pages of exhibits) and Reply to the Opposition to the Counter-Motion to Dismiss (24  
23 pages, plus additional voluminous exhibits). The amount of attorney time required just to prepare  
24 these papers was enormous, and the amount of attorney time required to research and review the  
25 facts and documents underlying and supporting these papers was even more extensive.  
26  
27  
28



1           Second, animal cruelty cases are very specialized and difficult by nature. They are factually  
2 and legally intensive. While there may be more technically complex matters, animal cruelty cases  
3 clearly require attention to detail and an understanding of the presentation of defenses to complex  
4 veterinary evidence in order to establish damages and defenses. Animal cruelty cases often times  
5 require several different veterinary disciplines and legal disciplines to understand and present to  
6 enable a claimant or a defendant to achieve the best results. Counsel's understanding of the various  
7 issues that are needed to successfully present, or defend, a case supports the conclusion that the  
8 attorney's fees were earned and are fair and reasonable. At the end of the day, Defendants' attorneys  
9 diligently and successfully represented them in this case through the Motion to Dismiss, achieving  
10 a dismissal of Plaintiff's claims after an extensive evidentiary hearing.

11           Third, counsel's skill, time, and attention given to this case were above average. The  
12 preparation was thorough and complete. Counsel for Plaintiff spent numerous hours reviewing  
13 voluminous filings from Plaintiff, reviewing documents, reviewing potential testimony and  
14 potential discovery, drafting and repeatedly revising the Defendants' Motion to Dismiss, meeting  
15 with clients, conducting teleconferences with clients, and preparing this case for the evidentiary  
16 hearing on their Motion to Dismiss, and then attending a lengthy evidentiary hearing. In fact, the  
17 Court specifically stated that Defendant's witness at the evidentiary hearing, Ms. Julie Pyle, was  
18 credible. Counsel spent considerable time preparing Ms. Pyle for her testimony at the evidentiary  
19 hearing conducted by this Court. Considering the amount of time and effort exerted by Defendants'  
20 counsel, and both attorneys' considerable expertise in this area of practice, the fees are clearly  
21 substantiated. Based upon their expertise, experience, and specialized knowledge of animal cruelty  
22 cases, a rate of \$500/hour is justified in this matter. In addition, the number of hours spent by  
23 counsel for the Defendants in preparing the extensive Counter-Motion to Dismiss (15 pages, plus  
24 hundreds of pages of exhibits) and Reply to the Opposition to the Counter-Motion to Dismiss (24  
25  
26  
27  
28



pages, plus additional voluminous exhibits) and preparation for and attendance at the evidentiary hearing on the Counter-Motion which lasted in excess of 5 hours. The amount of attorney time required just to prepare these papers was enormous, and the amount of attorney time required to research and review the facts and documents underlying and supporting these papers was even more extensive. Therefore, Defendants request that all of their attorneys' fees incurred by each of their counsel pertaining to the Counter-Motion to Dismiss, in the total amount of 74.8 hours (46.4 hours billed by Gish – 28.4 hours billed by Weir) at the rate of \$500/hr, for the total amount of \$37,400 (\$23,200 billed by Gish - \$14,200 billed by Weir), be awarded to Defendants from Plaintiff. *Please see Gish billing statement attached hereto as "Exhibit 2" and Weir billing statement attached hereto as "Exhibit 3".*

Fourth, the result speaks for itself. The favorable award of dismissal of Plaintiff's Complaint against Defendants is attributable in substantial part to the diligence, determination, hard work, expertise, and skill of Defendants' counsel, who developed, litigated, and obtained this favorable result. Defendants achieved the objective they sought, dismissal of Plaintiff's case. Although the Court has the final decision on the matter, counsel respectfully submits the quality of its work product reflects the hours spent on the case.

Plaintiff's Opposition claims that \$500.00 per hour for attorneys fees is unreasonable and that the amount of the attorneys' fees should be set at \$150.00 per hour. Plaintiff's Opposition is without merit. The Clark County District Court regularly awards attorneys fees in the amount of \$500.00 per hour in much simpler car accident cases. The subject case is much more complex, factually and legally, than most car accident cases, and an award of at least \$500.00 per hour for the work performed in this case by counsel for defendants is demonstrated and warranted. The \$150.00 per hour suggested by Plaintiff may be appropriate for insurance defense counsel in a simple accident case, pre-litigation, or even after the filing of the Complaint. But here, the factual



1 and legal issues were much more complex than a simple motor vehicle accident. Animal cruelty  
2 cases are much more factually intensive and legally intensive than Plaintiff would suggest. And  
3 the complexity of this matter was due to the actions of the Plaintiff, not the Defendants. Therefore,  
4 Plaintiff should be required to compensate Defendants' counsel for the specialized and complex  
5 work that was required in this case.

6  
7 **C. DEFENDANTS' COSTS ARE RECOVERABLE AS A MATTER OF RIGHT**

8 Under NRS 18.010(1), a prevailing party claiming costs can serve and file a verified  
9 memorandum of costs before entry of judgment. *Las Vegas Fetish & Fantasy Halloween Ball, Inc.*  
10 *v. Ahern Rentals, Inc.*, 124 Nev. 272, 278, 182 P.3d 764, 768 (2008). A prevailing party is required  
11 to file a verified memorandum of costs within 5 days after entry of judgment, or such further time  
12 as the court or judge may grant, stating under oath that the cost items are correct and "have been  
13 necessarily incurred in the action or proceeding." *Village Builders 96 v. U.S. Labs*, 121 Nev. 261,  
14 276-277, 112 P.3d 1082, 1092 (2005).

15 Pursuant to NRS 18.020, Defendants are entitled to an award of costs. Pursuant to NRS  
16 18.005, Defendant's recoverable costs and interest in this matter are **\$1,485.65**.

17  
18 **D. PLAINTIFF'S COST BONDS ALLEGEDLY DEPOSITED WITH THE COURT**

19 As this Court knows, the issue of whether Plaintiff deposited out-of-state security of costs  
20 bonds was heavily contested in this matter. Plaintiff claims to have posted \$1,500 in security with  
21 this Court pursuant to NRS 18.130, but it is undisputed that Plaintiff never filed the required Notice  
22 of Posting of the Bond as per NRS 18.130(1). In the event Plaintiff did actually post \$1,500 in  
23 security with this Court, and in the event this Application is Granted, Defendants respectfully  
24 request that the posted security funds be immediately released to Defendants' counsel for  
25 disbursement.  
26  
27  
28

1 **E. PLAINTIFF'S OPPOSITION IS NOTHING BUT INCOMPREHENSIBLE**  
2 **REGURIGATION OF FACTS/ISSUES THAT WERE ALREADY DECIDED**  
3 **BY THIS COURT AT THE EVIDENTIARY HEARING OF THIS MATTER.**

4 The vast majority of Plaintiff's Opposition is nothing but incomprehensible and spurious  
5 allegations and unsupported conclusions of facts and law impugning the integrity of this Court and  
6 counsel. The allegations and conclusions themselves are unsupported factually and legally and are  
7 sanctionable and should not be tolerated by this Court. These allegations violate multiple rules of  
8 Civil Procedure, Nevada statutory law, and ethical standards. Plaintiff holds herself out as being  
9 legally trained with the best attorneys in Europe, and yet she disregards the most basic rules of civil  
10 procedure, ethics, and statutes prohibiting the presentation of false and perjurious evidence to a  
11 Court of law. Her egregious and perjurious conduct should not be permitted by this Court.

12 **II.**

13 **CONCLUSION**

14 Based upon the foregoing, Defendants respectfully request that their Application for Fees,  
15 Costs, and Disbursements be GRANTED in the amount of **\$1,485.65** for costs/disbursements, and  
16 **\$37,400.** for attorney's fees for a total amount of **\$38,88.65.** It is further requested that any security  
17 funds that were deposited by Plaintiff with this Court for security of costs pursuant to NRS 18.130,  
18 be immediately released by the Court to counsel for the Defendants.

19 DATED this 19th day of September, 2021.

20 **THE LAW OFFICE OF CASEY D. GISH**

21 /s/ Casey D. Gish

22 CASEY D. GISH, ESQ.

23 Nevada Bar No. 006657

24 5940 S. Rainbow Blvd

25 Las Vegas, NV 89118

26 Casey@GishLawFirm.com

27 Co-counsel for Defendants Julie Pyle, Tammy  
28 Willet, & Vegas Shepherd Rescue

**WEIR LAW GROUP, LLC**







/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' APPLICATION FOR FEES, COSTS, AND DISBURSEMENTS** on the parties whose address appears below:

     VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

         VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*



Executed on the 19th day of September, 2021.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email [Casey@GishLawFirm.com](mailto:Casey@GishLawFirm.com)



THE LAW OFFICE OF  
CASEY D. GISH



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION  
FOR RELIEF FROM FINAL ORDER**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue,  
through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D.  
GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby oppose Plaintiff's

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



1 Motion For Relief From Final Order. This Opposition is supported by the attached Points and  
2 Authorities, the pleadings and papers on file herein, and any argument allowed by the court.

3  
4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I.**

6 **Factual Background**

7 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
8 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
9 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
10 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her  
11 on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
12 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
13 of process on Defendants on October 5, 2020 and again on October 9, 2020. This case was stayed  
14 on December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
15 being a California resident outside this Court's Jurisdiction. Plaintiff allegedly filed bonds in or  
16 around April 2021.<sup>2</sup>

17  
18  
19 On October 24, 2020, Plaintiff filed an Ex Parte Application for Temporary Restraining  
20 Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs. Defendants  
21 opposed the motion.

22  
23 On August 18, 2021, the Court conducted an evidentiary hearing on the issue of service of  
24 process of Plaintiff's Complaint. The Court granted Defendant's Counter-Motion to Dismiss,  
25 finding service of process was ineffective, and dismissed Plaintiff's Complaint with prejudice for  
26 abuse of process in this matter(see order filed September 2, 2021, attached hereto).  
27  
28

---

<sup>2</sup>The docket does not reflect the date of filing of the bonds.





1 On August 23, 2021, Plaintiff filed a motion to set aside pursuant to NRCP 60(b)(1),  
2 NRCP 60(b)(3), and NRCP 60(b)(6), which are the exact same statutes as Plaintiff seeks relief for  
3 under the instant motion. Defendants opposed the motion to set aside. It is set to be heard on  
4 Wednesday, October 29, 2021.

5 On September 7, 2021, Defendants filed a notice of entry of this Court's order granting  
6 Plaintiff's motion to dismiss.  
7

8 The motion to set aside, and the instant motion for relief from final order essentially  
9 reiterates Plaintiff's position that the summons and Complaint were properly served on all  
10 Defendants, which Judge Johnson found was untrue. Because Plaintiff does not like the outcome  
11 of the Motion to Dismiss, she alleges that Judge Johnson is not unbiased, impartial and fair because  
12 she claims he failed to disclose that he was investigated twice for being a patron in a strip club.  
13 *See Motion* at p. 2-3, pp. 2-4 (there are no numerical lines or paragraph numbers contained in the  
14 motion to provide a specific citation as required by local rules). Even if everything Plaintiff said  
15 was true, it is unclear how such "facts" would relate to her or her case.  
16  
17

18 Plaintiff further alleges, as she does in the first NRCP 60(b) motion that Judge Johnson  
19 has been bribed by animal rights activists groups. *See Motion* at p. 13, pp. 54. She provides no  
20 identity or further information about said animal rights activist groups or in what manner they  
21 supposedly bribed Judge Johnson. She provides no evidence of campaign contributions from  
22 Defendants (which would not serve as proof of bribery in any event). She alleges that Judge  
23 Johnson admitted he was endorsed by animal rights' activists group(s) (see Plaintiff's Exhibit 5 in  
24 support of motion which is confusing to the extent it goes back and forth between allegations  
25 against a California Judge and the Judge in the instant case); however, that is not Defendants'  
26 counsel's recollection of what Judge Johnson stated. Even if it were true, Plaintiff does not  
27 identify any or how that is germane to her case and she does not allege that it was Defendants  
28



1 who endorsed Judge Johnson (which, again, would not be improper or serve as proof in any  
2 event). Judges in Clark County are regularly endorsed by different groups when they run for re-  
3 election. To Defendants' knowledge, Defendants are not affiliated or associated with any groups  
4 who have endorsed Judge Johnson in any of his re-elections. Defendants Vegas Shepherd Rescue,  
5 Tammy Willet and Julie Pyle have not provided any campaign donations to Judge Johnson.

6  
7 One thing Plaintiff admits clearly in her motion is her attempt at forum shopping by filing  
8 3 separate lawsuits against the same defendants in different jurisdictions for the same actions. *See*  
9 *Motion*, at p. 4-5, pp. 11. It is clear that Plaintiff is vexatious and will continue to file motion after  
10 motion, despite civil procedure rules.

11  
12 Of note: Plaintiff confuses Defendants' counsel, Casey Gish and Shana Weir's status as  
13 counsel that is acting on a pro bono basis, with people who have bills paid by a third party. As  
14 counsel stated in open court, they are not being paid and have provided the entire defense pro  
15 bono. For Plaintiff's understanding, that means that there are no donations pouring in. That  
16 means Defendants' counsel have been working unpaid.

## 17 II.

### 18 POINTS AND AUTHORTIES

19  
20 Plaintiff's motion seeks relief from the court's order, and cites to NRCP 60(b)(1), NRCP  
21 60(b)(3), and NRCP 60(b)(6) in support of the same. Plaintiff already filed a motion that is  
22 currently pending under the same statutes and therefore, is not entitled to several bites at the apple  
23 for the same relief.

24  
25 Should the court generously wish to consider Plaintiff's second bite at the apple, NRCP  
26 60(b) states:

27 "Grounds for Relief From a Final Judgment, Order, or Proceeding. On motion and just  
28 terms, the court may relief a party or its legal representative from a final judgment, order,  
proceeding for the following reasons:

(1) mistake, inadvertence, surprise or excusable neglect;

....

(3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;

...

(6) any other reason that justifies relief.”

**A. Plaintiff’s Motion For Relief is Duplicative and Should Be Denied**

Should the court consider its order for dismissal one that is final, Plaintiff filed her first motion for relief pursuant to these same statutes prior to its entry, on August 23, 2021. This motion is still pending. Thus, at the time Plaintiff filed the instant motion, there was no order denying the relief requested in that motion that could form the basis for reconsideration. As such, this motion is duplicative and should be denied.

**B. Alternatively, Plaintiff’s Motion to Set Aside Should Be Denied On The Merits**

The district court has wide discretion in deciding whether to grant or deny a motion to set aside a judgment under NRCP 60(b). *See, e.g., Union Petrochemical Co. v. Scott*, 96 Nev. 337, 609 P.2d 323 (1980). Here, the Court took over a half day of live testimony, evidence and argument from Plaintiff, Plaintiff’s daughter, and Defendants regarding the issue of service of process. The court provided its own well-reasoned and thought out 9-page order in support of its findings that Plaintiff abused the judicial process by presenting false and misleading testimony, and having prepared and filed false and misleading documents with the Court. (*See Order* attached hereto as Exhibit 1, at pp. 5: 1-3). Any additional testimony and evidence used to set aside this Court’s order is likely to be false and misleading as well.

As discussed above, the “fraud” Plaintiff claims in support of this new motion for the same relief as the pending motion is, somewhat the same as the last motion (bribery of the Judge, for which Plaintiff has filed a judicial complaint), untrue guesses on Plaintiff’s part (endorsements, and legal funding); and claims that are not germane to the outcome of the case.







Plaintiff also reiterates all the ways in which she should win (again). However, Plaintiff does not point to a single fact or a shred of evidence of fraud but instead alludes that everything and everyone is out to get her. It is clear that what is important: additional testimony or evidence on those topics - do not change the fact that Plaintiff failed to effectuate service of process under the Nevada Rules of Civil Procedure and was found to have abused the process vis-à-vis her evidence, her testimony and her daughter, Olivia Jeong's testimony.

**1. The Court Was Well Within Its Right To Dismiss Plaintiff's Case for Abuse of Process, and Presenting False and Misleading Testimony and Evidence**

NRCP 41(b) states:

**Involuntary Dismissal: Effect.** If the plaintiff fails to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against the defendant. Unless the dismissal order or an applicable statute provides otherwise, a dismissal under Rule 41(b) and any dismissal not under this rule — except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19 — operates as an adjudication on the merits.

In Plaintiff's pending motion for the same relief as she seeks in the instant motion under the same statutes, Plaintiff copy/pasted the 2016 Nevada Practice Manual that was posted on the law firm of Holland & Hart's website wherein she provides that NRCP 41(b) dismissal does not specifically mention lesser sanctions as an alternative dismissal. *See Motion* at pp. 15 (there are no numerical lines or paragraph numbers contained in the motion to provide a specific citation.) *See also Henderson v. Duncan*, 779 F.2d 1421, 1424 (9<sup>th</sup> Cir. 1986).

As the Court herein noted, "[a]s a general proposition, the trial court has the inherent power to dismiss a plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to comply with the rules of procedure or any order of the court. *See NRCP 41(b). Cf. Meeker v. Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). *See Order* at pp. 5: 3-7.

Defendants agreed with Plaintiff in that motion and Defendants again advanced that argument to the extent the court considers this duplicative motion. Plaintiff offers no argument as

1 to why she believe she was not required to present testimony or evidence that were not false and  
2 misleading and our research reveals no authority that would allow Plaintiff to do that.

3 **III.**

4 **CONCLUSION**

5 Based upon the foregoing, Defendants respectfully request that Plaintiff's Motion For  
6 Relief From Final Order, be denied.  
7

8 DATED this 28th day of September, 2021.

9 **THE LAW OFFICE OF CASEY D. GISH**

10 */s/ Casey D. Gish*

11 Nevada Bar No. 006657

12 5940 S. Rainbow Blvd

13 Las Vegas, NV 89118

14 Casey@GishLawFirm.com

15 Co-counsel for Defendants Julie Pyle, Tammy  
16 Willet, & Vegas Shepherd Rescue

17 **WEIR LAW GROUP, LLC**

18 */s/ Shana D. Weir*

19 SHANA D. WEIR, ESQ.

20 Nevada Bar No. 9468

21 6220 Stevenson Way

22 Las Vegas, NV 89120

23 Co-counsel for Defendants Julie Pyle, Tammy  
24 Willet, & Vegas Shepherd Rescue  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR RELIEF FROM FINAL ORDER** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

         VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

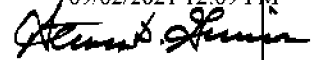
ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 28th day of September, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



## **EXHIBIT “1”**

  
CLERK OF THE COURT

1 **ORDR**

2 **DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4 ALLA ZORIKOVA;

CASE NO.A-20-821249-C

DEPT. NO. XX

5 Plaintiff(s),

6 vs.

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

7 JULIE PYLE, TAMMY WILLET, VEGAS  
8 SHEPHERD RESCUE AND DOES I  
9 THROUGH X, INDIVIDUALS, AND ROE  
10 BUSINESS ENTITIES I THROUGH X,

11 Defendant(s).

12 **ORDER**

13 THIS MATTER having come on for hearing on the 18<sup>th</sup> day of August, 2021 at 9:15 a.m.  
14 before the HONORABLE ERIC JOHNSON; Plaintiff ALLA ZORIKOVA appearing Pro Se;  
15 Defendants, JULIE PYLE and VEGAS SHEPHERD RESCUE appearing in person and by and  
16 through their counsel, CASEY D. GISH, ESQ. of THE LAW OFFICE OF CASEY D. GISH, and  
17 SHANA D. WEIR, ESQ. of WEIR LAW GROUP; Defendant TAMMY WILLET, appearing by  
18 and through her counsel, CASEY D. GISH, ESQ. of THE LAW OFFICES OF CASEY D. GISH,  
19 and SHANA D. WEIR, ESQ. of WEIR LAW GROUP; the Court having set an evidentiary hearing  
20 to consider whether Plaintiff properly effected service of the summons and complaints under Rules  
21 4 and 4.2 of the Nevada Rules of Civil Procedure. The Court having considered the papers and  
22 pleadings on file, the oral arguments of counsel, testimony of witnesses, and evidence entered  
23 therein, makes the following findings of fact and conclusions of law:  
24  
25  
26  
27  
28

1           1) The Complaint is dismissed as to Defendants, Julie Pyle, Tammy Willet and Casey  
2 Gish<sup>1</sup> because service was not proper under NRCP 4.2(a) as to the individuals. Service was not  
3 made personally, or to the individuals' dwellings or abodes, or to any agent authorized to accept  
4 service of process. The location of alleged service was a mail drop area of a business located at  
5 2620 Regatta Drive, Las Vegas, Nevada.

6  
7           2) The Complaint is dismissed as to Defendant Vegas Shepherd Rescue because service  
8 was not proper under NRCP 4.2(c). Service was not made on the registered agent, an officer or  
9 director, or any other agent authorized to receive process.

10           3) The Complaint is likewise dismissed as to Defendants because the affidavits of service  
11 were not timely filed pursuant to NRCP 4(d). Plaintiff claims to have effectuated service of process  
12 on October 5, 2020; and again on October 9, 2020. However, Plaintiff did not file any affidavits  
13 of service until June 8, 2021 which was well past the due date imposed by NRCP 4(d), requiring  
14 affidavits of service to be filed within the time for filing an answer or responsive pleading.  
15

16           4) At the evidentiary hearing on August 18, 2021, the Court sought to determine if service  
17 of the summons and complaint on Defendants was accomplished by Plaintiff's daughter, Olivia  
18 Jeong, as claimed by Plaintiff and indicated in her June 8, 2021 affidavits of service. Defendants  
19 contended that to the extent any service was attempted, it was done by Plaintiff herself, an  
20 unqualified person under NRCP 4(c)(3).  
21

22           Plaintiff called Ms Jeong as a witness. Ms. Jeong testified that she served packages of  
23 materials for Plaintiff at 2620 Regatta Drive, Las Vegas, Nevada on October 5 and October 9,  
24 2020. When pressed how she came to Las Vegas from her home in Barstow, California, to deliver  
25

26  
27  
28 

---

<sup>1</sup>Mr. Gish was not named as a Defendant in Plaintiff's Complaint filed on September 15, 2020 or  
in the Complaint filed on September 24, 2020. However, at some point, Plaintiff unilaterally  
altered the caption to include him as a Defendant.

1 the packets on the two different dates, Ms. Jeong stated she paid an unknown middle age male to  
2 take her from Barstow in a truck to the 2620 Regatta Drive address. The Court finds Ms. Jeong's  
3 testimony to be not credible and Plaintiff knowingly proffered this false testimony to the Court.  
4 The Court reaches this conclusion based on Ms. Jeong's demeanor, her refusal and/or inability to  
5 answer basic questions, her long delays in responding to basic questions, and her inconsistent and  
6 often evasive answers and other responses. Her testimony was also not consistent with the  
7 testimony of Julie Pyle, which is discussed below and which the Court finds credible.  
8

9 5) Plaintiff also testified at the hearing. She claimed while she delivered a package of  
10 materials on October 6, 2020 to 2620 Regatta Drive, including the summons and the complaint,  
11 she had sent her daughter into the address on both October 5 and October 9, 2020 to formally  
12 affect service of the documents. The Court does not find Plaintiff's testimony to be credible and  
13 believes Plaintiff testified falsely at the hearing. The Court's conclusion is based, in part, upon  
14 the Plaintiff's statements in her pleadings and papers, the testimony presented at the hearing, the  
15 demeanor of the Plaintiff's in presenting her testimony at the hearing and her evasive and  
16 contradictory answers. Her testimony was not consistent with the testimony of Julie Pyle, which  
17 is discussed below and which the Court finds credible. During her testimony, Plaintiff also gave  
18 answers regarding her alleged inability to remember her current business/residence address, or  
19 even the county in Texas in which her current business/residence is situated. She then later  
20 admitted to the Court these were false answers and she was actually trying to conceal the location  
21 of her current business/residence in Texas because she did not want to reveal that location to the  
22 Defendants due to supposed safety concerns and ongoing litigation in other jurisdictions.  
23  
24  
25

26 6) Defendants called Julie Pyle, who is a director of Defendant Vegas Shepherd Rescue.  
27 Ms. Pyle testified that she picks up the mail for Vegas Shepherd Rescue from its mail drop at 2620  
28 Regatta Drive, Las Vegas, Nevada. She explained she and Tammy Willet are the only two

1 individuals authorized to pick up the mail and effectively it is only her as Ms. Willet lives out of  
2 state. Ms. Pyle testified Ms. Willet called her on October 6, 2020, and indicated she had received  
3 a call from the receptionist at 2620 Regatta Drive who told her an individual who identified herself  
4 as “Alla” had left a packet of legal materials with the receptionist. Ms. Willet asked Ms. Pyle to  
5 pick up the packet. Ms. Pyle went to the address and received the packet which she presented in  
6 Court and was admitted as an exhibit. She testified that she was not contacted on either October  
7 5 or October 9 about Ms. Jeong’s supposed service of the summons and complaint on those dates.  
8 She stated the only packet of litigation materials she picked up at the 2620 Regatta Drive address  
9 was the one packet she picked up October 6 which was left by someone named “Alla.” She did  
10 not receive the packets Ms. Jeong supposedly delivered to 2620 Regatta Drive on October 5 and  
11 October 9, 2020.  
12

13  
14 7) Defendants introduced a video of the lobby area at the 2620 Regatta Drive address into  
15 evidence. It showed a woman entering the lobby on October 6, 2020, speaking with the  
16 receptionist and leaving a packet of papers which were later picked up by Ms. Pyle. Plaintiff  
17 admitted in her testimony the woman in the video was her.  
18

19 8) Based on the evidence presented, the Court concludes the only effort at service of the  
20 summons and complaint at the 2620 Regatta Drive address was accomplished by Plaintiff herself  
21 on October 6, 2020. Ms. Jeong did not ride in a truck driven by an unknown middle age male  
22 from Barstow, California on October 5 and October 9, 2020 to the 2620 Regatta Drive address in  
23 Las Vegas, Nevada and deliver two separate packets of legal documents. The Court finds Plaintiff  
24 and Ms. Jeong presented false testimony at the hearing to attempt to establish service of the  
25 summons and complaint on defendants. The complaint is dismissed as to Defendants as any  
26 service of the summons and complaint which was attempted, was done by Plaintiff, an unqualified  
27 person under NRCP 4(c)(3).  
28



1 9) Plaintiff has abused the judicial process, including having presented false and  
2 misleading testimony to the Court, and having prepared and filed false and misleading documents  
3 with the Court. As a general proposition, the trial court has the inherent power to dismiss a  
4 plaintiff's action to protect the integrity of the judicial process and to sanction a party's failure to  
5 comply with the rules of procedure or any order of the court. See NRCP 41(b). *Cf. Meeker v.*  
6 *Rizley*, 324 F.2d 269, 271 (10th Cir. 1963). The Court finds Plaintiff's false testimony and  
7 presenting of false testimony at the August 18, 2021 hearing was willful and in bad faith, and not  
8 from any confusion or inability to comply with the rules concerning service of summons and  
9 complaint. Plaintiff may have been confused in October 2020 as a pro per party as to how to  
10 properly effect service. However, when Plaintiff discovered her personal service of process was  
11 not proper, she did not attempt to correct her actions under the rules or refile her complaint.  
12 Instead, Plaintiff decided to falsely represent she had properly served the defendants, claiming her  
13 daughter served the papers and then filing false affidavits of service with the Court. Plaintiff gave  
14 false testimony at the hearing and drew her daughter into her improper conduct by calling the  
15 daughter to give false testimony. See *Batson v. Neal Spelce Associates*, 765 F.2d 511, 514 (5th  
16 Cir.1985)  
17

18  
19  
20 The Court has considered whether a less drastic sanction than dismissal with prejudice may  
21 be appropriate. In the instant matter, to simply dismiss the case without prejudice and allowing  
22 the Plaintiff to refile would virtually allow the plaintiff to get away with giving false testimony  
23 under oath without a meaningful penalty. *Id.* While Plaintiff possibly could be cross-examined  
24 at trial on her false testimony at the hearing, it would require extensive development of a collateral  
25 matter to the litigation. Additionally, to the extent such cross-examination or impeachment would  
26 be proper, such examination would already be available to Defendants and Plaintiff would suffer  
27 no additional penalty. See *Pierce v. Heritage Properties, Inc.*, 688 So.2d 1385, 1390 (Miss. 1997).  
28

1 As discussed below, the Court is also sanctioning Plaintiff for attorney fees and costs Defendants  
2 incurred in preparing the portion of their motion to dismiss concerning service by an unqualified  
3 person and in preparing and presenting the hearing. The Court considered whether this monetary  
4 sanction alone would be a sufficient penalty for Plaintiff's presentation of false testimony. The  
5 Court believes at this early stage of the litigation, the fees and costs would not be great enough to  
6 sufficiently sanction Plaintiff and discourage her and others from similar conduct. The Court is  
7 also concerned as to Defendants' ability to collect such fees and costs from Plaintiff.  
8

9 The Court has considered whether Plaintiff's conduct caused Defendants to suffer any  
10 prejudice as to their preparation for trial if Plaintiff was allowed to refile her complaint. While  
11 Plaintiff's conduct has not impacted Defendants' ability to develop the merits of the case if it was  
12 to ultimately go to trial, Plaintiff's conduct was substantially prejudicial to Defendants as it sought  
13 to cause defendants to defend a lawsuit not properly served upon them. Additionally, as noted  
14 above, Plaintiff is acting as her own attorney and is not blameless. While she may not have  
15 understood the procedure for proper service of process, she understood she was providing false  
16 testimony to dupe the Court and the parties into believing that she properly served the summons  
17 and complaint. Plaintiff did not act negligently, but willfully and in bad faith. *See Batson*, 765  
18 F.2d at 514. The Court finds dismissal with prejudice is appropriate in the instant case not just to  
19 penalize Plaintiff whose conduct "warrants such a sanction, but to deter those who might be  
20 tempted to engage in such conduct in the absence of a deterrent." *Nat'l Hockey League v. Metro.*  
21 *Hockey Club, Inc.*, 427 U.S. 639, 643 (1976).  
22  
23  
24

25 IT IS ORDERED, ADJUDGED AND DECREED, this Court's dismissal of Plaintiff's  
26 Complaint against Defendants is with prejudice as a sanction for Plaintiff's abuse of the judicial  
27 process.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants' counsel,  
2 Casey D. Gish, Esq. and Shana D. Weir, Esq., shall be awarded attorney's fees for having to  
3 unnecessarily litigate the propriety of Plaintiff's service of the summons and complaint.  
4 Defendant's counsel shall be awarded reasonable fees and cost for the preparation of the portion  
5 of the motion to dismiss and reply concerning improper service of summons by an unqualified  
6 person and for their preparation for, and attendance at, the hearing on August 18,  
7 2021. Defendants' Counsel shall submit billings and a memorandum regarding the factors  
8 required under *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 346, 455 P.2d 31, 31 (1969), by  
9 August 27, 2021. Plaintiff shall file any responsive pleading by September 10, 2021. Defendants  
10 shall file any reply thereto by September 17, 2021.  
11

12  
13 IT IS FURTHER ADJUDGED AND DECREED that the remaining motions set for  
14 hearing on August 18, 2021, to wit 1) Plaintiff's Motion for Default Judgment, 2) Plaintiff's Ex  
15 Parte Application for Temporary Restraining Order From Custody of Plaintiff's Dogs and for  
16 Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support, and 3) Plaintiff's Motion  
17 for Leave of Court to Amend Complaint by Adding Defendants, are denied as moot.  
18

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion for  
20 Sanctions set for hearing on September 15, 2021, shall be vacated.  
21  
22  
23  
24  
25  
26

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall file a  
2 supplement to their Motion to Dismiss by August 19, 2021, to include a copy of the settlement  
3 agreement between Plaintiff, Ms. Jeong, and San Bernardino County in the amount of \$325,000  
4 that supports Defendants' argument to decertify Plaintiff's In Forma Pauperis status. Plaintiff shall  
5 file any responsive pleading by August 27, 2021.  
6

7 Dated this \_\_ day of \_\_, 2021

Dated this 2nd day of September, 2021

8  
9   
10 \_\_\_\_\_  
DISTRICT COURT JUDGE

11 **EAB 33D 383C 575F**  
12 **Eric Johnson**  
13 **District Court Judge**  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Alla Zorikova, Plaintiff(s)

CASE NO: A-20-821249-C

7 vs.

DEPT. NO. Department 20

8 Julie Pyle, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 9/2/2021

15 Casey Gish, Esq.

casey@gishlawfirm.com

16 Shana Weir

sweir@weirlawgroup.com

17 Alla Zorikova

stevejohn19732017@gmail.com

18 Alla Zorikova

olivia.car@mail.ru

19  
20 If indicated below, a copy of the above mentioned filings were also served by mail  
21 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 9/3/2021

22 Casey Gish

Van Law Firm

Attn: Casey D. Gish

5940 S. Rainbow Blvd.

Las Vegas, NV, 89118  
25  
26  
27  
28



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants*

*Julie Pyle, Tammy Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO.A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR NEW TRIAL**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, through their attorney of record, CASEY D. GISH, ESQ., of THE LAW OFFICE OF CASEY D. GISH and SHANA D. WEIR, ESQ., of WEIR LAW GROUP, LLC, hereby opposes Plaintiff's Motion for a

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Mr. Gish incorporates the arguments herein.



**PLEADING  
CONTINUES  
IN NEXT  
VOLUME**

# IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLA ZORIKOVA,  
Appellant(s),

vs.

JULIE PYLE; TAMMY WILLET; AND  
VEGAS SHEPHERD RESCUE,  
Respondent(s),

Case No: A-20-821249-C

Docket No: 84186

# RECORD ON APPEAL VOLUME 2

ATTORNEY FOR APPELLANT  
ALLA ZORIKOVA, PROPER PERSON  
1905 WILCOX AVE. #175  
LOS ANGELES, CA 90068

ATTORNEY FOR RESPONDENT  
CASEY D. GISH, ESQ.  
5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118



A-20-821249-C      Alla Zorikova, Plaintiff(s) vs. Julie Pyle, Defendant(s)

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 235
2	236 - 470
3	471 - 705
4	706 - 940
5	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Affidavit of Prejudice	579 - 579
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	177 - 177
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	178 - 178
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	179 - 179
1	9/24/2020	Application to Proceed Informa Pauperis (Confidential)	15 - 17
1	6/18/2021	Association of Counsel	196 - 197
3	9/7/2021	Case Appeal Statement	565 - 566
4	2/1/2022	Case Appeal Statement	930 - 931
2	8/16/2021	Certificate of Mailing	453 - 456
1	5/6/2021	Certificate of Service	136 - 136
5	2/23/2022	Certification of Copy and Transmittal of Record	
1	10/6/2020	Clerk's Notice of Nonconforming Documents	60 - 62
1	9/15/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, Intentional Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	1 - 11
1	9/24/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, International Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	18 - 37
4	10/27/2021	Decision and Order	860 - 866
4	10/28/2021	Decision and Order	881 - 887

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/6/2021	Declaration of Olivia Jeong in Support of Plaintiff's Exparte Application Hearing on 06/09/2021	110 - 135
1	10/26/2020	Defendant, Julie Pyle's Demand for Security of Costs	91 - 93
1	10/26/2020	Defendant, Tammy Willet's Demand for Security of Costs	94 - 96
1	10/26/2020	Defendant, Vegas Shepherd Rescue's Demand for Security of Costs	97 - 99
3	8/27/2021	Defendants' Application for Fees, Costs, and Disbursements	495 - 526
4	10/12/2021	Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	750 - 777
3	8/27/2021	Defendants' Memorandum of Costs and Disbursements	486 - 494
4	10/12/2021	Defendants' Memorandum of Costs and Disbursements	745 - 749
3	9/6/2021	Defendants' Opposition to Motion to Set Aside Order to Dismiss with Prejudice	547 - 564
1	6/18/2021	Defendants' Opposition to Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	198 - 226
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continued)	705 - 705

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continuation)	706 - 716
2	6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	312 - 318
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	831 - 839
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	840 - 848
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for Relief from Final Order	687 - 704
4	10/20/2021	Defendants' Opposition to Plaintiff's Motion for Sanctions; and Countermotion for Sanctions	785 - 825
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion to Provide Statement of Facts	826 - 830
3	9/19/2021	Defendants' Reply to Plaintiff's Opposition to Application for Fees, Costs, and Disbursements	676 - 686
4	10/27/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	867 - 876
2	7/21/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	397 - 420
2	8/19/2021	Defendants' Supplement to Reply in Support of Counter-Motion to Dismiss Plaintiff's Complaint	457 - 467
4	2/23/2022	District Court Minutes (Continued)	934 - 0
5	2/23/2022	District Court Minutes (Continuation)	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/24/2020	Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support	63 - 90
4	10/7/2021	Judge Eric Johnson's Answer to Plaintiff's Motion for Recusal	730 - 735
3	9/4/2021	Miscellaneous Filing - Attachment to Plaintiff's Notice of Appeal (Order From Which Appeal Takes Place)	538 - 546
1	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continued)	227 - 235
2	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continuation)	236 - 311
2	8/15/2021	Miscellaneous Filing - Exhibit 1 in Support of Plaintiff's Motion for Sanctions	450 - 450
4	9/29/2021	Miscellaneous Filing - Exhibit 1 in support of Plaintiff's Motion to reschedule hearing	718 - 718
2	6/29/2021	Miscellaneous Filing - Exhibit 1 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	348 - 348
1	5/28/2021	Miscellaneous Filing - Exhibit 1 Supporting Motion to Add Defendants	139 - 139
1	5/28/2021	Miscellaneous Filing - Exhibit 2 for Motion to Add Party	140 - 140
2	8/15/2021	Miscellaneous Filing - Exhibit 2 in Support of Plaintiff's Motion for Sanctions	451 - 451
2	6/29/2021	Miscellaneous Filing - Exhibit 4 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	378 - 378

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/29/2021	Miscellaneous Filing - Exhibit 4 to Motion to Add a Party	141 - 141
1	5/29/2021	Miscellaneous Filing - Exhibit 5 to Motion to Add a Party	142 - 170
2	7/22/2021	Miscellaneous Filing - Exhibits to Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	421 - 442
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	625 - 633
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 to Support Plaintiff's Opposition to Counter-motion	858 - 858
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 11 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	634 - 634
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 12 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	635 - 635
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibit 19 to Opposition to Dismiss	395 - 395
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	638 - 641
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set	642 - 645

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Aside, Mot for Relilief from Judgm., Mot for New Trial	
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	349 - 377
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 to Support Plaintiff's Opposition to Counter-motion	859 - 859
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 4 to Support Plaintiff's Opposition to Counter-motion	857 - 857
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	379 - 379
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	636 - 636
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 6 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	380 - 382
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 7 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	637 - 637
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 8 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	383 - 383
4	10/19/2021	Miscellaneous Filing - Plaintiff's Exhibit A to Opposition to Defendant's Fees/costs	784 - 784
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 3 to Opposition to Dismiss	391 - 391

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 4 to Opposition to Dismiss	392 - 392
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 5 to Opposition to Dismiss	393 - 393
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 6 to Opposition to Dismiss	394 - 394
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	673 - 673
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	674 - 674
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	675 - 675
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	672 - 672
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	647 - 647
1	9/15/2020	Motion to Proceed in Forma Pauperis (Confidential)	12 - 13
1	10/29/2020	Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return	100 - 100



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Plaintiff's Dogs and Plaintiff's Declaration in Support	
3	9/4/2021	Notice of Appeal	537 - 537
4	1/29/2022	Notice of Appeal	926 - 927
2	7/6/2021	Notice of Change of Hearing	390 - 390
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel Attorney Fees and Costs on the Preparation and Litigation of Plaintiff's Motion to Set Aside	918 - 925
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel for Attorney Fees & Costs on the Preparation and Litigation of Plaintiff's Summons & Complaint	908 - 917
3	9/7/2021	Notice of Entry of Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint with Prejudice	567 - 578
1	11/2/2020	Notice of Hearing	105 - 105
1	4/29/2021	Notice of Hearing	109 - 109
1	6/1/2021	Notice of Hearing	176 - 176
1	6/9/2021	Notice of Hearing	184 - 184
2	7/6/2021	Notice of Hearing	389 - 389
2	8/16/2021	Notice of Hearing	452 - 452
3	8/23/2021	Notice of Hearing	485 - 485
3	9/14/2021	Notice of Hearing	646 - 646
4	9/30/2021	Notice of Hearing	719 - 719
4	9/30/2021	Notice of Hearing	720 - 720
4	10/8/2021	Notice of Hearing	736 - 736

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	12/4/2020	Order	106 - 108
3	9/2/2021	Order	528 - 536
4	1/13/2022	Order	896 - 900
4	1/13/2022	Order	901 - 907
1	9/20/2020	Order Denying Motion to Proceed in Forma Pauperis (Confidential)	14 - 14
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	877 - 880
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	888 - 891
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	892 - 895
1	9/25/2020	Order to Proceed Informa Pauperis (Confidential)	38 - 39
1	5/7/2021	Plaintiff Zorikova's Exhibit 15 in Support of Plaintiff's Application for TRO; Declaration of Casey Gish, Esq.	137 - 137
2	7/5/2021	Plaintiff's Declaration #2 in Support of Her Motion to Extend Time or Continue Hearing 07/07/2021; Hearing Requested	387 - 388
2	7/5/2021	Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support; Hearing Requested	384 - 386
3	9/12/2021	Plaintiff's Motion for New Trial, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCP 59(a) (A)(B)(F)(G); Hearing Requested	591 - 607

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/6/2021	Plaintiff's Motion for Recusal and Memorandum of Law Pursuant to Nevada Code Title 1 State Judicial Department NRS 1.230, 1.235 (1)(5)(a)(b); Hearing Requested	721 - 724
3	9/12/2021	Plaintiff's Motion for Relief from Final Order, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCPC 60 (b)(1)(3)(6); Hearing Requested	608 - 624
4	10/6/2021	Plaintiff's Motion for Sanctions; Hearing Requested	725 - 727
4	10/25/2021	Plaintiff's Motion for Sanctions; Hearing Requested	854 - 856
4	9/29/2021	Plaintiff's Motion Motion to Reschedule Hearing and Declaration in Support; Hearing Requested	717 - 717
4	10/6/2021	Plaintiff's Motion to Provide Statement of Facts; Hearing Requested	728 - 729
4	10/19/2021	Plaintiff's Objections to Defendant Fees and Costs Exhibit "A" Attached	778 - 783
3	8/28/2021	Plaintiff's Objections to Defendant's Costs and Proposed Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately)	527 - 527
1	10/31/2020	Plaintiff's Objections to Defendant's Demand for Security Costs and Declaration in Support	101 - 103
4	10/25/2021	Plaintiff's Opposition to Defendant's Contra-Motion for Sanctions	849 - 853
4	10/12/2021	Plaintiff's Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice	737 - 744

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/31/2020	Plaintiff's Proof of Service of Objections to Defendant's Demand of Security Costs and Declaration in Support	104 - 104
1	6/8/2021	Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support; Hearing Requested	180 - 182
1	5/28/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	138 - 138
1	5/29/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	171 - 175
2	7/13/2021	Plaintiff's Certificate of Service	396 - 396
2	8/14/2021	Plaintiff's Ex Parte Motion for Sanctions for Defendant's False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support. Hearing Requested	443 - 449
2	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continued)	468 - 470
3	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continuation)	471 - 484

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Plaintiff's Opposition for Defendants Costs and Fees	580 - 590
3	9/19/2021	Plaintiff's Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	648 - 671
2	6/28/2021	Plaintiff's Opposition to Defendant's Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	319 - 342
2	6/29/2021	Plaintiff's Plaintiff's Declaration in Support for Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs	343 - 347
4	1/29/2022	Proof of Service	928 - 929
4	2/12/2022	Proof of Service	932 - 933
1	6/8/2021	Proof of Service for Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support	183 - 183
1	6/10/2021	Proof of Service of Plaintiff's First Set of Interrogatories on Defendants Pyle, Willet, Vegas Shepherd Rescue	185 - 195
1	10/2/2020	Summons - Civil (Unsigned)	40 - 43
1	10/2/2020	Summons - Civil (Unsigned)	44 - 47
1	10/2/2020	Summons - Civil (Unsigned)	48 - 51
1	10/2/2020	Summons - Civil (Unsigned)	52 - 55

A-20-821249-C

Alla Zorikova, Plaintiff(s)

vs.

Julie Pyle, Defendant(s)

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/2/2020	Summons - Civil (Unsigned)	56 - 59

## **EXHIBIT “3”**



**Secretary of State**  
**Statement of Information**  
 (California Stock, Agricultural  
 Cooperative and Foreign Corporations)

SI-550

65

**FILED**

**Secretary of State**  
**State of California**

MAY 29 2020

**IMPORTANT — Read instructions before completing this form.**

**Fees (Filing plus Disclosure) — \$25.00;**

**Copy Fees — First page \$1.00; each attachment page \$0.50;**  
**Certification Fee — \$5.00 plus copy fees**

**1. Corporation Name** (Enter the exact name of the corporation as it is recorded with the California Secretary of State. Note: If you registered in California using an assumed name, see instructions.)

*VON MARKGRAF German  
 Shepherds*

*This Space For Office Use Only*

**2. 7-Digit Secretary of State File Number**

*C 454 8119*

**3. Business Addresses**

**a. Street Address of Principal Executive Office — Do not list a P.O. Box**

*1905 Wilcox Ave, #175, L.A., CA 90068*

**b. Mailing Address of Corporation, if different than Item 3a**

**c. Street Address of Principal California Office, if any and if different than Item 3a — Do not list a P.O. Box**

**4. Officers**

The Corporation is required to list all three of the officers set forth below. An additional title for the Chief Executive Officer and Chief Financial Officer may be added, however, the preprinted titles on this form must not be altered.

<b>a. Chief Executive Officer</b>	First Name <i>Olivia</i>	Middle Name <i>Dae</i>	Last Name <i>Jeong</i>	Suffix
Address	<i>1905 Wilcox Ave, #175</i>		City (no abbreviations) <i>Los Angeles</i>	State <i>CA</i> Zip Code <i>90068</i>
<b>b. Secretary</b>	First Name <i>Alla</i>	Middle Name <i>A</i>	Last Name <i>Larkinova</i>	Suffix
Address	<i>1905 Wilcox Ave, #175</i>		City (no abbreviations) <i>Los Angeles</i>	State <i>CA</i> Zip Code <i>90068</i>
<b>c. Chief Financial Officer</b>	First Name <i>Olivia</i>	Middle Name <i>Dae</i>	Last Name <i>Jeong</i>	Suffix
Address	<i>1905 Wilcox Ave, #175</i>		City (no abbreviations) <i>Los Angeles</i>	State <i>CA</i> Zip Code <i>90068</i>

**5. Director(s)**

California Stock and Agricultural Cooperative Corporations ONLY: Item 5a: At least one name and address must be listed. If the Corporation has additional directors, enter the name(s) and addresses on Form SI-550A (see instructions).

<b>a. First Name</b>	<i>Olivia</i>	Middle Name <i>Dae</i>	Last Name <i>Jeong</i>	Suffix
Address	<i>1905 Wilcox Ave, #175</i>		City (no abbreviations) <i>Los Angeles</i>	State <i>CA</i> Zip Code <i>90068</i>
<b>b. Number of Vacancies on the Board of Directors, if any</b>	<input type="text"/>			

**6. Service of Process (Must provide either Individual OR Corporation.)**

**INDIVIDUAL — Complete Items 6a and 6b only. Must include agent's full name and California street address.**

<b>a. California Agent's First Name (if agent is not a corporation)</b>	<i>Olivia</i>	Middle Name <i>Dae</i>	Last Name <i>Jeong</i>	Suffix
<b>b. Street Address (if agent is not a corporation) — Do not enter a P.O. Box</b>	<i>1905 Wilcox Ave, #175</i>		City (no abbreviations) <i>Los Angeles</i>	State <i>CA</i> Zip Code <i>90068</i>

**CORPORATION — Complete Item 6c only. Only include the name of the registered agent Corporation.**

<b>c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 6a or 6b</b>
--

**7. Type of Business**

Describe the type of business or services of the Corporation

*protection dogs training*

**8. The information contained herein, including in any attachments, is true and correct.**

*05/05/20* *Olivia Jeong*

Date

Type of Print Name of Person Completing the Form

Signature

*Jeong*



## **EXHIBIT “4”**

## RECORDING REQUESTED BY

Tory Burningham

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name Alla Zorikova  
 Street Address 279 Quantrill Hollow  
 City & State Montreal, MO. 65591  
 Zip

Title Order No.

Escrow No. 011418

Recorded in Official Records, County of San Bernardino



**BOB DUTTON**  
 ASSESSOR - RECORDER - CLERK

R Regular Mail

6/28/2018  
 11:10 AM  
 FV  
 SAN

Doc# 2018-0234588



Titles	1	Pages	1
Fees		24.00	
Taxes		2.75	
CA S82 Fee		0.00	
Others		0.00	
<b>Paid</b>		<b>\$26.75</b>	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## Grant Deed

THE UNDERSIGNED GRANTOR (S) DECLARE (S)

APN: 0502-085-75-0000

DOCUMENTARY TRANSFER TAX IS \$ 2.75

☐ unincorporated area

City of Barstow

☒ computed on full value of interest or property conveyed, or☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Tory J. Burningham 10102 S. Redwood Road, #201 South Jordan, Utah 84095

hereby GRANT(S) to

Alla Zorikova 279 Quantrill Hollow, Montreal, MO. 65591

the following described real property in the

County of San Bernardino, state of California

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 33,  
 Township 32 South, Range 43 East Mount Diablo Meridian

*Tory J. Burningham*  
 Dated 5/17/18

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA State of Utah  
 COUNTY OF Salt Lake

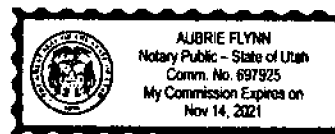
On May 17 2018 before me, Aubrie Flynn - Notary Public  
 (here insert name and title of the officer)

, notary public, personally appeared Tory J Burningham  
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature



(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City, State &amp; Zip

## **EXHIBIT “5”**



# State of Missouri

John R. Ashcroft, Secretary of State

Corporations Division

PO Box 778 / 600 W. Main St., Rm. 322

Jefferson City, MO 65102

**X001363789**  
**Date Filed: 7/9/2019**  
**Expiration Date: 7/9/2024**  
**John R. Ashcroft**  
**Missouri Secretary of State**

## Registration of Fictitious Name

(Submit with filing fee of \$7.00)

(Must be typed or printed)

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. The fictitious name registration expires 5 years from the filing date. (Chapter 417, RSMo)

**Please check one box:**

☒ New Registration ☐ Renewal ☐ Amendment ☐ Correction

*Charter number* *Charter number* *Charter number*

**The undersigned is doing business under the following name and at the following address:**

Business name to be registered: Von Markgraf German Shepherds

Business Address: 279 quantrill hollow

(PO Box may only be used in addition to a physical street address)

City, State and Zip Code: Montreal, MO 65591

### Owner Information:

If a business entity is an owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed. Please attach a separate page for more than three owners. The parties having an interest in the business, and the percentage they own are:

Name of Owners, Individual or Business Entity	Charter # Required If Business Entity	Street and Number	City and State	Zip Code	If Listed, Percentage of Ownership Must Equal 100%
Jeong, Olivia		279 quantrill hollow Montreal	Montreal, MO	65591	100.00

**All owners must affirm by signing below**

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060 RSMo)

Olivia Jeong

Owner's Signature or Authorized Signature of Business Entity

OLIVIA JEONG

Printed Name

07/09/2019

Date

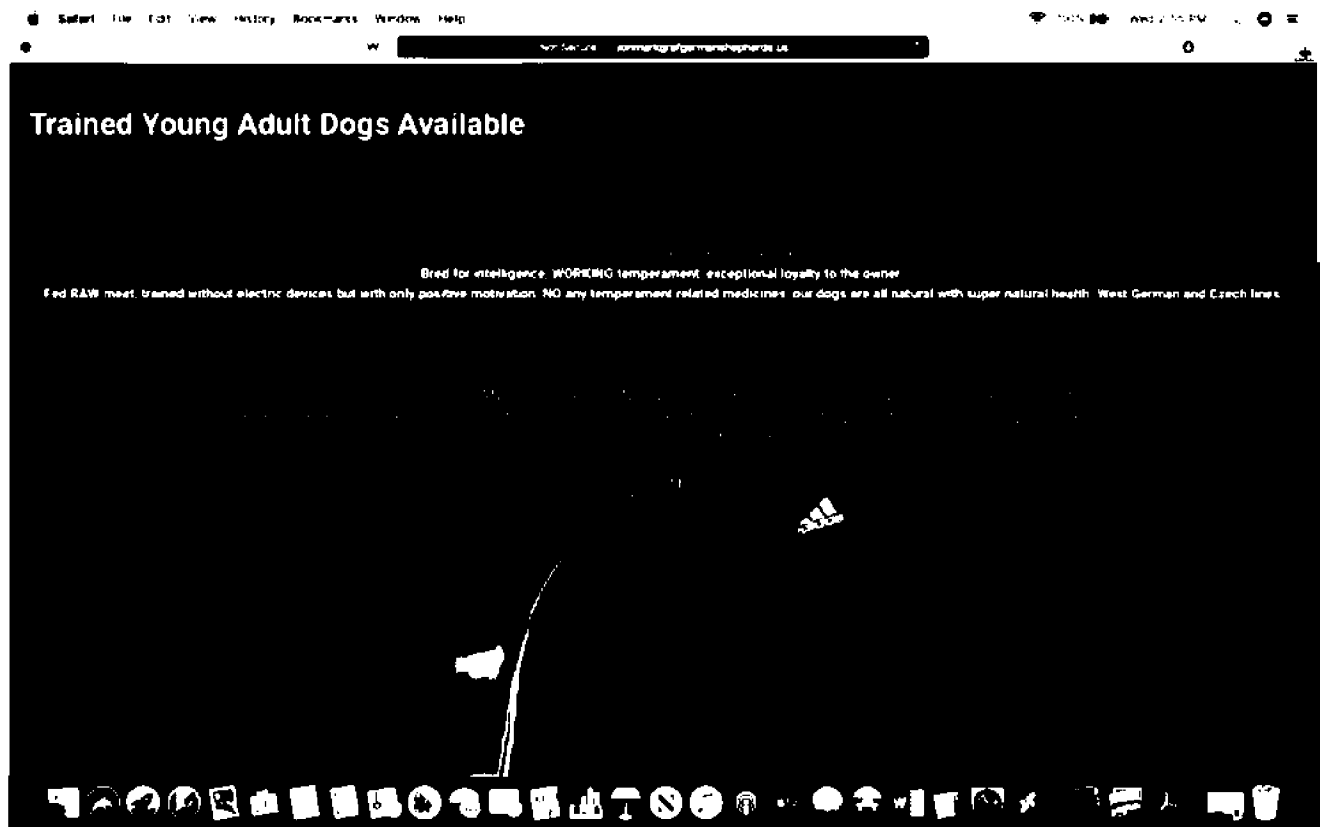
Name and address to return filed document:

Name: Olivia Jeong

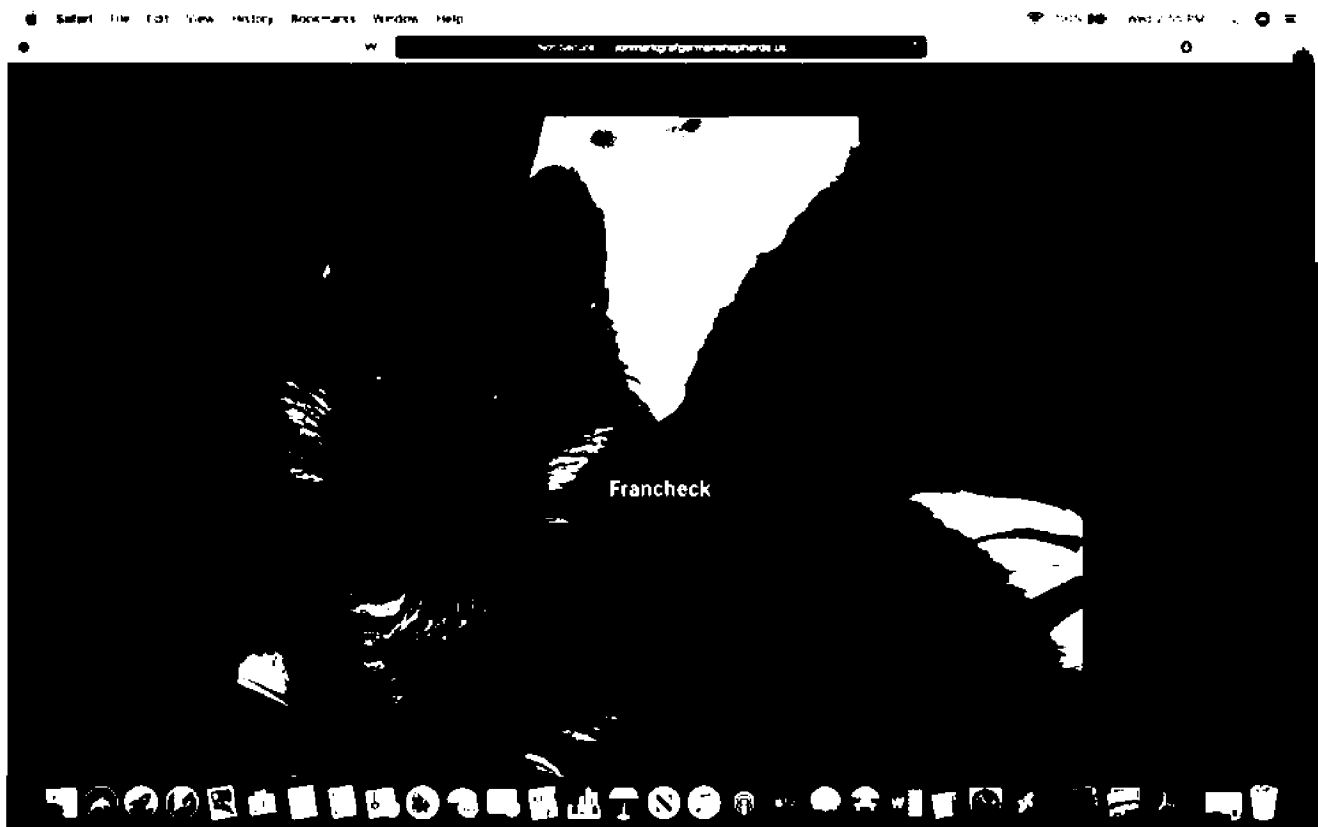
Address: Email: Olivia.car@mail.ru

City, State, and Zip Code: \_\_\_\_\_

## **EXHIBIT “7”**

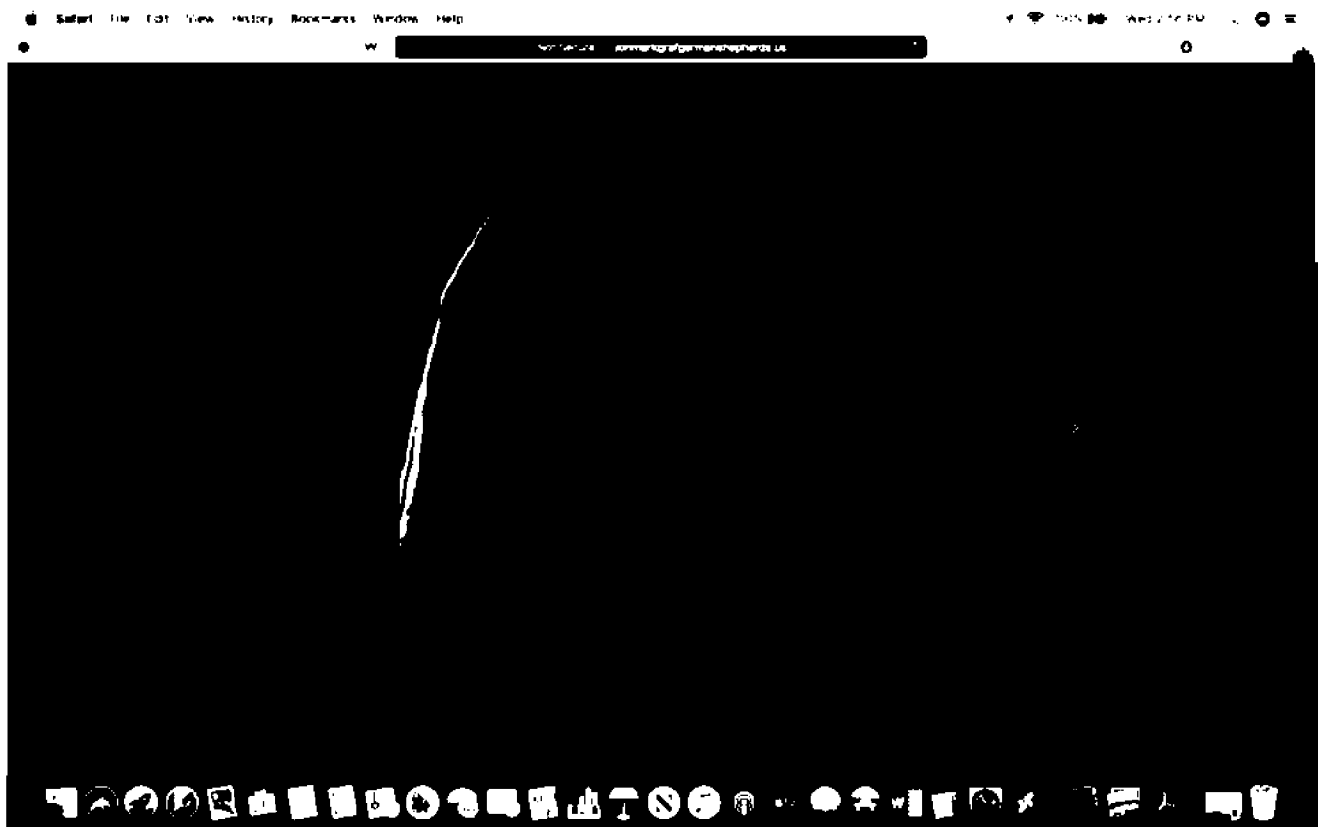


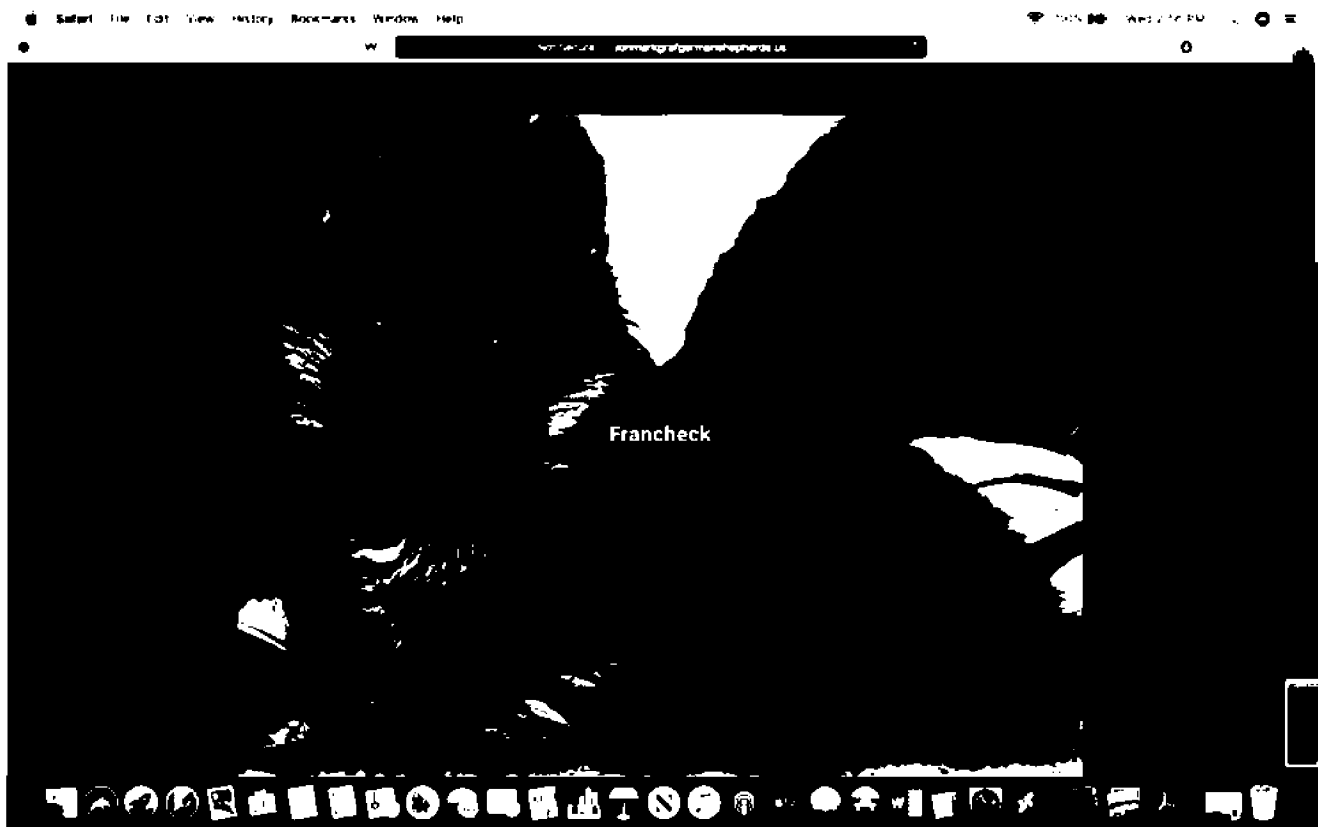




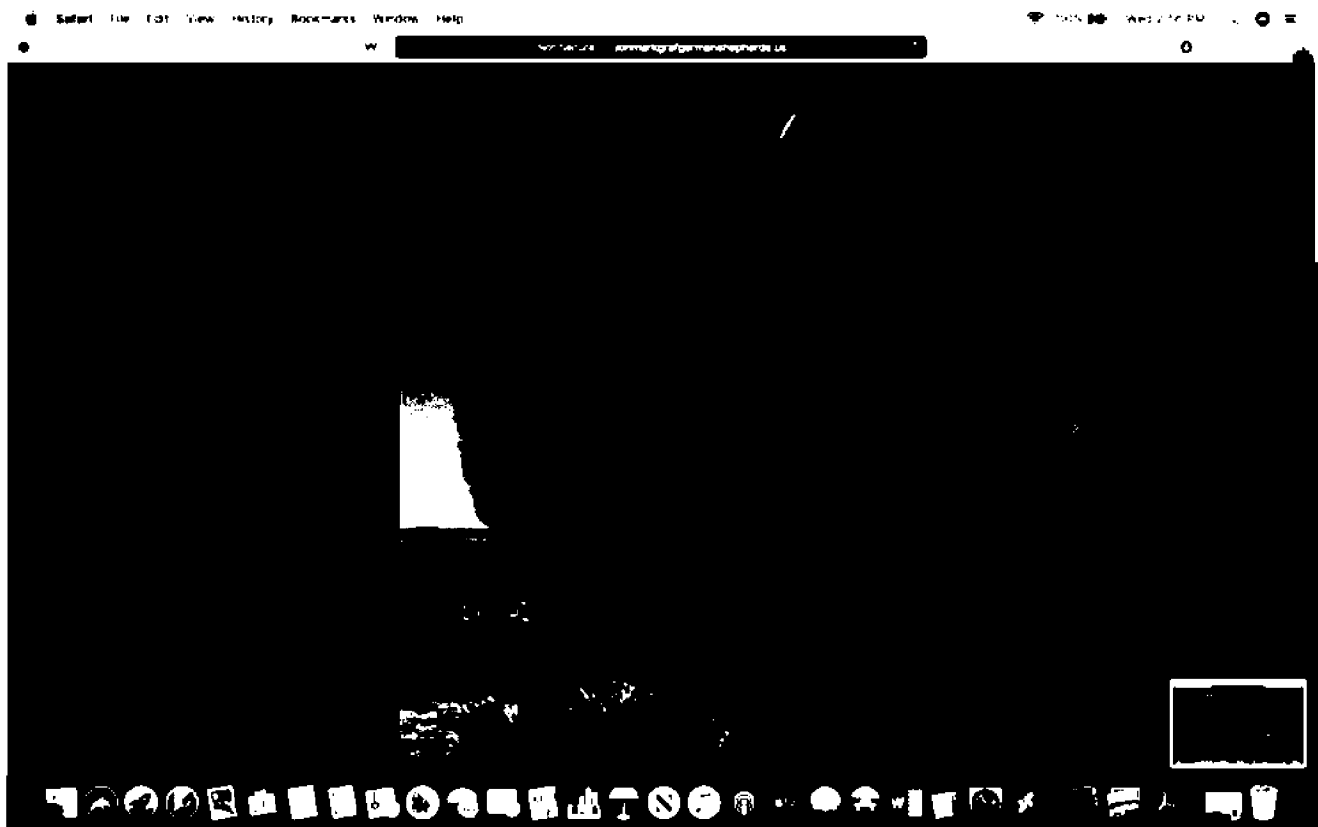


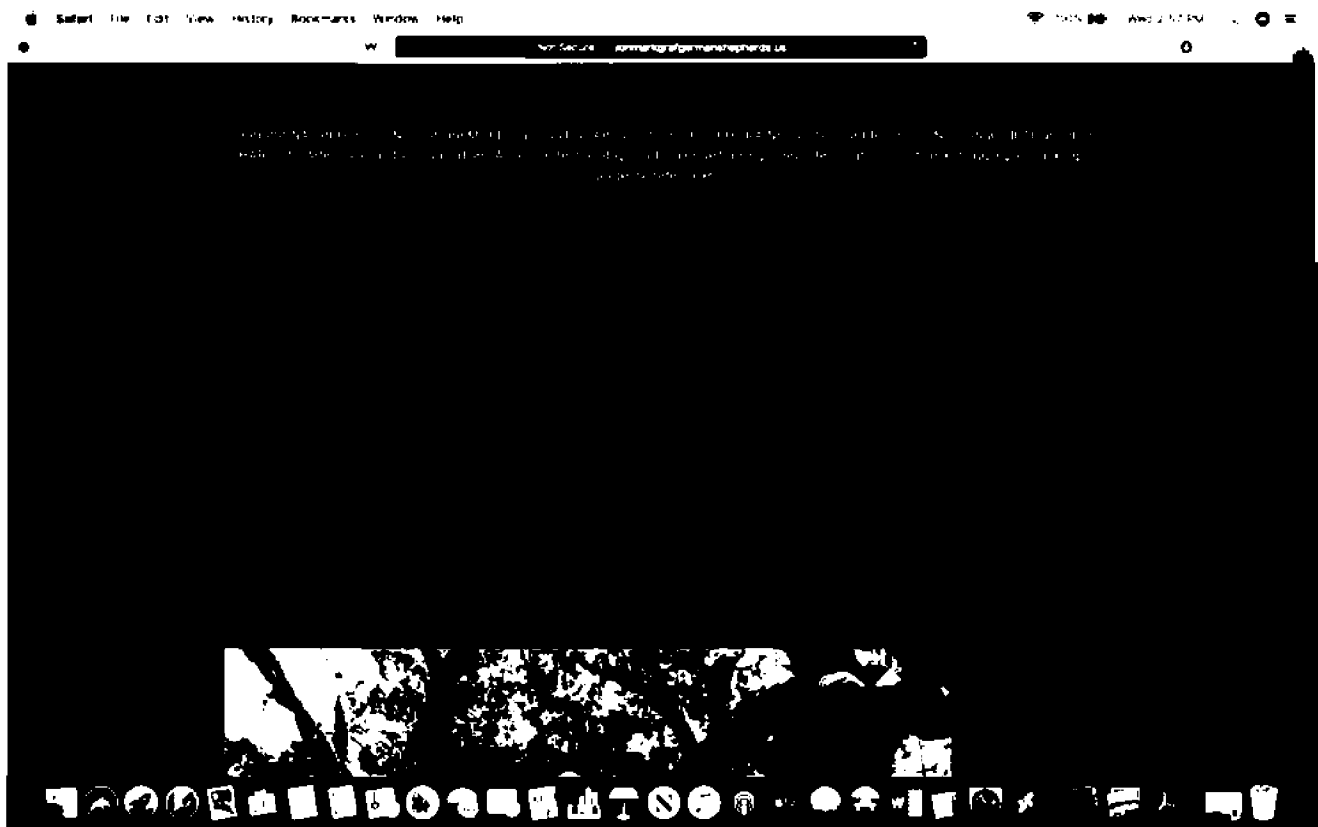


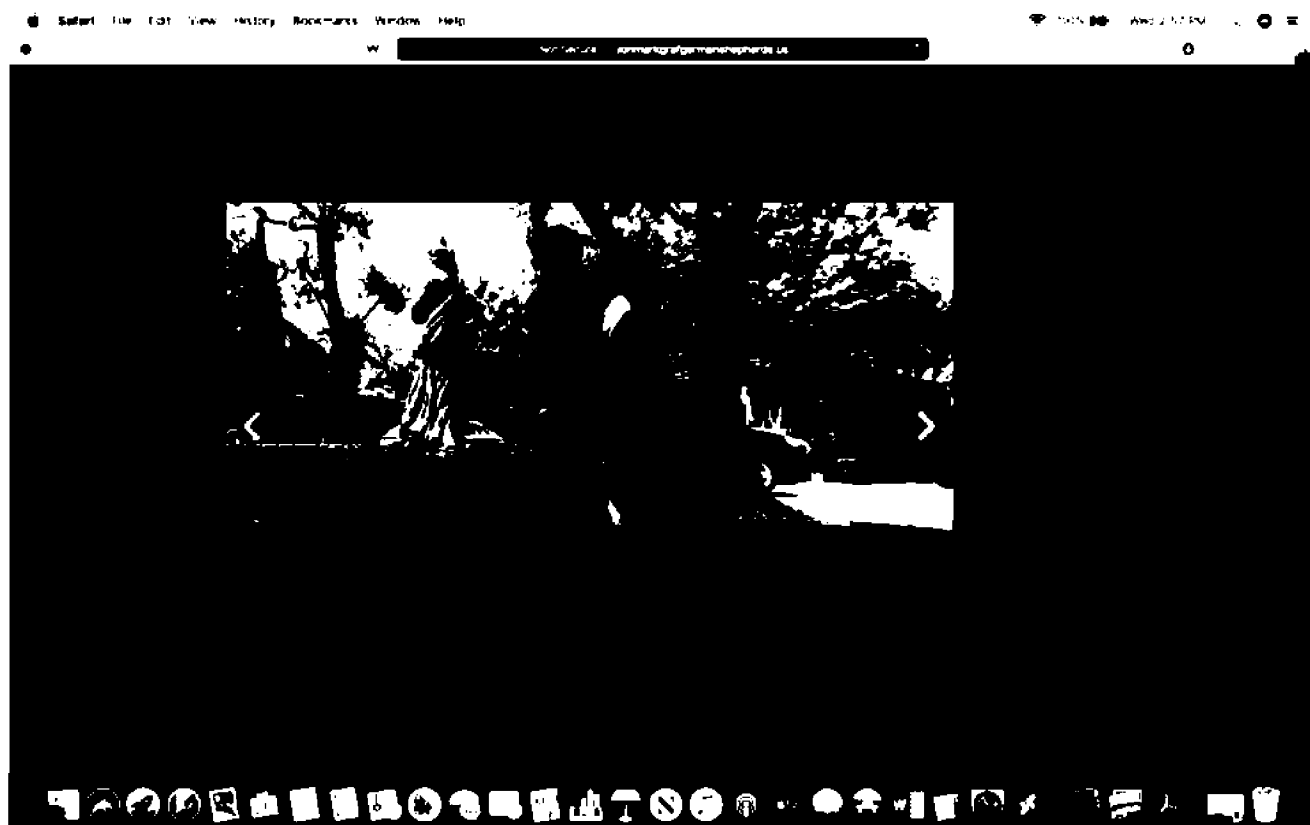






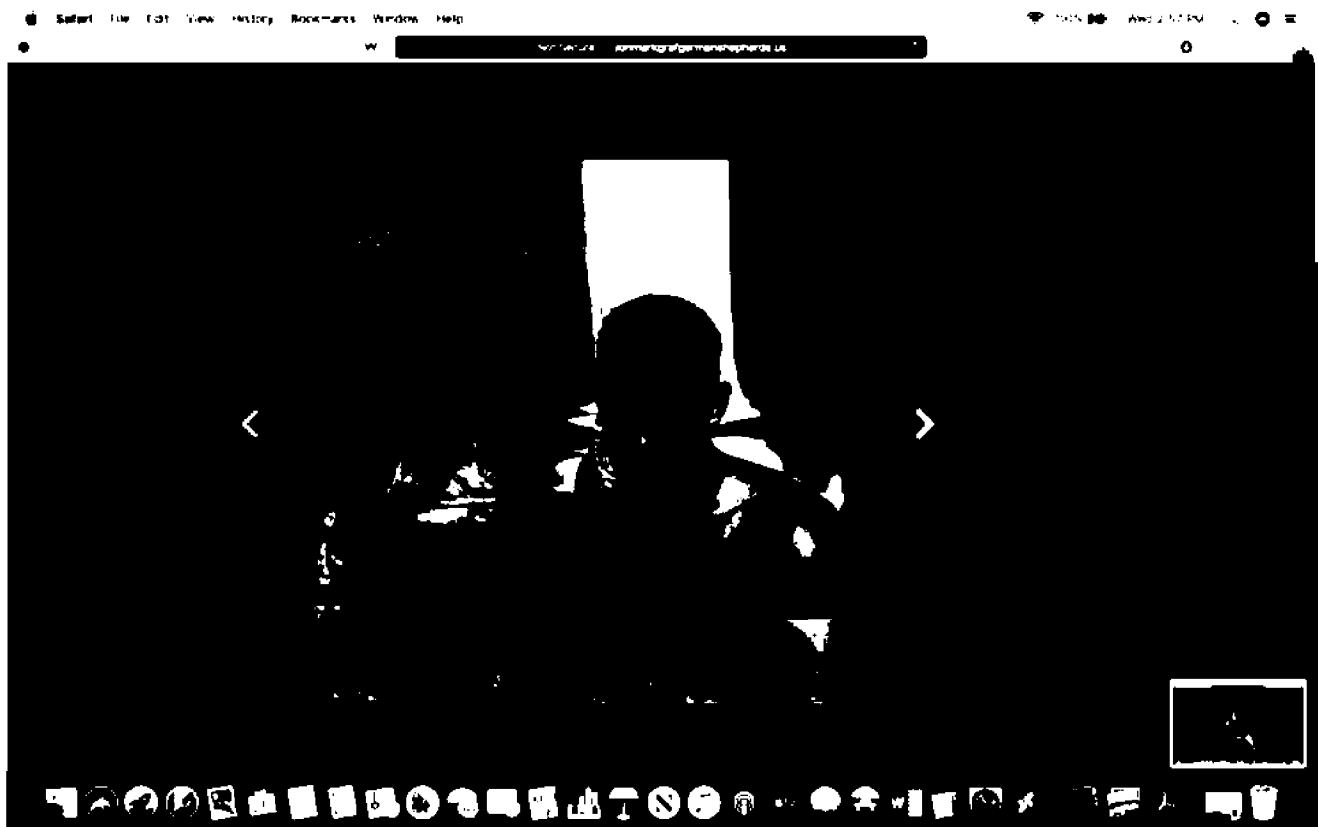














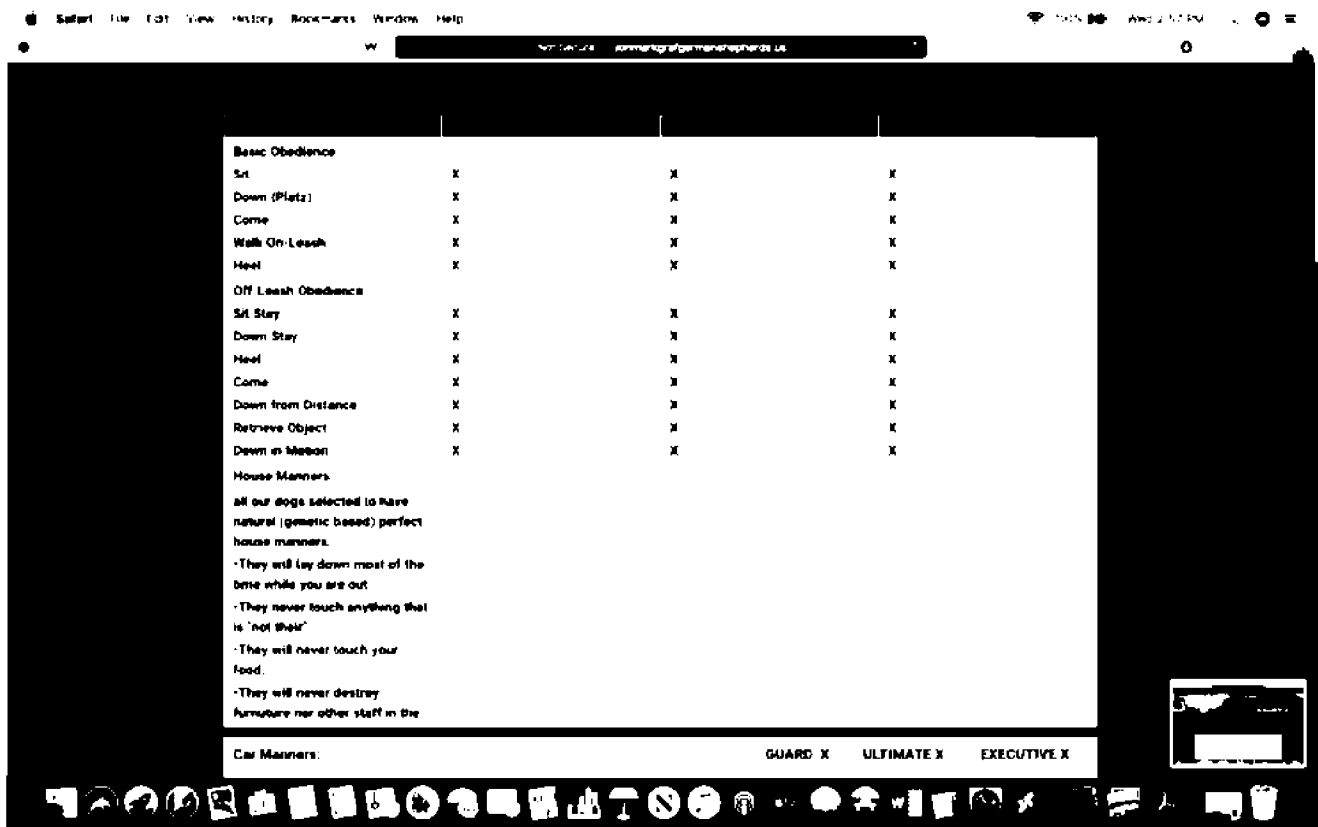
Safari File Edit View History Bookmarks Window Help

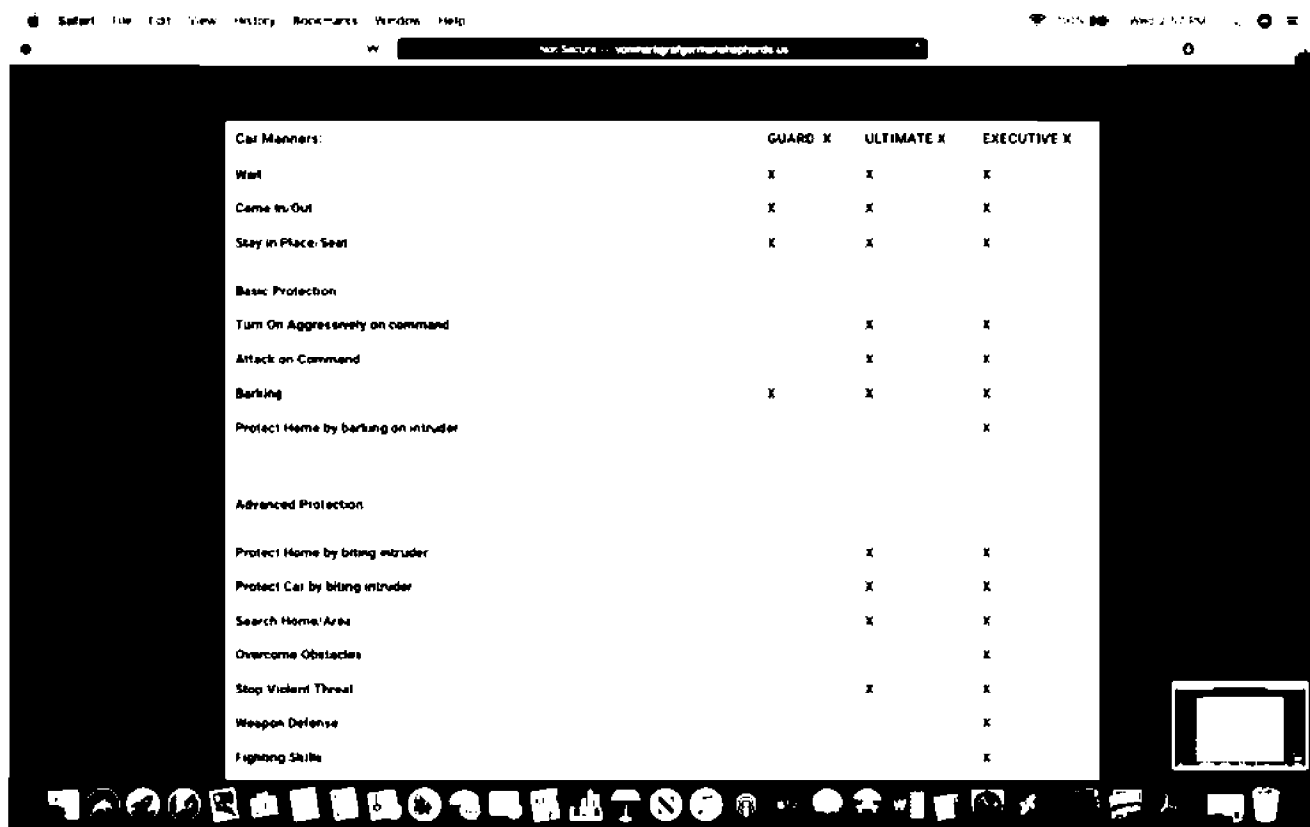
Not Secure [www.margieperkinsnephews.us](http://www.margieperkinsnephews.us)

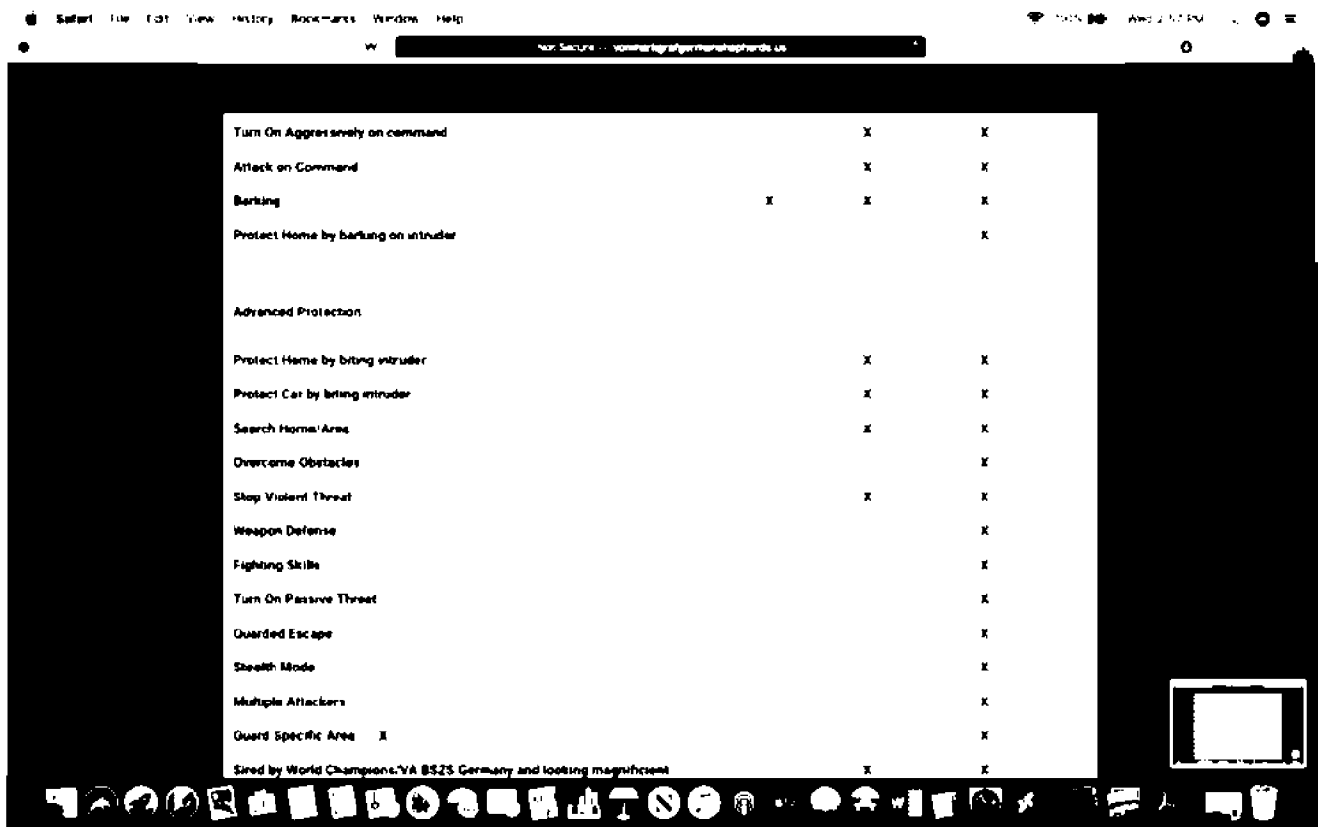
# Training Levels

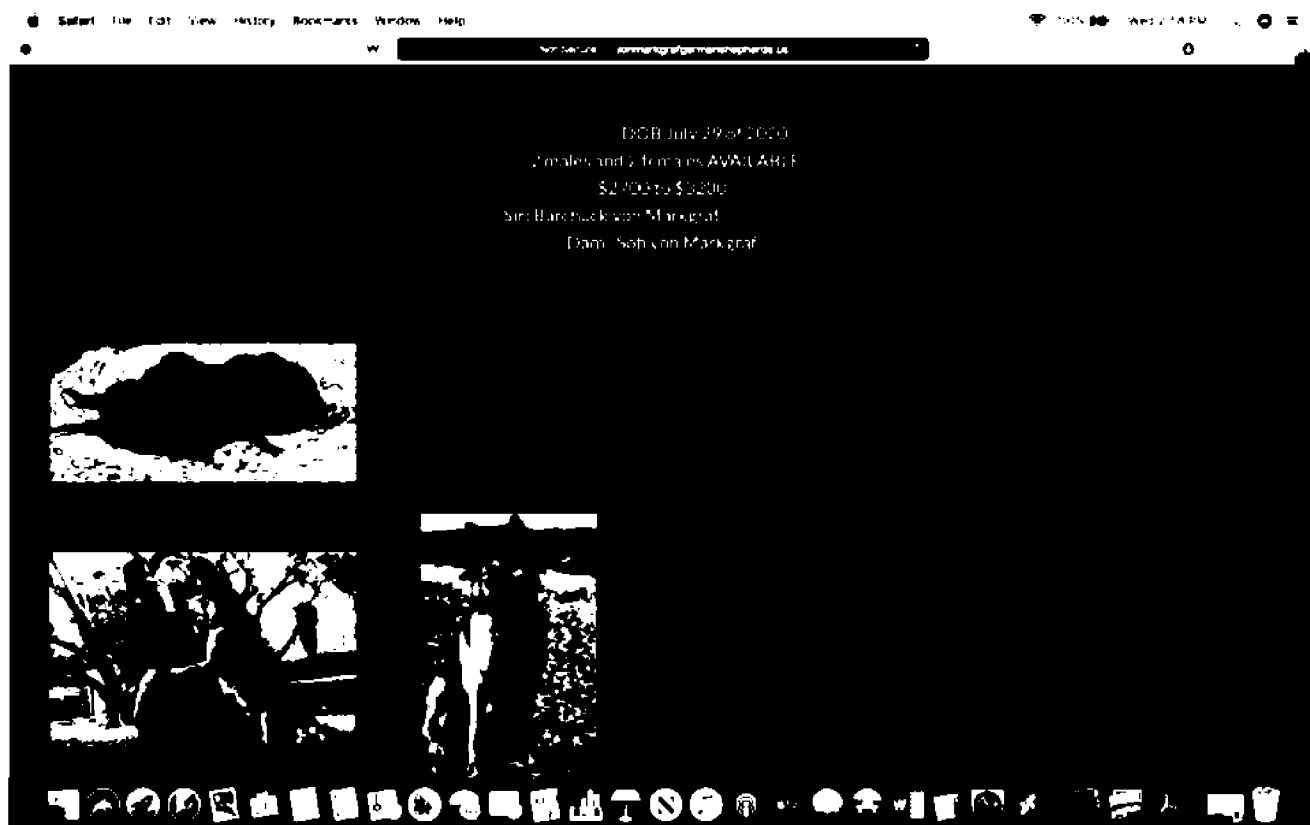
Available Personal Protection Programs

	Level 1	Level 2	Level 3
<b>Basic Obedience</b>			
Sit	X	X	X
Down (Platz)	X	X	X
Come	X	X	X
Walk On-Leash	X	X	X
Heel	X	X	X
<b>Off-Leash Obedience</b>			
Sit Stay	X	X	X
Down Stay	X	X	X
Heel	X	X	X
Drop	X	X	X





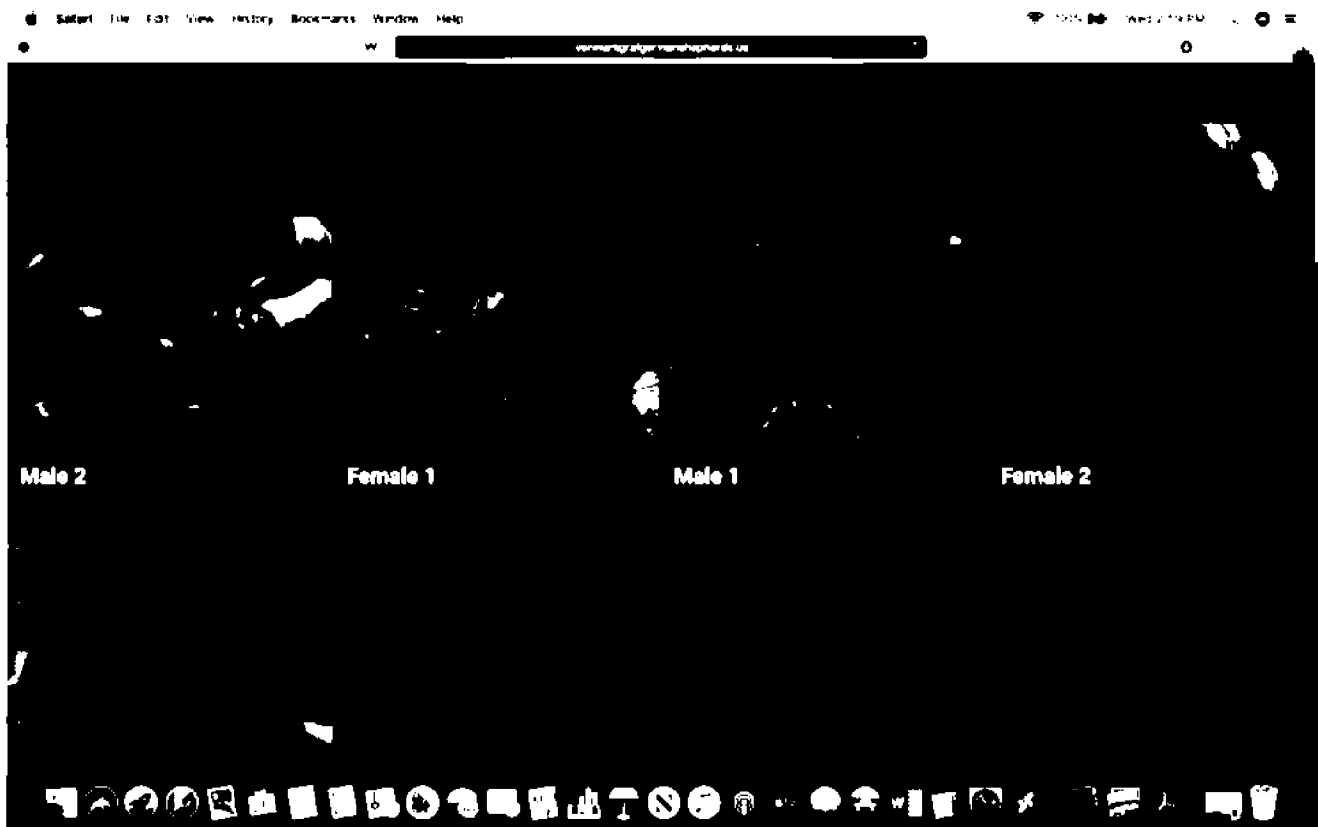


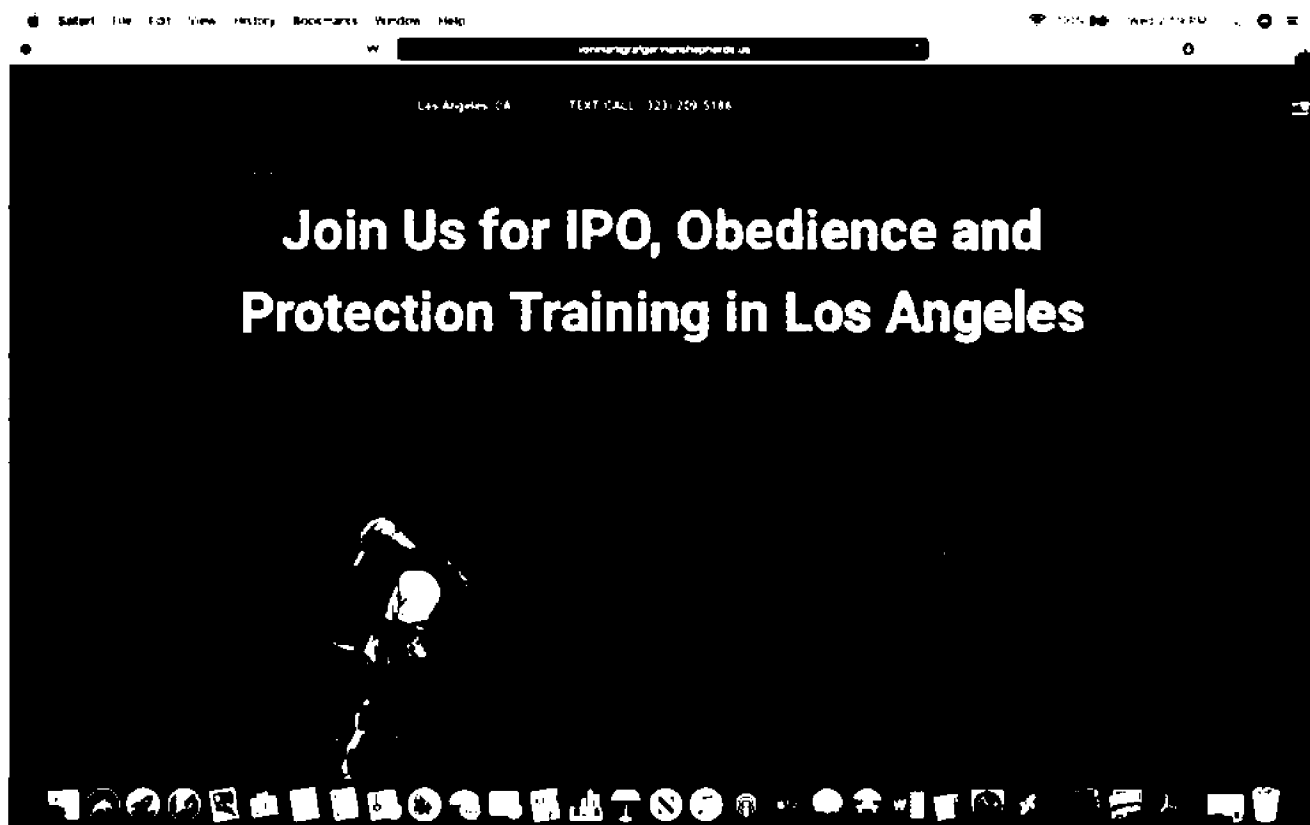


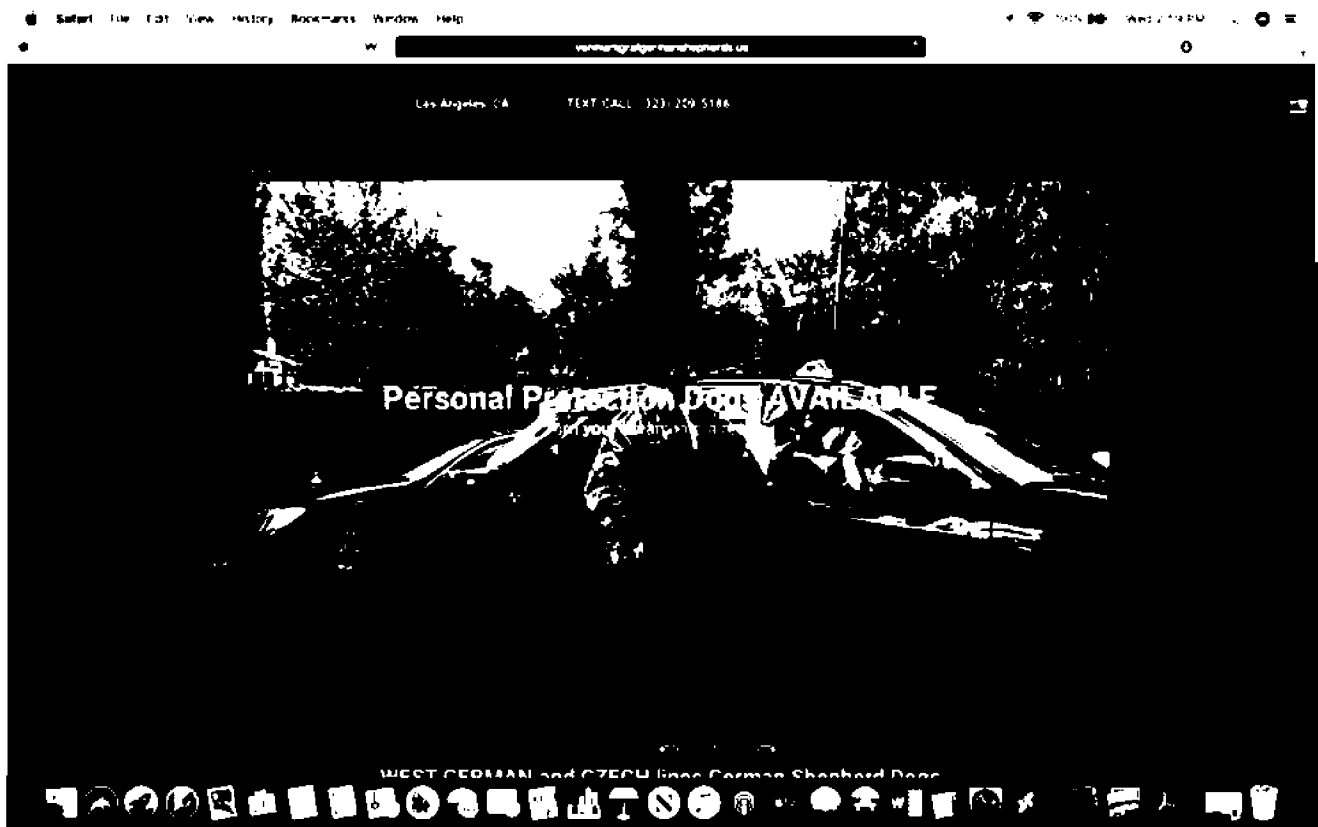




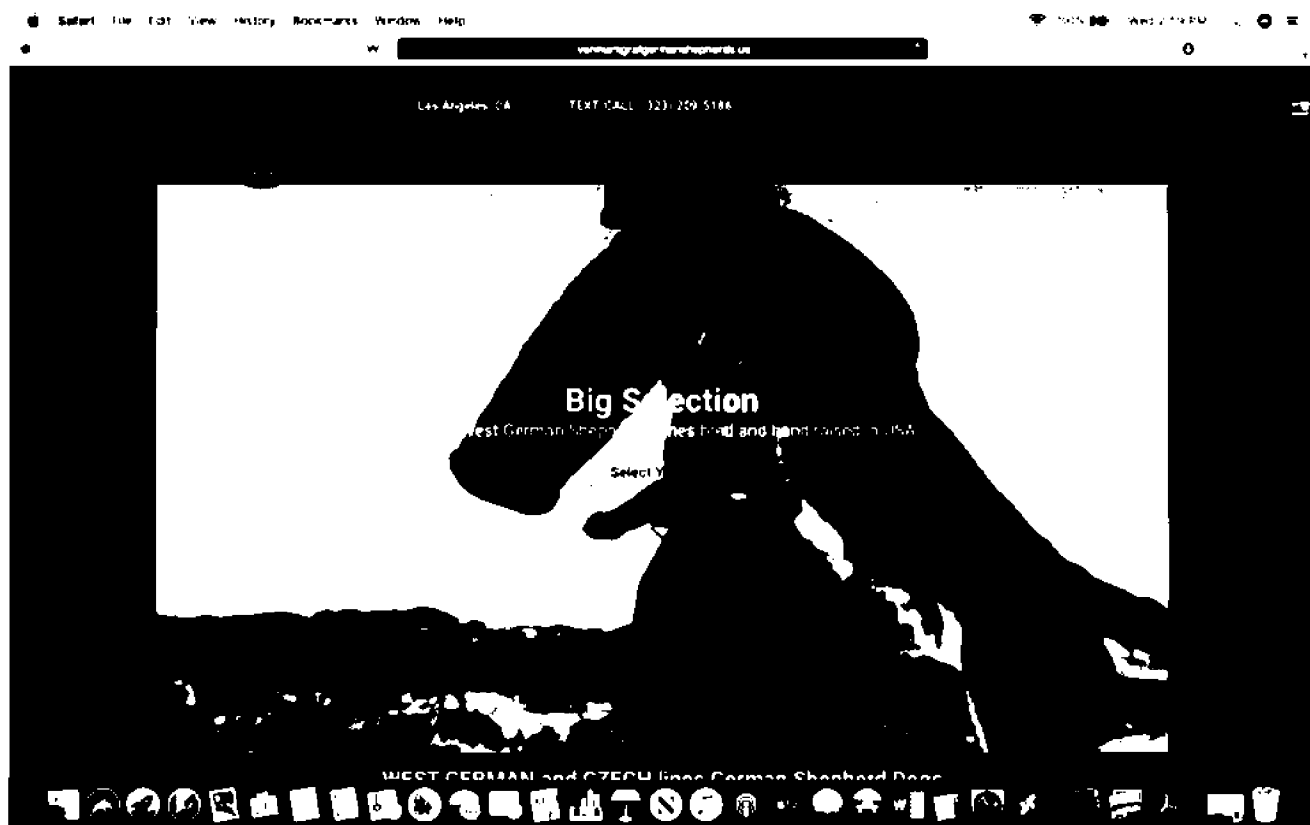




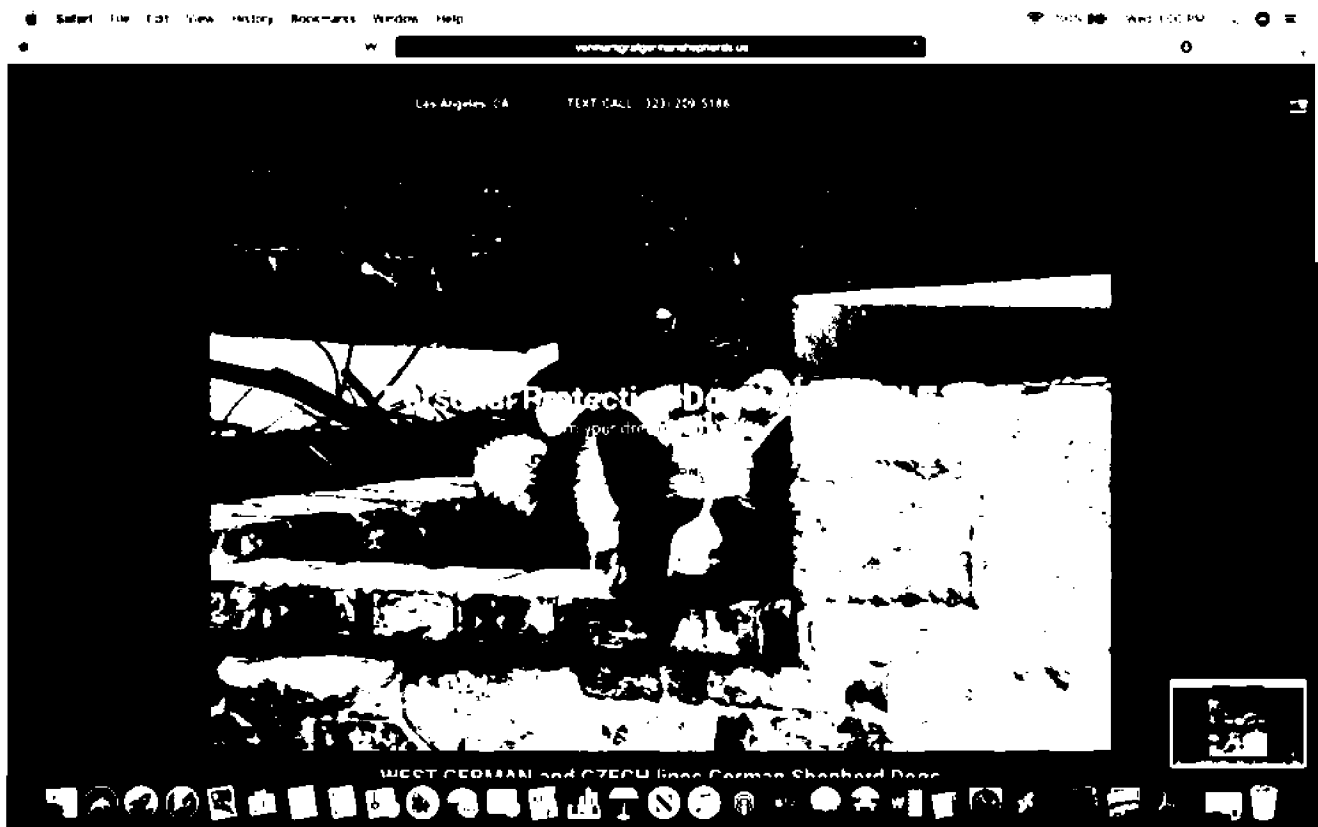




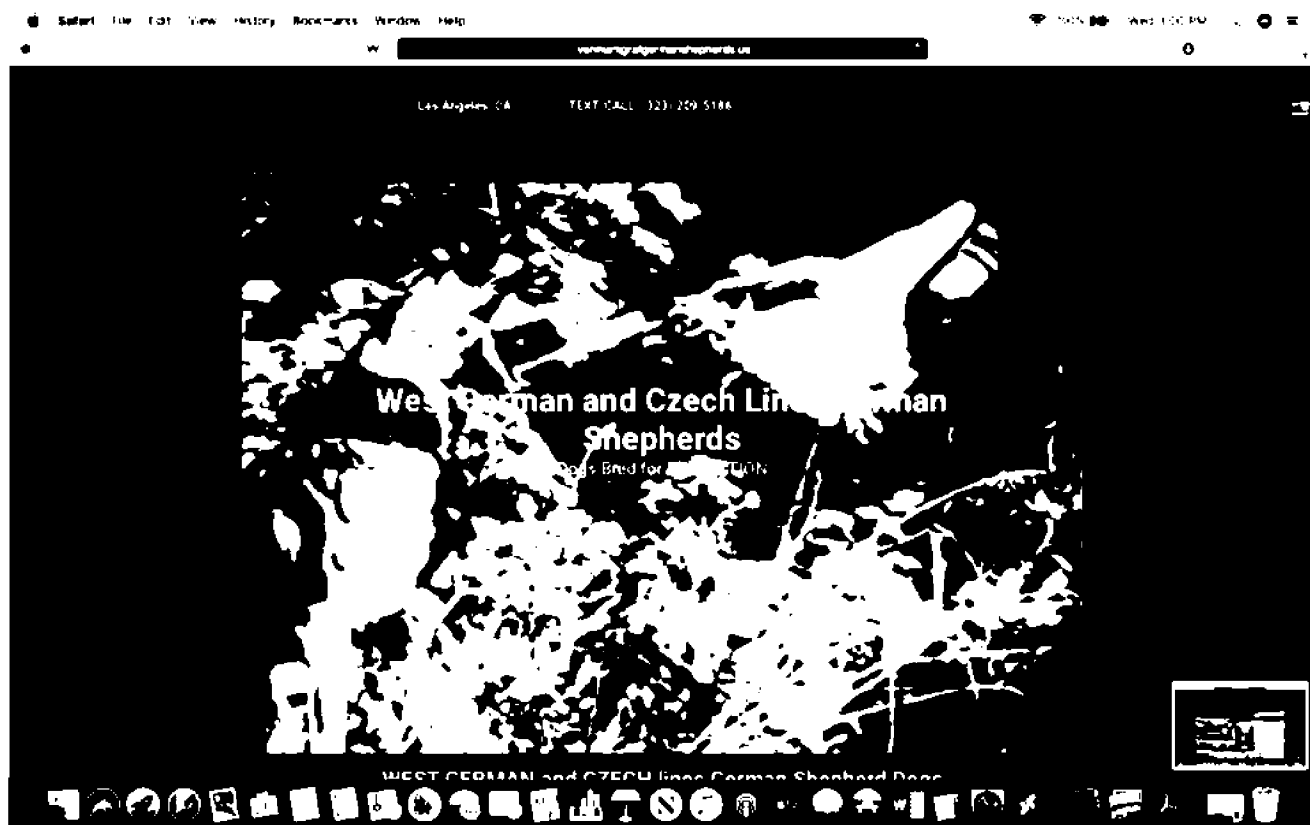




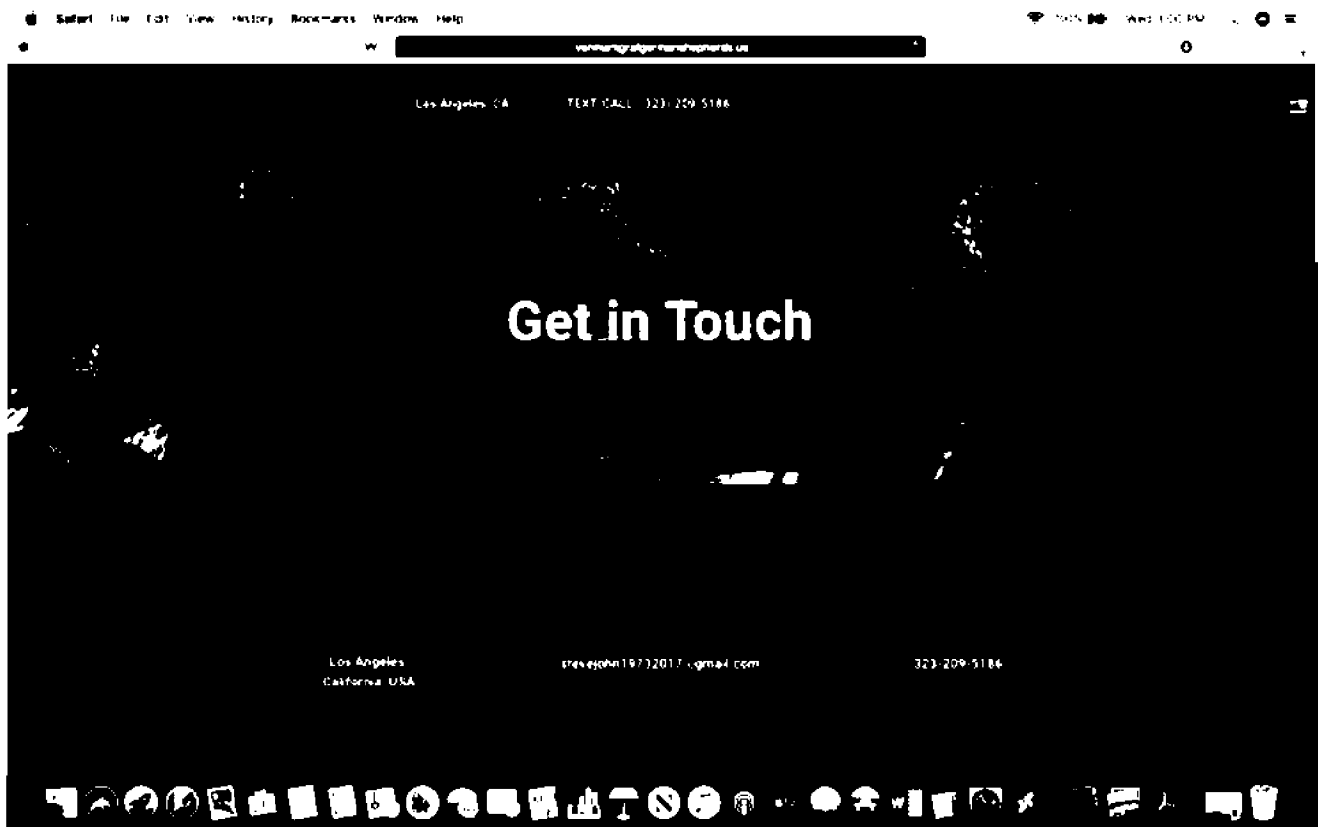


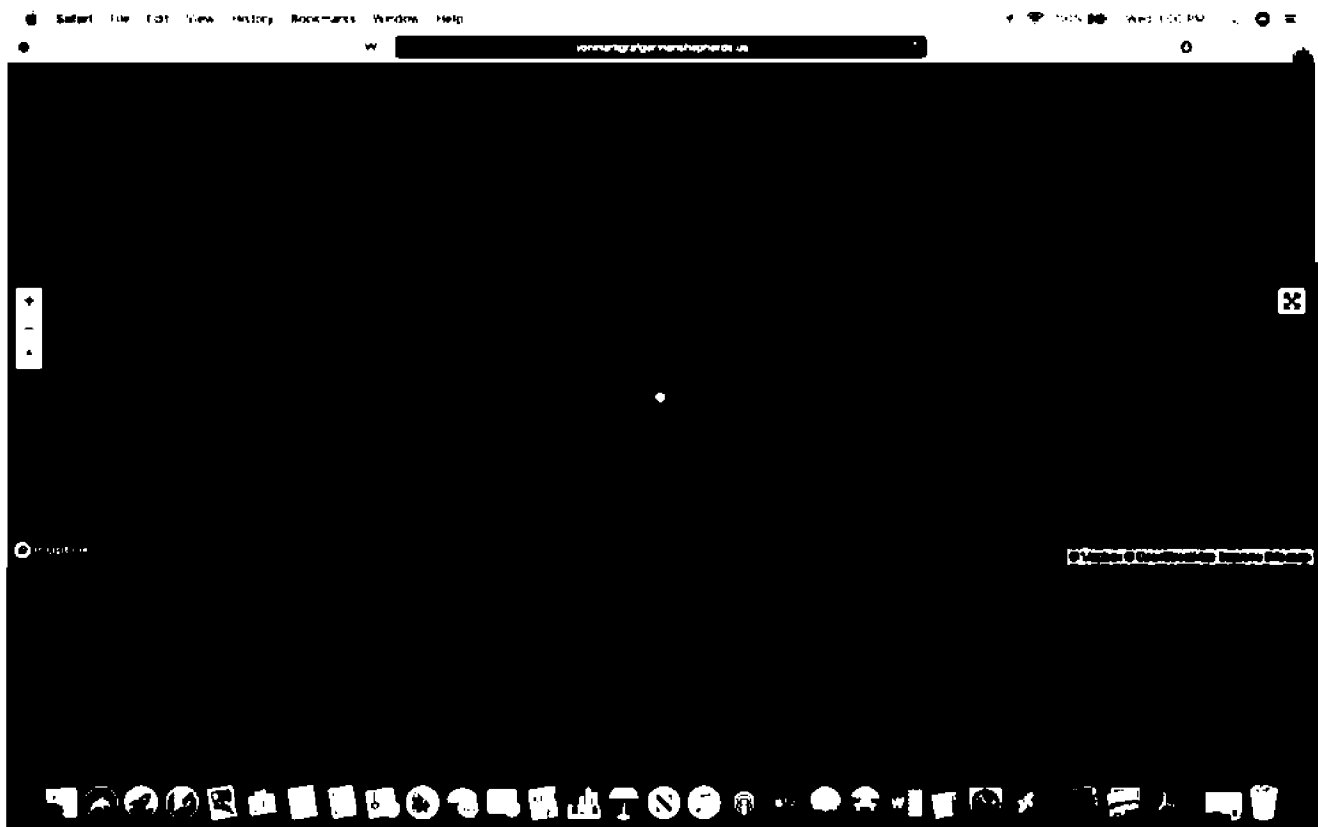


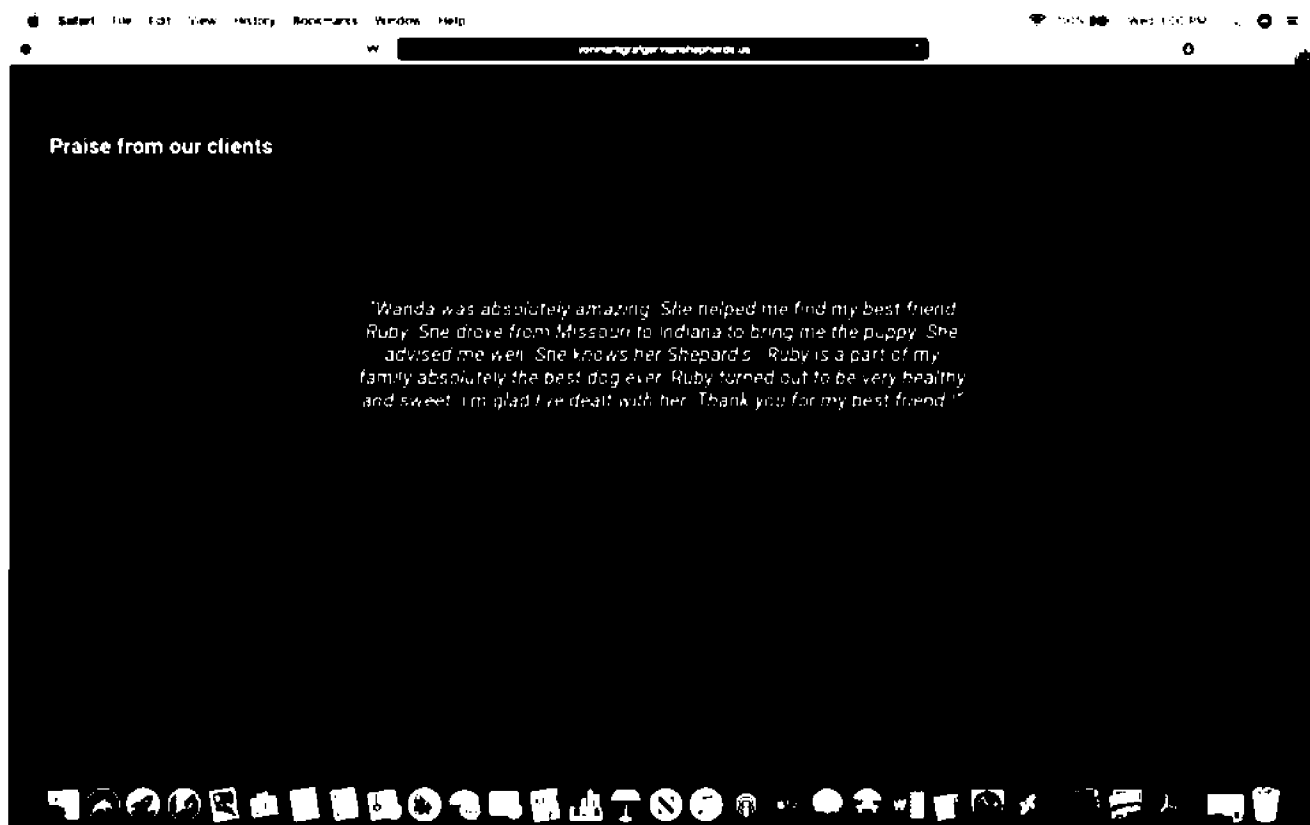


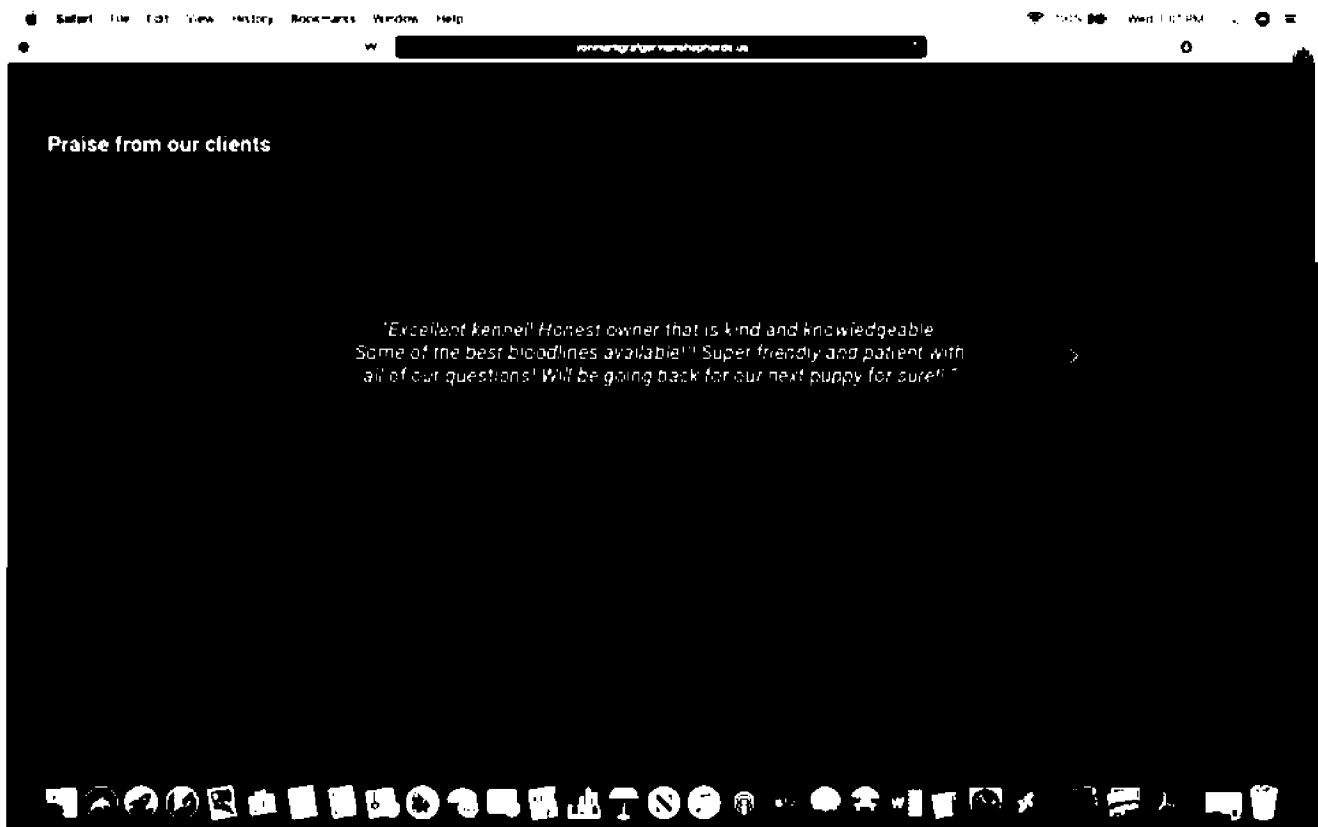


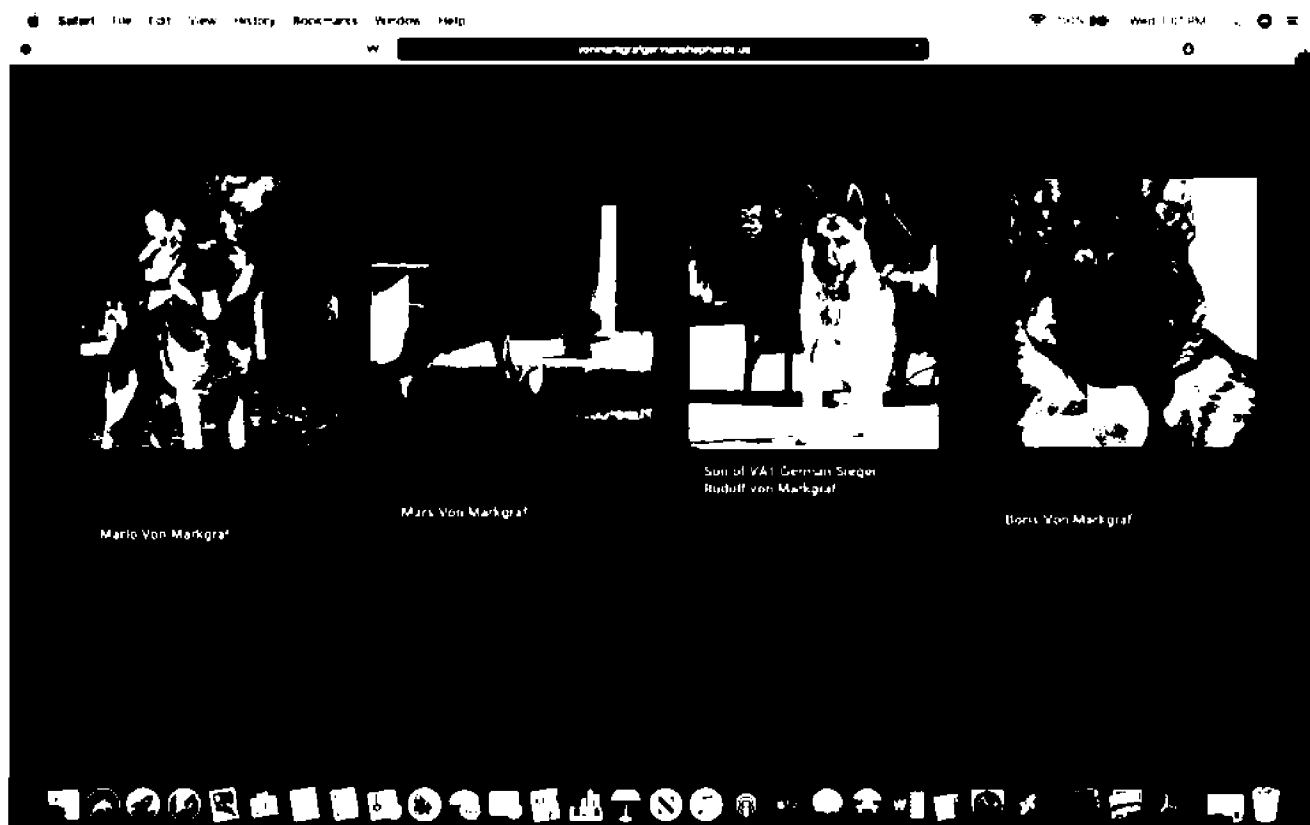


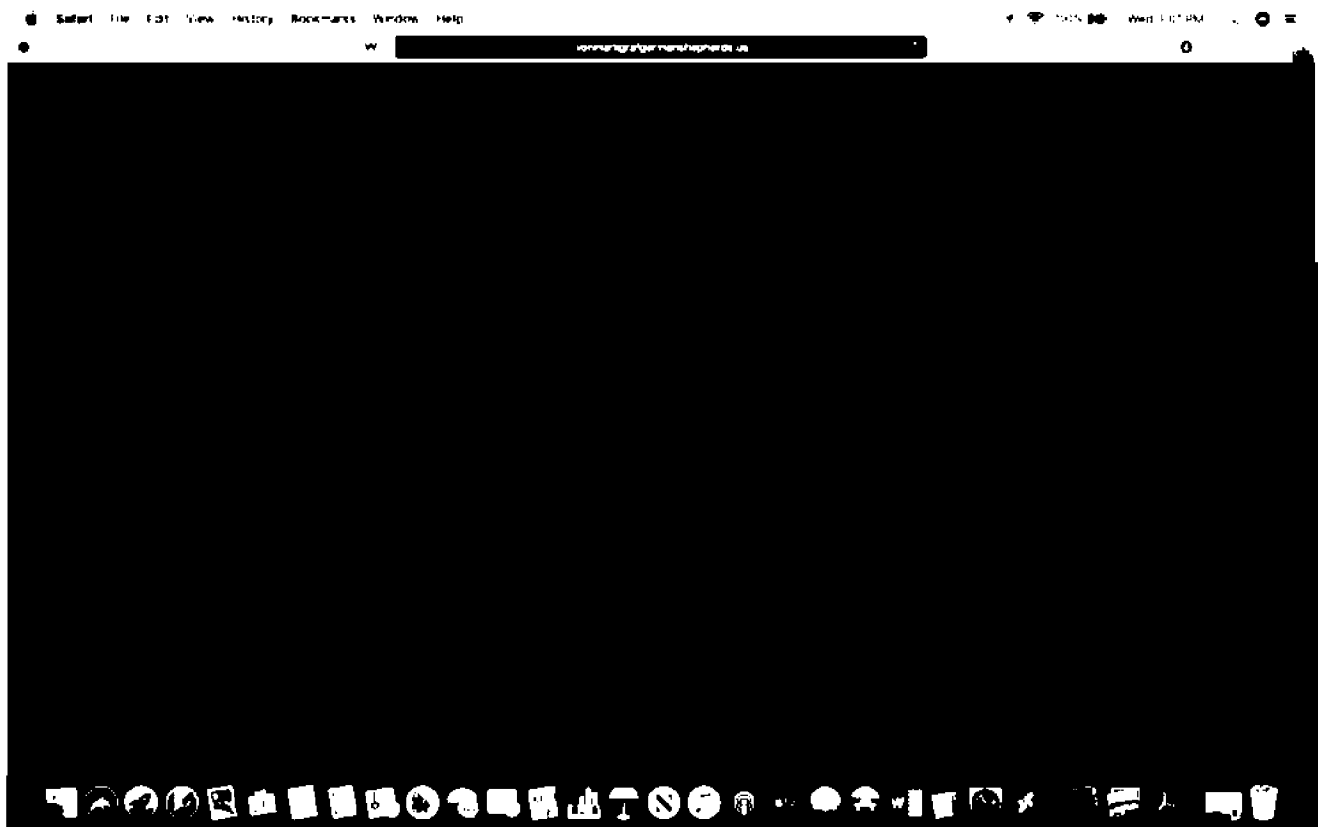




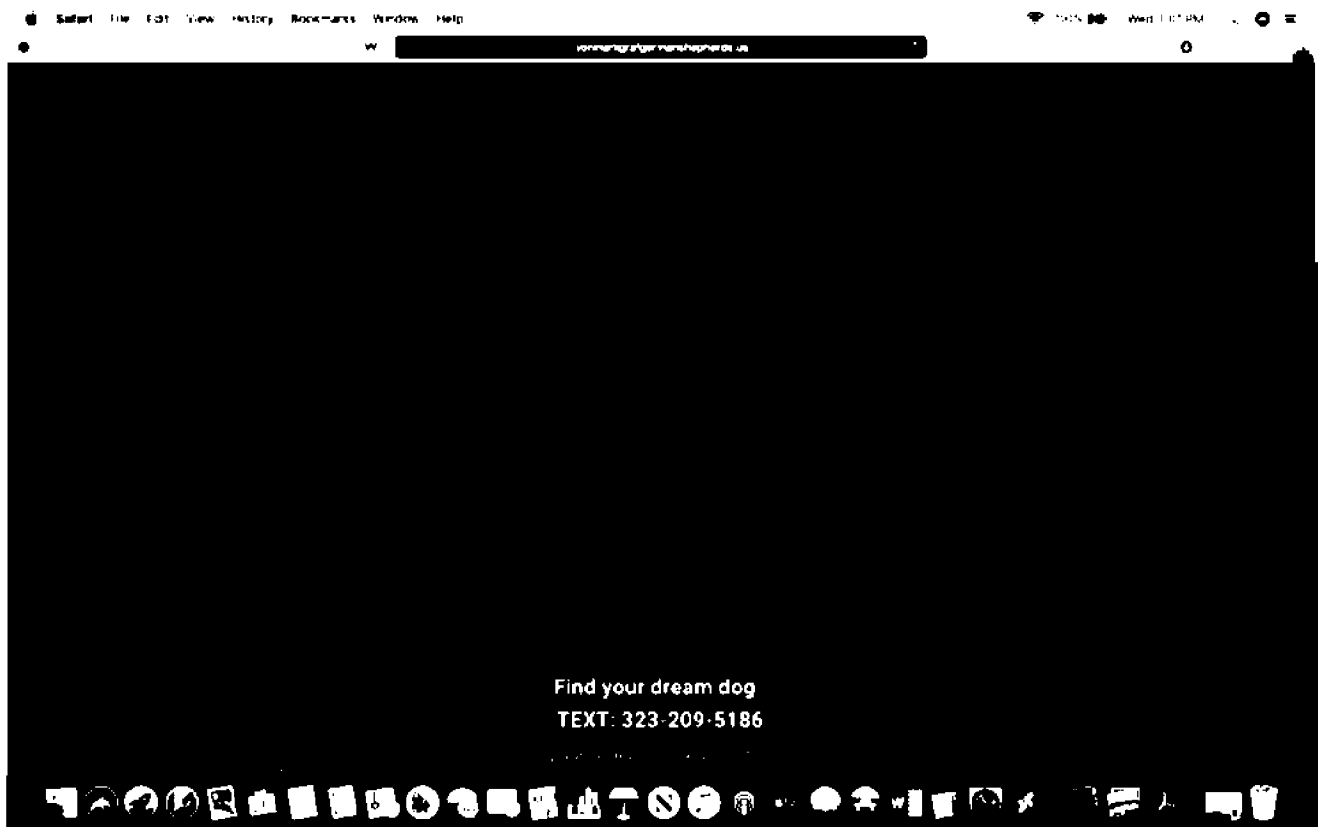












## **EXHIBIT “8”**

08/31/2020: Referral received from T. Campos with veterinary services. Kennel operating on vacant parcel, POs living in tents and make shift storage units built on the parcel. On 8/8/2020 SBCSD found approx. 50 German Shepherds on the property, unclear how many dogs remain as of today. There also a lot of discarded meat that is picks up daily from the Barstow butcher and uses to feed the dogs. Per T. Campos PO has filed a lawsuit against the SBCSD. Photos taken by T. Campos saved to office links. E. Aguero

#### PROPERTY OWNER CONTACT

09/08/2020 Ella [REDACTED] called and would like a call back to know how to go about getting a kennel permit. P. Harris

#### PROPERTY OWNER CONTACT

09/09/2020: Ella, [REDACTED] would like to schedule the initial inspection on the property. She also stated that the meat on the property is used for composting. E. Aguero

#### FIELD INVESTIGATION

10/02/2020 Field investigation conducted at front fence with property owner Ella Zorikova. Ms. Zorikova did not consent to the investigation and all pictures were taken from the public right of way. Ms. Zorikova stated that she only stays on the property when dogs are present. There are 2 shed located on the property with one being metal and one wood Due to no consent to enter property i observed approximately 13 dogs present on the property in individual makeshift cages with tarp being used to shade dogs. 2 Sports utility vehicles were parked at the entrance of the property. Unable to determine if any disposed meat was present on the property.

Ms. Zorikova stated that she has attempted to obtain a kennel permit and I explained to her i was there to investigate the Land use Violation since the property is listed as vacant with no primary use. Ms. Zorikova stated she will attempt to get the kennel permit and if she cannot obtain permit she will leave the property. I explained to Ms. Zorikova that she must talk to planning. I gave Ms. Zorikova my business card and informed her I would be sending a notice. Ms. Zorikova provided me with an address to send notice to and asked any future communication to be with her attorney. I replied that is fine, but her attorney would need to contact Code enforcement and we will not reach out to them and it is her responsibility to keep her attorney informed not ours. Ms. Zorikova understood. Notice will be sent to address on file and also to address provided by Ms. Zorikova, [REDACTED]  
[REDACTED]. G. Arroyo

#### NOTICE OF VIOLATION

Notice prepared on 10/07/2020 with a mail date of 10/13/2020. 30 day notice will be issued for the following violation: SBCC 82.02.020(b) No Primary Use - Vacant. Notice has been saved to office link and email has been sent to operations for regular mailing. G. Arroyo

#### NOTICE OF VIOLATION - MAILING:

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to: [REDACTED]. N. Candelario

**NOTICE OF VIOLATION - MAILING:**

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to:  
[REDACTED]. N. Candelario



SAN BERNARDINO  
COUNTY

## Land Use Services Department Code Enforcement NOTICE OF VIOLATION

TO: ZINAIDA, DMITREEVA ETAL OR  
JEONG, OLIVIA NOTICE DATE: 10/13/2020

ASSESSOR'S PARCEL NUMBER: 0502-085-75-0000 CASE #: C202002475

SITUS ADDRESS: 1335 TRUMP BLVD BARSTOW CA 92311

MAILING ADDRESS: [REDACTED]

THE INDICATED VIOLATION(S) OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND/OR THE SAN BERNARDINO COUNTY CODE WERE OBSERVED ON THE SUBJECT PROPERTY DURING AN INSPECTION CONDUCTED ON 10/02/2020:

☐ IPMC 302.8 - **Motor Vehicles:** No inoperative motor vehicle shall be parked, kept, or stored on any premises other than in a garage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.4 - **Unlawful Structures:** An unlawful structure that was erected, altered, or occupied contrary to law.  
☐ Room Addition ☐ Garage Conversion ☐ Patio Cover ☐ Decking ☐ Carport ☐ Residence / Manufactured ☐ Shed-Cargo Container-Barn-Animal Enclosure  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.5(7) - **Dangerous Structure on Premises:** The building or structure is neglected, damaged, dilapidated, unsecured, abandoned, or an attractive nuisance.  
Corrective Action: \_\_\_\_\_

☐ IPMC 102.2 - **Maintenance:** Structure or premises shall be maintained in good working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 302.7 - **Accessory Structures:** Accessory structures, including detached garages, fences and walls, shall be maintained, structurally sound, and in good repair.  
Corrective Action: \_\_\_\_\_

☐ IPMC 308.1 - **Garbage:** Exterior and interior of property shall be free from any accumulation of rubbish or garbage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 504.1 - **Plumbing Systems and Fixtures:** Plumbing fixtures shall be properly installed and maintained in working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 506.1 - **Sanitary Drainage:** Plumbing fixtures shall be properly connected to either a public sewer system or an approved private sewage disposal system.  
Corrective Action: \_\_\_\_\_

☐ IPMC 602.2 - **Heating Facilities:** Dwellings shall be provided with heating facilities.  
Corrective Action: \_\_\_\_\_

☐ SBCC 41.2503 - **Rental Dwelling Unit License Required:** A license is required for the operation of each rental dwelling unit.  
Corrective Action: \_\_\_\_\_

☐ SBCC 84.25.070 A & C - **Occupancy/Camping:** It is unlawful to temporarily or permanently occupy any vehicle or temporary structure.  
Corrective Action: \_\_\_\_\_

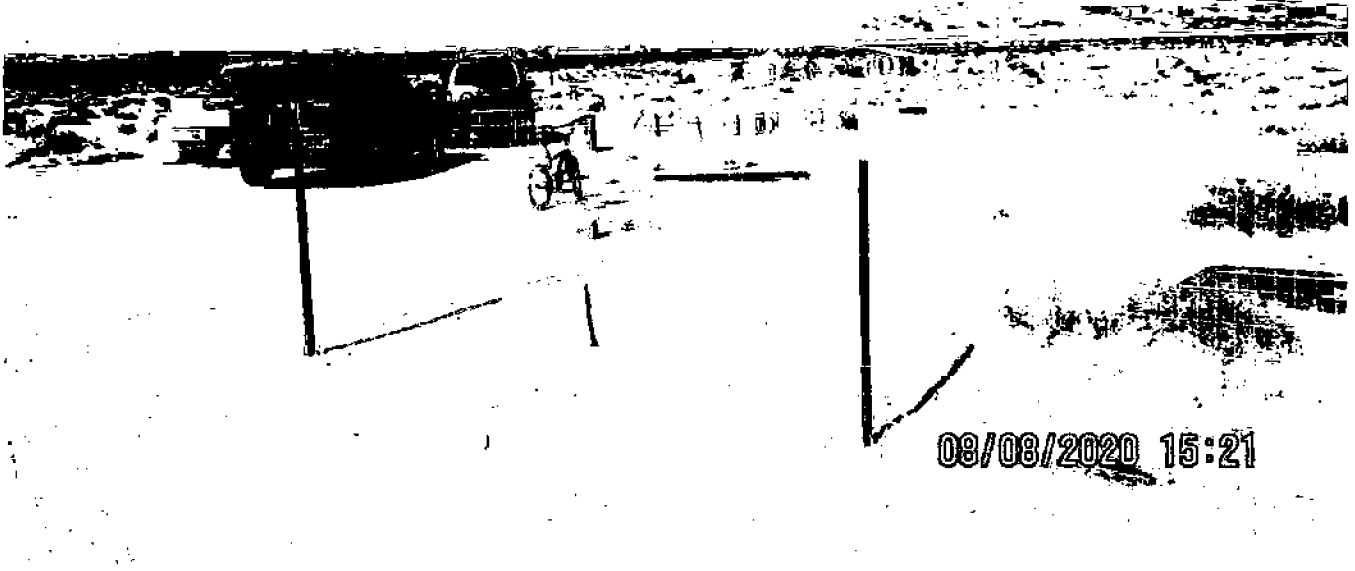
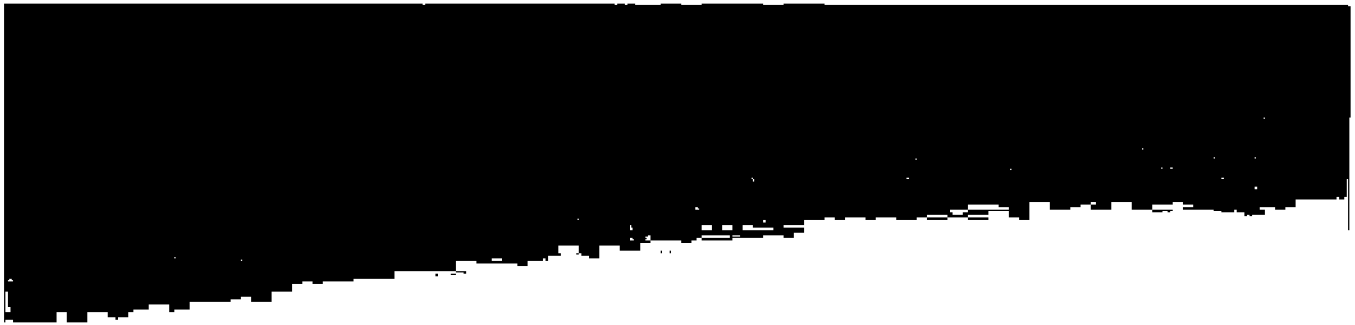
☐ SBCC 84.04.090(h) - **Animal Density Standards:** The number of animals shall be within approved limits.  
Corrective Action: \_\_\_\_\_

☒ SBCC 82.02.020(b) **No Primary Use - Vacant**  
Corrective Action: Operating a kennel on a property listed as vacant with no established Primary Use is not allowed. Remove 2 sheds, personal items, vehicles, dogs and makeshift animal enclosures.

The indicated violations must be corrected within **30** days from the date of this notice. A re-inspection of this property to verify compliance will be completed after 11/12/2020. Failure to correct the existing violation(s) may result in the issuance of administrative citations and/or civil or criminal prosecution. A lien and a special assessment on the property tax roll may also be placed against the subject property to recover any regulatory costs incurred by the County.

If you have questions regarding this notice please contact Code Enforcement at (909) 884-4056 or (760) 995-8140.

Notice received by: Standard Mail Code Enforcement Officer: G. Arroyo

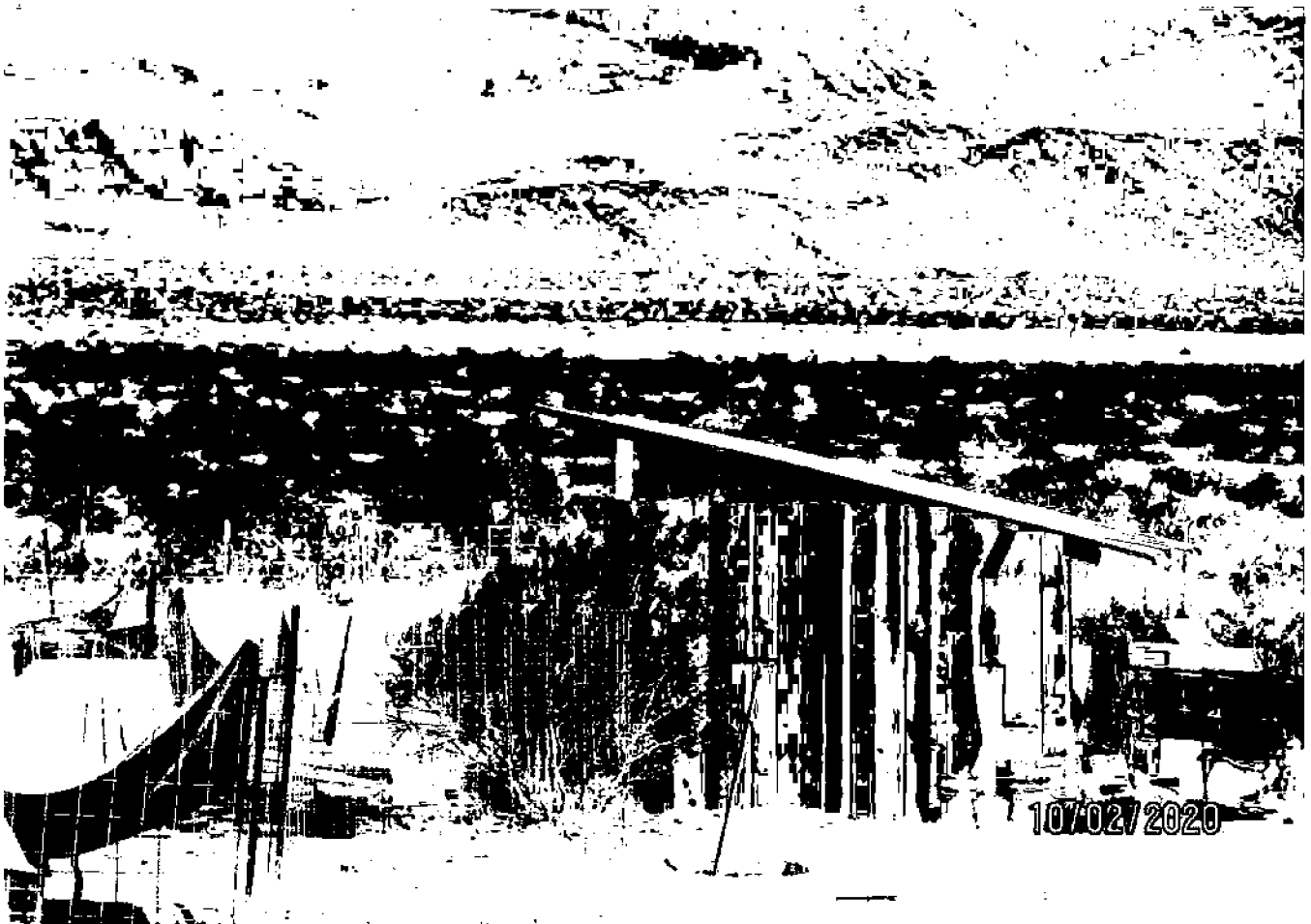


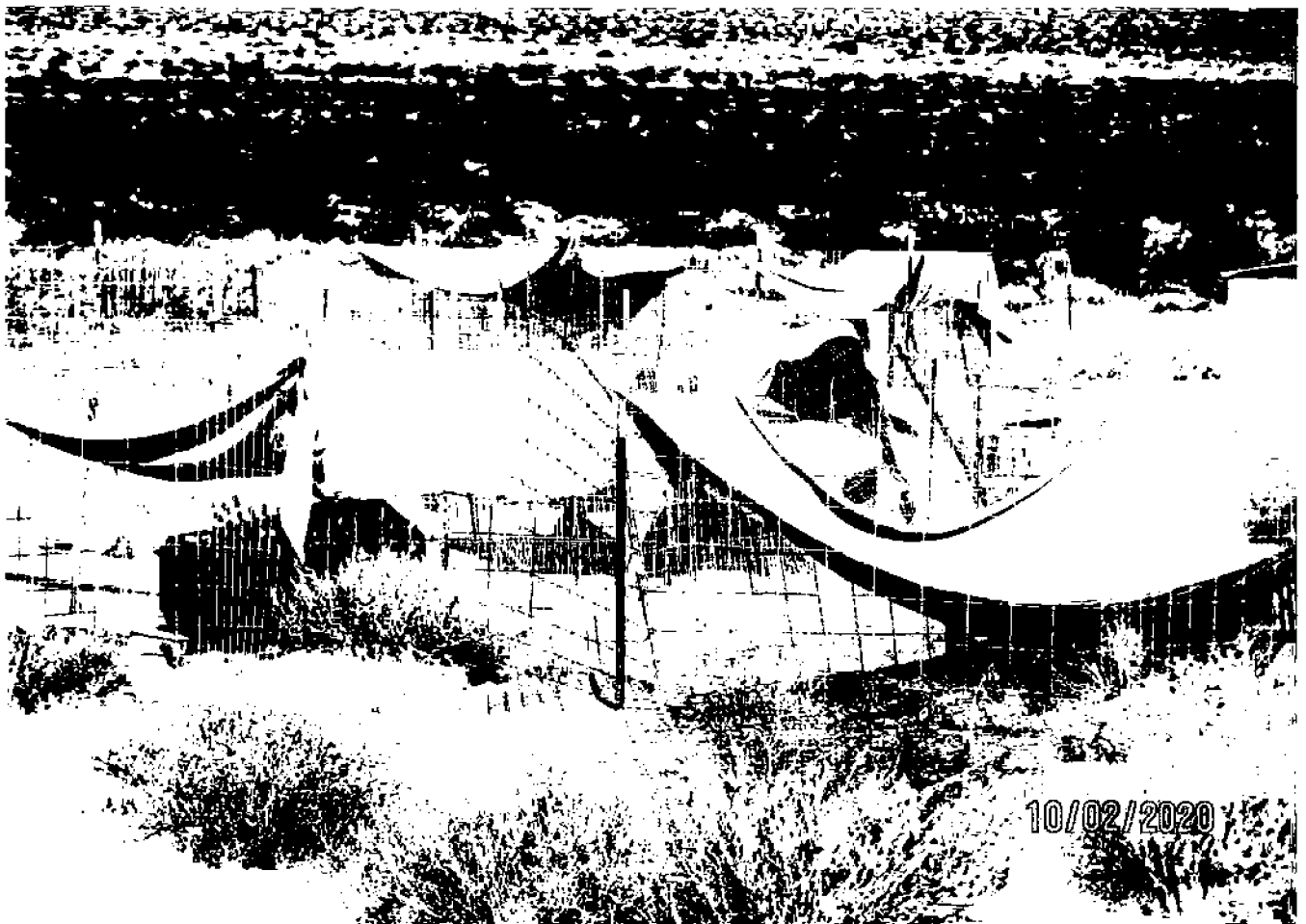
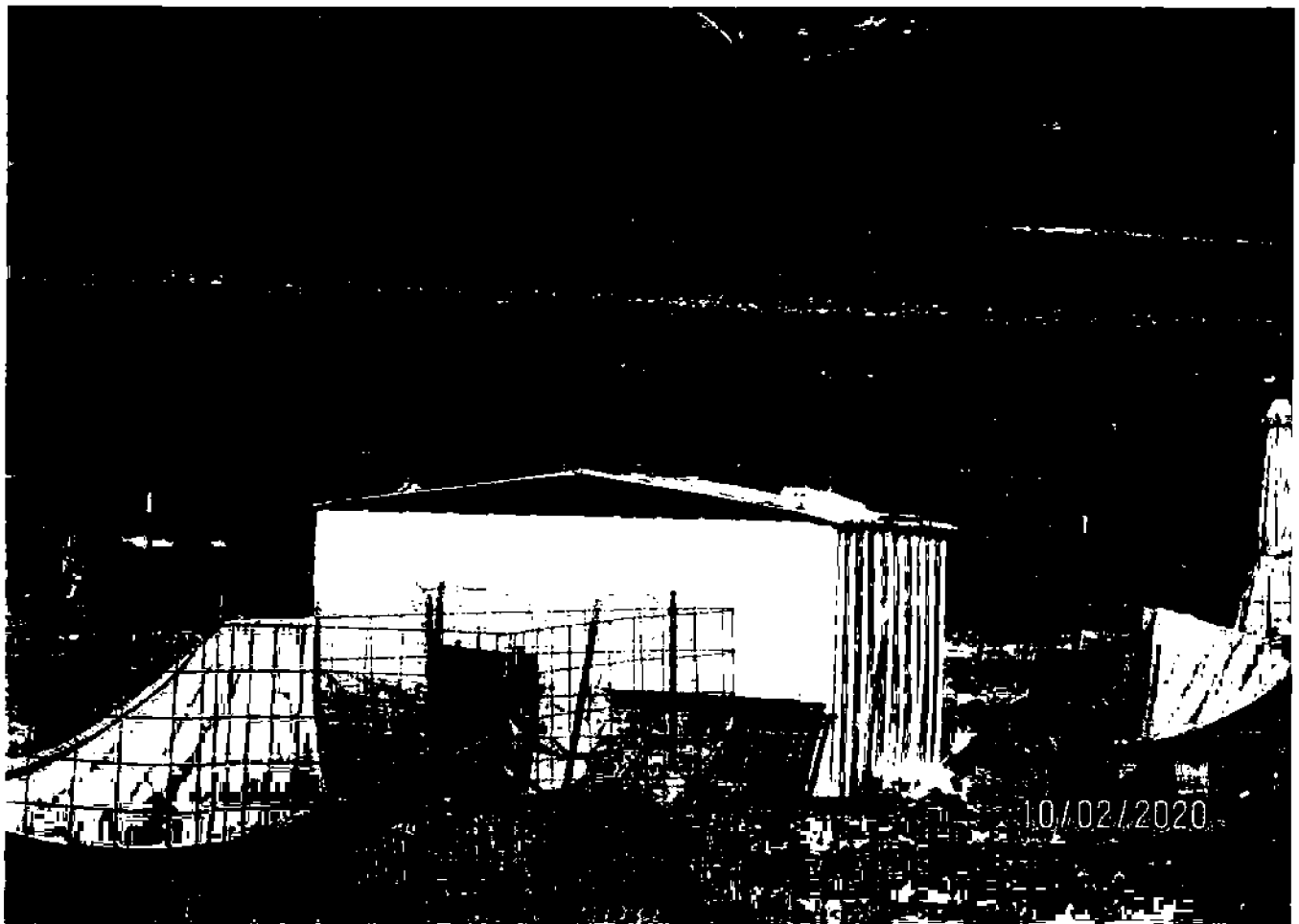




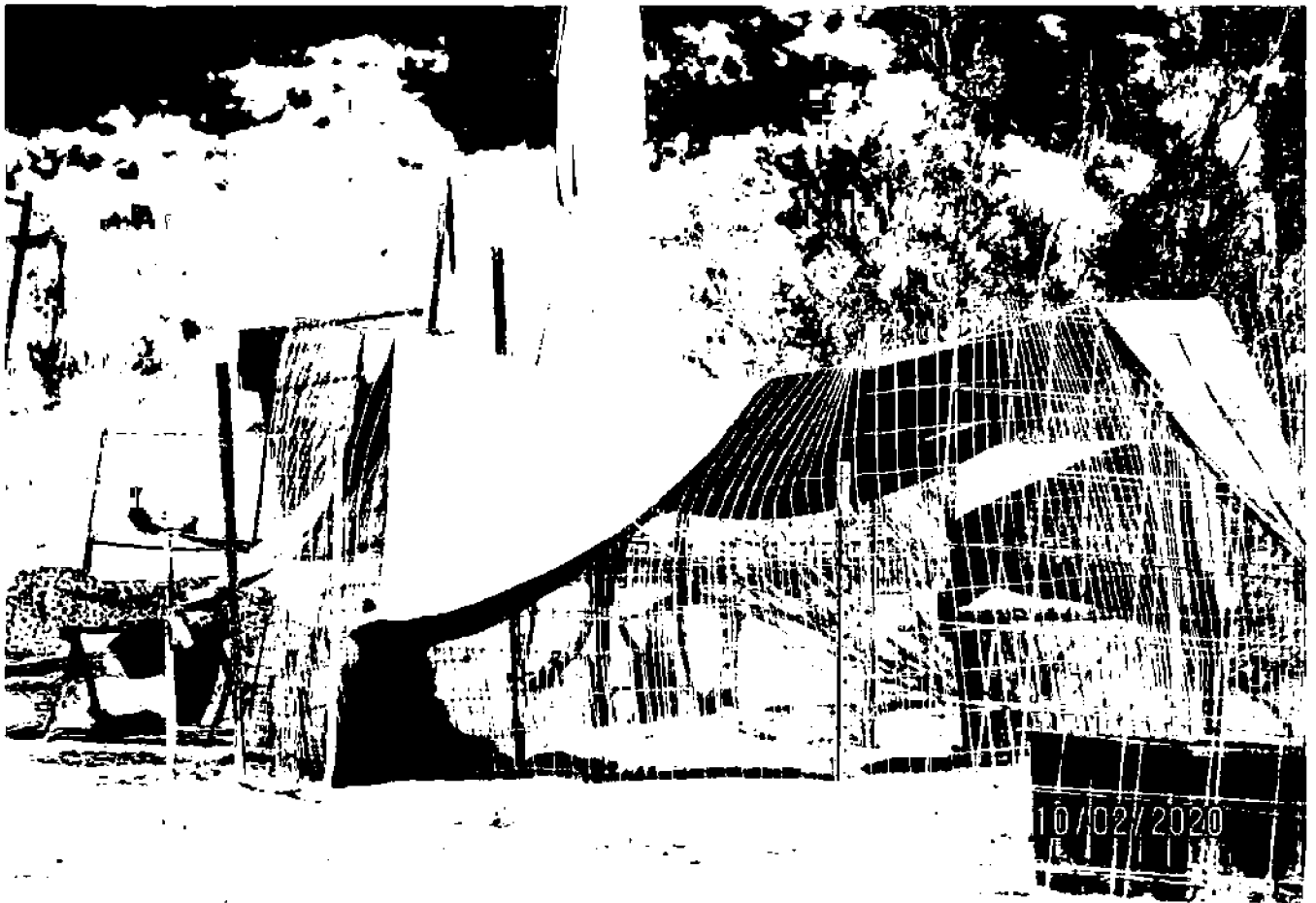














## **EXHIBIT “9”**

### **DECLARATION OF DEFENDANT JULIE PYLE**

I, Julie Pyle, hereby declare under penalty of perjury the following:

1. I am over the age of 18 and a resident of the State of Nevada.
2. Vegas Shepherd Rescue is a non-profit corporation formed in 2012 with the Nevada Secretary of State. I am the Director on the Secretary of State filings.
3. Contrary to Plaintiff's allegations, I have never, ever been on Plaintiff's property, to steal her dogs or otherwise. I was not in the State of California at any time in August 2020. Vegas Shepherd Rescue has never, ever been to Plaintiff's property and was likewise not in California at any time in August 2020.
4. I do not now, and have never owned a vehicle with the license plate AKC GSD. Vegas Shepherd Rescue does not now, or at any time, owned a vehicle with the license plate AKC GSD.
5. Contrary to Plaintiff's allegations, at no time was I contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. Neither was Vegas Shepherd Rescue. Contrary to Plaintiff's allegations, I was not associated with any San Bernardino County Government Officials' with any request for removal of dogs from Plaintiff's property. Neither was Vegas Shepherd Rescue.
6. As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found, abused, abandoned, and/or surrendered dogs – primarily German Shepherd Dogs as the name implies; obtain necessarily medical attention, including spay and neuter as required by Nevada/Clark County law, and adopt them out. Vegas Shepherd Rescue also takes shepherds in from kill shelters and adopts them out. Vegas Shepherd Rescue rescues and places upwards of a



hundred dogs a year, approximately 85% of which are German Shepherd dogs. Vegas Shepherd Rescue has performed this service as a non-profit corporation that exists entirely on donations since its inception in 2012. Counsel in this matter are providing their services entirely pro bono.

7. When I (or Vegas Shepherd Rescue) comes into possession of any dog, we immediately check to see if there is a microchip. When we obtain veterinary care, which we do for each dog that comes into our possession, the veterinarian also checks to see if there is a microchip.


8. I have never been in possession of any dogs that have a microchip registered to Ms. Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. Neither has Vegas Shepherd Rescue. Because Plaintiff has alleged that “thieves remove microchips;” and for brevity’s sake, neither myself nor Vegas Shepherd Rescue has ever removed or directed the removal of a dog’s microchip. Neither my veterinarians nor Vegas Shepherd Rescue’s veterinarians have ever been directed to remove a microchip by us (and I am unsure if it is even legal for veterinarians to do so).

9. Vegas Shepherd Rescue came into possession of Beacon, on July 8, 2020. Beacon was found by a trucker running alongside the highway. The trucker brought Beacon to Vegas Shepherd Rescue. Beacon had been shot in the face and required extensive medical care before being adopted. Beacon was not microchipped. Beacon has been adopted.

9. Plaintiff filed a police report for theft against various people, including me. In response, San Bernardino County Sheriff’s deputies visited me at my home in early September 2020. The deputies talked to me for 40 minutes. The Sheriff determined I was not in possession of any of Plaintiff’s German Shepherds.

10. Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August and September of 2020, with the last dog being adopted on or around September 15, 2020.

DATED this 1<sup>st</sup> day of June, 2021.

  
\_\_\_\_\_  
JULIE PYLE

## **EXHIBIT “10”**

**DECLARATION OF DEFENDANT TAMMY WILLET**

I, Tammy Willet, hereby declare under penalty of perjury the following:

1. I am over the age of 18. I have not been a resident of the State of Nevada for 8 years.

2. Vegas Shepherd Rescue is a non-profit corporation formed in 2012 with the Nevada Secretary of State. I am the President on the Secretary of State filings.

3. Contrary to Plaintiff's allegations, I have never, ever been on Plaintiff's property, to steal her dogs or otherwise. I was not in the State of Nevada or the State of California at all in 2020. Vegas Shepherd Rescue has never, ever been to Plaintiff's property and was likewise not in California at any time in August 2020.

4. I do not now, and have never owned a vehicle with the license plate AKC GSD. Vegas Shepherd Rescue does not now, or at any time, owned a vehicle with the license plate AKC GSD.

5. Contrary to Plaintiff's allegations, at no time was I contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. Neither was Vegas Shepherd Rescue. Contrary to Plaintiff's allegations, I was not associated with any San Bernardino County Government Officials' with any request for removal of dogs from Plaintiff's property. Neither was Vegas Shepherd Rescue.

6. As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found, abused, abandoned, and/or surrendered dogs primarily German Shepherd Dogs as the name implies; obtain necessarily medical attention, including spay and neuter as required by Nevada/Clark County law, and adopt them out. Vegas Shepherd Rescue also takes shepherds in from kill shelters and adopts them out. Vegas Shepherd Rescue rescues and places upwards of a hundred dogs a year, approximately 85% of which are German Shepherd dogs. Vegas Shepherd Rescue has performed this service as a non-profit corporation that exists entirely on donations since its inception in 2012. Counsel in this matter are providing their services entirely pro bono.

7. When I (or Vegas Shepherd Rescue) comes into possession of any dog, we immediately check to see if there is a microchip. When we obtain veterinary care, which we do for

each dog that comes into our possession, the veterinarian also checks to see if there is a microchip.

8. I have never been in possession of any dogs that have a microchip registered to Ms. Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. Neither has Vegas Shepherd Rescue. Because Plaintiff has alleged that “thieves remove microchips,” and for brevity’s sake, neither myself nor Vegas Shepherd Rescue has ever removed or directed the removal of a dog’s microchip. Neither my veterinarians nor Vegas Shepherd Rescue’s veterinarians have ever been directed to remove a microchip by us (and I am unsure if it is even legal for veterinarians to do so).

9. Vegas Shepherd Rescue came into possession of Beacon, on July 8, 2020. Beacon was found by a trucker running alongside the highway. The trucker brought Beacon to Vegas Shepherd Rescue. Beacon had been shot in the face and required extensive medical care before being adopted. Beacon was not microchipped. Beacon has been adopted.

///

///

///

9. Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August and September of 2020, with the last dog being adopted on or around September 15, 2020.

DATED this 18 day of June, 2021.

TAMMY WILLET



## **EXHIBIT “10”**



## Land Use Services Department Code Enforcement NOTICE OF VIOLATION

TO: ZINAIDA, DMITREEVA ETAL OR  
JEONG, OLIVIA NOTICE DATE: 10/13/2020

ASSESSOR'S PARCEL NUMBER: 0502-085-75-0000 CASE #: C202002475

SITUS ADDRESS: 1335 TRUMP BLVD BARSTOW CA 92311

MAILING ADDRESS: [REDACTED]

THE INDICATED VIOLATION(S) OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND/OR THE SAN BERNARDINO COUNTY CODE WERE OBSERVED ON THE SUBJECT PROPERTY DURING AN INSPECTION CONDUCTED ON 10/02/2020:

☐ IPMC 302.8 - **Motor Vehicles:** No inoperative motor vehicle shall be parked, kept, or stored on any premises other than in a garage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.4 - **Unlawful Structures:** An unlawful structure that was erected, altered, or occupied contrary to law.  
☐ Room Addition ☐ Garage Conversion ☐ Patio Cover ☐ Decking ☐ Carport ☐ Residence / Manufactured ☐ Shed-Cargo Container-Barn-Animal Enclosure  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.5(7) - **Dangerous Structure on Premises:** The building or structure is neglected, damaged, dilapidated, unsecured, abandoned, or an attractive nuisance.  
Corrective Action: \_\_\_\_\_

☐ IPMC 102.2 - **Maintenance:** Structure or premises shall be maintained in good working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 302.7 - **Accessory Structures:** Accessory structures, including detached garages, fences and walls, shall be maintained, structurally sound, and in good repair.  
Corrective Action: \_\_\_\_\_

☐ IPMC 308.1 - **Garbage:** Exterior and interior of property shall be free from any accumulation of rubbish or garbage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 504.1 - **Plumbing Systems and Fixtures:** Plumbing fixtures shall be properly installed and maintained in working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 506.1 - **Sanitary Drainage:** Plumbing fixtures shall be properly connected to either a public sewer system or an approved private sewage disposal system.  
Corrective Action: \_\_\_\_\_

☐ IPMC 602.2 - **Heating Facilities:** Dwellings shall be provided with heating facilities.  
Corrective Action: \_\_\_\_\_

☐ SBCC 41.2503 - **Rental Dwelling Unit License Required:** A license is required for the operation of each rental dwelling unit.  
Corrective Action: \_\_\_\_\_

☐ SBCC 84.25.070 A & C - **Occupancy/Camping:** It is unlawful to temporarily or permanently occupy any vehicle or temporary structure.  
Corrective Action: \_\_\_\_\_

☐ SBCC 84.04.090(h) - **Animal Density Standards:** The number of animals shall be within approved limits.  
Corrective Action: \_\_\_\_\_

☒ SBCC 82.02.020(b) **No Primary Use - Vacant**  
Corrective Action: Operating a kennel on a property listed as vacant with no established Primary Use is not allowed. Remove 2 sheds, personal items, vehicles, dogs and makeshift animal enclosures.

The indicated violations must be corrected within **30** days from the date of this notice. A re-inspection of this property to verify compliance will be completed after 11/12/2020. Failure to correct the existing violation(s) may result in the issuance of administrative citations and/or civil or criminal prosecution. A lien and a special assessment on the property tax roll may also be placed against the subject property to recover any regulatory costs incurred by the County.

If you have questions regarding this notice please contact Code Enforcement at (909) 884-4056 or (760) 995-8140.

Notice received by: Standard Mail Code Enforcement Officer: G. Arroyo

08/31/2020: Referral received from T. Campos with veterinary services. Kennel operating on vacant parcel, POs living in tents and make shift storage units built on the parcel. On 8/8/2020 SBCSD found approx. 50 German Shepherds on the property, unclear how many dogs remain as of today. There also a lot of discarded meat that is picks up daily from the Barstow butcher and uses to feed the dogs. Per T. Campos PO has filed a lawsuit against the SBCSD. Photos taken by T. Campos saved to office links. E. Aguero

#### PROPERTY OWNER CONTACT

09/08/2020 Ella [REDACTED] called and would like a call back to know how to go about getting a kennel permit. P. Harris

#### PROPERTY OWNER CONTACT

09/09/2020: Ella, [REDACTED] would like to schedule the initial inspection on the property. She also stated that the meat on the property is used for composting. E. Aguero

#### FIELD INVESTIGATION

10/02/2020 Field investigation conducted at front fence with property owner Ella Zorikova. Ms. Zorikova did not consent to the investigation and all pictures were taken from the public right of way. Ms. Zorikova stated that she only stays on the property when dogs are present. There are 2 shed located on the property with one being metal and one wood Due to no consent to enter property i observed approximately 13 dogs present on the property in individual makeshift cages with tarp being used to shade dogs. 2 Sports utility vehicles were parked at the entrance of the property. Unable to determine if any disposed meat was present on the property.

Ms. Zorikova stated that she has attempted to obtain a kennel permit and I explained to her i was there to investigate the Land use Violation since the property is listed as vacant with no primary use. Ms. Zorikova stated she will attempt to get the kennel permit and if she cannot obtain permit she will leave the property. I explained to Ms. Zorikova that she must talk to planning. I gave Ms. Zorikova my business card and informed her I would be sending a notice. Ms. Zorikova provided me with an address to send notice to and asked any future communication to be with her attorney. I replied that is fine, but her attorney would need to contact Code enforcement and we will not reach out to them and it is her responsibility to keep her attorney informed not ours. Ms. Zorikova understood. Notice will be sent to address on file and also to address provided by Ms. Zorikova, [REDACTED]  
[REDACTED]. G. Arroyo

#### NOTICE OF VIOLATION

Notice prepared on 10/07/2020 with a mail date of 10/13/2020. 30 day notice will be issued for the following violation: SBCC 82.02.020(b) No Primary Use - Vacant. Notice has been saved to office link and email has been sent to operations for regular mailing. G. Arroyo

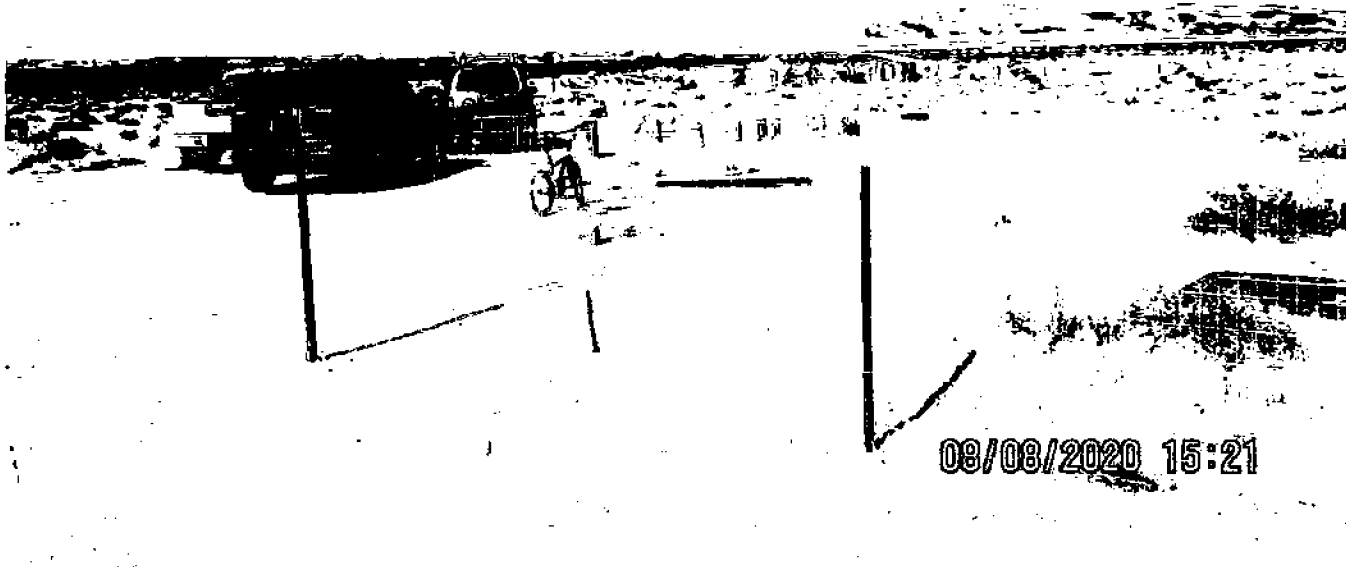
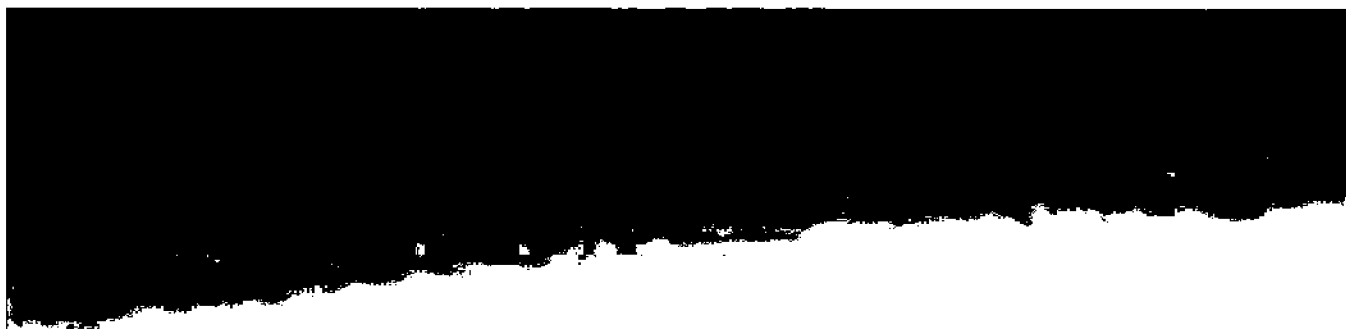
#### NOTICE OF VIOLATION - MAILING:

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to: [REDACTED]. N. Candelario



**NOTICE OF VIOLATION - MAILING:**

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to:  
[REDACTED]. N. Candelario



08/08/2020 15:21

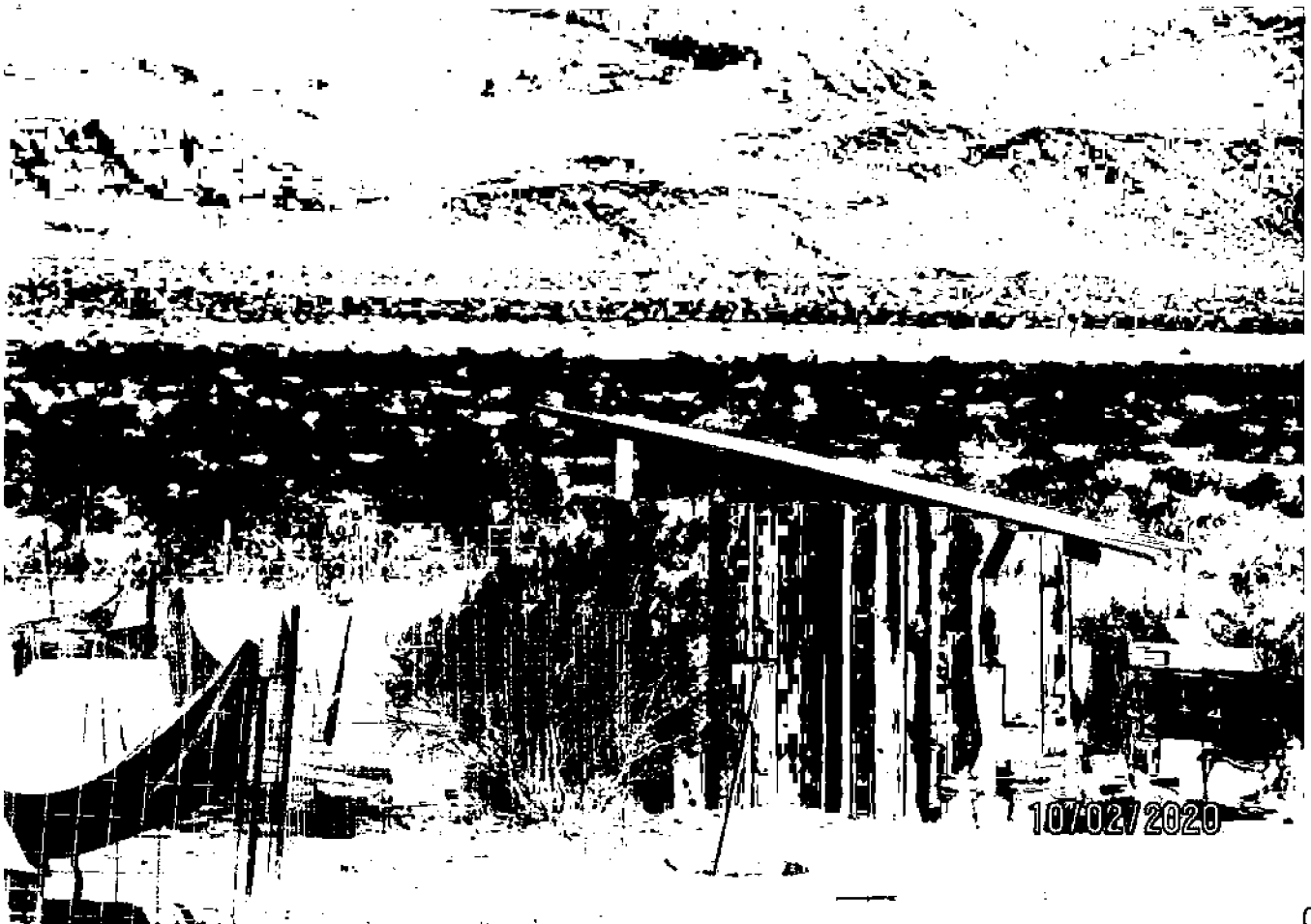


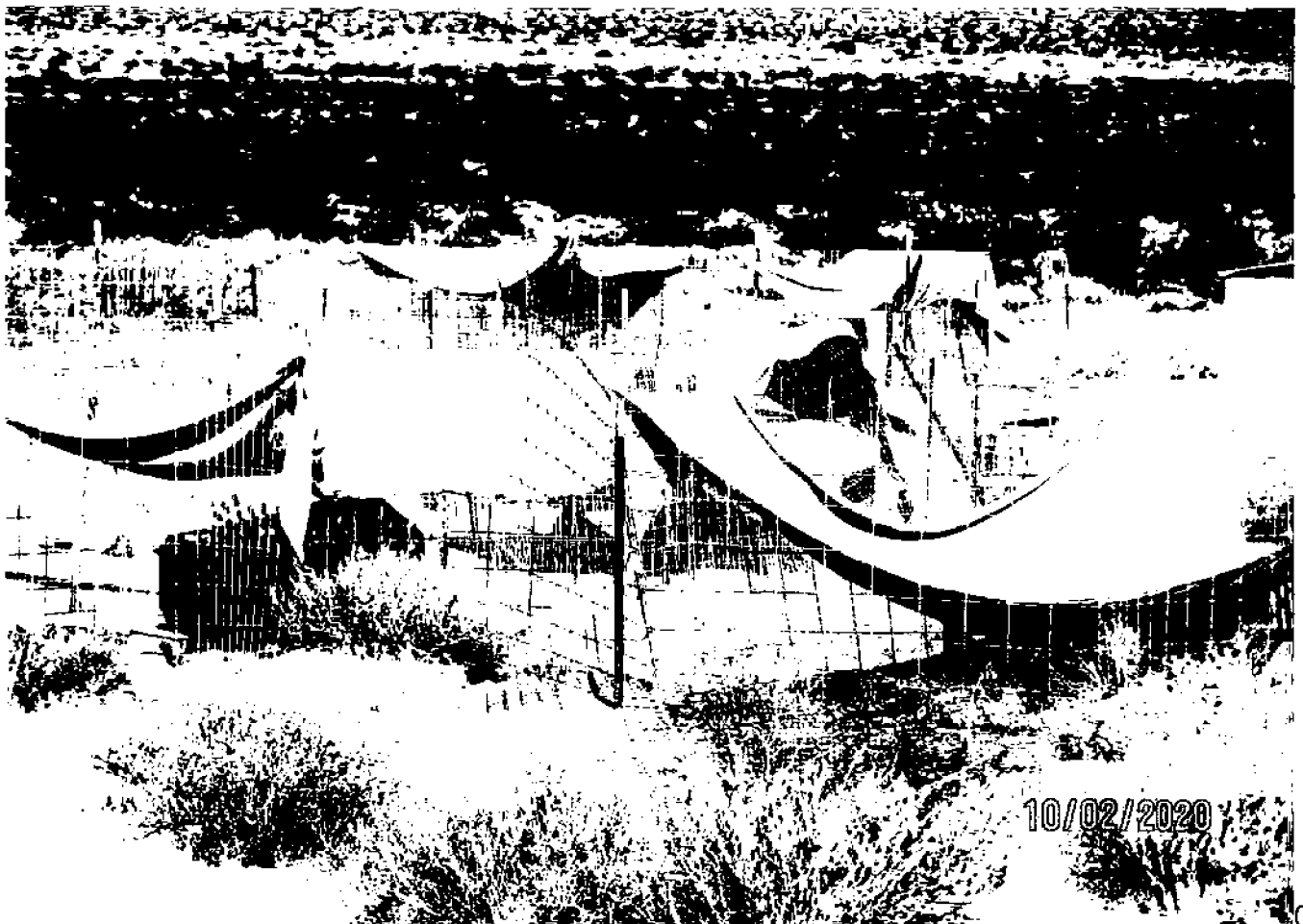
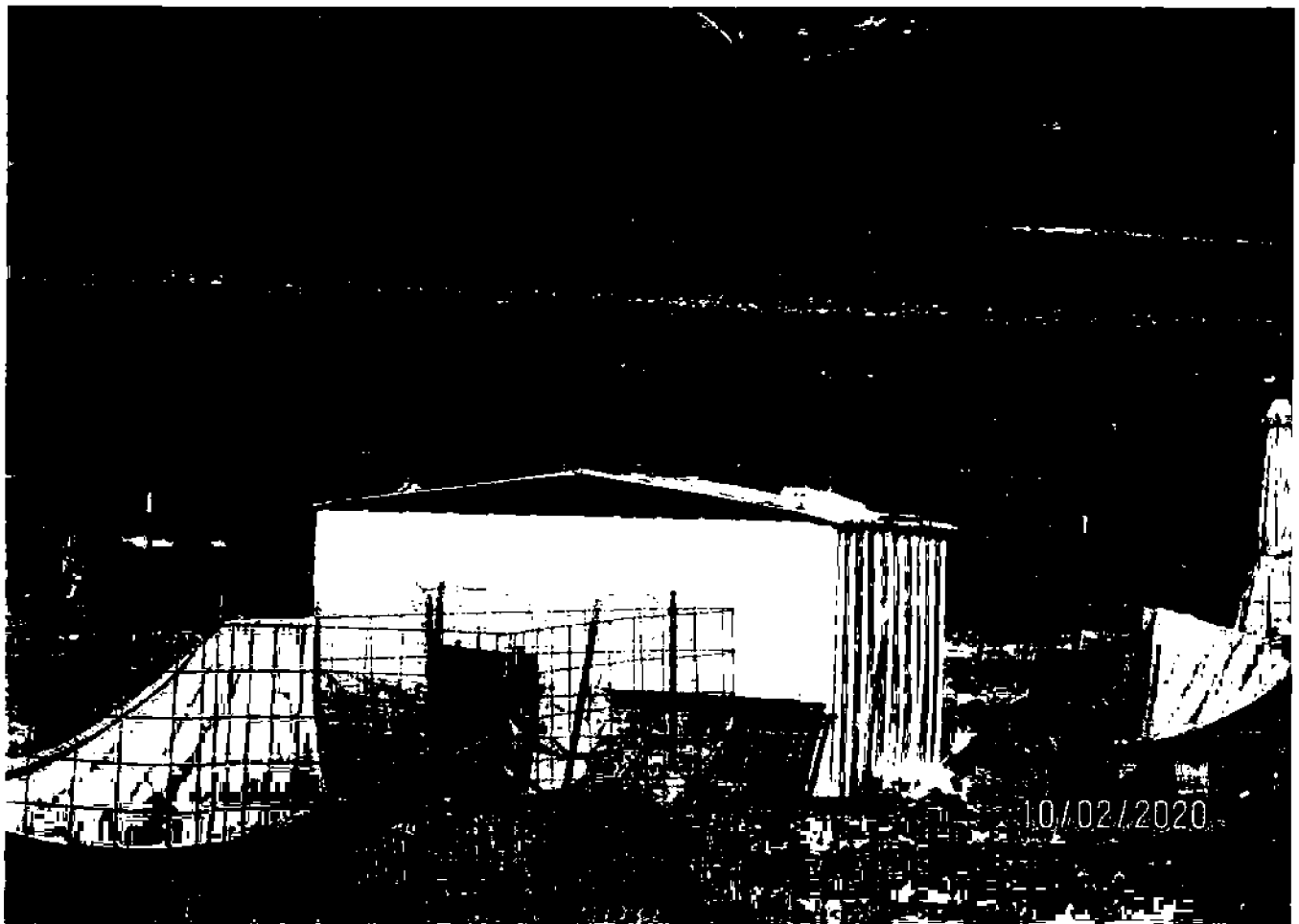
08/08/2020 15:31





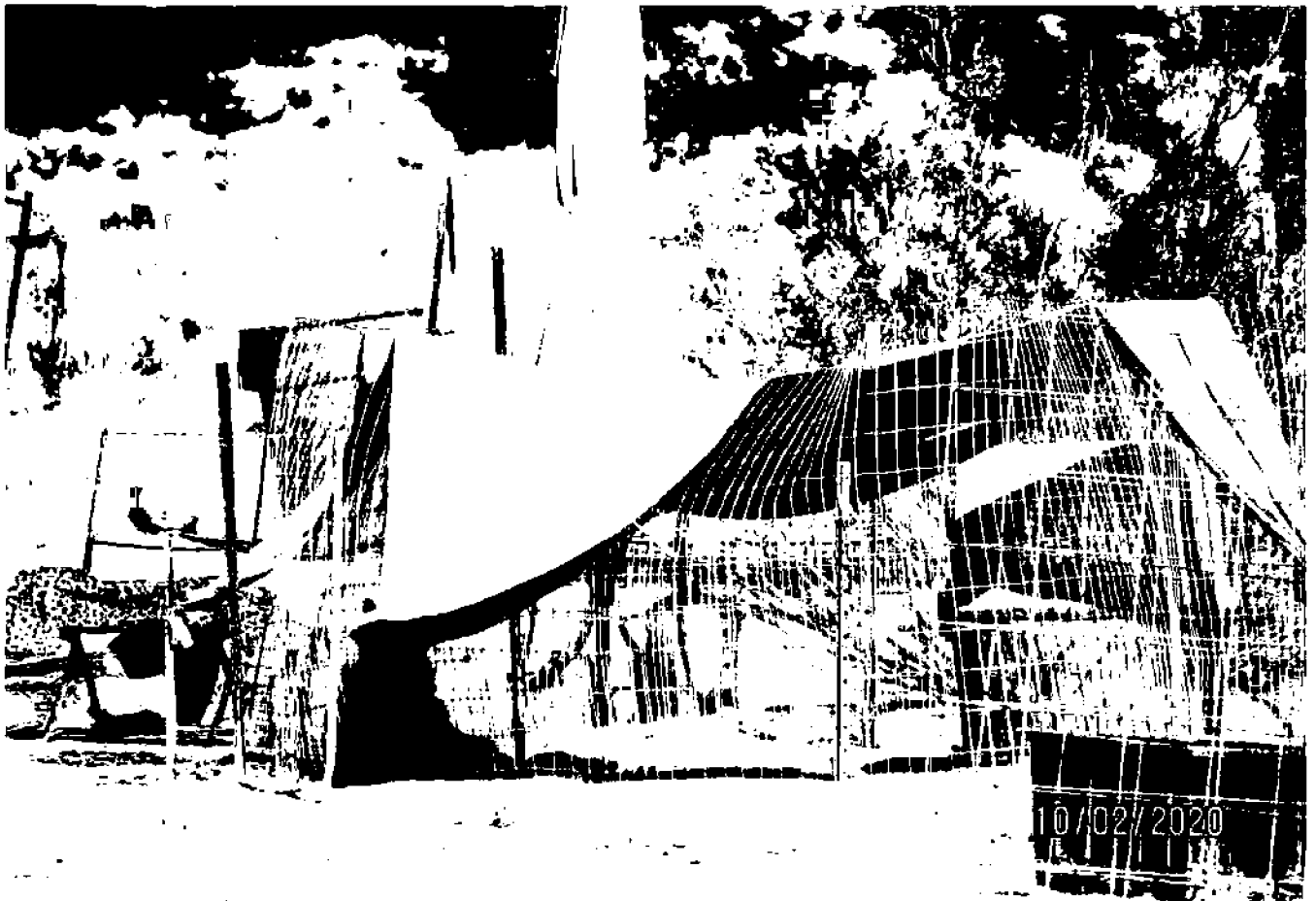
















**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 7/14/2021

Hearing Time: 8:30 a.m.

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR  
DEFAULT JUDGMENT**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and  
provides their Opposition to *PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT*

<sup>1</sup> The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss on file herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.



1 This Opposition is based upon all matters of record herein, the Points and Authorities  
2 submitted herewith, the exhibits attached hereto, and upon such oral argument as the Court may  
3 allow at the time of the hearing of this matter.

4  
5 **MEMORANDUM OF POINTS AND AUTHORITIES**

6 **I.**

7 **INTRODUCTION**

8  
9 So as not to belabor issues not pertinent to the instant Motion, Defendants hereby  
10 incorporate the factual background contained in their Opposition to Plaintiff's motion for  
11 temporary restraining order; and Defendants' Countermotion on file herein.

12 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
13 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
14 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
15 complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on  
16 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
17 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
18 of process on Defendants (which is the subject of the Counter-Motion to Dismiss) on October 6,  
19 2020.  
20  
21

22 This case was stayed on December 4, 2020 after Defendants timely filed Demands for  
23 Security of Costs due to Plaintiff being a California resident outside this Court's Jurisdiction. On  
24 June 7, 2021, the Court conducted a hearing on Plaintiff's Motion for Temporary Restraining  
25 Order wherein Defendants objected to Plaintiff not having filed a bond for security costs.  
26 However, the Court advised Defendants that Plaintiff had filed the same. The court docket still  
27 does not reflect that filing and Defendants have not been provided with the required notice of  
28 posting the same.



The day after the June 7, 2021 court hearing that Plaintiff and Defendants participated in, when Plaintiff was made aware of the June 18, 2021 deadline for Defendants to file their motion to dismiss, Plaintiff filed the instant motion seeking a default judgment.

As discussed herein, Plaintiff is not entitled to a default judgment because Plaintiff has not obtained a default; never provided the Defendants or their counsel a 3 Day Notice of Intent to Default; and Defendants' motion to dismiss is pending. Further, Plaintiff should be sanctioned in the amount of her posted security in the amount of \$1,500 for her blatant disregard for the law, blatant disregard for the rules of this court, and for her continuing failure to comply with the most basic portions of the NRCP.

## II.

### LEGAL ARGUMENT

#### **A. Plaintiff's Motion must be denied due to her failure to provide Defendants and their counsel with the required 3-Day Notice of Intent to Take Default.**

If a defendant has entered an "appearance" in the matter, the plaintiff must give the defendant notice of the plaintiff's intention to take a default. *Lindblom v. Prime Hospitality Corp.*, 120 Nev. 372, 375, 90 P.3d 1283, 1285 (2005); *see Cen Val Leasing Corp. v. Bockman*, 99 Nev. 612, 668 P.2d 1074 (1983) holding that failure to give notice of intent to take default when plaintiff knew of identity of defendant's attorney, required that default be set aside. The entry of default and default judgment is improper when notice of intent to take default was not given. *Rowland v. Lepire*, 95 Nev. 639, 600 P.2d 237 (1979). The Nevada Supreme Court has defined what constitutes an "appearance" for purposes of NRCP 55 very broadly. Once an "appearance" has been made by a party or its counsel, the requirement of the 3 Day Notice from the plaintiff is triggered. Even pre-litigation settlement negotiations between an attorney and a non-attorney insurance adjuster are considered an "appearance" for purposes of NRCP 55. *Lindblom v. Prime*



*Hospitality Corp.*, 120 Nev. 372, 376, 90 P.3d 1283, 1285 (2005). Therefore, it is obvious that Defendants displayed an intent to defend the litigation by filing Demands for Security of Costs in October 2020 (which resulted in this Court issuing an Order Staying the litigation) and by appearing through counsel at the most recent hearing in this matter and notifying the Court and Plaintiff that they intended to defend this matter with a Motion to Dismiss and by actually filing a Motion to Dismiss. Her Motion should be denied.

**B. Plaintiff Has Not Obtained a Default Against Defendants That Would Entitle Her to A Default Judgment; And Plaintiff Cannot Obtain a Default Because Defendants' Motion to Dismiss Is Pending and because she never submitted the required 3-Day Notice to the Defendants or their Counsel.**

NRCP 55(a) states:

Entering a Default. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.

Here, Plaintiff has not obtained a default against any Defendants; and therefore her motion for default judgment is not ripe. Plaintiff is legally prohibited from obtaining a default against Defendants because she never served a 3-Day Notice of Intent to Default and because Defendants already "appeared" in this matter via their Demands for Security of Costs and because Defendants have a pending Motion to Dismiss, which also constitutes a "appearance" for purposes of NRCP 55.

Defendants appeared on the Court's hearing on July 7, 2021 to object to the same because Defendants had received no proof of Plaintiff filing her bond for security costs. There is no record of the same in the docket and Plaintiff never served the same on Defendants. Therefore, Defendants had no notice or information that would suggest that they needed to respond to Plaintiff's Complaint or motions on file herein prior to that hearing.

During the hearing, the court advised Defendants that Plaintiff had filed the bond (which Defendants still have not seen and the docket still does not reflect); and continued the hearing on



1 Plaintiff's motion for temporary restraining order and Defendant's motion to amend until July 7,  
2 2021. At that time, the court was advised that Defendants would be filing a motion to dismiss  
3 Plaintiff's Complaint. The Court gave Defendants until June 18, 2021 to do so.

4 In accordance with the above court order, Defendants filed their Motion to Dismiss on  
5 June 18, 2021. Defendants' Demands for Security of Costs and pending Motion to Dismiss,  
6 constitute an "appearance" in this matter for the purposes of NRCP 55.  
7

8 **C. This Court Should Admonish Plaintiff that Parties Representing Themselves**  
9 **Are Held to the Standard As Lawyers And Must Follow All State and Local**  
10 **Court Rules**

11 Plaintiff was obviously aware the Defendant's had "appeared" in this matter via counsel,  
12 since she posted security of costs in response to Defendants' Demands for Security of Costs back  
13 in October 2020. Furthermore, Plaintiff was advised during the June 7, 2021 hearing that  
14 Defendants would be filing a Motion to Dismiss, and knew the deadline the Court imposed for the  
15 same. Therefore, on June 8, 2021, when Plaintiff's filed her request for a default judgment, she  
16 knew or should have known that it was is improper and brought in bad faith. She also failed to  
17 serve Defendants or their counsel with the requisite 3 Day Notice of Intent to Take Default. This  
18 court should admonish Plaintiff that she in order to represent herself, she is required to follow  
19 Nevada law and court rules if she wants to continue to represent herself. Defendants should not be  
20 forced to defend every baseless motion simply because Plaintiff does not know or want to follow  
21 the law.  
22

23 **D. Because of her clear bad faith in bringing the subject motion, Plaintiff should**  
24 **be sanctioned in the amount of her current security of costs that were**  
25 **evidently posted with the Court (\$1,500) and she should be required to post**  
26 **additional security due to her inability to follow basic legal principles and**  
27 **court rules.**

28 The Court is authorized under NRS 18.130(2) to order an increased security of costs bond  
on out of state Plaintiffs if the Court finds that the statutory minimum of \$500 is insufficient.

1 Defendants request that based upon the number of motions pending from Plaintiff, the Plaintiff's  
2 repeated disregard for the Court's procedural rules, and the sheer volume of correspondence and  
3 discovery directed at Defendants' counsel constantly from Plaintiff, and the fact that counsel for  
4 Defendants are performing their work pro bono for Defendants, it is requested that the court  
5 increase the amount of the cost bonds to \$5,000 per Defendant.  
6

7 **III.**

8 **CONCLUSION**

9 Based upon the foregoing, Defendants respectfully request that this Court deny Plaintiff's  
10 Motion for Default Judgment.  
11

12 DATED this 22<sup>nd</sup> day of June, 2021.

13 **THE LAW OFFICE OF CASEY D. GISH**

14 /s/ Casey D. Gish

15 CASEY D. GISH, ESQ.

16 Nevada Bar No. 006657

17 5940 S. Rainbow Blvd

18 Las Vegas, NV 89118

19 Casey@GishLawFirm.com

20 (702) 583-5883 Telephone

21 (702) 483-4608 Facsimile

22 *Co-counsel for Defendants Julie Pyle, Tammy*  
23 *Willet, & Vegas Shepherd Rescue*

24 **WEIR LAW GROUP, LLC**

25 /s/ Shana D. Weir

26 SHANA D. WEIR, ESQ.

27 Nevada Bar No. 9468

28 6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Co-counsel for Defendants Julie Pyle, Tammy*  
*Willet, & Vegas Shepherd Rescue*



CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 22<sup>nd</sup> day of June, 2021.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S OPPOSITION TO  
DEFENDANTS COUNTER-MOTION TO  
DISMISS AND REPLY TO DEFENDANT'S  
OPPOSITION TO PLAINTIFF'S EX PARTE  
MOTION TO RETURN PLAINTIFF'S  
DOGS, PLAINTIFF'S DECLARATION IN  
SUPPORT. EXHIBITS ATTACHED

Department 20

HEARING 07/07/2021

COMES NOW Plaintiff, Alla Zorikova states following:

INTRODUCTION

1. Defendants, and each of them, admitted possessing in August/September 7 of Plaintiff's Dogs (Defendant's Declarations paragraph #10), Defendant's admissions to sheriff as Plaintiff's Exhibit 1\_).
2. Defendants admitted that no one authorized them to take Plaintiff's dogs from her private property (Defendant's paragraph #6 of Motion to Dismiss).
3. Defendants admitted that they spayed/neutered Plaintiff's dogs.
4. Defendants admitted that they sold Plaintiff's Dogs on September 15<sup>th</sup> of 2020, which is more than a month later from when Plaintiff notified Defendants that they have her Dogs in their possession.
5. Rescues do not have legal authority to go and take people's dogs without appropriate authorization from governmental authorities. Moreover, it appears that these "rescues" offending sheriffs as well and concealing from them any information regarding Plaintiff's stolen dogs. Criminal investigation on stolen dogs is still ongoing.
6. Plaintiff did not give any authorization to Defendants to take her Dogs from her private property.
7. Plaintiff had notified Defendants on August 12<sup>th</sup> of 2020 and multiple times thereafter that they have to return her dogs and they are not allowed to sale, alter, destroy or kill Plaintiff's dogs. (Exhibit 2\_).
8. Defendants failed to provide evidences nor to state if they know who trespassed Plaintiff's property, took the dogs and than transported the stolen dogs to Defendants. Therefore, Defendants are liable for trespass of Plaintiff's property.

9. Conspiracy arises based on the facts that clearly Defendants conspired with someone (who will be added as defendants) who delivered the Dogs to Defendants and with who possibly Defendants made agreement regarding stolen dogs disposition.
10. Defendants, and each of them, clearly acted and continue to act in bad faith and therefore, corporate veil is \_\_\_\_\_ and Defendants, as persons became responsible for their actions.
11. Plaintiff timely had emailed to Casey Gish notice of posted security costs bond (Exhibit 3\_).
12. Complaint has been duly served on Defendants (Declaration of Olivia Jeong).
13. August 08th of 2020 false arrest of Plaintiff matter has been settled in December of 2020 with San Bernardino county in favor of Plaintiff as to false arrest and false imprisonment causes.

PLAINTIFF'S OPPOSITION supported by Statement of Facts and Memorandum of Law

Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020, alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud; 5) intentional infliction of emotional distress; and 6) property damage.

14. Alla Zorikova has Master's Degree in biology/zoology from top European University and worked at Kaliningrad Research Institute as scientist and had successfully bred generations of top line healthy german shepherds, showed them on top USA and European Dog shows and recognized as a reputable breeder of German Shepherd dogs.
15. Her business has 5 stars google reviews and has happy thrilled with their puppies customers.

16. Defendants, and each of them, on the other hand, do not have any license/education nor certification in order to have at least some competency to discuss biological cycle, diet, needs nor training, biological needs of the dogs, nor as of other animals.
17. Plaintiff Alla Zorikova provides her customers with top world class super healthy german shepherd puppies and adult trained dogs, delivering to community loyal loving companions, who often becomes loved family member. Plaintiff's customers are very pleased and appreciated opportunity to have such a beloved one by their side. Defendants, in opposition, do all they possibly can to destroy through physical attack, coming out with harmful legal bills proposals etc. USA breeders while Defendants are allegedly trafficking "meat farm dogs" from Korea to USA customers and offending pet stores and breeders. Their slogan is "no puppy born in USA".
18. Since Plaintiff filed her original complaint, numerous facts have been revealed during ongoing stolen dogs investigation and based on discovery and factual allegations stated in civil cases that are currently running in CA on this matter. As well as other new facts raised.
19. Defendants Willet and Pyle both admitted in their Declarations paragraph 10 (Exhibit \_\_\_\_ ) that they disposed Dogs Malibu, Lodi, Backer..... via adoption .
20. Plaintiff found out that Defendants, and each of them, has her dogs in their possession on August 12 of 2020 and immediately, the same date, emailed, mailed letters to Defendants (Exhibit \_4\_) and called to Defendants with demand to return her dogs and the Defendants do not sale, alter, kill, nor dispose the Dogs in any way, which was a long before maliciously, with clear purpose to hurt Plaintiff, spayed and neutered Plaintiff

Dogs and disposed them for adoption as they are admitted by now in their paragraph 10 of their Declarations (Exhibit 5\_).

21. This vicious act clearly exposes Defendants' malicious intent to hurt Plaintiff, to destroy USA breeding stock and unfairly to gain profit. Top line Greman Shepherd 2 years old dog Mailbu (Zariza) was pregnant with 12 puppies in August of 2020 and was due on October 01 of 2020. Vicious claim of Defendants that all dogs were spayed and neutered as on before September 15<sup>th</sup> of 2020 expose horrible dog cruelty Defendants had committed by placing heavily and clearly pregnant dog under surgeon knife, while killing unborn puppies and most likely the mama (instead of giving her out for adoption as allegedly false claimed).
22. Plaintiff had stated to Willet that if Willet claims that the Plaintiff's dogs got into her possession by innocent mistake, than she better return the dogs immediately to the Plaintiff and disclose the location for the dogs, especially after sheriff was searching on warrants rescue's houses and property following stolen dogs investigation. Defendant Willet failed to address this matter, failed to return the Dogs, failed to disclose their location, and therefore, exposed her bad evil intent to steal and destroy Plaintiff's Dogs.
23. Therefore, there are clear need raised for the Plaintiff's original Complaint filed on October 15<sup>th</sup> of 2020 to be amended. Plaintiff had filed Motion to Amend Complaint by adding defendants and is filing today her Motion for eave of Court to Amend her Complaint.
24. Defendants failed to state if someone else on their behalf trespassed Plaintiff's private property, took Plaintiff's Dogs and submitted them to the Defendants.

25. As for today, by admitting possession Of Dogs Malibu, Lodi \_\_\_\_\_, which belong to Plaintiff, it's a fact that Defendants took yourself those dogs from Plaintiff's property, unless they will expose who took the dogs and than submitted the Dogs to Defendants.
26. Plaintiff dully served Complaint on Defendants on October 06, 2021.
27. Pursuant NRCP \_\_\_\_\_ Defendant was allowed 21 days to file Motion for Security Costs Bond.
28. Plaintiff Alla Zorikova was falsely arrested on August 08 of 2021 and released from jail on August 11 of 2021.
29. NO charges have been filed by District Attorney against Alla Zorikova, nor against her family members. Further, San Bernardirno County had settled false arrest case in favor of Alla Zorikova in December of 2020.
30. Animal Control Officers visited Plaintiff's San Bernardirno private property on 3 different occasion by 3 different animal control officers, and every time their witnessed that all dogs had shelter, water, were not distressed and in good health (Exhibit 6\_).
31. Plaintiff filed police report regarding her stolen on August 09 of 2020 25 top world class bloodlines, top purebred pedigree, trained, titled german shepherds, each valued from \$10,000 to \$300,000.
32. San Bernardirno Sheriff's department opened criminal investigation that is still ongoing.
33. San Bernardirno Sheriff clearly stated that there were NO any authorization never given to any rescues nor anyone else to remove German Shepherds from Plaintiff's property. (Exhibit 7\_).
34. Animal Control personnel had legal duties to wait 48 hours to look for dog's owners if the animals became involuntarily abundant (caused by Plaintiff's sudden false arrest and

her denial of release from jail on bonds, denial her phone calls to her attorney or dog's caregivers and denial access to Plaintiff by animal control officers).

35. However, even if for any and all reasons, legitimate or not, ANY dogs found abundant on private property, all Defendants could legally do is to call to animal control and to report the incident.

36. Dogs are private property according to Nevada, Federal or any other State law.

37. If thief's are stealing someone's property, such as car, for instance, this action cannot be justified by the fact of that car being blocking the road or some other event.

38. Casey Gish wrote himself his declaration (Exhibit 8) that animal control officer Molina screamed and yelled at him requesting to return dogs to Alla Zorikova.

39. 3 different State judges issued search warrants to search thieves of Alla Zorikova's dogs property in California and Nevada

40. This fact is clearly states that there were NO any authorization ever given to to rescues nor to private parties to take the Dogs from Plaintiff's private property and Defendants better stop pretending that they had acted in good faith and "rescued" poor abandon dogs, while in reality thieves had stolen the dogs and are currently refusing to state to sheriff and to detectives where the dogs are, as well as they are refusing to provide any documentation regarding placement of Plaintiff's dogs.

41. By simple logic, if Defendants, as they claim, would ever had intend of "saving the dogs" instead of stealing them, they would COOPERATE with the sheriff and would disclose, in good faith, all information regarding who called them on August 09 of 2020 and where are the dogs now. Defendants (if having a good faith), would certainly help



locating the dogs and return them to Plaintiff as animal control officers and sheriff demanded and had ordered them.

42. However, this is NOT the case. Casey Gish, who is a board member (Exhibit 9\_) of the same “rescue” that is suspect of stealing Plaintiff’s dogs couched all Defendants and legally represents them in all cases, this person is also member of the board or managing the “rescue” that “rescuing” (trafficking) for several years “meat farm dogs” from Korea and most likely from China as well. (Exhibit 10\_).

43. Defendants state themselves that Plaintiff had served Complaint on October 06 of 2020.

44. Plaintiff had been provided initial information regarding who is possessing her dogs by San Bernardino Sheriff and San Bernardino Animal Control Officers and that was Southern Nevada Animal Rescue League (founder J Gregory and Casey Gish). Later, Animal Control Officer sent to Plaintiff those pictures that they captured from Facebook on August 10 of 2020 (before all pages were deleted), San Bernardino County Detectives stated to Plaintiff that Vegas Shepherd Rescue is the possessor of the dogs as well as Plaintiff and her attorney found additional pictures of Plaintiff’s dogs displayed for sale on Defendant’s Vegas Shepherd Rescues Facebook page (Exhibit 11\_).

45. Plaintiff is attaching a true and accurate copy of full pages taken via screenshot method by Plaintiff’s cellphone (Exhibit\_12\_). On these pages is clearly viewable website URL of Defendant Vegas Shepherd Rescue

46. Malibu (Zariza) is outstanding female, producing 12 puppies in her litter 5 litters X 12 puppies = 60 puppies X \$7,000/puppy = \$420,000 is her approximate real value , moreover, Zariza has very special strong genes in her against deadly diseases and therefore, her blood cells are priceless whatsoever as genetic stock of german shepherds,

not saying that Zariza, born in Plaintiff's house was her favorite family member and named Zariza (Queen) for reason. Not a one single licensed veterinarian would commit crime of spaying pregnant dog; therefore, most likely Defendants lied regarding "all dogs were spayed and neutered". Receiving monetary compensation for only such dog as Zariza vs returning her to Plaintiff, will never be an adequate remedy. Zariza was whelped and raised by Plaintiff and extremely strong emotional bond exists between Plaintiff and Zariza, no monetary compensation can ever substitute loss of Zariza for Plaintiff. "Adoption family", if such exists, would not have problems substituting their new arrived dog with someone else, or receive their adoption fees back.

47. Most likely, there is no any adoption families as to which Plaintiff's stolen dogs have been sent to, otherwise, why it would be such a big deal to disclose this info months ago to sheriff and to Plaintiff.

48. And even if Plaintiff's conditions would not be appropriate, or in any other circumstances, it cannot justify in any meaning Defendant's malicious act of theft and disposition of Plaintiff's dogs. For instance, if someone (without initial evil motive to steal and sale a child for human trafficking crime) see child staying alone on the road decides to take him home and conceal from looking for him parents and from police, that person, when found, will be responsible for crime of kidnapping, legal action he could do to bring the child to police department only.

49. Animal control officers demanded Gish to return the dogs to Alla Zorikova (Exhibit 13\_\_), and how Gish responded to authorities ? – yelling and screaming with false allegations against Plaintiff, while it was totally not his business. Gish clearly was not interested to hear the truth not regarding the fact that the dogs were looked by

authorities, sheriff, owner, nor by any other facts, which once again clearly exposes Defendants, represented by Gish, who also was Defendant in the original complaint but was somehow by accident deleted from the list.

50. Defendants perfectly know from CA lawsuits, including Defamation Lawsuit that Plaintiff Zorikova filed against Bryan Pease and Californian's Defendants that Plaintiff long ago does NOT run any kennels in California, nor she keeps any dogs on San Bernardino private property. Even their own hired private investigators stated in their reports back in October of 2020 that they did not see any dogs on the property. Yet, Defendants, once again, clearly with malicious, evil intent falsely state that "she keeps them in the middle of the desert" (Page 10, line 10 Defendant's motion to dismiss).
51. On page 11 of its Motion to Dismiss Defendants, and each of them state that "Plaintiff's viable claims, if any, are likely against the Sheriff's department or other San Bernardino officials for directing people or rescue groups". However, in their declarations (Exhibit 14 \_\_) both Defendants state that NO ONE from deputies authorities directed them.
52. Litigation with the county was completed and yes, San Bernardino county had paid Ms. Zorikova a compensation for false imprisonment and false arrest cause and Deputy Parsons by this settlement was dismissed as Defendant from San Bernardino civil lawsuit filed by Plaintiff in September of 2020. However, this settlement is irrelevant toward any other causes such as theft of Plaintiff's dogs and defendants as in CA and NV.
53. Plaintiff won her hearing against anti - SLAPP motion brought by Bryan Pease in Plaintiff's defamation lawsuit filed against Pease (alliance of Casey Gish in all this matter, including their "rescuing" and importing foreign rescue dogs activities), who

dares baselessly, falsely, and with clearly evil intent publicly call Plaintiff “dog abuser”, “ illegally run business” etc. Based on undisputable evidences, Court found (Exhibit 15\_) that Plaintiff will most likely succeed on the merits and denied Peses special motion to strike lawsuit (anti SLAPP).

54. Defendants must return Plaintiff’s dogs immediately or must disclose their location and state (with supporting clear and convincing evidences) why it would be impossible to return the dogs (for instance, Defendants killed the dogs , or Defendants disposed the dogs, or raped the dogs and disposed them, or sold their blood and organs, or sold the dogs for very big money, which violates their “adoption, non profit” policy and for any other evil reason that even hard to imagine for ordinary person).

55. Furthermore, Defendants propose under their paragraph f) claim that Plaintiff has “dirty hands” and state without any and all supporting evidences, without personal knowledge malicious false allegations as to “Plaintiff running illegal businesses etc.”, which is totally false.

56. Further, Defendants states “She provides pictures on her website of beautiful German Shepherd Dogs in clean and healthy conditions”, again, those are real pictures of real our dogs in real our luxurious conditions.

57. Defendants falsely baselessly state that these are “These images are actually stock images taken by her from other sites on the internet.” – outrageous!!!. How than Plaintiff’s dogs and Plaintiff herself appeared on those images. This is phenomenal, how people can be so disgraceful, deceiving, nasty and not smart. (attached are images of Zariza (Malibu), Hanz (Bacon) , Plaintiff Zorikova, and her daughter Olivia our trainer Jose in those “stock images pictures”. (Exhibit 16)

58. Plaintiff has state of the art one of the best in USA facilities for her dogs, has just a few breeding females, her dogs enjoy daily training, running on 200 acres of private property, living in top grade dog kennels, enjoying raw organic meats, and dogs are one of the most good looking german shepherds in a world. (Defendants attached for us pictures of our facilities and dogs claiming without any evidences that those are “stock images” – simply outrageous, how Plaintiff than and our dogs and our trainers and our cars and our equipment and our sleeves and our bite suits and our training facilities appeared on those “stock images”?? Not speaking that Plaintiff has those original images on her computer and photcamera. Again, Plaintiff hopes that Court will grant her future Motion for Sanctions for false representation to the Court against Defendants). Our dogs trained for military, law enforcement and protection, and in San Bernardirno County dogs were trained in hard bite, jumping on vechicles, protect under firearms, acclimatizing to desert’s temperatures etc. There is no any legal restrictions in USA, nor in California, regarding protection training of specialty breed, such as German Shepherds, nor any other breed.

59. Further, Defendants are falsely state that some “undisputed facts” while failing to provide any references to those “undisputed facts”/“*Her “house of horrors” was investigated by San Bernardino County authorities and she was cited for her failure to have proper structures on her land adequate to meet the basic minimum requirements that kennel/breeding facilities must comply with in San Bernardino County*” ???

60. None of this is true, it’s unclear why Defendants dare to state all these false statements.

Yes, attached is the “Notice of violation” in which clearly states that violation consists of Plaintiff occupying non residential status land, not “house of horror” and that Notice

gives 30 days for correction of that violation. That's all it is. Reasonable notice with due process in place for correction.

61. There were no any "San Bernardino County investigators", while there are detectives and investigators on stolen from Plaintiff dogs that are investigating Defendants.

Defendants yourself states that our website displays "lush Locations", all of those are REAL locations. REAL our dogs, our swimming pools, our Mercedes used for training, and our location's mansions. In addition to this, our dogs often sold to only high profile individuals, celebrities and businessmen around the world, who also has mansions for training. And to state baselessly "This is a lie and it is fraudulent." Is inappropriate, again, Plaintiff sincerely hopes that the Court grants her Motion for Sanctions to deter Defendants from representing to the Court false, baseless, malicious statements with clear purpose to deceive the Court and hurt Plaintiff.

62. Again, Animal Control Report clearly states that plaintiff's Dogs had water, shelter, were not distressed and in good health. This FACT exposes that Defendants knowingly, viciously am maliciously purouting onto the Court false allegations.

63. Our business has nothing to do with any "puppy mill" as falsely and baselessly claimed by Defendant. If Defendants name such as our small operation, top purebred show and protection german shepherds dog business a "puppy mill" than all breeding businesses are "puppy mills" in their sick minds. However, those minds are not as "sick" as "criminal", it is a fact that Defendants trafficking "rescued dogs" from Korean and other countries, making huge profit while offending USA based breeders, farmers and restaurants.

64. Again, neither Plaintiff nor her dogs neither reside in San Bernardino County of California, there is no and breeding business on Plaintiff's private land in San Bernardino County.
65. NO any breeding license required in San Bernardino County, even assuming that Plaintiff would have kennel there, which is not the case. Dogs are property, and on notice, owner of the Dogs have rights to move dogs to place where he can fulfill all legal requirements, including to Europe, or to sale the dogs.
66. Furthermore, Defendants again, knowingly and maliciously falsely state that "Ms. Zorikova's property contained over 70 dogs." There were few adult dogs, other were puppies, most of which had been already, before August of 2020 sold as about \$4,000 to \$7,000/puppy and were in training in August of 2020. Nevertheless, it was minimum 3 time less of adult dogs than Defendants falsely state with the purpose to deceive the Court, get yourself out from under criminal investigation against them and in order to hurt Plaintiff.
67. County had paid to Plaintiff her damages as for false arrest and false imprisonment. Again, NO charges have been ever filed against Plaintiff by District Attorney.
68. Defendants clearly the defendant engaged in extreme and outrageous conduct with either the intention of, or reckless disregard for, causing emotional distress, (2) the plaintiff suffered severe or extreme emotional distress, and (3) actual or proximate causation .
69. Most our studs and breeding females were born in our house, were raised and trained from the time they were born, were shown on German shepherd shows, they all are totally loved, taken grate care off and are part of our family, treated a lot of time in priority compare to our own needs. They are all our loved pets, even though we had

puppies from them. To lose them causes extreme emotional distress and irreparable harm.

Each pet owner, who faced loss of his dog via theft or death, will know the devastating feeling of loss of loved one. No disputable facts. And the pain from loss multiplies if several of those stolen and most likely killed.

70. Defendants are concealing names of people where the dogs stolen have been “adopted to”

not only from plaintiff, but also from Sheriff, why would it be? The answer is simple:

there were NEVER any adoption took place, the Dogs were or sold for tens or hundreds of thousands/each of dollars, brought to conspiracy partnership to shadow breeders or have been totally destroyed via organs harvesting, murder, rape or both. Defendants mentioning in their pleadings that veterinary discovered “feces in their stomach”, how it can be “discovered” without animal being dead??

71. Bonifide purchaser cannot be applied to “adoption”, which is not a purchase, price paid toward the adopted dog is “adoption fees”, vs sold property value paid. And rescues are “nonprofit”.

72. Plaintiff will recognize each of her dog instantly and will pay DNA test costs if need proof of ownership be done.

73. Defendants failed to provide any and all evidences regarding if the Plaintiff’s dogs were truly adopted nor where they are currently located. If it would be true that the Dogs are just adopted by innocence pet owners in great homes, why would be Defendants concealing this fact?

74. All proof of ownership of the Dogs have been provided to Defendants in August of 2020, including American Kennel Club pedigrees, certified pedigrees, pictures of those dogs while on Plaintiff’s property, microchip # for each dog. However, Plaintiff, as biologist



and dog breeder realizes that NOTHING can be altered by thieves except of dog's DNA. Therefore, the true tests will be DNA tests only that Plaintiff, again, will pay until this matter is heard on trial and decided by jury.

75. The main facts cleared and admitted now:

a).Defendants admitted (Declarations of both Defenadnts) that they took possession of Plaintiff's Dogs.

b).There were NO authorization from any governmental authority given to Defendants to take Plaintiff's Dogs.

76. Costs bond: Defendants are not entitled to any increased bond costs per defendant as they are clearly showed their bad faith and represented to the Court clearly false facts dn statements. If Defendants would be having a good faith, they would immediately return stolen dogs to plaintiff or to sheriff as both, Plaintiff and sheriff demanded the return as early as August 12, 13 of 2020, while Defendants refused of doing so, concealed the dogs, concealed at the beginning fact possessing them and sold/disposed the Dogs by November of 2020. Defendants by acting in good faith and returning stolen dogs could

77. prevent this litigation and avoid their "pro bono attorney fees"

78. There is no any "forum shopping present" regarding Defendant's opposition to add Defendants.

79. Defendants Gregory and others have been dismissed without prejudiceby judge Alf for not paying security deposits. In Fall of 2020 Plaintiff could not afford security bond costs based on the fact of destruction of her business and property by Defendants; therefore, involuntarily, Plaintiff allowed case be dismissed without prejudice, meaning, those Defendants can be sued again, that's why plaintiff asks to add them here. In addition to

this, as stated in Plaintiff's motion, sheriff's investigation of stolen dogs led to the fact of Plaintiff's dogs being stolen by SNARL, J Gregory, Casey Gish and others, these people admitted to sheriff having the dogs, but will not say where the dogs are currently.

80. Olivia Jeong has been serving complaint on Defendants. Alla Zorikova was visiting all locations of Defendants, residential, doggy day care of Gish (full of those 2 by 3 feet iron cages, called "rooms") and business in order to send Olivia in the most appropriate location, Alla Zorikova left copies at multiple business locations but not as service process, just to make sure Defendants have it because Alla Zorikova was there anyway and in order to give additional clear notice to Defendants that real owner of the dogs stolen is appeared once again and desires her dogs back. Olivia Jeong dully served the documents as required.

81. Defendants Willet and Pyle can be served as at their personal residence, on street, at any place whatsoever, or at their place of business. They were served at their place of business.

82. Moreover, it's clear that Defendants are all notified and aware of this lawsuit by pleading in this case and therefore, well notified.

83. Defendants Pyle and Willet are founders of Vegas Pet Rescue Project and not its "employees"; therefore, defense of "acting in the scope of employment" does not apply. Moreover, Defendants Willet ad Pyle has clearly bad faith, act of concealment of stolen dogs and therefore, "employment scope" does not apply.

LEGAL STANDARTS

84. Opposing Defendant's Polarograph e: There are exceptions from neutering/spaying dogs in Clark county, which apply to Plaintiff's Germans shepherds and therefore do not required to be spayed/neutered.

85. Furthermore, Dogs were unlawfully taken from California by Defendants and had to be returned to Plaintiff immediately upon her request as well as request sheriffs and requests of San Bernardirno County Animal Control officer Molina (Declaration of Def Gish Exhibit \_17\_) and had to leave Clark county in order to not violate any Clark's county laws of spaying and neutering (even if legal exceptions would be disregarded). All defendants had to do is to comply with that law- not steal Plaintiff's dogs and to return them to her if got into their possession. There are law for dogs visiting Clark county during 30 days they don't have to be spayed/neutered. Defendants are trying once again to falsify /represent true law and facts to the Court. They refer to Clark County Ordinances 7.14, while this ordinance clearly states list of exemptions under 7.14.020 and therefore does not apply to A) if animals are designated for breeding B) applies to medical conditions as of pregnant dogs (Zariza was pregnant). Referenced by Defendants North Las Vegas Ordinance 6.04 is definitions sections only, has no relevance.

C) (1): Animals received special training (such as protection)

Therefore, Defendants defense of "uncleaned hands" cannot be applied based on the totally and clearly false, deceptive, malicious, vicious, baseless bare statements of lies and falsehoods by defendants against Plaintiff.

86. Mentioned by Defendants Municipal Ordinance 10.08 is a traffic violations ordinance (totally irrelevant).

87. Henderson Ordinance 7.04 refers to pet's licensing in Henderson county, Nevada, and it is outrageous to assume why would be Plaintiff, residing in California, would be under licensing regulations of Nevada's county??
88. Attorney General's Adam Paul Maxalt "*the nonprofit organization itself, however, maybe held liable for negligent or wrongful acts of its employees or agents. Under Nevada Revised Statutes (NRS) 41.480, a director maybe held personally liable for injuries caused by the director's misconduct, fraud, or knowing violation of the law.*"
89. The business judgment rule exists in all states and generally prevents courts from holding corporate directors or officers personally liable for harm resulting from actions taken in their corporate capacities as long as they "acted on an informed basis, in good faith and in the honest belief that the action taken was in the best interests of the company." *E.g. Wynn Resorts, Ltd. v. Eighth Judicial Dist. Court in & for Cty. of Clark*, 399 P.3d 334, 344 (Nev. 2017) (citations omitted). In Nevada, the business judgment rule is codified by statute providing that directors or officers will not be held individually liable unless they engage in "intentional misconduct, fraud or a knowing violation of law." NRS 78.138(7)(a)-(b). Supreme Court of Nevada, in *Shoen v. SAC Holding Corp.*, appeared to contradict the statute when it held: "[w]ith regard to the duty of care, the business judgment rule *does not protect the gross negligence* of uninformed directors and officers." 137 P.3d 1171, 1184 (Nev. 2006) (emphasis added). This caused some Nevada courts to allow duty-of-care claims against individual directors and officers for gross negligence, in contravention of the statutory text.
90. The Supreme Court of Nevada resolved this discrepancy in *Chur v. Eighth Judicial District Court in and for County of Clark*, where it clarified that the statute alone

provides the basis for director and officer liability. 458 P.3d 336, 338 (Nev. 2020). There, the Petitioners (“Directors”) were former directors of Lewis & Clark LTC Risk Retention Group, Inc. (“Lewis & Clark”). Lewis & Clark went into liquidation in 2012 after the Nevada Division of Insurance filed a receivership action, and the state Commissioner of Insurance was appointed receiver (“Commissioner”). The Commissioner sued the Directors on claims of gross negligence and deepening insolvency. The Directors moved to dismiss, for judgment on the pleadings, and then for reconsideration. They argued that the Commissioner was seeking to hold them liable for grossly negligent conduct alone, which was not permitted by Nevada’s statutory business judgment rule. Relying on the gross negligence language from Schoen, the district court denied all three motions.

91. NRS 78.138(3) provides that “[a] director or officer is not individually liable for damages as a result of an act or failure to act in his or her capacity as a director or officer except as described in subsection 7.” Subsection 7 of the statute then requires a two-step analysis for imposing individual liability on a director or officer. First, a plaintiff must rebut the presumption of the business judgment rule, that “directors and officers, in deciding upon matters of business, are presumed to act in good faith, on an informed basis and with a view to the interests of the corporation.” NRS 78.138(7)(a). Second, the “director’s or officer’s act or failure to act” must constitute “a breach of his or her fiduciary duties,” and that breach must further involve “intentional misconduct, fraud or a knowing violation of law.” NRS 78.138(7)(b)(1)-(2). This, the *Chur* court explained, provides the “sole circumstance under which a director or officer may be held individually liable for damages stemming from the director’s or officer’s conduct in an official capacity.” *Chur*,

458 P.3d at 340 (emphasis added). Thus, the Supreme Court “disavow[ed]” *Shoen* to the extent it implied that allegations of gross negligence could, without more, state a breach of duty of care claim. *Id.* The Court then considered the Commissioner’s allegations. The Court assumed that the allegations met the first requirement of NRS 78.138 -- that the Commissioner rebutted the good-faith presumption. It was left with whether the Commissioner’s allegations of gross negligence could constitute a breach of fiduciary duty involving “intentional misconduct” or a “knowing violation” of the law. The Court considered and adopted the Tenth Circuit Court of Appeals’ definition of “intentional” and “knowing” under NRS 78.138, a question it had not previously considered. *Chur*, 458 P.3d at 342 (citing *In re ZAGG Inc. Shareholder Derivative Action*, 826 F.3d 1222, 1232-33 (10th Cir. 2016)). Under that definition, a “claimant must establish that the director or officer had knowledge that the alleged conduct was wrongful in order to show a ‘knowing violation of law’ or ‘intentional misconduct’ pursuant to NRS 78.138(7)(b).” *Chur*, 458 P.3d at 342. Because knowledge of wrongdoing “is an appreciably higher standard than gross negligence -- defined by Black’s Law Dictionary (11th ed. 2019) as ‘reckless disregard of a legal duty,’” the Court held that the Commissioner’s allegations could not meet that standard. *Id.* Thus, the Court ordered that the Directors’ motion for judgment on the pleadings be granted.

92. News of *Chur* should come as a relief to corporate directors and officers subject to Nevada jurisdiction. It confirms the core principle of the business judgment rule that had been called into question in *Shoen*: that courts cannot interfere with the business judgments of officers and directors based on gross negligence alone.

93. Again, Defendants stated in multiple pleadings and declarations by now that NOONE from government authorities neither permitted them nor gave any authorization to take Plaintiff's dogs. Moreover, sheriff were searching on search warrants Nevada's suspect houses and places of business looking for Plaintiff's stolen dogs; therefore, false pretended claim that some deputies called them simply does not make any sense and exposes Defendants as messed up in its own lies falsehood storytellers.
94. Attached are the accurate and true copies of screenshots of Plaintiff's stolen german shepherds screenshots of which were taken from Vegas Rescue Pet Gropup's website, Defendants did not deny above having and "adopting" those dogs. Plaintiff attaches (Exhibit \_18\_) her true pictures of her with the same those dogs as an evidence of ownership.
95. Defendants are also concealing source where their received from Plaintiff's dogs., which is once again expose their bad faith and legitimizes Plaintiff's claim.
96. Plaintiff does not operate any businesses in Missouri. Attached Defendants business registration is under name of Olivia Jeong. Nevertheless neither Alla Zorikova nor Olivia Jeong does not have any kennels nor dogs in Missouri, nor any breeding facilities, nor property, nor had been visited state of Missouri for years. Plaintiff. Again, respectfully asks this Court to apply sanctions pursuant to NRCP \_\_\_\_ in order to defer Defendants from harassing Plaintiff and destroying her reputation and business via these and other false, malicious, baseless statements.
97. On page 6 Defendants refer to Animal Control report once again, deceiving the Court by pretending that this is a "police report exposing AKC GSD vehicle" instead of reporting Animal Control of Plaintiff's dogs having shelter, water, not be in distress and in good

health on the day of Plaintiff's arrest and the reason why Animal Control refused take Plaintiff's dogs on August 08 of 2020.

98. In Defendant's paragraph 11: *"At no time were Defendants contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. See Exhibits 9 and 10. Defendants were not in any way, shape or form, associated with the San Bernardino County Government Officials' request for removal of dogs from Plaintiff's property. Id"*

99. Plaintiff asks this Court to allow her to Amend her complaint.

100. Defendants are claiming that the Dogs were adopted and therefore, easily retrievable.

101. Referring Defendant's E:

What true evil motive Defendants are having by over and over, baselessly, maliciously, knowingly falsely stating that Plaintiff's dogs were voluntarily abundant in a desert vacant land without food, water, shelter, and basic needs, while Defendants claim NONE of them never has been on Plaintiff's that property, nor never saw Plaintiff nor her dogs, while, on the other hands, 3 different Animal Control Officers, on 3 Different occasions, August 10 of 202, August 17 of 202, October about 20<sup>th</sup> of 2020 personally visited Plaintiff's private property (Exhibit Deed 19\_) and provided Animal Control Report that Defendant were looked at so many times


102. Order, granting Plaintiff Motion for TRO will disclose a lot of concealed so far by Defendants true facts regarding where are the dogs now, what happened to them, who submitted the Dogs to Defendants in the first place



103. Again, multiple call and letters by Plaintiff and her attorney has been made to Gish, Willet and Pyle (Exhibit 20) on as early date as August 12<sup>th</sup> of 2020, the very next date when San Bernardino County Sheriff stated to plaintiff that her dogs were stolen by Las Vegas people. Plaintiff and her attorney were even driving to Las Vegas at that date to pick up the Dogs, but Defendants denied having them. Therefore, it is shamelessly false to state that Defendants ever had any “good faith” in this matter.

WHEREFORE

Plaintiff respectfully asks this Court to allow her to amend her complaint, to deny Defendants motion to dismiss as Defendants failed to provide facts, evidences nor legal authorities that would justify their motion.

Respectfully, 

06/27/2021

CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 06/27/21 to Casey Gish.

Alla Zorikova

06/27/21





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S PLAINTIFF'S  
DECLARATION IN SUPPORT FOR  
OPPOSITION TO DEFENDANTS  
COUNTER-MOTION TO DISMISS AND  
REPLY TO DEFENDANT'S OPPOSITION  
TO PLAINTIFF'S EX PARTE MOTION TO  
RETURN PLAINTIFF'S DOGS

Department 20

HEARING 07/07/2021

**DECLARATION OF ALLA ZORIKOVA**


I, Alla Zorikova, declare:

1. I make the following declaration based upon my personal knowledge and could, and would, testify competently and accurately regarding its contents.
2. I am the Plaintiff in this action.
3. I had emailed (Exhibit 1\_) notice of posted bonds for 3 defendants to Casey Gish on April 21 of 2021.
4. I had emailed and called to Casey Gish on August 12<sup>th</sup> of 2020, August 13<sup>th</sup> of 2020 and multiple times during August of 2020 thereafter with information that sheriff stated that Gish has my about 20 stolen german shepherds and I had requested the dogs be not spayed/neutered, altered, killed, destroyed, sold nor adopted but returned to me immediately.
5. My attorney an I personally went to Las Vegas on August 13<sup>th</sup> of 2020 in attempt to retrieve my stolen dogs. (Exhibit 2).
6. Casey Gish, J Gregory, T Willet refused to communicate whatsoever, neither they never replied and failed to provide any information.
7. I filed police report with Las Vegas police department as well and they were coordinating with San Bernardino Sheriff in search for my stolen dogs.
8. My attorney on my behalf sent letters on September 11<sup>th</sup> of 2020 with demand do not alter nor destroy the Dogs and demand to return them. (Exhibit 2).
9. I have a Masters' Degree in Biology from University of Lomanosov, a top State
10. university in Europe. I worked as a marine biologist at the Kaliningrad's Research Institute.
11. I have bred and trained multiple generations of healthy German Shepherds, some of
12. which have been presented before world class judges in renowned dog shows.
13. I never leave my dogs unattended not under any circumstances.
14. Furthermore, I often retain security services to protect my dogs from being stolen as many are subject to being stolen at gun point in this country. See article at <http://humanrightsvsanimalrights.org>

15. Source: California Bans Public Animal Sales
16. by Geneva Coats, R.N.
17. Secretary, California Federation of Dog Clubs
18. I do not run any unpermitted, nor illegal businesses – nor do I run or have I run “bite
19. dog” businesses. Personal protection dog businesses are legal and used by law
20. enforcement officers, military and private citizens for safety and protection.
21. Animal Control has never seized any of my dogs.
22. Casey Gish is co-founder of some rescue organizations and board member of Vegas
23. Pet Rescue Project Group that stole (and admitted it by this time of May 17 of 2021 )  
about 20 of my dogs and according to Declaration of Detective Grimm (Exhibit 3).
24. Animal control Supervisor Ms. Tara Campos told me that Animal Control officers  
Refused to illegally take the dogs on August 08 of 2020, because Animal Control had  
determined through its officers, Ms. Tara Campos, Ms. Christy Hamrick and Desiree  
Molina, that all the dogs were in good health, had adequate and proper water and shelter,  
and were not in distress. A true and correct copy of the Animal Control report notating  
these material observations and conclusions is attached as (Exhibit 4). All 3 officers were  
personally present on the property at August 08 to August 10 of 2020 and had second  
check up visit on August 17<sup>th</sup> of 2020 and 3<sup>rd</sup> visit in October of 2020.
25. However, when they arrived on August 10 of 2020, half dogs were missing (Exhibit \_4).
26. Animal Control officers Ms. Christy Hamrick, Shea and Desisee Molina immediately  
attempted to look for stolen dogs. They took a lot of screenshots of pages where thieves  
mentioned these dogs (Exhibit 5).
27. These screenshots were provided to me by Animal Control officers Ms. Christy Hamrick,  
Shea and Desiree Molina in August of 2020. A true and correct copy someof these pages  
are attached as (Exhibit 5). There are hundreds of pages like that submitted by them to  
me and to detectives investigating the theft of my dogs.
28. Casey Gish certified in his Declaration (Exhibit 6) that Animal Control Officer Desiree  
Molina requested him to return Dogs immediately to Alla Zorikova on August 12 of  
2020.
29. Each of those dogs had tremendous value as an USA breeding stock.
30. When customers learned that their Dogs and puppies were stolen, some cried in front of  
me, they became emotional and visibly distraught.
31. In August 2020, I filed a report with San Bernardino Sheriff department regarding the  
stolen dogs.

32. San Bernardino Sheriff stated that no one ever authorized any rescues to remove the dogs from my property and opened a criminal investigation on stolen dogs which remains ongoing.
33. Furthermore, Sheriff Deputy stated that only Animal Control has legal right to take dogs from any private property or streets and rescues allowed to take any dogs only from Animal Control office.
34. I saw Detective's Grimm declaration online (Exhibit 3) in which he declares that multiple search warrants has been issued by 3 different State judges of California to search and seize suspect's property in California and Nevada, which was done. Source: *Sato vs Detective Grimm* case 5:2020cv01876
35. We had planned to acquire 70 acres land in Los Angeles County to establish a kennel there and, as of August 2020, the deal was in the process of being almost closed.
36. In November of 2020 San Bernardino County employee arrived to my property and asked how our kennel license application is going, I answered that application is currently still under consideration and asked him if he could speed up the process of approval. That employee stated that he will have to issue the Notice by which we will have 30 days to complete the application process and that he will give additional month for us in case of delays and will not appear on our property until end of December of 2020.
37. On or about December 9, 2020, San Bernardino County Superior Court denied Pease's ExParte Application for a Temporary Restraining Order concerning alleged wrongful activity on my property. (Exhibit 7).
38. I was very threatened for the lives of myself, my daughter and my dogs, based on daily appearance around our property in August, September, October of 2020 of unknown, aggressive-behaving strangers.
39. We therefore decided to remove the dogs from the San Bernardino County property for their safety and protection.
40. My daughter and I love our dogs, work very hard to provide our customers with purebred, top pedigree, healthy, beautiful, American-Made little puppies.
41. I am the legal owner of the subject San Bernardino property.
42. Our customers are always happy with their healthy puppies.
43. Puppies naturally do not have internal nor external parasites, they have exceptionally strong immune system.
44. It is my dogs (Exhibit 8\_) whelped as babies in my house and grown up to adults while in my house.

I declare under penalty of perjury under the law of State of Nevada that the

foregoing is true and correct. 

06/27/2021

**PROOF OF SERVICE**




I certify that I had emailed to Casey Gish the copy of the same on June 29 of 2021.

Respectfully submitted, ALLA ZORIKOVA






noticeBondFiled.pdf

 [casegripshaydhn.com](#)  

Click see attached \$1,500 bond notice for 1 defendant.  
Zurkova  
Case Dept 20 Zurkova vs. Flyer

 [noticeBondFiled.pdf](#)

  
Previous

  
Next



Electronically Filed

6/29/2021 2:07 PM

Steven D. Grierson

CLERK OF THE COURT

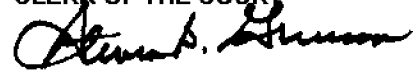


EXHIBIT 5



Case 5:20-cv-01876-JGB-SP Document 14-1 Filed 09/16/20 Page 1 of 4 Page ID #:121

1 HEIDI K. WILLIAMS (CA State Bar No. 297428)  
Deputy County Counsel  
2 MICHELLE D. BLAKEMORE (CA State Bar No. 110474)  
County Counsel  
3 385 North Arrowhead Avenue, Fourth Floor  
San Bernardino, California 92415-0140  
4 Telephone: (909) 387-5455  
Facsimile: (909) 387-4069  
5 E-Mail: heidi.williams@cc.sbcounty.gov

6 Attorneys for Specially Appearing Defendants Brian Grimm, J. Gregory, Darren  
Gilmore, and County of San Bernardino  
7

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 CHRISTINA SATO, an individual;  
12 ROXANNE LOPEZ, an individual; and  
13 DILEY GREISER, an individual

14 Plaintiff,

15 v.

16 BRIAN GRIMM, an individual; J.  
GREGORY, an individual; DARREN  
17 GILMORE, an individual; and DOES  
1-10,

18 Defendants.  
19

Case No. 5:20-cv-01876 JGB-SP

DECLARATION OF BRIAN GRIMM IN  
OPPOSITION TO PLAINTIFFS' EX  
PARTE APPLICATION FOR  
TEMPORARY RESTRAINING ORDER

Honorable District Court Judge  
Jesus G. Bernal

Honorable Magistrate Judge  
Sheri Pym

20  
21 I, Brian Grimm, declare:

22 1. I am employed as a sworn peace officer by the County of San Bernardino to  
23 serve as a Detective in the Sheriff's Department. I make this Declaration of my own free  
24 will and if called to testify to the facts stated herein, I could and would competently do  
25 so as they are within my own personal knowledge.

26 2. I have been employed by the County of San Bernardino since July 2008. I  
27 have training, experience, and professional expertise pertaining to the investigation of  
28

DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 suspected crimes, drafting affidavits and statements of probable cause in support of  
2 warrants to search and seize evidence, collection and preservation of evidence, and  
3 interviewing suspects and witnesses.

4 3. In August and September 2020, I was assigned to work at the Barstow  
5 Sheriff's Station.

6 4. I am currently the case agent for an investigation into the alleged theft of  
7 numerous German Shepherd canines from a property located in the County area of  
8 Barstow in the community of Hinkley, California. This location is within the  
9 jurisdiction of the County of San Bernardino Sheriff's Department.

10 5. On or about September 2, 2020, due to information collected during my  
11 investigation, I authored a search warrant for a residential property located on Riverside  
12 Drive in Apple Valley, California. I submitted the warrant along with a statement of  
13 probable cause and a statement of expertise of affiant to the Superior Court of California,  
14 County of San Bernardino for consideration by a bench officer. Judge Steve Mapes  
15 reviewed the items submitted and issued the warrant electronically on September 2, 2020  
16 at 5:04 p.m. A true and correct copy of the warrant pertaining to Riverside Drive is  
17 attached to this Declaration as Exhibit "A." The house number has been redacted from  
18 this document. The statement of probable cause and statement of expertise of affiant are  
19 not included as they are not provided when a warrant is served.

20 6. On September 3, 2020, I served the warrant on plaintiff CHRISTINA  
21 SATO, a resident of the premises on Riverside Drive to be searched. The premises was  
22 searched pursuant to the warrant. Property was seized from that premises pursuant to the  
23 warrant. I booked property collected into evidence to maintain the chain of custody for  
24 use in potential criminal prosecution.

25 7. On or about September 9, 2020, due to information collected during my  
26 investigation, I authored a search warrant for a residential property located on Pier Drive  
27 in Victorville, California. I submitted the warrant along with a statement of probable  
28

2  
DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 cause and a statement of expertise of affiant to the Superior Court of California, County  
2 of San Bernardino for consideration by a bench officer. Judge Corey G. Lee reviewed  
3 the items submitted and issued the warrant electronically on September 9, 2020 at 11:59  
4 a.m. A true and correct copy of the warrant pertaining to Pier Drive is attached to this  
5 Declaration as Exhibit "B." The house number has been redacted from this document.  
6 The statement of probable cause and statement of expertise of affiant are not included as  
7 they are not provided when a warrant is served.

8 8. On September 9, 2020, I served the warrant on plaintiff DILEY GREISER,  
9 a resident of the premises on Pier Drive to be searched. The premises was searched  
10 pursuant to the warrant. Property was seized from that premises pursuant to the warrant.  
11 I booked property into evidence to maintain the chain of custody for use in potential  
12 criminal prosecution.

13 9. My investigation led to the discovery that potential evidence was located in  
14 the State of Nevada. I coordinated with law enforcement agencies in that jurisdiction for  
15 assistance in obtaining search warrants in that location.

16 10. On or about September 10, 2020, due to information collected during my  
17 investigation, Detective A. Antoniewicz of the North Las Vegas Police Department  
18 authored an Application and Affidavit for Search Warrant for a residential property  
19 located on Pine Blossom Avenue in North Las Vegas, Nevada. Detective Antoniewicz  
20 submitted the application for a warrant along with a statement of probable cause to the  
21 the North Las Vegas Justice Court, for consideration by a bench officer. Judge Kalani  
22 Hoo of that court reviewed the items submitted and issued the warrant on September 10,  
23 2020. A true and correct copy of the warrant pertaining to Pine Blossom Avenue is  
24 attached to this Declaration as Exhibit "C." The house number and portions of the  
25 probable cause declaration have been redacted from this document due to the ongoing  
26 investigation.

27 11. On September 10, 2020, I was present when Detective Antoniewicz served  
28

---

DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 the warrant on plaintiff CHELSEA WARD, a resident of the premises on Pine Blossom  
2 Avenue to be searched. The premises was searched pursuant to the warrant. No  
3 property was seized from that premises. Photographs were taken pursuant to the warrant  
4 by officers employed by North Las Vegas Police Department. As of September 15,  
5 2020, I was not in possession of those photographs and had not booked them into  
6 evidence.

7 12. As of September 15, 2020, the criminal investigation of the alleged theft of  
8 numerous German Shepherd canines is ongoing.

9  
10 I declare under penalty of perjury under the laws of the State of California and  
11 those of the United States of America that the foregoing is true and correct and that this  
12 Declaration was executed the 15th day of September, 2020 in Barstow, California.

13  
14  E3906  
15 DETECTIVE BRIAN GRIMM,  
16 DECLARANT  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4  
DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

# EXHIBIT “A”



**SUPERIOR COURT OF CALIFORNIA  
County of San Bernardino**

**SEARCH WARRANT  
Probable Cause Warrant to Search  
(Penal Code Section 1524)**

**SEARCH WARRANT AND AFFIDAVIT**

Warrant  
No.

Report #: 068201074

**AFFIDAVIT**

I, Detective B. Grimm swear under oath that the facts expressed by me in the attached and incorporated Statement of Probable Cause are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.

(Signature of Affiant)

NOBIS SEALING REQUESTED:  
IMMEDIATE SEARCH REQUESTED:

☐ YES ☒ NO  
☐ YES ☒ NO

**SEARCH WARRANT**

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by Deputy B. Grimm that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "[X]"(s), in that:

- ☐ It was stolen or embezzled;
- ☒ It was used as the means of committing a felony;
- ☒ It is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- ☒ It tends to show that a felony has been committed or that a particular person has committed a felony;
- ☐ It tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- ☐ an arrest warrant has been issued for \_\_\_\_\_ N/A \_\_\_\_\_;
- ☐ a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

Search Warrant DBM

- 1 -

Warrant ID: 000045029

Page 1 of 6

5

**PREMISES TO BE SEARCHED:**

██████████ Riverside Drive, Apple Valley CA 92307



██████████ Riverside Drive, Apple Valley CA 92308, is a single-family residence located on the west side of Riverside drive with red clay scalloped shingles on the roof and light tan stucco. The residence has a double entrance door and a three-car garage located on the north end of the residence.

**YOU ARE THEREFORE COMMANDED TO SEARCH:**

The search of the above location shall include all rooms, attics, basements, sub-basements, file cabinets, storage devices, electronic storage devices, cellular phones, smart phones, containers or compartments, surrounding grounds, any garages, out-buildings, sheds, cellars, safes, vaults and other parts therein; subterranean burial grounds, outside storage areas, storage units, bushes, easements, alleyways, trees, adjoining utility right-of-ways connected to the property, trash containers, trailers, campers, outbuildings of any kind and any place or thing not listed that could be reasonable to conceal or contain the following property and/or persons located therein, and all persons located on or at the premises. Any device or container of significant size to conceal the below listed property to be seized, that is found on or connected to the property to be searched. The search shall also include any vehicles, as defined by VC 670, which are found on the property or under the control of persons on the property.

The search shall specifically authorize the officers of the San Bernardino County Sheriff's Department, San Bernardino County District Attorney's Office, Federal Bureau of Investigation, San Bernardino County Fire Department Arson Investigators, California Highway Patrol, and any peace officer, as defined in Chapter 4.5 of the California Penal Code, a locksmith to be supervised by law enforcement personnel during the investigation, who are summoned to assist by the affiant, to photograph and/or videotape the location being searched in order to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search.

Search Warrant DRL

- 2 -

Warrant ID: 0000450.

Page 2 of 9

6

Case 5:20-cv-01876-JGB-SP Document 14-2 Filed 09/16/20 Page 4 of 8 Page ID #:128

**FOR THE FOLLOWING PROPERTY:**

See attachment "A"

AND TO SEIZE IT IF FOUND and bring it before me, or this court, at the courthouse of this court. This Search Warrant and Incorporated Affidavit was sworn to and subscribed before me this 2 day of SEPTEMBER 2020, at \_\_\_\_\_ a.m./p.m. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

NIGHT SEARCH APPROVED: ☐ YES ☐ NO

(Signature of Magistrate)

Judge of the Superior Court, High Desert Judicial District

Search Warrant DEW

- 3 -

Warrant ID: 000045028

Page 3 of 8

7



**Attachment "A"****Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hialeah CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

**Electronic Storage Devices & Hardware**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jaxx drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connectors, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic time-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

**Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

**Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

**Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alphanumeric

**Search Warrant DR#****- 4 -**

Warrant ID: 0000480

Page 4 of 9

character) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

#### Authority to Duplicate Electronic Media

It is further requested that a forensic technician, sworn or non-sworn, be granted authorization to examine, make duplicate images/copies of the above-mentioned electronic media and to determine if evidence of the offenses enumerated above are contained therein. Therefore, authorization is requested to make images/copies of the requested data. Evidence copies of the items relating to these offenses will be created and retained for further proceedings and made available to the authorities. Only those items recovered under the Search Warrant and relating to the offenses will be retained. The master copy will be retained in evidence storage for later discovery and trial purposes.

#### Request for Off-Site Search Authorization

For the following reasons, the execution of this warrant may take a great deal of time and require a secure facility, special equipment, and software:

It is unknown what operating system is running the computer(s) that is subject of this warrant and, therefore, it will take time to determine how the operating system permits access to data. The amount of data that may be stored in the hard drives and removable storage devices is enormous, and the number or size of the hard drives and removable storage devices that will have to be searched pursuant to this warrant is not known.

The data to be seized may be located anywhere on the hard drives and removable storage devices, including hidden files, program files, and "deleted" files that have not been overwritten. The data may be encrypted, or inaccessible without a password, and may be protected by self-destruct programming, all of which take time to bypass. Because data stored on a computer can be destroyed or altered rather easily, either intentionally or accidentally, the search must be conducted carefully and in a secure environment. To prevent alteration of data and insure the integrity of the search, clones (master copies) of all data storage devices will be made. The clones (master copies) will then be searched and this process will take time and special equipment.

Furthermore, a lengthy on-site search may pose a severe hardship on all people who [live][work] on the premises. It would also require the presence of law enforcement officers to secure the premises while the search is being conducted, thus depleting law enforcement resources in the community.

It is therefore requested that authorization be given to remove all electronic storage devices and storage media that are found on the premises to an off-site location, with the necessary resources and equipment to conduct the search safely and efficiently. It is further requested that authorization be given to search for and seize all peripheral devices that appear to be reasonably necessary to access data stored in the electronic storage devices and storage media.

Search Warrant DRAFT

- 5 -

Warrant ID: 000048029

Page 6 of 8

9

**Authority to Record Scenes/Evidence**

The granting of this Search Warrant shall specifically authorize the officers to photograph and/or video tape the location being searched to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search. Investigative personnel, sworn or non-sworn are authorized to assist in the search in order identify, document and collect evidence, provided their participation is supervised by a sworn officer.

**Disposition of Evidence seized**

It is further requested that the San Bernardino County Sheriff's Department be authorized, without necessity of further Court Order:

1. To evaluate, process and download any electronic storage devices seized, to produce information from them for analysis by detectives.
2. To retain seized evidence for scientific testing and storage prior to trial. The property will then be disposed of in accordance with law and Department Policy upon adjudication of the complaint and all appeals have been made.
3. To return seized property if found to have no evidentiary value to any known victims or other subjects if such items have been photographically documented and was not directly related to forensic evidence.

Search Warrant DPM

- 6 -

Warrant ID: 0000480

Page 6 of 9

10

**WARRANT NOTES**

(No Notes)

County of San Bernardino.

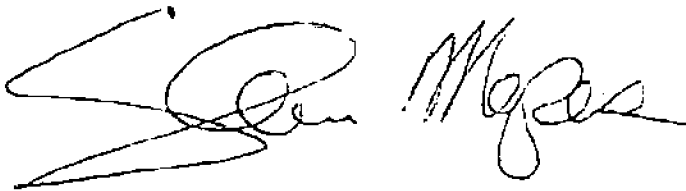
... the people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 17:04 on this 2nd day of September, 2020

Hobbs Sealing Approved: NO

Night Service Approved: NO

A handwritten signature in black ink, appearing to read "Steve Mapea", is written over a horizontal line. The signature is fluid and cursive.

Judge Steve Mapea

Warrant ID: 000945029

END OF WARRANT

# EXHIBIT “B”

Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 2 of 8 Page ID #:134

**SUPERIOR COURT OF CALIFORNIA**  
**County of San Bernardino**

**SEARCH WARRANT**  
**Probable Cause Warrant to Search**  
**(Penal Code Section 1524)**

Warrant  
No.

Report #: 062001074

**SEARCH WARRANT AND AFFIDAVIT**

**AFFIDAVIT**

I, Detective B. Grimm swear under oath that the facts expressed by me in the attached and incorporated Statement of Probable Cause are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.

  
 (Signature of Affiant)

HOBBS SEALING REQUESTED:  
 NIGHT SEARCH REQUESTED:

☐ YES ☒ NO  
☐ YES ☒ NO

**SEARCH WARRANT**

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by Deputy B. Grimm that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "☒"(s), in that:

- ☐ It was stolen or embezzled;
- ☒ It was used as the means of committing a felony;
- ☒ It is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- ☒ It tends to show that a felony has been committed or that a particular person has committed a felony;
- ☐ It tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- ☐ an arrest warrant has been issued for \_\_\_\_\_ N/A \_\_\_\_\_;
- ☐ a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

Search Warrant Dkt

- 1 -

Warrant ID: 000045364

Page 1 of 3

12

**PREMISES TO BE SEARCHED:**

████████ Pier Drive, Victorville, CA 92395



████████ Pier Drive, Victorville, CA 92395, is a single-family residence with a brown asphalt roof. The address is located on the curb on the north side of the driveway and affixed to the facade above the garage. The residence is located on the east side of the roadway and the front door faces west.

**YOU ARE THEREFORE COMMANDED TO SEARCH:**

*The search of the above locations shall include all rooms, attics, basements, sub-basements, file cabinets, storage devices, electronic storage devices, cellular phones, smart phones, containers or compartments, surrounding grounds, any garages, out-buildings, sheds, cellars, safes, vaults and other parts therein; subterranean burial grounds, outside storage areas, storage units, bushes, easements, alleyways, trees, adjoining utility right-of-ways connected to the property, trash containers, trailers, campers, outbuildings of any kind and any place or thing not listed that could be reasonable to conceal or contain the following property and/or persons located therein, and all persons located on or at the premises. Any device or container of significant size to conceal the below listed property to be seized, that is found on or connected to the property to be searched. The search shall also include any vehicles, as defined by VC 670, which are found on the property or under the control of persons on the property.*

The search shall specifically authorize the officers of the San Bernardino County Sheriff's Department, San Bernardino County District Attorney's Office, Federal Bureau of Investigation, San Bernardino County Fire Department Arson Investigators, California Highway Patrol, and any peace officer, as defined in Chapter 4.5 of the California Penal Code, a locksmith to be supervised by law enforcement personnel during the investigation, who are summoned to assist by the affiant, to photograph and/or videotape the location being searched in order to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search.

Search Warrant D&J

- 2 -

Warrant ID: 000048364

Page 2 of 6

13

• Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 4 of 8 Page ID #:136

**FOR THE FOLLOWING PROPERTY:**

See attachment "A"

**AND TO SEIZE IT IF FOUND** and bring it before me, or this court, at the courthouse of this court. This Search Warrant and Incorporated Affidavit was sworn to and subscribed before me this 4th day of SEPTEMBER, 2020, at \_\_\_\_\_ a.m./p.m. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

NIGHT SEARCH APPROVED: ☐ YES ☐ NO

\_\_\_\_\_  
(Signature of Magistrate)

Judge of the Superior Court, High Desert Judicial District

Search Warrant DR# \_\_\_\_\_

- 1 -

Warrant ID: 000045354

Page 3 of 9

14



**Attachment "A"**

**Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hinkley CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

**Electronic Storage Devices & Hardware:**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing unit, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

**Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

**Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

**Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alphanumeric

Search Warrant DRT#

- 4 -

Warrant ID: 000048884

Page 4 of 8

15

characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

#### **Authority to Duplicate Electronic Media**

It is further requested that a forensic technician, sworn or non-sworn, be granted authorization to examine, make duplicate images/copies of the above-mentioned electronic media and to determine if evidence of the offenses enumerated above are contained therein. Therefore, authorization is requested to make images/copies of the requested data. Evidence copies of the items relating to these offenses will be created and retained for further proceedings and made available to the authorities. Only those items recovered under the Search Warrant and relating to the offenses will be retained. The master copy will be retained in evidence storage for later discovery and trial purposes.

#### **Request for Off-Site Search Authorization**

For the following reasons, the execution of this warrant may take a great deal of time and require a secure facility, special equipment, and software:

It is unknown what operating system is running the computer(s) that is subject of this warrant and, therefore, it will take time to determine how the operating system permits access to data. The amount of data that may be stored in the hard drives and removable storage devices is enormous, and the number or size of the hard drives and removable storage devices that will have to be searched pursuant to this warrant is not known.

The data to be seized may be located anywhere on the hard drives and removable storage devices, including hidden files, program files, and "deleted" files that have not been overwritten. The data may be encrypted, or inaccessible without a password, and may be protected by self-destruct programming, all of which take time to bypass. Because data stored on a computer can be destroyed or altered rather easily, either intentionally or accidentally, the search must be conducted carefully and in a secure environment. To prevent alteration of data and insure the integrity of the search, clones (master copies) of all data storage devices will be made. The clones (master copies) will then be searched and this process will take time and special equipment.

Furthermore, a lengthy on-site search may pose a severe hardship on all people who [live][work] on the premises. It would also require the presence of law enforcement officers to secure the premises while the search is being conducted, thus depleting law enforcement resources in the community.

It is therefore requested that authorization be given to remove all electronic storage devices and storage media that are found on the premises to an off-site location, with the necessary resources and equipment to conduct the search safely and efficiently. It is further requested that authorization be given to search for and seize all peripheral devices that appear to be reasonably necessary to access data stored in the electronic storage devices and storage media.

**Search Warrant DRAFT**

- 5 -

Warrant ID: 000048384

Page 6 of 9

16

**Authority to Record Scene/Evidence**

The granting of this Search Warrant shall specifically authorize the officers to photograph and/or video tape the location being searched to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search. Investigative personnel, sworn or non-sworn are authorized to assist in the search in order identify, document and collect evidence, provided their participation is supervised by a sworn officer.

**Disposition of Evidence seized**

It is further requested that the San Bernardino County Sheriff's Department be authorized, without necessity of further Court Order:

1. To evaluate, process and download any electronic storage devices seized, to produce information from them for analysis by detectives.
2. To retain seized evidence for scientific testing and storage prior to trial. The property will then be disposed of in accordance with law and Department Policy upon adjudication of the complaint and all appeals have been made.
3. To return seized property if found to have no evidentiary value to any known victims or other subjects if such items have been photographically documented and was not directly related to forensic evidence.

Search Warrant DR#

- 6 -

Warrant ID: 000046384

Page 6 of 8

17

**WARRANT NOTES**

(No Notes)

County of San Bernardino.

The people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 11:58 on this 9th day of September, 2020

Hobbs Sealing Approved: NO

Night Service Approved: NO



Judge Corey G Lee

Warrant ID: 000048354

END OF WARRANT

# EXHIBIT “C”

## 4. APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF NEVADA )  
 )  
County of Clark )

Detective A. Antoniewicz, being first duly sworn, deposes and states that he is the Affiant herein and is a Detective with the North Las Vegas Police Department presently assigned to investigate Possession of Stolen Property. The Affiant has been employed with the North Las Vegas Police Department for the past 18 years and has been assigned to the Detective Bureau for the past 13 years.

That there is probable cause to believe that certain property hereinafter described will be found at the following premises, to wit:

■ Pine Blossom, North Las Vegas, NV 89031, County of Clark, State of Nevada. More particularly described as a two story, single family residence, that is tan in color with brown trim. The numbers ■ are posted in black numbers on the south side of the residence, east of the garage door. The front door of the residence is brown in color and faces south.

**The property referred to and sought to be seized consists of the following:**

### Documentation:

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hinkley CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. Affiant also requests to include any personal electronic devices which may contain evidence proving the theft or possession of the stolen German shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

## Electronic Storage Devices & Hardware

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk.

LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

#### **Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

#### **Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

#### **Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may

consist of hardware, software, or other programming code. A password (a string of alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

That Affiant is satisfied that there is probable cause to believe that said property is located as set forth above and that based upon the Affidavit attached hereto there are sufficient grounds for the issuance of a Search Warrant.

The property described constitutes evidence which tends to demonstrate the criminal offense of Possession of Stolen Property, has been committed at the premises to be searched in violation of Nevada Revised Statute 205.275.

In support of your Affiant's assertion to constitute the existence of probable cause the following facts are offered based on Affiant's personal knowledge and on information and belief.

On August 31, 2020, Affiant received correspondence from North Las Vegas Police Department Sergeant Nellis to contact San Bernardino County Sheriff's Department in reference to assistance needed in our jurisdiction.

On September 1, 2020, Affiant contacted Detective Brian Grimm (employee #E3908), who was the lead investigator on a grand larceny case that occurred in their jurisdiction (SBCSD case #082001074). Detective Grimm needed assistance in obtaining a search warrant for [REDACTED] Pine Blossom in North Las Vegas. Detective Grimm provided the following facts for the case:

On Saturday, August 8, 2020, San Bernardino County Sheriff's deputies responded to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

[illegible]

\_\_\_\_\_

WHEREFOR, Affiant requests that a Search Warrant be issued directing a search for and seizure of the aforementioned items at the location set forth herein and authorizing a day time search between the hours of 7:00 a.m. and 7:00 p.m.

A. Antoniewicz

SUBSCRIBED and SWORN to before me by  
A. Antoniewicz this 10 day of September, 2020.

## JUDGE

### **SEARCH WARRANT**

STATE OF NEVADA )  
                                  ) ss:  
County of Clark )

The State of Nevada, to any Peace Officer in the County of Clark. Proof by Application and Affidavit for Search Warrant having been made before me by Detective [Affiant] said Application and Affidavit for Search Warrant incorporated herein by reference, that there is probable cause to believe that certain property, namely:

#### **Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hinkley CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. Affiant also requests to include any personal electronic devices which may contain evidence proving the theft or possession of the stolen German shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

#### **Electronic Storage Devices & Hardware**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives,

**optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.**

**Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.**

**Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.**

#### **Software**

**Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.**

#### **Documentation**

**Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.**

#### **Passwords and Data Security Devices**

**Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of**

alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

is presently located at:

■ Pine Blossom, North Las Vegas, NV 89031, County of Clark, State of Nevada. More particularly described as a two story, single family residence, that is tan in color with brown trim. The numbers ■ are posted in black numbers on the south side of the residence, east of the garage door. The front door of the residence is brown in color and faces south.

and I am satisfied that there is probable cause to believe that said property located as set forth above that based upon the Application and Affidavit for Search Warrant there are sufficient grounds for the issuance of the Search Warrant.

You are hereby commanded to search forthwith said premises for said property, serving this Search Warrant between the hours of 7:00 a.m. and 7:00 p.m. at ■ Pine Blossom, North Las Vegas, NV 89031. As set forth in the Application and Affidavit for Search Warrant in support hereto, and if the property there to seize it, prepare a written inventory of the property seized and make a return for me within ten (10) days.

Dated this 10 day of September, 2020.

JUDGE

A20-172252-1		ASSIST/POLICE	Priority Level 3	Total Animals 20	Animal Type C
Activity Address	LOCKHART RD RED MOUNTAIN				
Activity Comment	O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST LOG# BA022				
Caller Information:					
Result Codes: 1 RSVLD					
Officer	P999067	CHAVEZ	Clerk	B4869	
Call Date	08/08/20 02 02 PM				
New Date	08/08/20 02 02 PM				
Dispatch Date	08/08/20 02 30 PM				
Working Date	08/08/20 04 13 PM				
Complete Date	08/08/20 04 21 PM				

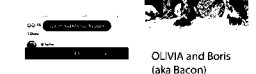
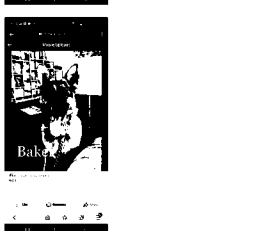
Memo  
08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/0-85  
8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. We hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty. The phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons. I explained to her Sheriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G Sheps were in pens with shade cloth. All the G sheps had shade and shelter all had little water. None of the dogs appear to be in distress, and all appear to be healthy and normal. S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16 20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder ...c3865

8/8/20 directions to the property, hwy 15 north to hwy 58 west, go north on Haper lake Rd for about 6.8 mi. you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mi dirt rd go right for 0.8 mil then left at the red pole the prop will be to your right....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 OI next to O-67 advising abandonment for the 50+ dogs and 1 chicken. When I was leaving Dep Parsons had someone pull over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly. H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. We pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 21 dogs and 2 goats were impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85





**LAW OFFICES OF BRYAN W. PEASE**

Bryan W. Pease, Esq. (SBN 239139)  
302 Washington St. #404  
San Diego, CA 92103  
Phone 619-723-0369  
E-Mail: [bryan@bryanpease.com](mailto:bryan@bryanpease.com)

**LAW OFFICES OF CASEY D. GISH**

Casey D. Gish, Esq. (SBN 206289)  
5940 S. Rainbow Blvd.  
Las Vegas, NV 89118  
Ph. (702) 583-5883  
E-mail: [casey@gishlawfirm.com](mailto:casey@gishlawfirm.com)

Attorneys for Defendant  
Tina Lamey

**SUPERIOR COURT OF CALIFORNIA**

**COUNTY OF SAN BERNARDINO**

ALLA ZORIKOVA,

Plaintiff,

vs.

TINA LAMEY, *et al.*,

Defendants.

CASE NO. CIVDS 2017383

**DECLARATION OF CASEY  
GISH, ESQ.**

TINA LAMEY,

Cross-Complainant,

vs.

ALLA ZORIKOVA, an individual; OLIVIA  
JEONG, an individual; DMITREEVA ZINAIDA;  
an individual; URID SEMENIKIN, an individual;  
VON MARKGRAF GERMAN SHEPHERDS, a  
California corporation; and DOES 1-25,

Cross-Defendants.

1 I, Casey Gish, Esq., declare:

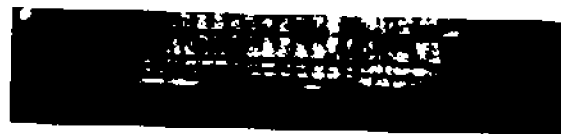
2 1. I am an attorney licensed to practice before all California state courts and am an attorney  
3 of record for Defendant and Cross-Complainant Tina Lamey in the above-captioned case. I state the  
4 following of my own personal knowledge.

5 2. My office is located in Las Vegas, Nevada, and I am also licensed to practice before all  
6 Nevada state courts. I am a pro bono attorney for several Nevada-based dog rescue nonprofits, including  
7 some that Plaintiff has accused of receiving German Shepherds taken from vacant land in the outskirts  
8 of Barstow, California following Plaintiff's arrest on felony animal cruelty charges on or about August  
9 8, 2020.

10 3. In August, 2020, San Bernardino County Animal Care and Control Officer Desiree  
11 Molina called my law office regarding the unlawful and cruel conditions on the vacant land where  
12 Plaintiff is keeping German Shepherds chained up without required shelter as required pursuant to San  
13 Bernardino County codes. Officer Molina was not at all interested in the conditions in which the dogs  
14 were being kept, and instead kept screaming at me to "give back the dogs" to Alla Zorikova, Plaintiff in  
15 this action. When I asked her how Plaintiff, who had been arrested for felony animal cruelty, could even  
16 keep the dogs in compliance with San Bernardino County Code when she does not even have basic  
17 permits or the shelter and care requirements of a kennel as required by San Bernardino codes, Officer  
18 Molina responded, "What are you, the kennel police? Give back the dogs!"

19 4. According to a Change.org petition posted by Plaintiff following her release from jail,  
20 Officer Molina is the same officer who admitted killing 14 three-week old puppies seized by animal  
21 control upon Plaintiff's arrest. This was apparently the event that caused San Bernardino County  
22 Sheriff's Deputies to call on private rescues and community members to come take the rest of the dogs  
23 that were abandoned on the property while Plaintiff was in jail on felony animal cruelty charges, rather  
24 than hand them over to animal control. A true and correct screenshot of Plaintiff's Change.org petition is  
25 on the next page:  
26  
27  
28





On the picture above is one of our stolen dogs that was photographed while transported by thieves from our property. We are just started our personal protect on dogs business in San Bernardino County CA. Our top A and B class German Shepherds were attacked by government owners removed from property via false arrest and half of the dogs have been stolen. San Bernardino county animal control officer Desiree Molina admitted killing 14 of 3 weeks old puppies. Dogs have been smuggled to Las Vegas to Vegas Pet Rescue Project, which is appears as a hub for puppies and dogs trafficking smuggling dirty business.

Please sign to stop this dirty business of stealing pure bred  
world class pedigree dogs from people and breeders in order to  
flip them on black market while so many of those damaged,  
killed and destroyed during dirty process.

I declare under penalty of perjury under the laws of California and Nevada that the foregoing is true and correct.

By:

Casey Gish



ALLA ZORIKOVA and  
Xanto (aka Lodi)



OLIVIA (MY DAUGHTER)  
and Zariza (aka Malibu)



OLIVIA and Hanz (aka  
Baker)



OLIVIA and Boris  
(aka Bacon)



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S EX PARTE MOTION TO  
EXTEND PLAINTIFF'S DEADLINE TO  
RESPOND TO DEFENDANT'S MOTION  
TO DISMISS AND/OR CONTINUE  
HEARING ON DEFENDANT'S MOTION  
TO DISMISS AND DECLARATION IN  
SUPPORT

Department 20

HEARING REQUESTED

As on 07/07/21

COMES NOW Plaintiff Alla Zorikova and states the following:

During Hearing on 06/09/2021 that took place over the phone, I heard that I was given 1 week to respond to Defendant's Motion to Dismiss. However, I did not hear the deadline for Motion to Dismiss given to Defendant, and therefore, it was not clear from what date my 1 week to respond

starts. I heard the date 06/30 during the Hearing and it was my best guess regarding my deadline to respond.

I called multiple times to law clerk for Department 20 and left multiple voicemessages with request to call me back and clarify for me my deadline as NOTHING was placed on the docket online. Clerk never called me back.

I had uploaded opposition on the 27<sup>th</sup> and exhibits in support days after because it was technically impossible to upload files faster, it took hours and hours to upload single file.

Minutes from Hearing on 06/09/21 were printed (as stated on the document) only on 06/20/21 and is unknown when it was posted on the docket for participants to see. I checked the Docket multiple times and saw those minutes only today, 07/05/21.

This case must be decided on merits, not on technical errors.

## CONCLUSION

I ask this Court to extend my deadline to file opposition to Defendant's Motion to Dismiss as to 06/30/2021 or, as alternative, to continue the hearing to 07/14/2021 and provide me with new deadlines to respond to Defendant's Motion to Dismiss.

## **DECLARATION OF ALLA ZORIKOVA**

I, Alla Zorikova, declare:

1. I make the following declaration based upon my personal knowledge and could, and would, testify competently and accurately regarding its contents.
2. I am the Plaintiff in this action.
3. During Hearing on 06/09/2021 that took place over the phone, I heard that I was given 1 week to respond to Defendant's Motion to Dismiss.
4. However, I did not hear the deadline for Motion to Dismiss given to Defendant, and therefore, it was not clear from what date my 1 week to respond starts.
5. I heard the date 06/30 during the Hearing and it was my best guess regarding my deadline to respond.

6. I called multiple times to law clerk for Department 20 and left multiple voicemessages with request to call me back and clarify for me my deadline as NOTHING was placed on the docket online. Clerk never called me back.
7. I had uploaded opposition on the 27<sup>th</sup> and exhibits in support days after because it was technically impossible to upload files faster, it took hours and hours to upload single file.
8. Minutes from Hearing on 06/09/21 were printed (as stated on the document) only on 06/20/21 and is unknown when it was posted on the docket for participants to see.
9. I checked the Docket multiple times and saw those minutes only today, 07/05/21.

I declare under penalty of perjury under the law of State of Nevada that the

foregoing is true and correct.



07/05/2021

#### PROOF OF SERVICE

I certify that I had emailed to Casey Gish the copy of the same on July 05 of 2021.

Respectfully submitted, ALLA ZORIKOVA





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S DECLARATION #2 IN  
SUPPORT OF HER MOTION TO EXTEND  
TIME OR CONTINUE HEARING 07/07/21

Department 20

HEARING REQUESTED

As on 07/07/21


**DECLARATION #2 OF ALLA ZORIKOVA**

I, Alla Zorikova, declare:

1. I make the following declaration based upon my personal knowledge and could, and would, testify competently and accurately regarding its contents.
2. I am the Plaintiff in this action.

3. In addition to my first declaration I state that I had never received any notification from Defendants that they filed their Motion to Dismiss.
4. Nor I have been served with Motion to Dismiss.
5. Nor I did not receive any notifications from e-file or other system that Motion to Dismiss has been filed.

I declare under penalty of perjury under the law of State of Nevada that the

foregoing is true and correct. 

07/05/2021

#### PROOF OF SERVICE

I certify that I had emailed to Casey Gish the copy of the same on July 05 of 2021.

Respectfully submitted, ALLA ZORIKOVA



DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
7/6/2021 11:06 AM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support in the above-entitled matter is set for hearing as follows:

**Date:** August 11, 2021  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Ondina Amos  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Ondina Amos  
Deputy Clerk of the Court





1 NOCH

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 ALLA ZORIKOVA,

Case No. A- 20-821249-C

5 Plaintiff,

Dept. No. XX

6 vs.

**NOTICE OF CHANGE OF HEARING**

7 JULIE PYLE, et al.,

8 Defendant.

9  
10 **NOTICE OF CHANGE OF HEARING**

11 Please be advised that the hearings scheduled for July 7, 2021 have been  
12 rescheduled to **July 14, 2021 at 8:30 a.m.**

13 DATED July 6, 2021.

14 /s/Kelly Muranaka

KELLY MURANAKA

15 Judicial Executive Assistant to:

16 ERIC JOHNSON

District Court Judge



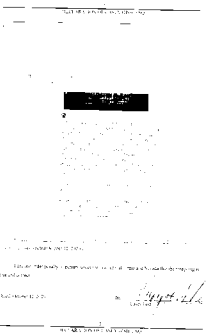
## PLAINTIFF'S OPPOSITION EXHIBIT 6

[illegible]

**Learning objectives**

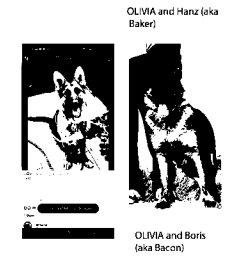
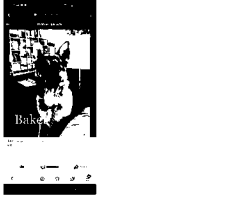
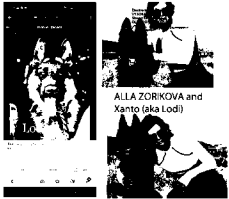
Students should be able to:

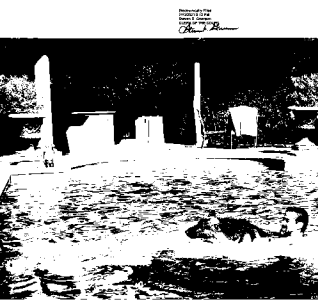
- 1. explain the importance of the management of the business and the role of the manager;
- 2. explain the importance of the management of the business and the role of the manager;
- 3. explain the importance of the management of the business and the role of the manager;
- 4. explain the importance of the management of the business and the role of the manager;
- 5. explain the importance of the management of the business and the role of the manager;
- 6. explain the importance of the management of the business and the role of the manager;
- 7. explain the importance of the management of the business and the role of the manager;
- 8. explain the importance of the management of the business and the role of the manager;
- 9. explain the importance of the management of the business and the role of the manager;
- 10. explain the importance of the management of the business and the role of the manager;



PLAINTIFF'S OPPOSITION  
EXHIBIT 8,13,17







ZORIKOVA'S DOGS IN SWIMMING POOL



IN TRAINING



IN TRAINING



ZORIKOVA'S CAR WITH HER DOG IN TRAININ



ALLA ZORIKOVA AND ANOTHER TRAINER





*Steven D. Grierson*

RECORDING REQUESTED BY

**Alla Zorikova**

AND WHEN RECORDED MAIL DOCUMENT AND  
TAX STATEMENT TO:

NAME **Olivia Jeong**  
STREET ADDRESS **279 Quantrell**  
**Hollan**  
CITY, STATE &  
ZIP CODE **Montreal, MO**  
**65591**

Recorded in Official Records, County of San Bernardino



**BOB DUTTON**  
ASSESSOR - RECORDER - CLERK

R Regular Mail

11/29/2018  
11:46 AM  
NP  
SAN

Doc# 2018-0443016



Titles	1	Pages	1
Fees		14.00	
Taxes		0.00	
CA SB2 Fee		75.00	
Others		0.00	
Paid		\$89.00	

TITLE ORDER NO.

ESCROW NO.

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

## GRANT DEED

APN:

**0502-085-75-0000**

The undersigned grantor(s) declare(s):

DOCUMENTARY TRANSFER TAX \$ **0.00**

☒ computed on full value of property conveyed, or

☐ computed on full value less liens and encumbrances remaining at time of sale.

☐ Unincorporated Area ☐ City of \_\_\_\_\_

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, I (We)

hereby remise, release and grant to

**Dmitreeva Zinaida, Olivia Jeong,**  
**Urij Semerikin, Alla Zorikova**  
the following described real property in the City of **BARSTOW** County of **San Bernardino**  
State of California, with the following legal description:

**vacant land section 33**  
**T32S, R43E**  
**address: 13350 Trump Blvd.**  
**BARSTOW, CA 92311**

**10/9/18**  
Date

Signature of Grantor

**Alla Anatolyevna Zorikova**  
Typed or Printed Name of Grantor

Signature of Grantor

Typed or Printed Name of Grantor

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF **Missouri**

COUNTY OF **Camden**

On **10/9/18**

before me, **Jeannine L. Evans, Notary Public**

(Name and title of the officer)

personally appeared **Alla Anatolyevna Zorikova**

(Name of person signing)

who proved to me on the basis of

satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

**Jeannine L. Evans**  
Signature of officer



**JEANNINE L. EVANS**  
My Commission Expires  
**October 13, 2020**  
**Camden County**  
Commission #12529477

(Seal)

\* There are various types of deed forms depending on each person's legal status. Before you use this form you may want to consult an attorney if you have questions concerning which document form is appropriate for your transaction.



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S CERTIFICATE OF  
SERVICE

Department 20

**CERTIFICATE OF SERVICE**

I certify that electronic copy of Exhibits 1 through 19 has been emailed to Casey Gish on July 13 of 2021.

Respectfully submitted, ALLA ZORIKOVA





**RPLY**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO.A-20-821249-C

DEPT. NO. XX

Hearing Date: 8/11/2021

Hearing Time:9:00 a.m.

**DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS'**  
**COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and  
provides their Reply to *PLAINTIFF'S OPPOSITION TO DEFENDANTS' COUNTER-MOTION*

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss filed concurrently herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.





1 *TO DISMISS PLAINTIFF'S COMPLAINT.*

2 This Reply is based upon all matters of record herein, the Points and Authorities submitted  
3 herewith, the exhibits attached hereto, and upon such oral argument as the Court may allow at the  
4 time of the hearing of this matter.

5  
6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **I.**

8 **INTRODUCTION**

9 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,  
10 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;  
11 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her  
12 Complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her  
13 on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino  
14 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service  
15 of process on Defendants on October 6, 2020. Plaintiff filed the instant motion on October 24,  
16 2020. The Motion was filed ex-parte and not served on Defendants. This case was stayed on  
17 December 4, 2020 after Defendants timely filed Demands for Security of Costs due to Plaintiff  
18 being a California resident outside this Court's Jurisdiction. Please see Exhibit 1, a copy of this  
19 Court's December 4, 2020 Order staying this case.

20 Defendant Vegas Shepherd Rescue is a Nevada non-profit rescue group dedicated to  
21 rescuing homeless, abandoned, and abused dogs. Defendants Tammy Willet and Julie Pyle are the  
22 President and Director of Vegas Shepherd Rescue.

23 In the Complaint, Ms. Zorikova claims that 25 of her missing dogs were retrieved from  
24 Devore Animal Shelter on August 12, 2020 (*See* Complaint on file herein, pp. 3, #17). She also  
25 claims that the other 25 dogs are in the possession of Vegas Pet Rescue Project and/or Jamie  
26  
27  
28





Gregory (*See* Complaint on file herein, pp. 4, #21). Neither Vegas Pet Rescue Project nor Jamie Gregory are defendants in this action.<sup>2</sup> Later, she claims that 7 of the 25 German Shepherds are displayed on Vegas Shepherd Rescue's Facebook page (*See* Complaint on file herein, at pp. 4, #24).

In support of her claim that Defendants hereinstole her dogs, she attached photos which she alleges are screen shots of 5 dogs (Exhibits 4-8 are identified as Beacon, Berkley, Cypress, Lodi, and Malibu), from a Facebook page for Defendant. (*See* Ex Parte Motion, at attachments 4-8). It is unclear where the photo of the dog depicted in attachment 3 came from, or who that dog is, as the photo does not identify it as being from Vegas Shepherd Rescue's Facebook page. It is unclear whether the dog in attachment 9 is duplicative of other dogs or a different dog, as the name is not identified therein. She does not allege the age, sex, names, dates of birth, microchip information, or otherwise demonstrate any proof of ownership or suggest why she believes the dogs depicted in Exhibits 3-9 are hers. She has provided no photos of her own, the names she gave those dogs, identifying characteristics, their ages, sex, date of birth or microchip information. There is no discussion or evidenceregarding the identity of the remainder of the 16 dogs she alleges were stolen by Defendants, except there is also a reference to a dog called Baker in one paragraph of her Motion.*See* Motion, at pp. 6: 6-10. In sum, Plaintiff has provided no evidence of identity or ownership of the dogs in Exhibits 3-9 (which constitutes 5 identified dogs), plus Baker (number 6); and no evidence at all of the remaining 19 dogs.

---

<sup>2</sup> Vegas Pet Rescue Project and Jamie Gregory have been sued in another action that has been dismissed by Judge Nancy Alf for Plaintiff's failure to post the required security bonds demanded by the Defendants in that case, including Defendant, Casey D. Gish (Case No. A-20-820761-C) – Please see attachment marked as Exhibit 2, a copy of the February 9, 2021 Order from Judge Alf dismissing Plaintiff's Complaint against Vegas Pet Rescue Project, et. al, for Plaintiff's failure to post the required security bonds.

1 Defendants are not in possession of dogs Plaintiff claims are hers because they have all  
2 been adopted out nearly a year ago and were spayed/neutered in compliance with Clark County  
3 criminal and civil ordinances.

4 **II.**

5 **FACTUAL BACKGROUND**

6 **A. THE ARREST**

7  
8 According to the California Secretary of State, Plaintiff owns and operates a protection  
9 dogs training business in Los Angeles, CA.<sup>3</sup> However, as Plaintiff indicates in her Motion, she  
10 actually houses upwards of 50 dogs in cages in the middle of the desert on vacant land,  
11 approximately 25 miles outside of Hinkley, CA. *See* Motion on file herein, at pp. 2, #13.  
12 According to property records, Plaintiff has owned this land since May 17, 2018,<sup>4</sup> and likely has  
13 been illegally conducting her business at this location since that time. Plaintiff likewise owns a  
14 similar business in the heart of the puppy mill capital of the United States, Missouri.<sup>5</sup> Clearly,  
15 Plaintiff is an established illegal operator of puppy mills throughout the United States, and her  
16 dogs are kept in inhumane and cruel conditions that she goes to great lengths to conceal from the  
17 purchasers of her dogs. Her website(s) portray her dogs as being bred and raised in luxurious  
18 surroundings in Los Angeles, when in fact they are raised in horrific, cruel, and inhumane  
19 conditions in the California desert outside of Barstow, California.

20 Plaintiff and her daughter were arrested for felony animal cruelty on August 8, 2020 when  
21 San Bernardino Sheriff deputies became aware of approximately 50+dogs being housed on  
22 unimproved land in cages in the middle of the desert approximately 2 hours outside of Barstow, in  
23 the middle of the summer.<sup>6</sup> The location of the property wherein the dogs were found was  
24 extremely remote, approximately 24 miles into the middle of the desert, north of Hinkley,  
25 California (which is outside of Barstow), on completely vacant, and unimproved, desert land.  
26 There were no dirt roads, no running water, no housing structures, or electricity. There are no  
27

28 <sup>3</sup> A true and correct copy of the Secretary of State filing is attached hereto as Exhibit 3.

<sup>4</sup> A true and correct copy of the property deed is attached hereto as Exhibit 4.

<sup>5</sup> A true and correct copy of the Missouri Secretary of State filing is attached hereto as Exhibit 5.

<sup>6</sup> See arrest report attached to Plaintiff's moving papers.





1 neighbors or towns for miles. The dogs did not have any permanent housing or shelter from the  
2 extreme elements of the blistering desert heat, food or water, which is a violation of California  
3 law and San Bernardino County code.

4 Pursuant to a public records request, and only after Plaintiff's arrest, Plaintiff attempted to  
5 inquire about and file for a kennel permit, which was unable to be granted to her because kennel  
6 permits are not allowed on vacant unimproved land. San Bernardino issued her a violation notice  
7 on October 13, 2020 for operating a kennel without a permit. The photos depicted in those records  
8 show the condition of the property on August 8, 2020, when Plaintiff was arrested.

9 As the property was totally vacant and unimproved with only a small makeshift shanty or  
10 shed that was filthy with garbage and raw rotting meat everywhere. The shed had no toilet, sink,  
11 shower or bed. Therefore, Plaintiff could not possibly not live there and likely leaves the dogs tied  
12 up and alone for long periods of time, without food, water or human interaction/companionship  
13 (which is illegal under California law and under San Bernardino ordinances). The dogs most were  
14 likely exposed to predatory animals due to inadequate fencing around the property and lack of  
15 shelter.

16 Ms. Zorikova and Ms. Jeong represent themselves to be breeders of "protection dogs"  
17 whose company is based out of Los Angeles; and whose dogs are trained to bite  
18 (<http://www.vonmarkgrafgermanshepherds.us>). Screen shots of the website are attached as  
19 Exhibit 6. Neither Ms. Zorikova, nor Ms. Jeong, and/or VonMarkGraf German Shepherds has a  
20 breeder license, which is a violation of the California Puppy Mill Ban under California Health and  
21 Safety Code Sec. 122354.5 and is also a prohibited deceptive and unfair business under the  
22 California Legal Remedies Act, Civil Code Sec. 1750 et seq. Furthermore, pursuant to San  
23 Bernardino County Code, it is illegal to have more than 5 dogs on the property without a breeder  
24 license or kennel permit. Ms. Zorikova's property contained over 70 dogs.

25 Ms. Zorikova and Ms. Jeong remain under investigation for felony animal cruelty in  
26 California according to the San Bernardino County District Attorney's Office.

27 **B. THE ALLEGED "THEFT"**  
28



1 Plaintiff claims that Defendants went on her property and stole her dogs at some point  
2 between August 8 and 10, 2020, while she was incarcerated on felony animal cruelty charges in  
3 San Bernardino County, California. However, Defendants have never, ever, been on Plaintiff's  
4 property, to steal her dogs or otherwise. In fact, for the last 8 years, Defendant Tammy Willet has  
5 not lived in the State of Nevada. She was not in the State of Nevada or the State of California in  
6 all of 2020. Defendant Julie Pyle lives in the State of Nevada; however, she was not in the State  
7 of California at any point in August 2020.

9 At no time were Defendants contacted by San Bernardino County Sheriffs or government  
10 officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from  
11 Plaintiff's property. Defendants were not in any way, shape or form, associated with the San  
12 Bernardino County Government Officials' request for removal of dogs from Plaintiff's property.

14 Plaintiff's claims are self-defeating, in that she acknowledges that law enforcement  
15 officials told people (who are not Defendants) to go on the property and remove dogs. This  
16 directive by California government officials is the subject of multiple lawsuits by Ms. Zorikova  
17 against the Sheriff's department in San Bernardino County and San Diego County, California, a  
18 portion of which recently settled to Ms. Zorikova for \$350,000. Plaintiff has also sued various  
19 people in multiple counties in California, including rescue groups there, for the alleged theft and  
20 return of her 25 dogs.  
21

### 22 C. VEGAS SHEPHERD RESCUE

23 As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found,  
24 abused, abandoned, and/or surrendered dogs – primarily German Shepherd Dogs as the name  
25 implies; obtain necessary medical attention, including spay and neuter as required by  
26 Nevada/Clark County law, and adopt them out. Vegas Shepherd Rescue also takes shepherds in  
27 from kill shelters and adopts them out. Vegas Shepherd Rescue rescues and places upwards of a  
28



1 hundred dogs a year, approximately 85% of which are German Shepherd Dogs. Vegas Shepherd  
2 Rescue has performed this service as a non-profit corporation that exists entirely on donations  
3 since its inception in 2012. When Defendants come into possession of any dog, they immediately  
4 check to see if there is a microchip. When they obtain veterinary care, which they do for each dog  
5 that comes into their possession, the veterinarian also checks to see if there is a microchip.

6  
7 Plaintiff alleges her dogs are all microchipped. (*See* Complaint, pp. 4, #20). Defendants  
8 are not, and have never been in possession of any dogs that have a microchip registered to Ms.  
9 Zorikova, Ms. Jeong, and/or Von Mark Graf German Shepherds. Because Plaintiff has alleged  
10 that “thieves remove microchips;” and for brevity’s sake, Defendants have never removed or  
11 directed the removal of a dog’s microchip. Defendants’ veterinarians have likewise never  
12 removed a microchip (and Defendants are unsure if that is even legal for veterinarians to do so).

13  
14 It appears that Plaintiff simply stumbled upon a German Shepherd rescue group’s  
15 Facebook and decided, without proof, to claim various dogs as hers. She actually has no idea what  
16 dogs are hers. Puppy mills are like that. Take the case of Beacon, for example (Plaintiff’s Exhibit  
17 4). Defendants came into possession of Beacon, on July 8, 2020, a full month before Plaintiff was  
18 arrested and a full month before any of the facts that are the subject of Plaintiff’s claims. Beacon  
19 was found by a trucker running alongside the highway. The trucker brought Beacon to Defendants.  
20 Beacon had been shot in the face and required extensive medical care before being adopted.  
21 Beacon was not microchipped.

22  
23 After Plaintiff and her daughter were arrested for felony animal cruelty by San Bernardino  
24 County Sheriff’s deputies, Plaintiff filed a police report for theft against various people, including  
25 Julie Pyle. In response, San Bernardino County Sheriff’s deputies visited Ms. Pyle at her Las  
26 Vegas home in early September 2020. There, the deputies and Ms. Pyle talked for 40 minutes. The  
27  
28



1 Sheriff determined Ms. Pyle was not in possession of any of Plaintiff's German Shepherds. The  
2 Sheriff did not find any reason to enter the residence of Ms. Pyle.

3 As a practical matter Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August  
4 and September of 2020, with the last dog being adopted on or about September 15, 2020, weeks  
5 before Plaintiff served her Complaint on Defendants  
6

## 7 II.

### 8 LEGAL ARGUMENT

#### 9 A. Standard of Review

#### 10 A. Standard of Review

11 A Motion to Dismiss pursuant to NRCP 12(b)(5), failure to state a claim, the Court shall  
12 accept the allegations of the Complaint as true and draw all inferences in favor of the non-moving  
13 party. *Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670, 672 (2008).  
14 Dismissal is proper where the allegations are insufficient to establish the elements of a claim for  
15 relief. *Stockmeier v. Nevada Department of Corrections*, 124 Nev. 313, 316, 183 P.3d 133, 135  
16 (2008).

#### 17 B. Improper Service of Process

18 Plaintiff herself served a copy of the summons and complaint on 10/2/2020 at the mailing  
19 address of Defendant Vegas Shepherd Rescue. NRCP 4(c)(3) requires that a person, that is not a  
20 party to the action, must serve the summons and complaint. Defendant Vegas Shepherd Rescue  
21 has surveillance video of Plaintiff personally serving the documents herself. This constitutes  
22 invalid service of process and requires dismissal of the case pursuant to NRCP 12(b)(4). In  
23 addition, Plaintiff has sued Defendants Willet and Pyle personally. However, she failed to serve  
24 them personally or at their residences as required by NRCP 4(2)(a). Again, this is improper  
25 service requiring the dismissal of Plaintiff's Complaint pursuant to NRCP 12(b)(4).

26 In her Opposition, Plaintiff states that an "Olivia" delivered the Complaint to the business  
27 address of Vegas Shepherd Rescue. See Plaintiff's Opposition, page 17, paragraph 80. However,  
28 Plaintiff goes by multiple aliases, including "Olivia". Attached is one of many emails from an  
"Olivia Car" to attorney Gish and Attorney Pease, signed "Ms. Zorikova". Please see attached



1 Exhibit 1 dated 12/18/2020. In addition, please see another of Plaintiff's many emails to attorney  
2 Gish under her alias "Olivia Car" in which she alleges attorneys Gish and Pease are part of some  
3 sort of communist Jewish conspiracy against the German people. Please see attached Exhibit 2  
4 dated 12/18/2020.

5 Furthermore, Plaintiff's Opposition specifically alleges that she is the one that has  
6 "delivered" copies of the Complaint at various business addresses, but not for purposes of service.  
7 See Plaintiff's Opposition, page 17, paragraph 80. The only copy of the Complaint that was  
8 delivered or served was by Plaintiff herself at the mailing address of Vegas Shepherd Rescue.  
9 This is improper service of process of violative of Nevada law and the NRCP. The Complaint  
10 was never delivered or served to any other businesses or to any other residences, and was never  
11 personally served. Therefore, Plaintiff's entire Complaint must be dismissed for lack of proper  
12 service.

13 **C. Defendants Willet and Pyle have only acted within the course and scope of**  
14 **their responsibilities as members and officers of Vegas Shepherd Rescue and**  
15 **the claims against them should be dismissed.**

16 NRS 41.745 provides employer liability for employees' acts when they are acting within  
17 the course and scope of employment. Plaintiff alleges in paragraph 7 of her Complaint, "All of the  
18 acts and/or failures to act were within the scope of any agency or employment. . . ." (See  
19 Complaint at pp. 2). Therefore, Plaintiff's claims against Willet and Pyle fail as a matter of law  
20 pursuant to NRCP 12(b)(5).

21 As discussed in Defendants' moving papers, Plaintiff alleged herself that Ms. Willet and  
22 Ms. Pyle were acting within the course and scope of their employment. It is only in the face of a  
23 motion to dismiss that she has now decided otherwise, which should not be tolerated by this  
24 Court.

25 Plaintiff's Opposition argues that because Ms. Willet and Ms. Pyle are officers/directors  
26 (or founders as she calls them) and not employees; and therefore, not covered under NRS 41.745.  
27 See Opposition at p. 17, pp 83. However, that is inaccurate.

28 **NRS 41.745(3)(a) states in relevant part:**  
3. For the purposes of this section:



1 (a) "Employee" means any person who is employed by an employer, including,  
2 without limitation, any present or former officer or employee, immune  
3 contractor, an employee of a university school for profoundly gifted pupils  
4 described in chapter 388C of NRS or a member of a board or commission or  
5 Legislator in this State. (Emphasis added.)

6 Additionally, Plaintiff claims that Ms. Pyle and Ms. Willet acted in bad faith by  
7 concealing stolen property. However, NRS 41.745(1) makes it clear that it must be a truly  
8 independent venture, not committed in the course of the very task assigned to the employee and  
9 was not reasonably foreseeable under the facts and circumstances of the case considering the  
10 nature and scope of his or her employment.

11 As Vegas Shepherd Rescue is a rescue group that rescues, spays, neuters, and adopts  
12 pets, and they were conducting that very same activity with respect to the dogs Plaintiff claims  
13 are hers, they were acting within the course and scope of their employment. Vegas Shepherd  
14 Rescue authorized all of their conduct. Vegas Shepherd Rescue allegedly possessed the dogs  
15 Plaintiff claims are hers, rather than Ms. Willet and/or Ms. Pyle individually. As a result,  
16 Plaintiff's motion to dismiss Ms. Pyle and Ms. Willet in their individual capacity should be  
17 granted.

18  
19 **D. Plaintiff's Cause of Action No. 1 for Theft**

20 Plaintiff's claim for Theft fails as a matter of law due to Plaintiff's failure to state a claim  
21 upon which relief can be granted. Even assuming the facts asserted by Plaintiff are true,  
22 they cannot satisfy the elements of her claim  
23

24  
25 NRS 41.580 states:

26 Action by owner of property; treble damages. If property has been taken from its  
27 owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is  
28 a crime against property and another person buys, receives, possesses or withholds  
the property under circumstances that make such conduct a violation of subsection 1  
of NRS 205.275, the owner of the property may bring a civil action against the person  
who bought, received, possessed or withheld the property and may recover treble the



1 amount of any damage the owner has suffered, together with the owner's costs in the  
2 action and a reasonable attorney's fee.

3 Plaintiff's viable claims, if any, are likely against the Sheriff's department or other San  
4 Bernardino officials for directing people or rescue groups (who were not Defendants) to remove  
5 suffering animals from her illegal and unpermitted puppy mill. The County has now settled with  
6 Plaintiff for its officers' directing California rescues to retrieve dogs that were in severe distress  
7 and physical danger from the California desert in the middle of summer and paid Ms. Zorikova  
8 \$350,000.00, and litigation is ongoing. Plaintiff has also sued other people and rescue groups in  
9 California and Nevada in multiple lawsuits relative to this matter.

10  
11 Plaintiff likewise cannot succeed on the merits as to her theft claim because Defendants  
12 were never on Plaintiff's property or even in the State of California at the time Plaintiff's dogs  
13 were allegedly stolen. Defendants were never asked by any San Bernardino government officials  
14 to remove the dogs. Defendants have never possessed any animals with microchips that belong to  
15 Ms. Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. It is undisputed that  
16 Defendants never entered Plaintiff's property. It is also undisputed that Defendants never even  
17 entered the State of California anywhere near the timeframe that is the subject of Plaintiff's  
18 Complaint.  
19

20  
21 Plaintiff has provided no facts or evidence to show that any of the dogs observed on Vegas  
22 Shepherd Rescue's Facebook are her dogs. Nevertheless, the dogs she claims are hers were all  
23 adopted weeks before Plaintiff served her Complaint and Defendants were under no order or  
24 requirement to do anything different with those dogs than what they do with every other dog that  
25 comes to them: adopt them out. Plaintiff cannot recover as a matter of law on her theft cause of  
26 action and that claim should be dismissed pursuant to NRCP 12(b)(5).  
27

28 **E. Plaintiff's Cause of Action No. 2 for Civil Conspiracy**





Plaintiff alleges Defendants conspired among themselves to steal her dogs. *See* Complaint at pp. 6, #38. Agents and employees of a corporation cannot conspire with their corporate principal or employer where they act in their official capacities on behalf of the corporation and not as individuals for their individual advantage. *Collins v. Union Federal Savings and Loan Association*, 662 P.2d 610, 615 (1983) (quoting *Wise v. Southern Pacific Company, et al*, 35 Cal. Rptr 652, 655 (1963)). As the Defendants are the President and Director of Vegas Shepherd Rescue, they cannot conspire amongst themselves and this claim fails as a matter of law.

Plaintiff's Opposition states that new people WILL be added and she can allege their conspiracy at that time. (Emphasis added). See Opposition at pp. 3, pp 9. Plaintiff is banking on her motion to amend being granted, which Defendants have opposed. However, with respect to the current Defendants that are in the case now, the fact remains that they cannot conspire with themselves and this claim must be dismissed. Notwithstanding the above, it is undisputed that Defendants were not involved in the "rescue" or the alleged "theft" of Plaintiff's dogs. Vegas Shepherd Rescue cannot conspire alone. Plaintiff cannot recover as a matter of law on her theft cause of action and that claim should be dismissed pursuant to NRCP 12(b)(5).

#### **F. Plaintiff's Cause of Action No. 3 for Trespass**

Plaintiff alleges Defendants entered her property while she was incarcerated for felony animal cruelty, to steal her dogs. Plaintiff alleges these actions constitute trespass. Plaintiff alleges no damages resulting from alleged trespass in her Complaint, and therefore, it cannot succeed on the merits. A necessary element of a trespass claim is damages. Therefore, Plaintiff cannot recover as a matter of law on her theft cause of action and that claim should be dismissed pursuant to NRCP 12(b)(5). Plaintiff's Opposition still has not alleged any damages that occurred to her property as a result of the alleged trespass; and therefore it must be dismissed. Plaintiff claims that it is possible that someone was on her property on Defendant's behalf, which is not



1 true and does not change her requirement to allege damages occurred to her property for her claim  
2 to be viable. Therefore, this claim should be dismissed.

3  
4 **G. Plaintiff's Cause of Action No. 4 for Fraud**

5 NRCP 9 creates special rules governing the pleading of specified matters, including fraud.  
6 Plaintiff's first cause of action in her Complaint is also based upon alleged fraud. When these  
7 specified matters are material to a pleading, the party must assert in some detail the factual basis  
8 of the matter. *See Ivory Ranch, Inc. v. Quinn River Ranch, Inc.*, 101 Nev. 471, 705 P.2d 673  
9 (1985). An allegation of fraud must provide the circumstances with particularity and must  
10 include the time, place, and identity of the parties and the nature of the fraud. *Rocker v. KPMG*  
11 *LLP*, 122 Nev. 1185, 148 P.3d 703,704 (2006), *abrogated on other grounds by Buzz Stew, LLC v.*  
12 *City of N. Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008). Because Plaintiff's Complaint fails to  
13 specify the time, place, and identities and the nature of the fraud, it is obvious she will not be able  
14 to recover against Defendants for alleged fraud. In fact, Plaintiff puts forth no evidence that  
15 Defendants and Plaintiff have every had an interaction or any type of conversation,  
16 communication, or discussion whatsoever. She alleges no communication whatsoever between  
17 herself and any of the defendants, and no such communications have ever taken place.

18  
19  
20 The elements of a claim for Fraud in Nevada are as follows:

- 21  
22  
23 1. Defendant made a false representation;  
24 2. Defendant knew or believed that his or her representation was false, or defendant had  
25 an insufficient basis of information for making the representation;  
26 3. Defendant intended to induce plaintiff to act upon the representation;  
27 4. Plaintiff justifiably relied upon defendant's representation; and,  
28  
5. Plaintiff sustained damages as a result.



6. *Barmettler v. Reno Air, Inc.*, 114 Nev. 441, 956 P.2d 1382 (1998); *Blanchard v. Blanchard*,  
2 108 Nev. 908, 839 P.2d 1320 (1992). None of the Defendants have ever had a conversation  
3 with Plaintiff or any type of communication at all. Defendant has utterly failed to state the time,  
4 date, or place of any alleged interactions between her and the Defendants. NRCP 9 creates  
5 special rules governing the pleading of specified matters, including fraud. Plaintiff's first cause  
6 of action in her Complaint is based upon alleged fraud. When these specified matters are  
7 material to a pleading, the party must assert in some detail the factual basis of the matter. *See*  
8 *Ivory Ranch, Inc. v. Quinn River Ranch, Inc.*, 101 Nev. 471, 705 P.2d 673 (1985). An  
9 allegation of fraud must provide the circumstances with particularity and must include the time,  
10 place, and identity of the parties and the nature of the fraud. *Rocker v. KPMG LLP*, 122 Nev.  
11 1185, 148 P.3d 703,704 (2006), *abrogated on other grounds by Buzz Stew, LLC v. City of N. Las*  
12 *Vegas*, 124 Nev. 224, 181 P.3d 670 (2008). Because Plaintiff's Complaint fails to specify the  
13 time, place, and identities and the nature of the fraud, it is obvious she will not be able to recover  
14 against Defendants for alleged fraud. In fact, Plaintiff puts forth no evidence that Defendants  
15 and Plaintiff have ever had an interaction or any type of conversation, communication, or  
16 discussion whatsoever. She alleges no communication whatsoever between herself and any of  
17 the defendants, and no such communications have ever taken place. Furthermore, Plaintiffs'  
18 Complaint fails to state how Defendants induced her to rely on any of Defendant's  
19 representations. Finally, Plaintiff's Complaint fails to specify how Plaintiff actually relied upon  
20 any of Defendant's representations. Even if the Court takes the Plaintiff's Complaint at face-  
21 value, the facts alleged therein do not, and cannot, meet the heightened pleading standards and  
22 heightened evidentiary standards for fraud claims and cannot possibly meet 4 out of the 5  
23 elements for a fraud claim in Nevada.

1 ADD UNCLEAN HANDS HERE

2  
3 Plaintiff has the burden of proving each and every element of the fraud claim by clear and  
4 convincing evidence, and where an essential element is absent, the facts, disputed or otherwise, as  
5 to other elements are rendered immaterial and the case should be dismissed. *Barmettler v. Reno*  
6 *Air, Inc.*, 114 Nev. 441, 956 P.2d 1382 (1998); *Bulbman, Inc. v. Nevada Bell*, 108 Nev. 105, 825  
7 P2d 588 (1992). Therefore, Plaintiff's cause of action for fraud should be dismissed as a matter  
8 of law.

9  
10 Therefore, Plaintiff cannot recover on her claim for fraud as a matter of law, and therefore  
11 her Complaint should be dismissed pursuant to NRCP 12(b)(5).

12  
13 **H. Plaintiff's Cause of Action No. 5 for Intentional Infliction of Emotional**  
14 **Distress.**

15 For a plaintiff in Nevada to succeed on a claim for intentional infliction of emotional  
16 distress, the plaintiff must show three things: (1) the defendant engaged in extreme and  
17 outrageous conduct with either the intention of, or reckless disregard for, causing emotional  
18 distress, (2) the plaintiff suffered severe or extreme emotional distress, and (3) actual or proximate  
19 causation. *Dillard Dept. Stores, Inc. v. Beckwith*, 115 Nev. 372, 378 (1999) (Citing *Star v.*  
20 *Rabello*, 97 Nev. 124, 125 (1981)). The Nevada Supreme Court defines extreme and outrageous  
21 conduct as "that which is outside all possible bounds of decency and is regarded as utterly  
22 intolerable in a civilized society." *Maduike v. Agency Rent-A-Car*, 114 Nev. 1, 4 (1998) (internal  
23 quotations omitted). *Shoen v. Amerco, Inc.*, 111 Nev. 735, 747 (1995).

24  
25  
26 The Defendants in this matter rescue abused and homeless and neglected dogs. That is  
27 undisputed. It is also undisputed that many German Shepherd Dogs come into the possession of  
28 Defendants, as part of their volunteer efforts to save dogs that have been abused and neglected. If





1 Defendants came into the possession of any of Plaintiff's dogs, the purpose would have been to  
2 save the dogs lives and provide them with food, shelter, medical treatment, and find them homes.  
3 Plaintiff on the other hand runs an illegal puppy mill and keeps dogs in horrific, cruel, filthy, and  
4 inhumane conditions. If anyone has engaged in extreme and outrageous conduct, it is the  
5 Plaintiff. Because the facts alleged by Plaintiff do not demonstrate any extreme and outrageous  
6 conduct by Defendants, her claim fails as a matter of law and should be dismissed pursuant to  
7 NRCP 12(b)(5).  
8

9 Even if this Court accepts all of Plaintiff's allegations as true, the undisputed facts of this  
10 matter conclusively prove that Plaintiff has been operating an illegal puppy mill in San  
11 Bernardino County, California in violation of San Bernardino County ordinances. In addition, it  
12 is undisputed that Plaintiff has been arrested for and is currently under investigation for felony  
13 animal cruelty for keeping dogs hidden in the desert on vacant land without food, water, shelter  
14 and their most basic needs.  
15

16 In determining whether a plaintiff is precluded from recovering against a defendant for  
17 any claim based upon the plaintiff's unclean hands, the Nevada Supreme Court has established a  
18 two-factor analysis: (1) the egregiousness of the misconduct at issue, and (2) the seriousness of  
19 the harm caused by the misconduct. *See Income Investors*, 101 P.2d at 974; *cf. Evans*, 116 Nev.  
20 at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66. When these factors weigh  
21 against granting the requested relief, the unclean hands doctrine will bar Plaintiff from  
22 recovering. *See Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at  
23 66; *Income Investors*, 101 P.2d at 974; *see also Smith v. Smith*, 68 Nev. 10, 24, 226 P.2d 279,  
24 286 (1951) (recognizing that "the un-clean hands maxim is one founded on public policy"). The  
25 district court has broad discretion in applying these factors, and will not be overturned unless it is  
26 unsupported by substantial evidence. *Las Vegas Fetish and Fantasy Ball v. Ahern Rentals*, 124  
27  
28



1 Nev. 272, 276, 182 P.3d 764 (2008). See also *See University Sys. v. Nevadans for Sound*  
2 *Gov't*, 120 Nev. 712, 721, 100 P.3d 179, 187 (2004) (recognizing the district court's discretion in  
3 granting equitable injunctive relief).

4 Based upon the forgoing, it is clear that Plaintiff would be precluded from recovering  
5 against Defendants on all of her causes of action, including her Fraud claim, due to her "dirty  
6 hands" based upon her continuous and illegal activities. Therefore, as a matter of law, Plaintiff  
7 cannot meet her burden of showing the probability of success on the merits and her claims should  
8 be dismissed pursuant to NRCP 12(b)(5).  
9

10 **I. Plaintiff's Claim for Property Damage Must Be Dismissed Because Dogs in**  
11 **Clark County Must Be Spayed and Neutered**

12 Clark County Ordinance 10.08.132 makes it a criminal offense for any person to possess  
13 an animal over the age of 4 months that has not been spayed or neutered. Any of Plaintiff's dogs  
14 that were in possession of Defendants were mandated for spaying/neutering because said  
15 possession would have taken place in Clark County, Nevada. This same ordinance makes it  
16 unlawful for anyone without a Breeder's Permit to possess dogs older than 4 months of age in  
17 Clark County, Nevada. All rescues in Clark County, including VSR, that come into possession of  
18 dogs, must spay or neuter those animals as soon as possible as required by law. VSR does not  
19 have a Breeder's Permit and was therefore legally required to spay/neuter all dogs in its position.  
20 It is interesting that Plaintiff does not possess a Breeder's Permit in any county of Nevada or  
21 California, including San Bernardino County where she keeps her dogs under horribly inhumane  
22 conditions. Therefore, it would have been illegal for Plaintiff to possess any unspayed/uneutered  
23 dogs as well, whether in Clark County or San Bernardino County.  
24  
25  
26

27 **J. The Doctrine of Unclean Hands Precludes Plaintiff from Recovering on Any**  
28 **and All of her Causes of Action, thereby Requiring Dismissal of her**  
**Complaint as a Matter of Law.**





1 Even if this Court accepts all of Plaintiff's allegations as true, the undisputed facts of this  
2 matter conclusively prove that Plaintiff has been operating an illegal puppy mill in San  
3 Bernardino County, California in violation of San Bernardino County ordinances. In addition, it  
4 is undisputed that Plaintiff has been arrested for and is currently under investigation for felony  
5 animal cruelty for keeping dogs hidden in the desert on vacant land without food, water, shelter  
6 and their most basic needs.

7 In determining whether a plaintiff is precluded from recovering against a defendant based  
8 upon the plaintiff's unclean hands, the Nevada Supreme Court has established a two-factor  
9 analysis: (1) the egregiousness of the misconduct at issue, and (2) the seriousness of the harm  
10 caused by the misconduct. *See Income Investors*, 101 P.2d at 974; *cf. Evans*, 116 Nev. at 610, 5  
11 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66. When these factors weigh against  
12 granting the requested relief, the unclean hands doctrine will bar Plaintiff from recovering. *See*  
13 *Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66; *Income*  
14 *Investors*, 101 P.2d at 974; *see also Smith v. Smith*, 68 Nev. 10, 24, 226 P.2d 279, 286 (1951)  
15 (recognizing that "the un-clean hands maxim is one founded on public policy"). The district court  
16 has broad discretion in applying these factors, and will not be overturned unless it is unsupported  
17 by substantial evidence. *Las Vegas Fetish and Fantasy Ball v. Ahern Rentals*, 124 Nev. 272, 276,  
18 182 P.3d 764 (2008). *See also See University Sys. v. Nevadans for Sound Gov't*, 120 Nev. 712,  
19 721, 100 P.3d 179, 187 (2004) (recognizing the district court's discretion in granting equitable  
20 injunctive relief).

21 Based upon the forgoing, it is clear that Plaintiff would be precluded from recovering  
22 against Defendants due to her "dirty hands" based upon her continuous and illegal activities in  
23 San Bernardino County, California. Please see attached Exhibit 4 which is a citation to Plaintiff  
24 for her violations of San Bernardino County Code for operating an illegal kennel operation,  
25 which also includes photographs of the conditions that San Bernardino County inspectors  
26 discovered at the property. Therefore, as a matter of law, Plaintiff cannot recover as a matter of  
27 law against Defendants on any of her causes of action and her Complaint should be dismissed.  
28



**K. Security Bonds and Motion to Amend.**

Without posting the required security bonds in Case No. A820761, Plaintiff is seeking to amend her Complaint in this matter to add additional defendants, including Jamie Gregory, Vegas Pet Rescue Project, and attorney Casey D. Gish.

The instant matter is Case No. A821249 - Zorikova vs. Vegas Shepherd Rescue, Tammy Willet, and Julie Pyle. The Complaint was filed on 9/15/2020. An application to proceed in forma pauperis was filed by Zorikova on 9/20/2020. The application was denied on 9/20/2020. A subsequent application to proceed in forma pauperis was filed on 9/24/2020. Also on 9/24/2020, it appears an amended complaint was filed. On 9/25/2020 the application to proceed in forma pauperis was granted. The summons in the case were issued on 10/2/2020. On 10/6/2020 the court clerk issued a notice of non-conforming documents. Plaintiff allegedly "served" her Complaint at Vegas Shepherd Rescue's business address on 10/6/2020. A responsive pleading was due 10/26. On 10/26/2020, Demands for Security of Costs, due to Plaintiff being an out-of-state resident of California were filed on behalf of each Defendant. Defendant had 30 days in which to post the security bonds under. On December 4, 2021, this Court issued an order staying this action until Plaintiff posted the required bond. Please see Exhibit 1 hereto. She failed to post the required bond until April 11, 2021. Plaintiff claims that she did provide notice to counsel for the Defendants of the posting of the security bond. In support of that claim, Plaintiff submits to the Court an extremely blurry copy of an alleged email sent to attorney Gish. The email is suspect at best. A simple examination of the email reveals that it is from a Russian email account from yet another of Plaintiff's many aliases, "Komy". Assuming that this email is real, and not another one of Plaintiff's many forgeries, the email is comprised of a Russian email address in the Russian alphabet. The email also contains significant other text in the Russian alphabet. If this email was actually sent by Plaintiff to



1 attorney Gish, and its doubtful that it was ever sent, because of the Russian email address and all  
2 of the Russian characters used in the email, it likely would have been automatically directed to  
3 attorney Gish's email junk folder. This was probably intentional on Plaintiff's part because she  
4 has a penchant for playing games with service. Please see email attached hereto as Exhibit 3  
5 which was also attached as Exhibit 1 to Plaintiff's Motion/Opposition.  
6

7 Case No. A820761 - Zorikova vs. Vegas Pet Rescue Project, Casey Gish, Jamie Gregory,  
8 Shannon Weeks, and Erica Weeks. The Complaint was filed on 9/6/2020. The court clerk  
9 issued a notice of non-conforming documents on 9/9/2020. The case was assigned to Judge  
10 Nancy Alf. An application to proceed in forma pauperis was filed by Zorikova on 9/24/2020.  
11 The application was granted the same day on 9/24/2020. Also, on 9/24/2020, it appears an  
12 amended complaint was filed. The summons in the case was issued on 10/2/2020. However,  
13 neither the summons, the Complaint, nor the Amended Complaint were ever served on any of  
14 the Defendants. On 10/22/2020 Defendants and each of them filed Demands for Security of  
15 Costs from Plaintiff due to her out of state residency in California. Plaintiff had 30 days to post  
16 the required bonds. She never did. On 2/29/2021, Judge Alf issued an order dismissing  
17 Plaintiff's Complaint in that matter due to the failure to post the required security bonds.  
18

19 Plaintiff now seeks to amend her complaint by adding the dismissed defendants from the  
20 Zorikova v. Vegas Pet Rescue Project case (A820761). This constitutes improper "forum-  
21 shopping". Forum shopping is "[t]he practice of choosing the most favorable jurisdiction or court  
22 in which a claim might be heard." *Black's Law Dictionary* 681 (8th ed. 2004). Plaintiff's case  
23 was dismissed by Judge Alf. If she wants to resurrect that claim, she needs to take the appropriate  
24 procedural steps. Attempting to add parties that were previously dismissed in another lawsuit is  
25 procedurally improper, especially when Plaintiff has failed to post the required security bonds  
26 pursuant to NRS 18.130.  
27  
28



1 Here, Defendants are having to defend Plaintiff's baseless and vexatious lawsuits, where  
2 Plaintiff has produced ZERO proof of ownership of dogs she claimed Defendants once had in  
3 their possession. Plaintiff alleges that the dogs are worth \$1,150,000; and Defendants request  
4 that amount be the amount of Plaintiff's bond (plus the expected time for resolution of Plaintiff's  
5 Complaint). This amount will make Defendants whole in the event Plaintiff's claims fail.

6  
7 The Court is authorized under NRS 18.130(2) to order an increased security of costs bond  
8 on out of state Plaintiffs if the Court finds that the statutory minimum of \$500 is insufficient.  
9 Defendants request that based upon the number of motions pending from Plaintiff, the Plaintiff's  
10 repeated disregard for the Court's procedural rules, and the sheer volume of correspondence and  
11 discovery directed at Defendants' counsel constantly from Plaintiff, and the fact that counsel for  
12 Defendants are performing their work pro bono for Defendants, it is requested that the court  
13 increase the amount of the cost bonds to \$5,000 per Defendant for all Defendants.  
14

15 Plaintiff's Motion to Amend should be denied and Plaintiff should be ordered to post  
16 higher security bonds for the Defendants in this matter. In addition, if Plaintiff's Motion to  
17 Amend is granted, it is requested that Plaintiff be ordered to post security bonds under NRS  
18 18.130 in the amount of \$5,000 per Defendant before being allowed to proceed on those claims.  
19

20 **L. Reconsideration of In Forma Pauperis Order.**

21 Rule 60(b)(2) allows this Court to reconsider and correct any of its previous orders. In  
22 this case, the Complaint was filed on 9/15/2020. An application to proceed in forma pauperis was  
23 filed by Zorikova on 9/20/2020. The application was denied on 9/20/2020. A subsequent  
24 application to proceed in forma pauperis was filed on 9/24/2020. Also, on 9/24/2020, it appears  
25 an amended complaint was filed. On 9/25/2020 the application to proceed in forma pauperis was  
26 granted.  
27  
28

1 It was recently discovered through a Freedom of Information Act request to the San  
2 Bernardino County Sheriff's office that Plaintiff received at least \$350,000 in settlement for her  
3 claims against that agency for their officers' directing of individuals, not the Defendants, to  
4 retrieve dogs in the California desert that were in distress and in physical danger due to the  
5 environmental conditions in the middle of summer. In light of that settlement, it would appear  
6 that Plaintiff is no longer indigent and can afford Court costs and fees in this matter. Therefore, it  
7 is requested that the Court reconsider its prior Order to allow Plaintiff to proceed in forma  
8 pauperis.  
9

10  
11 **III.**

12 **CONCLUSION**

13 Based upon the foregoing, it is clear that Plaintiff cannot, as a matter of law, recover on  
14 any of her causes of action, and therefore it is respectfully requested that Plaintiff's Complaint be  
15 dismissed.  
16

17 DATED this 21st day of July, 2021.

18 **OFFICE OF CASEY D. GISH**

19 */s/ Casey D. Gish*

20 Nevada Bar No. 006657

21 5940 S. Rainbow Blvd

22 Las Vegas, NV 89118

23 Casey@GishLawFirm.com

24 *Co-counsel for Defendants Julie Pyle, Tammy  
25 Willet, & Vegas Shepherd Rescue*

26 **WEIR LAW GROUP, LLC**

27 */s/ Shana D. Weir*

28 SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

6220 Stevenson Way

Las Vegas, NV 89120

*Co-counsel for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*



CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION ON DEFENDANTS' COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT** on the parties whose address appears below:

     VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

  X   VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

         VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*



Executed on the 21st day of June, 2021.

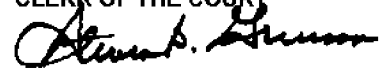
/s/ Casey D. Gish

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email Casey@GishLawFirm.com



CASEY D. GISH



## EXHIBIT “1”



1     ORDR

2                                 EIGHTH JUDICIAL DISTRICT COURT

3                                 CLARK COUNTY, NEVADA

4     ALLA ZORIKOVA,

Case No. A-20-821249-C

5                                 Plaintiff,

Dept. No. XX

6                 vs.

7     JULIE PYLE, TAMMY WILLET, VEGAS  
8     SHEPHERD RESCUE AND DOES I  
9     THROUGH X, INDIVIDUALS, AND ROE  
10    BUSINESS ENTITIES I THROUGH X,

Defendants.

11                                 **ORDER**

12                 **COURT FINDS** after review that on October 24, 2020, Plaintiff Zorikova filed an Ex Parte  
13     Application for Temporary Restraining Order, after filing a Complaint on September 15, 2020:

14                 **COURT FURTHER FINDS** after review that on September 25, 2020 an Order to Proceed  
15     in Forma Pauperis was entered granting Plaintiff's Application to Proceed in Forma Pauperis.

16                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Julie Pyle  
17     filed a Demand for Security Costs.

18                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Tammy  
19     Willet filed a Demand for Security Costs.

20                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Vegas  
21     Shepherd Rescue filed a Demand for Security Costs.  
22  
23  
24

1           **COURT FURTHER FINDS** after review that on October 29, 2020, Plaintiff filed a Motion  
2 to Schedule Hearing on Plaintiff's Ex-Parte Application for Temporary Restraining Order from  
3 Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in  
4 Support. Subsequently, a hearing was set on December 9, 2020 at 8:30 AM

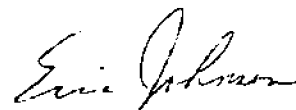
5           **COURT FURTHER FINDS** after review that on October 31, 2020, Plaintiff filed an  
6 Objection to Defendant's Demand for Security Costs on the basis that the Order granting Plaintiff to  
7 proceed in forma pauperis thereby waived court costs. However, security costs as prescribed by NRS  
8 18.130 are statutory and are not waived.

9           **THEREFORE, COURT ORDERS**, after a review that the case cannot move forward until  
10 each security for costs is posted. When security for costs is posted, a hearing can be set on  
11 Plaintiff's Ex-Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs  
12 and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support. Service will be  
13 required on all parties. All hearings are done remotely through the Bluejeans application. When a  
14 hearing is set, a link will be sent to all parties.

15           **IT IS HEREBY FURTHER ORDERED** the hearing on December 9, 2020 is VACATED.  
16  
17

18 DATED this \_\_\_\_ day of December, 2020.

Dated this 4th day of December, 2020

19  
20 

21 ERIC JOHNSON  
22 DISTRICT COURT JUDGE  
23 10B B32 44B3 40B1  
24 Eric Johnson  
District Court Judge

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 12/4/2020**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
19 known addresses on 12/7/2020

20 **Alla Zorikova**

**1905 wilcox ave, #175  
los angeles, CA, 90068**

21 **Casey Gish**

**Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118**

## **EXHIBIT “2”**

**Civil manner**

1 message

**olivia car** <olivia.car@mail.ru>

Fri, Dec 18, 2020 at 2:13 PM

Reply-To: olivia car &lt;olivia.car@mail.ru&gt;

To: Casey@gishlawfirm.com, bryanpease@gmail.com

Pease and Gish, as you now understand you and your conspirators ("clients") stole the dogs from a wrong person.

I even didn't bother as yet to gather all the evidences, experts opinions, best attorneys intervention etc.

I need you both to communicate one with another and to understand that it will be very beneficially for you to move toward solving it all with me in CIVIL MANNER.

I am not allowing criminals to mess up with my business nor with my dogs.

Get your brains together and contact my very aggressive in negotiations attorney (contact info will be provided to you upon request (and no, this is NOT Mr Levine) ) with option via CIVIL MANNER resolution. Dogs must be found and returned in any condition

Ms Zorikova

## Nationality

1 message

**olivia car** <olivia.car@mail.ru>

Fri, Dec 18, 2020 at 2:59 PM

Reply-To: olivia car <olivia.car@mail.ru>

To: Casey@gishlawfirm.com, bryanpease@gmail.com



I understand communists like you have some nationality issues, wondering what is yours? Jewish?? That's why hate for Germans?

You both better stop hating others for any reason, mind your own business, stop destruction, look at Trump's values and you will see that life is not so terrible ...


## **EXHIBIT “3”**



noticeBondFiled.pdf

 caselogicupshotzshah.com  Sign Out

Click to see attached \$1,500 bond notice for 1 defendant:  
Zurkova  
Case Dept 20 Zurkova vs. Flyer

 noticeBondFiled.pdf

  
Previous

  
Next





## **EXHIBIT “4”**



## Land Use Services Department Code Enforcement NOTICE OF VIOLATION

TO: ZINAIDA, DMITREEVA ETAL OR  
JEONG, OLIVIA NOTICE DATE: 10/13/2020

ASSESSOR'S PARCEL NUMBER: 0502-085-75-0000 CASE #: C202002475

SITUS ADDRESS: 1335 TRUMP BLVD BARSTOW CA 92311

MAILING ADDRESS: [REDACTED]

THE INDICATED VIOLATION(S) OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND/OR THE SAN BERNARDINO COUNTY CODE WERE OBSERVED ON THE SUBJECT PROPERTY DURING AN INSPECTION CONDUCTED ON 10/02/2020:

☐ IPMC 302.8 - **Motor Vehicles:** No inoperative motor vehicle shall be parked, kept, or stored on any premises other than in a garage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.4 - **Unlawful Structures:** An unlawful structure that was erected, altered, or occupied contrary to law.  
☐ Room Addition ☐ Garage Conversion ☐ Patio Cover ☐ Decking ☐ Carport ☐ Residence / Manufactured ☐ Shed-Cargo Container-Barn-Animal Enclosure  
Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.5(7) - **Dangerous Structure on Premises:** The building or structure is neglected, damaged, dilapidated, unsecured, abandoned, or an attractive nuisance.  
Corrective Action: \_\_\_\_\_

☐ IPMC 102.2 - **Maintenance:** Structure or premises shall be maintained in good working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 302.7 - **Accessory Structures:** Accessory structures, including detached garages, fences and walls, shall be maintained, structurally sound, and in good repair.  
Corrective Action: \_\_\_\_\_

☐ IPMC 308.1 - **Garbage:** Exterior and interior of property shall be free from any accumulation of rubbish or garbage.  
Corrective Action: \_\_\_\_\_

☐ IPMC 504.1 - **Plumbing Systems and Fixtures:** Plumbing fixtures shall be properly installed and maintained in working order.  
Corrective Action: \_\_\_\_\_

☐ IPMC 506.1 - **Sanitary Drainage:** Plumbing fixtures shall be properly connected to either a public sewer system or an approved private sewage disposal system.  
Corrective Action: \_\_\_\_\_

☐ IPMC 602.2 - **Heating Facilities:** Dwellings shall be provided with heating facilities.  
Corrective Action: \_\_\_\_\_

☐ SBCC 41.2503 - **Rental Dwelling Unit License Required:** A license is required for the operation of each rental dwelling unit.  
Corrective Action: \_\_\_\_\_

☐ SBCC 84.25.070 A & C - **Occupancy/Camping:** It is unlawful to temporarily or permanently occupy any vehicle or temporary structure.  
Corrective Action: \_\_\_\_\_

☐ SBCC 84.04.090(h) - **Animal Density Standards:** The number of animals shall be within approved limits.  
Corrective Action: \_\_\_\_\_

☒ SBCC 82.02.020(b) **No Primary Use - Vacant**  
Corrective Action: Operating a kennel on a property listed as vacant with no established Primary Use is not allowed. Remove 2 sheds, personal items, vehicles, dogs and makeshift animal enclosures.

The indicated violations must be corrected within **30** days from the date of this notice. A re-inspection of this property to verify compliance will be completed after 11/12/2020. Failure to correct the existing violation(s) may result in the issuance of administrative citations and/or civil or criminal prosecution. A lien and a special assessment on the property tax roll may also be placed against the subject property to recover any regulatory costs incurred by the County.

If you have questions regarding this notice please contact Code Enforcement at (909) 884-4056 or (760) 995-8140.

Notice received by: Standard Mail Code Enforcement Officer: G. Arroyo

08/31/2020: Referral received from T. Campos with veterinary services. Kennel operating on vacant parcel, POs living in tents and make shift storage units built on the parcel. On 8/8/2020 SBCSD found approx. 50 German Shepherds on the property, unclear how many dogs remain as of today. There also a lot of discarded meat that is picks up daily from the Barstow butcher and uses to feed the dogs. Per T. Campos PO has filed a lawsuit against the SBCSD. Photos taken by T. Campos saved to office links. E. Aguero

#### PROPERTY OWNER CONTACT

09/08/2020 Ella [REDACTED] called and would like a call back to know how to go about getting a kennel permit. P. Harris

#### PROPERTY OWNER CONTACT

09/09/2020: Ella, [REDACTED] would like to schedule the initial inspection on the property. She also stated that the meat on the property is used for composting. E. Aguero

#### FIELD INVESTIGATION

10/02/2020 Field investigation conducted at front fence with property owner Ella Zorikova. Ms. Zorikova did not consent to the investigation and all pictures were taken from the public right of way. Ms. Zorikova stated that she only stays on the property when dogs are present. There are 2 shed located on the property with one being metal and one wood Due to no consent to enter property i observed approximately 13 dogs present on the property in individual makeshift cages with tarp being used to shade dogs. 2 Sports utility vehicles were parked at the entrance of the property. Unable to determine if any disposed meat was present on the property.

Ms. Zorikova stated that she has attempted to obtain a kennel permit and I explained to her i was there to investigate the Land use Violation since the property is listed as vacant with no primary use. Ms. Zorikova stated she will attempt to get the kennel permit and if she cannot obtain permit she will leave the property. I explained to Ms. Zorikova that she must talk to planning. I gave Ms. Zorikova my business card and informed her I would be sending a notice. Ms. Zorikova provided me with an address to send notice to and asked any future communication to be with her attorney. I replied that is fine, but her attorney would need to contact Code enforcement and we will not reach out to them and it is her responsibility to keep her attorney informed not ours. Ms. Zorikova understood. Notice will be sent to address on file and also to address provided by Ms. Zorikova, [REDACTED]  
[REDACTED]. G. Arroyo

#### NOTICE OF VIOLATION

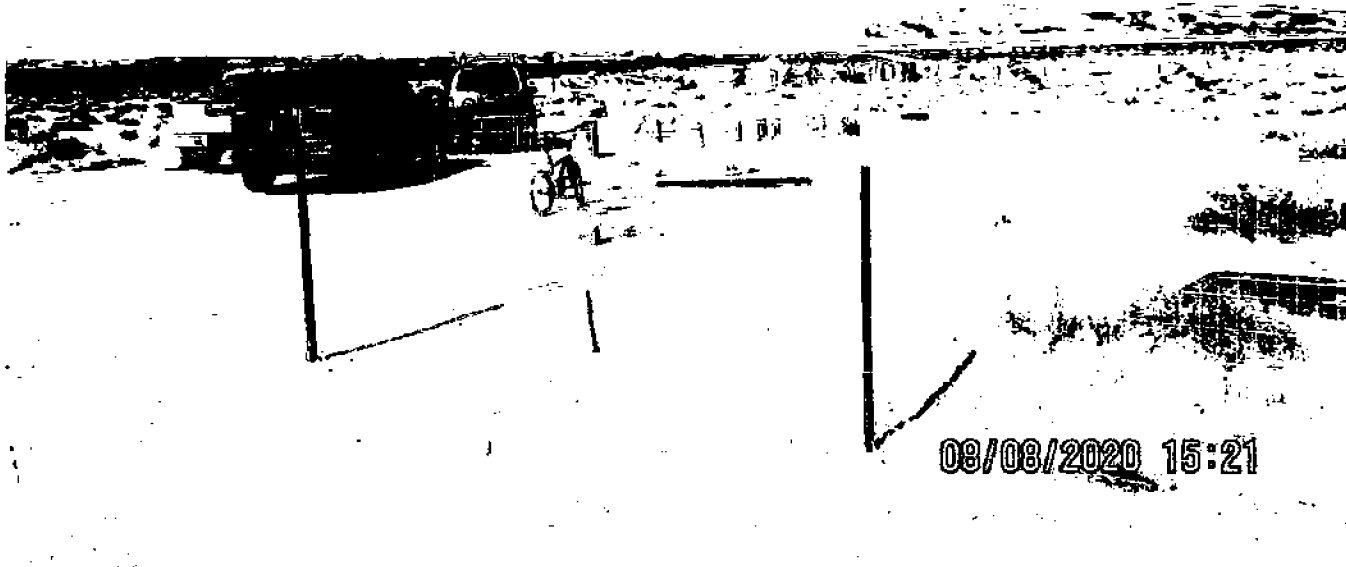
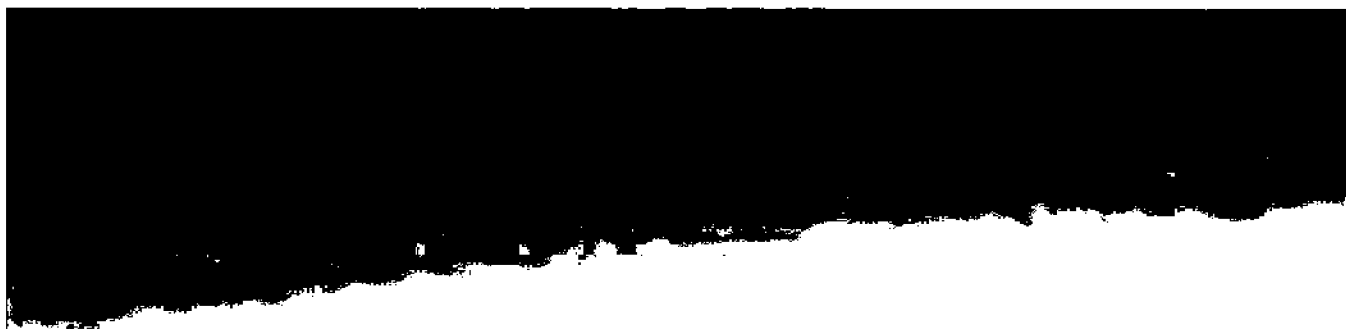
Notice prepared on 10/07/2020 with a mail date of 10/13/2020. 30 day notice will be issued for the following violation: SBCC 82.02.020(b) No Primary Use - Vacant. Notice has been saved to office link and email has been sent to operations for regular mailing. G. Arroyo

#### NOTICE OF VIOLATION - MAILING:

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to: [REDACTED]. N. Candelario

NOTICE OF VIOLATION - MAILING:

10/13/2020: Notice of Violation mailed regular status with pictures and scanned to case file. Mailed to:  
[REDACTED]. N. Candelario

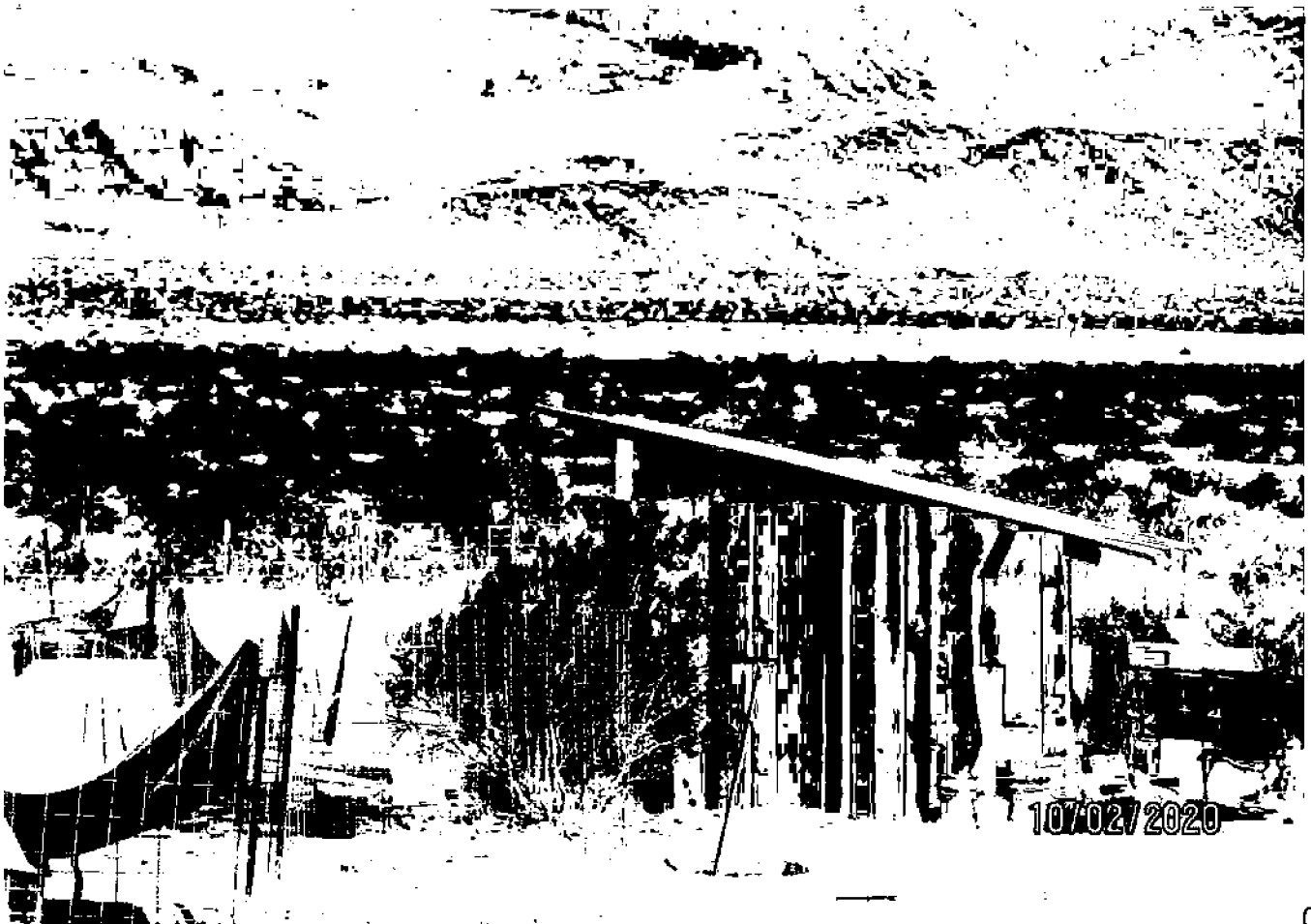


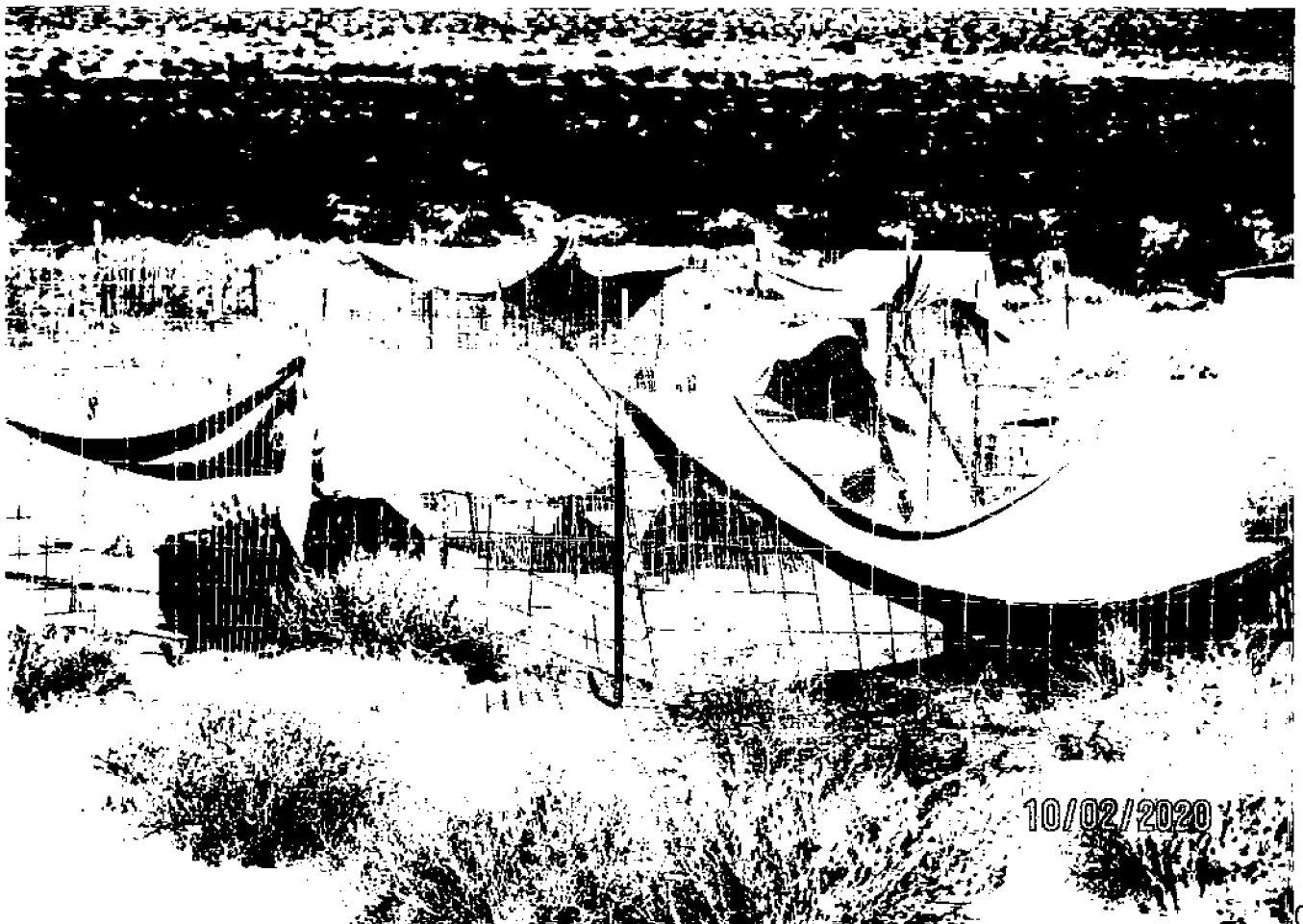
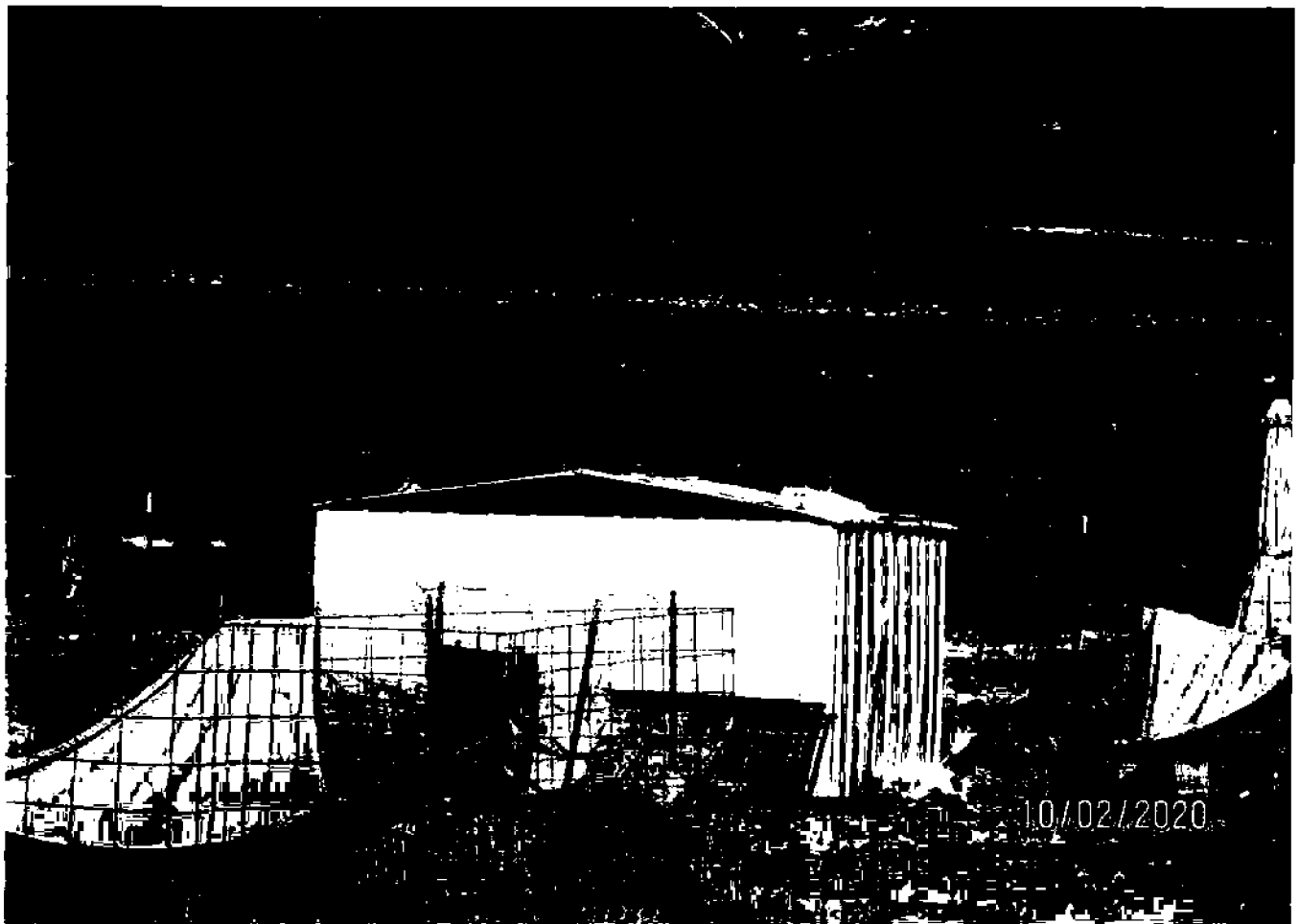




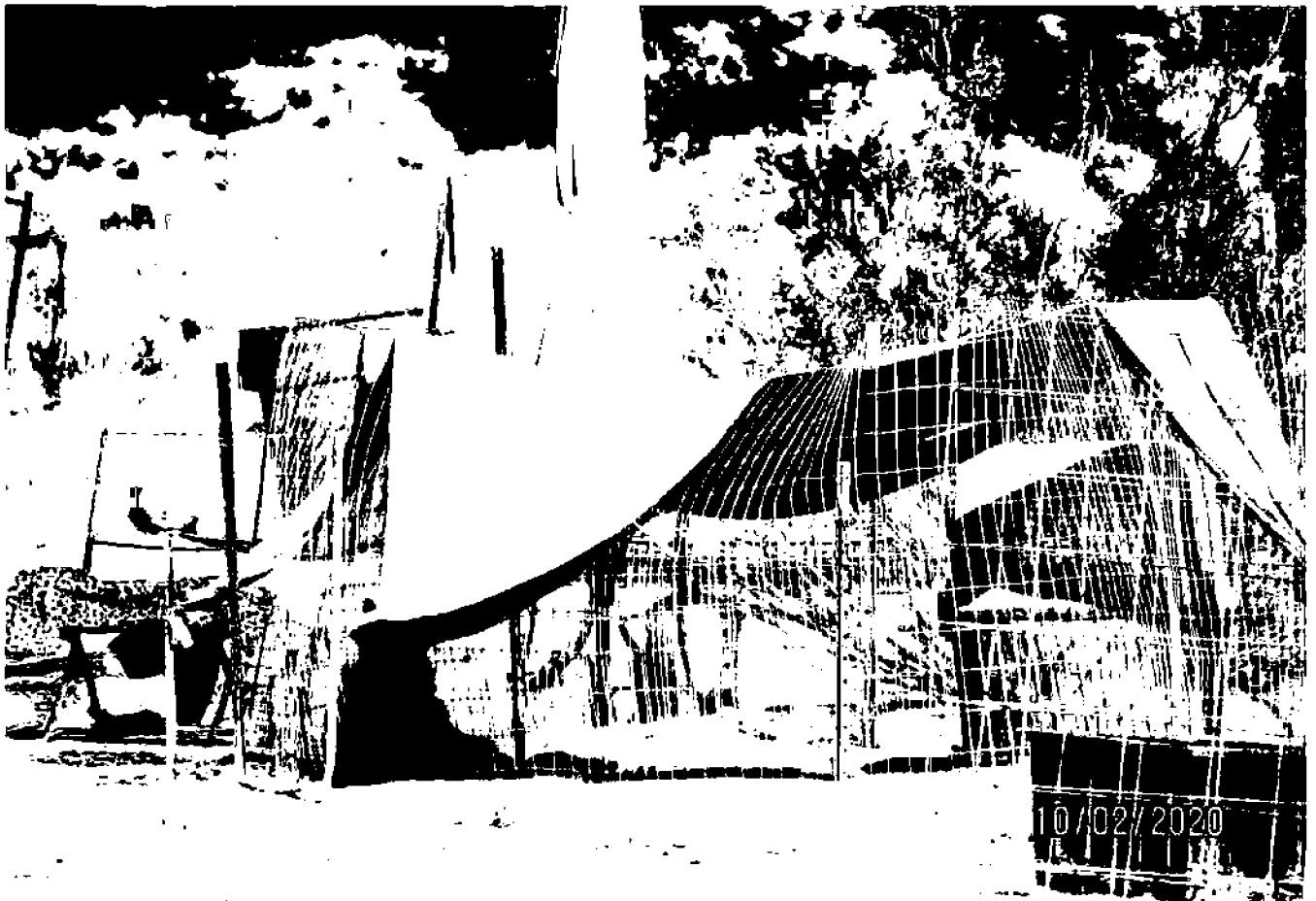
















Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

PLAUNTIFF'S EX PARTE Motion for  
Sanctions for Defendant's false  
representations to the Court, Memorandum of  
Points and Authorities and Declaration in  
Support.

Department 20

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

Plaintiff requested multiple times Meet and Confer Conference and provided Defendants with Notice of Motion for Sanction based on Defendant's False Statements of Facts to the Court; however, Defendants failed to respond in any manner.

### **MEMORANDUM OF POINTS AND AUTHORITIES.**

NRCP 11 (b) (1), (2), (3); (c) (1),(4)

### **STATEMENT OF FACTS**

Defendants in their pleadings, opposition papers and motions are defrauding the Court by **KNOWNGLY** stating false facts in their filed papers that are clearly false and undisputable.

Below Plaintiff provides not a full list of those false facts based on just a single Defendant's filings **Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO:**

1. **In Defendant's Opposition to Plaintiff's Ex Parte Motion for TRO** on page 3 line 25 Defendant states: "Plaintiff did not provide photos of her own" regarding proof of stolen dog's ownership, while in a reality, Plaintiff attached multiple pictures of herself with her dogs that are displayed as stolen on Defendant's Facebook page.
2. On page 4 of the same , line 9 to 27 Defendants are fully defrauding the Court with paragraphs of clearly false, evasive and obviously designed to cover up the truth, statements such as: a) On line 10 Defendants falsely states that Plaintiff stated she houses 50 dogs in cages. Plaintiff had never stated so in none of her pleadings nor motions not otherwise, because she never keeps nor kept dogs in cages. All dogs are

walking free on huge acreage of her property or kept in roomy kennels with huge play zone area.

b). On line 12 Defendant falsely and baselessly without any supporting evidences states that Plaintiff was conducting business in San Bernardino County since May 2018, which is not true. C). On line 14 Defendants falsely states that Plaintiff is an established illegal operator of puppy mills throughout of USA and her dogs are kept in inhumane conditions. No one never “established” that Plaintiff is an “illegal operator” and operates “puppy mill”. Plaintiff does not run an illegal businesses nor operates any “puppy mill”. D). On line 18 Defendants falsely and baselessly state that Plaintiff raising her dogs in inhumane and cruel conditions outside of Barstow, California, while claiming multiple times that NONE of the Defendants have ever been on Plaintiff’s property and therefore never observed, nor has personal knowledge of any conditions. However, what Defendant has certain knowledge is that Plaintiff does not run any business from December of 2020 until current in San Bernardino County, California, yet Defendants falsely states otherwise.

3. Further, on page 5 Defendants once again baselessly and falsely (while claiming they had never been on Plaintiff’s property and never saw her or her dogs while on property) state that there were no even dirt roads nor the Dogs had not have water, food, shelter in contradiction to true and credible Animal Control Report (Exhibit 1).
4. Further, on line 7 of the same Defendants (while attaching referred Notice of Violation as Exhibit and therefore, with inability to claim “innocent mistake” Defendants falsely state that “Notice of Violation was issued for operating kennel without permit” , while true



fact is that the Notice of Violation was given for “\_No Primary Use\_” (Exhibit 2 ) regarding absence of residential construction on the property.

5. Further, on line 20 Defendants refer to “breeder license” which are not required for Plaintiff while not operating in San Bernardirno County.
6. On page 6 line 17, page 22 line1 Defendants state that they “found from Freedom of Information Act” settlement amount, which is falsehood based on the true fact that settlement was confidential and amount of the same cannot be disclosed. Also Defendants state wrong amount (they could not “find” the true one legally).
7. Further, on line 20 Defendants falsely state that “Plaintiff sued various Defendants for alleged theft in multiple countries in California”, while Defendants know that Plaintiff filed lawsuit related in San Bernardirno County while San Diego’s lawsuit is against Pease as for defamation and libel.
8. Further on page 7 line 27 Defendants state that “Deputies visited home of Pyle”, while in reality 3 different judges issued search warrants under which Deputies conducted a search.
9. On page 11 line 9 Defendants falsely state that “litigation is ongoing regarding “false arrest” cause of Plaintiff. There is no any ongoing litigation and the “arrest” case #082001029 against plaintiff was turned down by Victorville’s District Attorney back in 2020 and closed.
10. On page 16 line 12 to 16, page 18 line 3 Defendants falsely state that “it is UNDESPUTED that Plaintiff is currently under criminal investigation” . While the true UNDESPUTED fact is that “arrest” case #082001029 against plaintiff was turned down


by Victorville's District Attorney back in 2020 and closed, no any charges has been filed against Plaintiff by District Attorney.

11. Further, on page 18 line 24 Defendants knowingly (by introducing the same referred exhibit "Notice of Violations" ) falsely once again states that "Notice of Violation" is a "Citation for operating an illegal kennel operation", which is indisputably not true.

12. As we can clearly see, even while Plaintiff pointed above only to a single Defendant's filing "a Reply to Plaintiff's Opposition", Defendants are people who do not hesitate to pour waterfall of falsehood on the Court and

WHEREFORE

Plaintiff respectfully asks this Court to issue Sanctions against Defendants in the amount of \$1000 and to strike their pleadings and another filed papers that Court will find appropriate.

Respectfully, 

08/14/2021

**DECLARATION OF ALLA ZORIKOVA IN SUPPORT OF MOTION FOR SANCTIONS**


Under penalty of perjury and law of Nevada I, Alla Zorikova, state that the foregoing is true and correct to the best of my knowledge and based on personal knowledge declare the following:

1. I am Plaintiff in this action
2. There were never any "inhumane conditions" on any of our property in regards to dogs welfare.

3. All Dogs always had food, water, shelter, were in excellent health, did not need any medical attention and never been distressed.
4. “Arrest case “ in Victorville District’s Attorney Office #082001029 against me has been turned down in 2020 and closed. NO any charges has never been filed by District Attorney and all records of that arrest will be destroyed shortly.
5. Animal Control Officers on 3 different visits found all our dogs having water, shelter, being in good health and not distressed.
6. Our top World German Shepherds are judged by world class judges and are top bloodlines, confirmation and pedigree dogs. Each dog values from \$15,000 up to \$500,000 and it is outrageous for defendants attempting to claim that these dogs are “not having water nor food”. Our Dogs fed via very selective human grade organic meat diet, puppies are fed from best of the best meat available for humans from Whole Foods Market.
7. My Dogs kept free on hundreds acres of our private property or in state of art roomy kennels with huge play zone attached to kennels, not in “cages”.
8. I am not running any business nor have any dogs in San Bernardirno County, CA nor in Missouri.
9. Criminal investigation against thieves of my German Shepherds, case #082001074 in Victorville’s District Attorney Office is still ongoing and special homicide unit Detectives submitted their findings on thieves to District Attorney Office couple weeks ago.

Alla Zorikova

08/14/2021

10. 

CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that I had emailed the copy of the same on 08/14/2021 to Casey Gish.

Alla Zorikova

08/14/2021



*Steven D. Grierson*

A20-172252-1 ASSIST/POLICE Priority Level 3 Total Animals 20 Animal Type C  
Activity Address LOCKHART RD RED MOUNTAIN  
Activity Comment O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST LOG# BA022

Caller Information:

Result Codes:  
1 RSVLD

Officer: P999067 CHAVEZ Clerk: B4869

Call Date 08/08/20 02:02 PM  
New Date 08/08/20 02:02 PM  
Dispatch Date 08/08/20 02:30 PM  
Working Date 08/08/20 04:13 PM  
Complete Date 08/08/20 04:21 PM

Memo

08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/0-85  
8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. We hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty. The phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons. I explained to her Sheriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G Sheps were in pens with shade cloth. All the G sheps had shade and shelter all had little water. None of the dogs appear to be in distress, and all appear to be healthy and normal. S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16:20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder ...c3865

8/8/20 directions to the property: hwy 15 north to hwy 58 west, go north on Haper lake Rd for about 6.8 mi. you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mi dirt rd go right for 0.8 mi then left at the red pole the prop will be to your right....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 OI next to O-67 advising abandonment for the 50+ dogs and 1 chicken. When I was leaving Dep Parsons had someone pull over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly. H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. We pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 21 dogs and 2 goats were impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85

*Steven D. Grierson*

# Land Use Services Department

## Code Enforcement

### NOTICE OF VIOLATION

TO: **ZINAIDA, DMITREEVA ETAL OR**  
**JEONG, OLIVIA**

NOTICE DATE: **10/13/2020**

ASSESSOR'S PARCEL NUMBER: **0502-085-75-0000**

CASE #: **C202002475**

SITUS ADDRESS: **1335 TRUMP BLVD BARSTOW CA 92311**

MAILING ADDRESS: **[REDACTED]**

THE INDICATED VIOLATION(S) OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND/OR THE SAN BERNARDINO COUNTY CODE WERE OBSERVED ON THE SUBJECT PROPERTY DURING AN INSPECTION CONDUCTED ON **10/02/2020**:

☐ IPMC 302.8 - **Motor Vehicles:** No inoperative motor vehicle shall be parked, kept, or stored on any premises other than in a garage.

Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.4 - **Unlawful Structures:** An unlawful structure that was erected, altered, or occupied contrary to law

☐ Room Addition ☐ Garage Conversion ☐ Patio Cover ☐ Decking ☐ Carport ☐ Residence / Manufactured ☐ Shed-Cargo Container-Barn-Animal Enclosure

Corrective Action: \_\_\_\_\_

☐ IPMC 108.1.5(7) - **Dangerous Structure on Premises:** The building or structure is neglected, damaged, dilapidated, unsecured, abandoned, or an attractive nuisance.

Corrective Action: \_\_\_\_\_

☐ IPMC 102.2 - **Maintenance:** Structure or premises shall be maintained in good working order.

Corrective Action: \_\_\_\_\_

☐ IPMC 302.7 - **Accessory Structures:** Accessory structures, including detached garages, fences and walls, shall be maintained, structurally sound, and in good repair.

Corrective Action: \_\_\_\_\_

☐ IPMC 308.1 - **Garbage:** Exterior and interior of property shall be free from any accumulation of rubbish or garbage.

Corrective Action: \_\_\_\_\_

☐ IPMC 504.1 - **Plumbing Systems and Fixtures:** Plumbing fixtures shall be properly installed and maintained in working order.

Corrective Action: \_\_\_\_\_

☐ IPMC 506.1 - **Sanitary Drainage:** Plumbing fixtures shall be properly connected to either a public sewer system or an approved private sewage disposal system.

Corrective Action: \_\_\_\_\_

☐ IPMC 602.2 - **Heating Facilities:** Dwellings shall be provided with heating facilities.

Corrective Action: \_\_\_\_\_

☐ SBCC 41.2503 - **Rental Dwelling Unit License Required:** A license is required for the operation of each rental dwelling unit.

Corrective Action: \_\_\_\_\_

☐ SBCC 84.25.070 A & C - **Occupancy/Camping:** It is unlawful to temporarily or permanently occupy any vehicle or temporary structure.

Corrective Action: \_\_\_\_\_

☐ SBCC 84.04.090(h) - **Animal Density Standards:** The number of animals shall be within approved limits.

Corrective Action: \_\_\_\_\_

☒ SBCC 82.02.020(b) **No Primary Use - Vacant**

Corrective Action: *Operating a kennel on a property listed as vacant with no established Primary Use is not allowed. Remove 2 sheds, personal items, vehicles, dogs and makeshift animal enclosures.*

The indicated violations must be corrected within **30** days from the date of this notice. A re-inspection of this property to verify compliance will be completed after **11/12/2020**. Failure to correct the existing violation(s) may result in the issuance of administrative citations and/or civil or criminal prosecution. A lien and a special assessment on the property tax roll may also be placed against the subject property to recover any regulatory costs incurred by the County.

If you have questions regarding this notice please contact Code Enforcement at (909) 884-4056 or (760) 995-8140.

Notice received by: **Standard Mail** Code Enforcement Officer: **G. Arroyo**

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
8/16/2021 9:32 AM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Ex Parte Motion for Sanctions for Defendants False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support in the above-entitled matter is set for hearing as follows:

**Date:** September 15, 2021  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Imelda Murrieta  
Deputy Clerk of the Court



**CERT**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

CASE NO. A-20-821249-C

DEPT. NO. XX

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

**CERTIFICATE OF MAILING**

I, CASEY D. GISH, ESQ., co-counsel for Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and  
Vegas Shepherd Rescue, hereby declares under penalty of perjury under the law of the State of

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss filed concurrently herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.





1 Nevada that the following is true and correct:

2 That on August 16, 2021, a copy of the video surveillance in a USB device has been  
3 deposited via UPS Next Day delivery service on the party whose address appears below:

4 ALLA ZORIKOVA  
5 1905 Wilcox Ave, #175  
6 Los Angeles, CA 90068  
7 P: (323) 209-5186  
8 E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
9 *Plaintiff*

DATED this 16<sup>th</sup> day of Augsut, 2021.

10 THE LAW OFFICE OF CASEY D. GISH

11 /s/ Casey D. Gish

12 Nevada Bar No. 006657

13 5940 S. Rainbow Blvd

14 Las Vegas, NV 89118

15 [Casey@GishLawFirm.com](mailto:Casey@GishLawFirm.com)

16 (702) 583-5883 Telephone

17 (702) 483-4608 Facsimile

18 *Co-counsel for Defendants Julie Pyle, Tammy  
19 Willet, & Vegas Shepherd Rescue*

20 WEIR LAW GROUP, LLC

21 /s/ Shana D. Weir

22 SHANA D. WEIR, ESQ.

23 Nevada Bar No. 9468

24 6220 Stevenson Way

25 Las Vegas, NV 89120

26 (702) 509-4567 Telephone

27 *Co-counsel for Defendants Julie Pyle, Tammy  
28 Willet, & Vegas Shepherd Rescue*

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583 5883 Fax (702) 483 4608  
Email [Casey@GishLawFirm.com](mailto:Casey@GishLawFirm.com)



CASEY D. GISH

THE U.S. OFFICE OF COMMERCE  
17020 300-0000  
THE U.S. OFFICE OF COMMERCE  
17020 300-0000  
17020 300-0000  
17020 300-0000

OFFICE ALL INFORMATION  
OFFICE ALL INFORMATION  
OFFICE ALL INFORMATION

0 2 LBS 1.75 1 OF 1  
OFFICE ALL INFORMATION  
OFFICE ALL INFORMATION

Apply

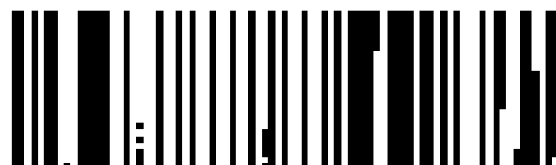
On to

UPS 4  
UPS 5  
UPS 6  
UPS 7

LOS ANGELES CA 90050-3013



CA 901 9-10



Visit  
2000

UPS NEXT DAY AIR

1

Tracking #: 17 225 437 0 2283 4200



ILLINOIS 644

OFFICE ALL INFORMATION





**SUPP**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 8/18/2021

Hearing Time: 9:15 a.m.

**DEFENDANTS' SUPPLEMENT TO REPLY IN SUPPORT OF COUNTER-MOTION  
TO DISMISS PLAINTIFF'S COMPLAINT**

COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and  
hereby provides the following SUPPLEMENT to their REPLY IN SUPPORT OF COUNTER-

<sup>1</sup>The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss filed concurrently herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.



*MOTION TO DISMISS PLAINTIFF'S COMPLAINT.*

Defendants hereby supply this Court with the following Supplement to their prior Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss. Said Reply was filed on July 21, 2021. This supplement amends section II(L) "Reconsideration of In Forma Pauperis Order" on page 21 and 22 of said Reply as follows:

**L. Reconsideration of In Forma Pauperis Order.**

Rule 60(b)(2) allows this Court to reconsider and correct any of its previous orders. In this case, the Complaint was filed on 9/15/2020. An application to proceed in forma pauperis was filed by Zorikova on 9/20/2020. The application was denied on 9/20/2020. A subsequent application to proceed in forma pauperis was filed on 9/24/2020. Also, on 9/24/2020, it appears an amended complaint was filed. On 9/25/2020 the application to proceed in forma pauperis was granted.

It was recently discovered through a Freedom of Information Act request to the San Bernardino County Sheriff's office that Plaintiff received at least \$325,000 in settlement for her claims against that agency for their officers' directing of individuals, not the Defendants, to retrieve dogs in the California desert that were in distress and in physical danger due to the environmental conditions in the middle of summer. In light of that settlement, it would appear that Plaintiff is no longer indigent and can afford Court costs and fees in this matter.

///

///

///

///

///



1 Therefore, it is requested that the Court reconsider its prior Order to allow Plaintiff to  
2 proceed in forma pauperis. A copy of the settlement agreement between Zorikova, her daughter  
3 Olivia Jeong, and San Bernardino County dated, February 9, 2021, for the amount of \$325,000 is  
4 attached hereto as Exhibit A.

5 DATED this 19<sup>th</sup> day of August, 2021.

7 **THE LAW OFFICE OF CASEY D. GISH**

8 */s/ Casey D. Gish*

9 Nevada Bar No. 006657

10 5940 S. Rainbow Blvd

11 Las Vegas, NV 89118

12 Casey@GishLawFirm.com

13 (702) 583-5883 Telephone

14 (702) 483-4608 Facsimile

15 *Co-counsel for Defendants Julie Pyle, Tammy*  
16 *Willet, & Vegas Shepherd Rescue*

17 **WEIR LAW GROUP, LLC**

18 */s/ Shana D. Weir*

19 SHANA D. WEIR, ESQ.

20 Nevada Bar No. 9468

21 6220 Stevenson Way

22 Las Vegas, NV 89120

23 (702) 509-4567 Telephone

24 *Co-counsel for Defendants Julie Pyle, Tammy*  
25 *Willet, & Vegas Shepherd Rescue*

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' SUPPLEMENT TO REPLY IN SUPPORT OF COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT** on the parties whose address appears below:

X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: [stevejohn19732017@gmail.com](mailto:stevejohn19732017@gmail.com)  
*Plaintiff*

Executed on the 19<sup>th</sup> day of August, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH



## **EXHIBIT “A”**



**FAX COVER SHEET**

TO	Laura Crane
COMPANY	
FAX NUMBER	
FROM	
DATE	2021-02-11 18:49:52 GMT
RE	Zorikova

**COVER MESSAGE**

Please see attached partially executed settlement agreement.

**SETTLEMENT AGREEMENT AND FULL RELEASE OF ALL CLAIMS**

This Settlement Agreement and Full Release of Claims (hereinafter "AGREEMENT") is entered into by and between the County of San Bernardino (referred to hereafter as "COUNTY"), on the one hand, and Alla A. Zorikova and Olivia Dae Jeong (referred to hereafter as "CLAIMANTS"), on the other hand. COUNTY and CLAIMANTS are collectively referred to herein as the "PARTIES."

A dispute has arisen between CLAIMANTS and COUNTY relating to CLAIMANTS' allegation that COUNTY employees wrongfully arrested CLAIMANTS and caused their personal property, including multiple German Shepard dogs, to be stolen in August 2020. (This is referred to hereafter as the "INCIDENT.") CLAIMANTS presented COUNTY with separate claims pursuant to Government Code section 911.2, seeking compensation for their claimed injuries and damages allegedly sustained in the INCIDENT. Alla A. Zorikova also filed a lawsuit (Case Number CIVDS2017383) in the Superior Court of California - County of San Bernardino, that names a COUNTY employee as a defendant and seeks compensation for injuries and damages allegedly sustained in the INCIDENT.

For the purposes of this AGREEMENT, the term "DISPUTE" shall include all facts and/or claims which relate in any way whatsoever to the INCIDENT, all factual and/or legal matters which relate to any claims of CLAIMANTS against COUNTY set forth in the claims and lawsuit referenced previously, and/or any claims of CLAIMANTS which could have been asserted in the claims or lawsuit whether related to the INCIDENT or not.

In order to buy peace and avoid further litigation, and in exchange for the consideration described herein, CLAIMANTS and COUNTY have agreed to settle their differences upon the following terms and conditions:

1. In consideration of the performance of this AGREEMENT by CLAIMANTS, COUNTY will pay CLAIMANTS the sum of \$325,000 ("SETTLEMENT SUM"). COUNTY shall issue a check in the sum of \$325,000 made payable to "Law Firm of Artin Sodaify" and will cause the check to be delivered to 4522 Woodman Ave #C308 Sherman Oaks, CA 91423. CLAIMANTS are solely responsible for allocation

Claimant Initials JZ OJ

1

County Initials de

of the settlement proceeds and satisfaction of any liens. The SETTLEMENT SUM, however, will not be issued until each of the following conditions precedent have been satisfied:

- a. All parties, including their relevant attorneys, have signed this AGREEMENT.
- b. Alla A. Zorikova causes Angela Marie Parsons to be dismissed, with prejudice, from the lawsuit Alla A. Zorikova filed with the Superior Court of California – County of San Bernardino, resulting in Case Number CIVDS2017383.
- c. Law firm of Artin Sodaify provides counsel for COUNTY a completed W-9.

2. CLAIMANTS hereby fully and permanently release and forever discharge COUNTY and their current and former employees, servants, representatives, officers, officials, agents and departments (collectively, "COUNTY RELEASEES") from any and all claims, demands, causes of action, rights, damages, costs, and liabilities of any nature whatsoever, whether now known or unknown, latent or patent, arising now or in the future, suspected or claimed, whether anticipatory or real, which they ever had, now have, or claim to have had against COUNTY RELEASEES arising out of or related in any way to the subject matter of the DISPUTE.

3. CLAIMANTS fully understand and expressly waives their rights or benefits under California Civil Code § 1542, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

In addition, CLAIMANTS agree to waive all rights arising out of any law similar to California Civil Code section 1542 whether it is a local, state or federal law.

4. The PARTIES understand that COUNTY denies liability for any acts or omissions of the COUNTY and its employees with respect to the INCIDENT and

Claimant Initials   JZ     DD  

County, Initials   JA

DISPUTE. The PARTIES agree that this AGREEMENT relates to a compromise and settlement of the various claims between the PARTIES. The PARTIES agree that this AGREEMENT shall not be admissible in any suit or action at the instance of any party hereto or any third parties to show the liability of or any admission by any party hereto

5. CLAIMANTS represent and warrant that no portion of the DISPUTE has been assigned or transferred to any other person, entity, firm or corporation not a party to this AGREEMENT, in any manner, including by way of subrogation of operation of law or otherwise. CLAIMANTS specifically represent and warrant that there are no claims or liens by any insurance company, including but not limited to any claim by any governmental entity, including but not limited to MediCal, Medicare or Medicaid, which have paid, or may in the future pay accident, medical or health benefits for CLAIMANTS related to the DISPUTE. In the event that any claim, demand, lien, or suit is made or instituted against COUNTY because CLAIMANTS made an actual assignment or transfer or failed to disclose an actual or potential lien against the proceeds of the DISPUTE, CLAIMANTS agree to save, defend, indemnify and hold COUNTY harmless against such claim or lien, and to pay and satisfy any such claim or lien, including necessary expenses of investigation, reasonable attorneys' fees and costs. This indemnity agreement shall also include all reasonable attorney's fees, costs and expenses incurred by COUNTY in defending such a claim or lien, and in asserting a claim against CLAIMANTS for indemnity pursuant to this paragraph. **CLAIMANTS expressly agree that this paragraph contains material terms to this AGREEMENT.**

6. CLAIMANTS represent that, other than Case Number Case Number CIVDS2017383 filed in the Superior Court-County of San Bernardino (as more fully described above), CLAIMANTS have not filed lawsuits, claims or actions against COUNTY with any federal, California, or local government agency, court, arbitration agency, or arbitrator pertaining to this incident. Further, this AGREEMENT shall constitute a bar to the filing and/or further pursuit of any such claims or actions.

7. The PARTIES agree that each will bear their own attorney's fees and costs.

Claimant Initials AZ 07

County Initials JA

8. The PARTIES agree that this AGREEMENT shall be deemed breached and a cause of action accrued thereon immediately upon the commencement by any party of any action or proceeding contrary to the terms of this AGREEMENT. In any such action or proceeding this AGREEMENT may be pleaded as a defense, or may be asserted by way of counter-claim or cross-complaint.

9. The PARTIES fully understand and declare that if the facts under which this AGREEMENT is executed are found hereafter to be different from the facts now believed by them to be true they assume the risk of such possible differences in facts and hereby agree that this AGREEMENT shall be, and will remain, effective, notwithstanding such differences in facts.

10. The PARTIES further agree that this AGREEMENT shall be binding upon the PARTIES, their employees, agents, heirs, representatives, successors, assigns, officers, officials, agents and departments. Furthermore, the benefits contained in this AGREEMENT shall inure to the benefit of the PARTIES hereto, their employees, agents, heirs, representatives, successors, assigns, officers, officials, agents and departments.

11. The PARTIES certify they have not received any representations, promises or inducement from any of the PARTIES or from their representatives other than those expressed in this AGREEMENT. The PARTIES further certify that they are each represented by counsel or have had the opportunity to obtain counsel if so desired. The PARTIES are entering into this AGREEMENT in reliance upon their knowledge and understanding of the facts, the legal implications thereof, and the liability therefore as per the advice and legal counsel of their attorneys, or with the knowing waiver of the right to obtain such advice and counsel. The PARTIES understand and agree that this AGREEMENT is intended to be and is the complete and entire agreement of the PARTIES with respect to all matters contained herein and the PARTIES hereby affirm their understanding of the terms of this AGREEMENT. The PARTIES agree that this AGREEMENT is a binding contract and not merely a recital. The PARTIES further understand and agree that this AGREEMENT may not be altered, amended, modified, or otherwise changed in any

Claimant Initials AL MJ

County Initials JK

respect or particular whatsoever, except in writing duly executed by all PARTIES or their authorized representatives.

12. The PARTIES agree that the Court shall retain jurisdiction for purposes of enforcing this this AGREEMENT. This AGREEMENT shall be governed by and construed under and in accordance with the laws of the State of California.

13. This AGREEMENT may be signed in counterparts. Photocopied, PDF, or facsimile signatures shall be treated as originals.

IN WITNESS WHEREOF, the PARTIES sign this AGREEMENT on the respective dates indicated.

**THIS IS A FULL RELEASE OF  
ALL CLAIMS THAT I AM SIGNING**

DATED: 02/09/2021

AAZ  
ALLA A. ZORIKOVA

DATED: 02/09/2021

ODJ  
OLIVIA DAE JEONG

DATED: 2/9/2021

ARTIN SODAIFY  
LAW FIRM OF ARTIN SODAIFY

By: ARTIN SODAIFY  
Attorneys for CLAIMANTS

DATED: 2/12/2021

LYNDEN SALONGA  
LYNDEN SALONGA  
San Bernardino County Claims Department  
Risk Management Division

Claimant Initials AAZ

County Initials SB



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

EIGHT JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA,

: A-20-821249-C

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

PLAUNTIFF'S Motion to Set Aside Order to

Dismiss with Prejudice, Memorandum of

Points and Authorities, Exhibits and

Declaration in Support. (Exhibits filed

separately)

Pursuant to NRCP 60 (b) (1) (3) (6);

NRCP 4.2 (a) (2); NCPR 41(b)

Department 20

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova and states following:

1. The Court erroneously entered order to Dismiss the Case with Prejudice (Exhibit 1)
2. This order shall be set aside pursuant to NRCP 60 (b) (1) (3) (6).
3. It is clear that Defendants constructed an unconscionable plan and scheme, implemented with false representation of facts to the Court, false statements all over of all Defendants pleadings and filed documents, and even constantly led by Gish testimony (leading questions objections were overruled constantly) of Pyle, based on the fact that the only witness Pyle (Defendant herself) did not have personal knowledge neither objected service of documents, nor she could recognize anyone on the introduced by Defendants into evidences video.
4. Dismissal with Prejudice is allowed only for cases decided on merits, not on any technical errors, which include claimed improper service. Plaintiff believes that the Court did NOT conspire with Defendants and therefore was defrauded and deceived by Defendants and will correct the order accordinally.

#### STATEMENT OF FACTS

5. Plaintiff filed complaint on September 24 of 2020 or about this date.
6. Plaintiff filed requests for Summons on Defendants Pyle, Willet and Vegas Shepherd Rescue (Exhibit \_2\_) in September of 2020.



7. The Court issued Summons (Exhibit 3\_).

8. Plaintiff hired on October 03 of 2020 or about this date person over 18 years old and not a party of this lawsuit Olivia Jeong for service of the complaint, Summons and exhibits.

9. On November 02 of 2020, or about this date, Olivia Jeong submitted to Plaintiff signed Affidavits of Service of Summons, Complaint and Exhibits for Defendants Pyle, Willet and VSRP.

10. Plaintiff filed with this Court Proof of Service, true and correct copies of which attached as (Exhibit \_3\_).

11. Plaintiff does not have clear recollection how Affidavits of Service have been filed, it could be filed electronically or by mail or submitted to the Court in person.

12. Plaintiff recalls difficulties filing electronically and mailing several documents to the Court.

13. Defendants have never objected any service and instead filed other pleadings in this case displaying clearly that they have been NOTIFIED.

14. Similar Affidavits have been filed for Defendants Gregory, SNARL and others for the first filed case on the same matter with Judge Alif, which has been dismissed for the lack of payments to the Court by Plaintiff. True and correct copies of the Filed Affidavits attached as Exhibit \_4\_.

15. In August of 2021 Plaintiff discovered on Court's Docket that Affidavits of Service have been filed with the Court on this case for Defendants Pyle, Willet and VSRP. True and correct copy of that Affidavits attached as (Exhibit 5).

**PLEADING  
CONTINUES  
IN NEXT  
VOLUME**

# IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLA ZORIKOVA,  
Appellant(s),

vs.

JULIE PYLE; TAMMY WILLET; AND  
VEGAS SHEPHERD RESCUE,  
Respondent(s),

Electronically Filed  
Case No: A-20-821249 Feb 23, 2022 3:09 p.m.  
Docket No: 84186 Elizabeth A. Brown  
Clerk of Supreme Court

# RECORD ON APPEAL VOLUME 1

ATTORNEY FOR APPELLANT  
ALLA ZORIKOVA, PROPER PERSON  
1905 WILCOX AVE. #175  
LOS ANGELES, CA 90068

ATTORNEY FOR RESPONDENT  
CASEY D. GISH, ESQ.  
5940 S. RAINBOW BLVD.  
LAS VEGAS, NV 89118

A-20-821249-C      Alla Zorikova, Plaintiff(s) vs. Julie Pyle, Defendant(s)

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 235
2	236 - 470
3	471 - 705
4	706 - 940
5	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Affidavit of Prejudice	579 - 579
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	177 - 177
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	178 - 178
1	6/8/2021	Affidavit/Declaration of Service Under Penalty of Perjury	179 - 179
1	9/24/2020	Application to Proceed Informa Pauperis (Confidential)	15 - 17
1	6/18/2021	Association of Counsel	196 - 197
3	9/7/2021	Case Appeal Statement	565 - 566
4	2/1/2022	Case Appeal Statement	930 - 931
2	8/16/2021	Certificate of Mailing	453 - 456
1	5/6/2021	Certificate of Service	136 - 136
5	2/23/2022	Certification of Copy and Transmittal of Record	
1	10/6/2020	Clerk's Notice of Nonconforming Documents	60 - 62
1	9/15/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, Intentional Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	1 - 11
1	9/24/2020	Complaint: for Damages; Civil Conspiracy, Trespass, Theft, Fraud, International Infliction of Emotional Distress, Property Damage and Possession of Stolen Property	18 - 37
4	10/27/2021	Decision and Order	860 - 866
4	10/28/2021	Decision and Order	881 - 887

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/6/2021	Declaration of Olivia Jeong in Support of Plaintiff's Exparte Application Hearing on 06/09/2021	110 - 135
1	10/26/2020	Defendant, Julie Pyle's Demand for Security of Costs	91 - 93
1	10/26/2020	Defendant, Tammy Willet's Demand for Security of Costs	94 - 96
1	10/26/2020	Defendant, Vegas Shepherd Rescue's Demand for Security of Costs	97 - 99
3	8/27/2021	Defendants' Application for Fees, Costs, and Disbursements	495 - 526
4	10/12/2021	Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	750 - 777
3	8/27/2021	Defendants' Memorandum of Costs and Disbursements	486 - 494
4	10/12/2021	Defendants' Memorandum of Costs and Disbursements	745 - 749
3	9/6/2021	Defendants' Opposition to Motion to Set Aside Order to Dismiss with Prejudice	547 - 564
1	6/18/2021	Defendants' Opposition to Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration In Support; Opposition to Plaintiff's Motion to Amend; and Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	198 - 226
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continued)	705 - 705

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	9/28/2021	Defendants' Opposition to Plaintiff's Motion for a New Trial (Continuation)	706 - 716
2	6/22/2021	Defendants' Opposition to Plaintiff's Motion for Default Judgment	312 - 318
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	831 - 839
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion for Recusal	840 - 848
3	9/28/2021	Defendants' Opposition to Plaintiff's Motion for Relief from Final Order	687 - 704
4	10/20/2021	Defendants' Opposition to Plaintiff's Motion for Sanctions; and Countermotion for Sanctions	785 - 825
4	10/20/2021	Defendants' Opposition to Plaintiffs' Motion to Provide Statement of Facts	826 - 830
3	9/19/2021	Defendants' Reply to Plaintiff's Opposition to Application for Fees, Costs, and Disbursements	676 - 686
4	10/27/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Application for Fees, Costs, and Disbursements as a Result of Plaintiff's Motion to Set Aside	867 - 876
2	7/21/2021	Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	397 - 420
2	8/19/2021	Defendants' Supplement to Reply in Support of Counter-Motion to Dismiss Plaintiff's Complaint	457 - 467
4	2/23/2022	District Court Minutes (Continued)	934 - 0
5	2/23/2022	District Court Minutes (Continuation)	941 - 945

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/24/2020	Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support	63 - 90
4	10/7/2021	Judge Eric Johnson's Answer to Plaintiff's Motion for Recusal	730 - 735
3	9/4/2021	Miscellaneous Filing - Attachment to Plaintiff's Notice of Appeal (Order From Which Appeal Takes Place)	538 - 546
1	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continued)	227 - 235
2	6/18/2021	Miscellaneous Filing - Exhibit 1 (Continuation)	236 - 311
2	8/15/2021	Miscellaneous Filing - Exhibit 1 in Support of Plaintiff's Motion for Sanctions	450 - 450
4	9/29/2021	Miscellaneous Filing - Exhibit 1 in support of Plaintiff's Motion to reschedule hearing	718 - 718
2	6/29/2021	Miscellaneous Filing - Exhibit 1 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	348 - 348
1	5/28/2021	Miscellaneous Filing - Exhibit 1 Supporting Motion to Add Defendants	139 - 139
1	5/28/2021	Miscellaneous Filing - Exhibit 2 for Motion to Add Party	140 - 140
2	8/15/2021	Miscellaneous Filing - Exhibit 2 in Support of Plaintiff's Motion for Sanctions	451 - 451
2	6/29/2021	Miscellaneous Filing - Exhibit 4 in Support of Zorikova's Declaration and Opposition to Motion to Dismiss	378 - 378



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	5/29/2021	Miscellaneous Filing - Exhibit 4 to Motion to Add a Party	141 - 141
1	5/29/2021	Miscellaneous Filing - Exhibit 5 to Motion to Add a Party	142 - 170
2	7/22/2021	Miscellaneous Filing - Exhibits to Defendants' Reply to Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss Plaintiff's Complaint	421 - 442
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	625 - 633
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 1 to Support Plaintiff's Opposition to Counter-motion	858 - 858
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 11 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	634 - 634
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 12 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	635 - 635
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibit 19 to Opposition to Dismiss	395 - 395
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	638 - 641
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 2,3 in Support of Plaintiff's Motions To Set	642 - 645

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Aside, Mot for Relilief from Judgm., Mot for New Trial	
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	349 - 377
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 3 to Support Plaintiff's Opposition to Counter-motion	859 - 859
4	10/25/2021	Miscellaneous Filing - Plaintiff's Exhibit 4 to Support Plaintiff's Opposition to Counter-motion	857 - 857
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	379 - 379
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 5 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	636 - 636
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 6 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	380 - 382
3	9/12/2021	Miscellaneous Filing - Plaintiff's Exhibit 7 in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	637 - 637
2	6/29/2021	Miscellaneous Filing - Plaintiff's Exhibit 8 in Support of Plaintiff's Declaration and Opposition to Motion to Dismiss	383 - 383
4	10/19/2021	Miscellaneous Filing - Plaintiff's Exhibit A to Opposition to Defendant's Fees/costs	784 - 784
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 3 to Opposition to Dismiss	391 - 391

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 4 to Opposition to Dismiss	392 - 392
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 5 to Opposition to Dismiss	393 - 393
2	7/13/2021	Miscellaneous Filing - Plaintiff's Exhibits Part 6 to Opposition to Dismiss	394 - 394
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	673 - 673
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	674 - 674
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits (Affidavits of Service) in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	675 - 675
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	672 - 672
3	9/19/2021	Miscellaneous Filing - Plaintiff's Reminded Exhibits in Support of Plaintiff's Motions To Set Aside, Mot for Relilief from Judgm., Mot for New Trial	647 - 647
1	9/15/2020	Motion to Proceed in Forma Pauperis (Confidential)	12 - 13
1	10/29/2020	Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return	100 - 100

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Plaintiff's Dogs and Plaintiff's Declaration in Support	
3	9/4/2021	Notice of Appeal	537 - 537
4	1/29/2022	Notice of Appeal	926 - 927
2	7/6/2021	Notice of Change of Hearing	390 - 390
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel Attorney Fees and Costs on the Preparation and Litigation of Plaintiff's Motion to Set Aside	918 - 925
4	1/25/2022	Notice of Entry of Order Granting Defendants' Counsel for Attorney Fees & Costs on the Preparation and Litigation of Plaintiff's Summons & Complaint	908 - 917
3	9/7/2021	Notice of Entry of Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint with Prejudice	567 - 578
1	11/2/2020	Notice of Hearing	105 - 105
1	4/29/2021	Notice of Hearing	109 - 109
1	6/1/2021	Notice of Hearing	176 - 176
1	6/9/2021	Notice of Hearing	184 - 184
2	7/6/2021	Notice of Hearing	389 - 389
2	8/16/2021	Notice of Hearing	452 - 452
3	8/23/2021	Notice of Hearing	485 - 485
3	9/14/2021	Notice of Hearing	646 - 646
4	9/30/2021	Notice of Hearing	719 - 719
4	9/30/2021	Notice of Hearing	720 - 720
4	10/8/2021	Notice of Hearing	736 - 736

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	12/4/2020	Order	106 - 108
3	9/2/2021	Order	528 - 536
4	1/13/2022	Order	896 - 900
4	1/13/2022	Order	901 - 907
1	9/20/2020	Order Denying Motion to Proceed in Forma Pauperis (Confidential)	14 - 14
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	877 - 880
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	888 - 891
4	10/28/2021	Order Denying Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice	892 - 895
1	9/25/2020	Order to Proceed Informa Pauperis (Confidential)	38 - 39
1	5/7/2021	Plaintiff Zorikova's Exhibit 15 in Support of Plaintiff's Application for TRO; Declaration of Casey Gish, Esq.	137 - 137
2	7/5/2021	Plaintiff's Declaration #2 in Support of Her Motion to Extend Time or Continue Hearing 07/07/2021; Hearing Requested	387 - 388
2	7/5/2021	Plaintiff's Ex Parte Motion to Extend Plaintiff's Deadline to Respond to Defendant's Motion to Dismiss and/or Continue Hearing on Defendant's Motion to Dismiss and Declaration in Support; Hearing Requested	384 - 386
3	9/12/2021	Plaintiff's Motion for New Trial, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCP 59(a) (A)(B)(F)(G); Hearing Requested	591 - 607

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/6/2021	Plaintiff's Motion for Recusal and Memorandum of Law Pursuant to Nevada Code Title 1 State Judicial Department NRS 1.230, 1.235 (1)(5)(a)(b); Hearing Requested	721 - 724
3	9/12/2021	Plaintiff's Motion for Relief from Final Order, Affidavit of Prejudice, Memorandum of Points and Authorities Pursuant NRCPC 60 (b)(1)(3)(6); Hearing Requested	608 - 624
4	10/6/2021	Plaintiff's Motion for Sanctions; Hearing Requested	725 - 727
4	10/25/2021	Plaintiff's Motion for Sanctions; Hearing Requested	854 - 856
4	9/29/2021	Plaintiff's Motion Motion to Reschedule Hearing and Declaration in Support; Hearing Requested	717 - 717
4	10/6/2021	Plaintiff's Motion to Provide Statement of Facts; Hearing Requested	728 - 729
4	10/19/2021	Plaintiff's Objections to Defendant Fees and Costs Exhibit "A" Attached	778 - 783
3	8/28/2021	Plaintiff's Objections to Defendant's Costs and Proposed Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately)	527 - 527
1	10/31/2020	Plaintiff's Objections to Defendant's Demand for Security Costs and Declaration in Support	101 - 103
4	10/25/2021	Plaintiff's Opposition to Defendant's Contra-Motion for Sanctions	849 - 853
4	10/12/2021	Plaintiff's Opposition to Judge Johnson's Reply to Plaintiff's Affidavit of Prejudice	737 - 744

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/31/2020	Plaintiff's Proof of Service of Objections to Defendant's Demand of Security Costs and Declaration in Support	104 - 104
1	6/8/2021	Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support; Hearing Requested	180 - 182
1	5/28/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	138 - 138
1	5/29/2021	Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants; Hearing Requested	171 - 175
2	7/13/2021	Plaintiff's Certificate of Service	396 - 396
2	8/14/2021	Plaintiff's Ex Parte Motion for Sanctions for Defendant's False Representations to the Court, Memorandum of Points and Authorities and Declaration in Support. Hearing Requested	443 - 449
2	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continued)	468 - 470
3	8/23/2021	Plaintiff's Motion to Set Aside Order to Dismiss with Prejudice, Memorandum of Points and Authorities, Exhibits and Declaration in Support. (Exhibits Filed Separately) Pursuant to NRCP 60 (b) (1) (3) (6); NRCP 4.2 (a) (2); NRCP 42(b); Hearing Requested (Continuation)	471 - 484

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	9/8/2021	Plaintiff's Opposition for Defendants Costs and Fees	580 - 590
3	9/19/2021	Plaintiff's Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	648 - 671
2	6/28/2021	Plaintiff's Opposition to Defendant's Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs, Plaintiff's Declaration in Support. Exhibits Attached	319 - 342
2	6/29/2021	Plaintiff's Plaintiff's Declaration in Support for Opposition to Defendants Counter-Motion to Dismiss and Reply to Defendant's Opposition to Plaintiff's Ex Parte Motion to Return Plaintiff's Dogs	343 - 347
4	1/29/2022	Proof of Service	928 - 929
4	2/12/2022	Proof of Service	932 - 933
1	6/8/2021	Proof of Service for Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support	183 - 183
1	6/10/2021	Proof of Service of Plaintiff's First Set of Interrogatories on Defendants Pyle, Willet, Vegas Shepherd Rescue	185 - 195
1	10/2/2020	Summons - Civil (Unsigned)	40 - 43
1	10/2/2020	Summons - Civil (Unsigned)	44 - 47
1	10/2/2020	Summons - Civil (Unsigned)	48 - 51
1	10/2/2020	Summons - Civil (Unsigned)	52 - 55



A-20-821249-C

Alla Zorikova, Plaintiff(s)

vs.

Julie Pyle, Defendant(s)

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/2/2020	Summons - Civil (Unsigned)	56 - 59



Alla Zorikova  
1905 Wilcox Av., #175  
Los Angeles, CA 90068  
3232095186  
Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CASE NO: A-20-821249-C**  
**Department 20**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

Plaintiff,

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendants

Case No.:

COMPLAINT: FOR DAMAGES

CIVIL CONSPIRACY, TRESPASS, THEFT,  
FRAUD, INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS, PROPERTY  
DAMAGE AND POSESSION OF STOLEN  
PROPERTY

COMES NOW Plaintiff, Alla Zorikova, acting Pro Per complains and alleges  
against Defendants and each of them as follows:

**I. THE PARTIES**

1. Plaintiff, Alla Zorikova, (hereinafter "Plaintiff") is individual, who is currently,  
and was at all relevant times herein, a resident of State of California, Los Angeles County.

2. Defendant, JULIE PYLE, individual.

4233 HELEN AVE., LAS VEGAS, NV 89130

3. Defendant, TAMMY WILLET, individual

COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 1

1 2620 REGATTA DRIVE., LAS VEGAS, NV 89128

2  
3  
4 4. Defendant, Vegas Shepherd Rescue, Business entity,

5 2620 REGATTA DRIVE., LAS VEGAS, NV 89128

6  
7  
8 7. All of the acts and/or failures to act were within the scope of any agency or  
9 employment, or were ratified by Defendants and/or their alter egos sued herein as DOES I  
10 through X, ROE Business Entities I through X, inclusive, are presently unknown, and Plaintiff  
11 will amend this Complaint to insert the names when ascertained.  
12

13  
14  
15 II. JURISDICTION AND VENUE

16 8. All Defendants are residents of Clark County, Nevada and therefore, this Court  
17 has personal jurisdiction over Defendants.  
18

19 9. Venue in this district is proper.

20  
21 10. This Court has subject matter jurisdiction over Plaintiff's claim that exceeds  
22 \$15,000 in actual damages.  
23

24  
25 III. FACTS

26  
27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 2

1 11. Plaintiff is Alla Zorikova, an individual, an owner of 25 German Shepherd  
2 Dogs and puppies, brought to this court this action to recover damages arising from intentional  
3 acts by Defendants as trespassing Plaintiff's private property and of stealing Plaintiff's 25  
4 German Shepherd Dogs and puppies from Plaintiff's private property.  
5

6 12. At all times relevant hereto, Plaintiff has been and still is the holder of the  
7 exclusive ownership of 25 German Shepherd Dogs in vast majority imported from Europe, from  
8 top champion bloodlines, world class pedigrees, AKC registered and trained for personal  
9 protection (referred hereinafter as "Dogs").  
10

11 13. Plaintiff trains and sales Personal Protection German Shepherd Dogs  
12

13 <http://vonmarkgrafgermanshepherds.us>  
14

15 14. On August 08 of 2020 to August 10 of 2020 Defendants intentionally  
16 organized act of stealing Dogs from Plaintiff's private property located in San Bernandino  
17 County, CA.  
18

19 15. On August 08 of 2020 Plaintiff and her daughter was falsely arrested and  
20 released on August 11 of 2020, no charges have been filed.  
21

22 16. After Plaintiff returned on August 11 of 2020 to her property, she discovered  
23 that all her 50 Dogs and puppies have been missing from the property.  
24

25 17. Plaintiff and her attorney retrieved 25 missing Dogs from Devore Animal  
26 Shelter on August 12 of 2020.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 3

1 18. Plaintiff filed police report with San Bernandino County Sheriff Barstow  
2 Station regarding 25 Dogs and puppies being stolen of monetary value of \$1,150,000.00 total .  
3

4 19. Plaintiff mailed and emailed multiple Demand Letters to Defendants and left  
5 multiple voice messages on Defendant's Tammy Willet cellphone and on Defendants business  
6 phone demanding them to return Plaintiff's Dogs to Plaintiff.  
7

8 20. Plaintiff emailed to Defendants microchips numbers, AKC litters and other  
9 certifications for the Dogs demanded.  
10

11 21. Sheriff Barstow Station and Animal Control personnel stated that the missing  
12 25 Dogs and puppies have been taken by and in possession of Vegas Pet Rescue Project  
13 (Founder of which is Defendant Jamie Gregory).  
14

15 22. Further, Sheriff Barstow Station and Animal Control personnel stated that no  
16 one authorized Vegas Pet Rescue Project, nor any other rescue organization nor private person  
17 to enter Plaintiff's private Property and to take the Dogs.  
18

19 23. Furthermore, Plaintiff demanded from Defendant to disclose any and all  
20 information they have on the German Shepherd Dogs that Defendants "rescued" in San  
21 Bernandino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.  
22

23 24. Furthermore, Plaintiff stated to Defendants that at least 7 German Shepherd  
24 Dogs displayed on Defendant's Business Face Book account belongs to Plaintiff and that  
25 Defendants must not neither sale nor alter nor dispose the Dogs in any manner but to return the  
26

27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 4

1 Dogs to Plaintiff. Detailed description with clear images that also constitutes names of the Dogs  
2 have been emailed to Defendants. (Attachments 1-9).

3  
4 25. Defendants failed to disclose to Plaintiff any information on the Dogs they  
5 “rescued” and received from San Bernardino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.

6  
7 IV. CLAIMS FOR RELIEF

8 A. FIRST CAUSE OF ACTION THEFT (according to NRS 41.580)

9  
10 26. Plaintiff repeats and incorporates by this reference each and every allegation  
11 set  
12  
13 forth in paragraphs 1 through 23, inclusive.

14 27. Dogs defined as “property” in NRS **193.021**

15 28. Defendants stole Plaintiff’s dogs with intent to deprive Plaintiff from it’s  
16  
17 property.

18 29. Defendant failed to return the Dogs to the Plaintiff.

19  
20 30. Action of stealing Plaintiff’s dogs was NOT authorized by Sheriff’s  
21 Department as only Animal Control of San Bernardino County is allowed legally to take the  
22 animals.

23  
24 31. Plaintiff is lawful owner of the Dogs.

25  
26 32. The Dogs stolen by Defendants were on Plaintiff’s Private Property.

27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 5

1                   33. The 11 acres private Property was fully fenced with “No Trespassing” and  
2 “Private Property” signs displayed.

3  
4                   34. Plaintiff neither had nor gave consent nor permission to Defendants to take  
5 her Dogs.

6  
7                   35. Defendants had taken the Dogs from Plaintiff’s property with the intent of not  
8 returning them to the owner.

9                   36. Defendants committed aggravated larceny toward Plaintiff.  
10

11  
12  
13                   B. SECOND CAUSE OF ACTION CIVIL CONSPIRACY  
14

15  
16                   37. Plaintiff repeats and incorporates by this reference each and every allegation  
17 set forth in paragraphs 1 through 36, inclusive.  
18

19                   38. Plaintiff believes and alleges that Defendants had conspired to taking, selling,  
20 concealing, or disposing of Plaintiff’s Dogs with intent to defraud Plaintiff and to receive money  
21 from the sale of the Dog or for some impossible to reasoning evil motive.  
22

23                   C. THIRD CAUSE OF ACTION TRESPASS  
24

25                   39. Plaintiff repeats and incorporates by this reference each and every allegation  
26 set forth in paragraphs 1 through 38, inclusive.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 6

1 40. Plaintiff believes that Defendants entered Plaintiff's private property at 13350  
2 Trump Blvd., Barstow CA 92311 on August 08th to 11<sup>th</sup> of 2020 with intent to steal her German  
3 Shepherd Dogs.  
4

5 41. Plaintiff's 11 acres Property is fully fenced, 7 signs "Private Property" and  
6 "No Trespassing" placed around the Property.  
7

8 42. One of the Defendant's truck captured on pictures while Defendants were  
9 loading Plaintiff's Dogs on their truck (Attachment \_4\_).  
10

11 43. Another Picture displays Defendants on the Plaintiff's property while they are  
12 capturing the Dogs. (Attachment 5).  
13

#### 14 D. FOURTH CAUSE OF ACTION FRAUD

15 44. Plaintiff repeats and incorporates by this reference each and every allegation  
16 set forth in paragraphs 1 through 43, inclusive.  
17

18 45. Plaintiff provided Defendants with multiple Demand Letters in which Plaintiff  
19 asks and requests Defendants to return Plaintiff's Dogs that Defendants "rescued" on August 08<sup>th</sup>  
20 to 10<sup>th</sup> of 2020.  
21

22 46. Defendants concealed from Plaintiff the fact that they had "rescued" or took  
23 and received German Shepherd Dogs in San Bernardino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.  
24

25 47. Defendants failed to return the Dogs and therefore, concealed the Dogs from  
26 Plaintiff.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 7



1 E. FIFTH CAUSE OF ACTION INTENTIONAL INFLICTION OF  
2 EMOTIONAL DISTRESS  
3

4 48. Plaintiff repeats and incorporates by this reference each and every allegation  
5 set forth in paragraphs 1 through 47, inclusive.  
6

7 49. Defendants caused substantial emotional distress to Plaintiff by stealing her  
8 Dogs.  
9

10 50. 2 stolen by Defendants German shepherd females were pregnant and one  
11 german shepherd female was in her whelping stage, also there were young puppies among stolen  
12 by Defendants Dogs.  
13

14 51. Plaintiff was travmatized by the intentional malicious actions of Defendant  
15 who stole Plaintiff's Dogs.  
16

17 52. Plaintiff could not sleep nor eat.  
18

19 53. Plaintiff was crying every day from the day she learned that her Dogs has  
20 been stolen.  
21

22 54. Plaintiff raised her Dogs from the day they were born and had big emotional  
23 attachments to each Dog.  
24

25 55. Plaintiff had high blood pressure and suffered heart pain.  
26

27 56. Plaintiff was taking aspirine daily to minimize her heart pain and to prevent  
28 heart attack.

COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 8

1 57. Plaintiff had high headaches.

2  
3  
4 F. SIX CAUSE OF ACTION PROPERTY DAMAGE

5  
6 58. Plaintiff repeats and incorporates by this reference each and every allegation  
7 set forth in paragraphs 1 through 57, inclusive.

8  
9 59. Plaintiff's Dogs and puppies that have been stolen, and most likely spayed or  
10 neutered by Defendants are of total value of \$890,000.00.

11  
12 V. JURY DEMAND

13 60. Plaintiff hereby demands a jury trial in this case.

14  
15 VI. PRAYER FOR RELIEF

16 WHEREFORE, Plaintiff Alla Zorikova, acting Pro Per, respectfully prays for  
17 judgment as follows:  
18

- 19 1. For immediate injunction relief under NRS 33.010 and to order to return the Dogs,  
20 displayed in Attachments 1-9 and all other Dogs owned by Plaintiff that are in possession  
21 of Defendants, to Plaintiff .  
22  
23 2. For immediate injunction relief under NRS 33.010 as to order to Defendants to disclose  
24 all information such as to show Dogs in person or to show their pictures or provide  
25 description on all and any German Shepherd Dogs and puppies that Defendant received,  
26 took into possession from August 08<sup>th</sup> of 2020 to September 12<sup>th</sup> of 2020.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 9

3. For immediate injunction relief under 33.015 restricting Defendants to sale, alter or otherwise destroy the German Shepherd Dogs and puppies that Defendant received, took into possession, had into possession from August 08<sup>th</sup> of 2020 until present, and particularly the Dogs displayed on Attachments 1-9.
4. That the Court enter a judgment against Defendants and each of them, that they have injured the Plaintiff by Defendants' acts and conduct set forth in this Complaint.
5. For actual, general and special damages in excess of \$15,000;
6. For compensatory damages in in excess of \$15,000;
7. For pain and suffering damages in in excess of \$15,000;
8. For punitive damages to punish or deter the misconduct according to proof as defined by NRS 42.005.
9. That the Court issue injunctive relief against Defendants, and that Defendants and each of them, returned the Plaintiff's Dogs immediately;
10. Three times the value of the property at the time it was willfully damaged or was the subject of a theft offense by NRS 41.580.
11. For loss of profit that Plaintiff suffered in the amount to be determined by juries at trial.
12. For an award of costs as otherwise provided by law;
13. For an award of pre-judgment interest and post-judgment interest in the maximum amount permitted by law;
14. For such other and further relief as the Court deems just and proper.

Dated: September 011 of 2020

COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN PROPERTY - 10

1  
2 Respectfully submitted, ALLA ZORIKOVA



3  
4 **VERIFICATION**

5 I, Alla Zorikova am a Plaintiff in the above-entitled action. I have read the foregoing  
6 complaint and know the contents thereof. The same is true of my own knowledge, except as to  
7 those matters which are therein alleged on information and belief, and as to those matters, I  
8 believe it to be true.  
9

10 I declare under penalty of perjury that the foregoing is true and correct and that this  
11 declaration was executed in San Bernardino county, CA.  
12



13  
14 Alla Zorikova  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 11

**THIS SEALED  
DOCUMENT,  
NUMBERED PAGE(S)  
12 - 13  
WILL FOLLOW VIA  
U.S. MAIL**

**THIS SEALED  
DOCUMENT,  
NUMBERED PAGE(S)  
14 - 14  
WILL FOLLOW VIA  
U.S. MAIL**

**THIS SEALED  
DOCUMENT,  
NUMBERED PAGE(S)  
15 - 17  
WILL FOLLOW VIA  
U.S. MAIL**

*Alanna S. Hemin*  
CLERK OF THE COURT

1 Alla Zorikova  
1905 Wilcox Av., #175  
2 Los Angeles, CA 90068  
3232095186  
3 Olivia.car@mail.ru

4 **EIGHT JUDICIAL DISTRICT COURT**

5 **CLARK COUNTY, NEVADA**

6  
7 ALLA ZORIKOVA,

8 Plaintiff,

9 vs.

10 JULIE PYLE, TAMMY WILLET, VEGAS  
11 SHEPHERD RESCUE AND DOES I  
12 THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

13 Defendants

Case No.:

*A-20-821249-C*

COMPLAINT: FOR DAMAGES

CIVIL CONSPIRACY, TRESPASS, THEFT,  
FRAUD, INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS, PROPERTY  
DAMAGE AND POSESSION OF STOLEN  
PROPERTY

14  
15 COMES NOW Plaintiff, Alla Zorikova, acting Pro Per complains and alleges  
16 against Defendants and each of them as follows:

17 I. THE PARTIES

18  
19 1. Plaintiff, Alla Zorikova, (hereinafter "Plaintiff") is individual, who is currently,  
20 and was at all relevant times herein, a resident of State of California, Los Angeles County.  
21

22 2. Defendant, JULIE PYLE, individual.

23 4233 HELEN AVE., LAS VEGAS, NV 89130

24 3. Defendant, TAMMY WILLET, individual

25  
26  
27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - I

CLERK OF THE COURT

SEP 21 2020

RECEIVED



2620 REGATTA DRIVE., LAS VEGAS, NV 89128

4. Defendant, Vegas Shepherd Rescue, Business entity,

2620 REGATTA DRIVE., LAS VEGAS, NV 89128

7. All of the acts and/or failures to act were within the scope of any agency or employment, or were ratified by Defendants and/or their alter egos sued herein as DOES I through X, ROE Business Entities I through X, inclusive, are presently unknown, and Plaintiff will amend this Complaint to insert the names when ascertained.

## II. JURISDICTION AND VENUE

8. All Defendants are residents of Clark County, Nevada and therefore, this Court has personal jurisdiction over Defendants.

9. Venue in this district is proper.

10. This Court has subject matter jurisdiction over Plaintiff's claim that exceeds \$15,000 in actual damages.

## III. FACTS

COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN PROPERTY - 2

1 11. Plaintiff is Alla Zorikova, an individual, an owner of 25 German Shepherd  
2 Dogs and puppies, brought to this court this action to recover damages arising from intentional  
3 acts by Defendants as trespassing Plaintiff's private property and of stealing Plaintiff's 25  
4 German Shepherd Dogs and puppies from Plaintiff's private property.  
5

6 12. At all times relevant hereto, Plaintiff has been and still is the holder of the  
7 exclusive ownership of 25 German Shepherd Dogs in vast majority imported from Europe, from  
8 top champion bloodlines, world class pedigrees, AKC registered and trained for personal  
9 protection (referred hereinafter as "Dogs").  
10

11 13. Plaintiff trains and sales Personal Protection German Shepherd Dogs  
12

13 <http://vonmarkgrafgermanshepherds.us>  
14

15 14. On August 08 of 2020 to August 10 of 2020 Defendants intentionally  
16 organized act of stealing Dogs from Plaintiff's private property located in San Bernandino  
17 County, CA.  
18

19 15. On August 08 of 2020 Plaintiff and her daughter was falsely arrested and  
20 released on August 11 of 2020, no charges have been filed.  
21

22 16. After Plaintiff returned on August 11 of 2020 to her property, she discovered  
23 that all her 50 Dogs and puppies have been missing from the property.  
24

25 17. Plaintiff and her attorney retrieved 25 missing Dogs from Devore Animal  
26 Shelter on August 12 of 2020.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 3

1 18. Plaintiff filed police report with San Bernandino County Sheriff Barstow  
2 Station regarding 25 Dogs and puppies being stolen of monetary value of \$1,150,000.00 total .  
3

4 19. Plaintiff mailed and emailed multiple Demand Letters to Defendants and left  
5 multiple voice messages on Defendant's Tammy Willet cellphone and on Defendants business  
6 phone demanding them to return Plaintiff's Dogs to Plaintiff.  
7

8 20. Plaintiff emailed to Defendants microchips numbers, AKC litters and other  
9 certifications for the Dogs demanded.  
10

11 21. Sheriff Barstow Station and Animal Control personnel stated that the missing  
12 25 Dogs and puppies have been taken by and in possession of Vegas Pet Rescue Project  
13 (Founder of which is Defendant Jamie Gregory).  
14

15 22. Further, Sheriff Barstow Station and Animal Control personnel stated that no  
16 one authorized Vegas Pet Rescue Project, nor any other rescue organization nor private person  
17 to enter Plaintiff's private Property and to take the Dogs.  
18

19 23. Furthermore, Plaintiff demanded from Defendant to disclose any and all  
20 information they have on the German Shepherd Dogs that Defendants "rescued" in San  
21 Bernandino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.  
22

23 24. Furthermore, Plaintiff stated to Defendants that at least 7 German Shepherd  
24 Dogs displayed on Defendant's Business Face Book account belongs to Plaintiff and that  
25 Defendants must not neither sale nor alter nor dispose the Dogs in any manner but to return the  
26  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 4

1 Dogs to Plaintiff. Detailed description with clear images that also constitutes names of the Dogs  
2 have been emailed to Defendants. (Attachments 1-9).

3  
4 25. Defendants failed to disclose to Plaintiff any information on the Dogs they  
5 “rescued” and received from San Bernardino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.

6  
7 IV. CLAIMS FOR RELIEF

8 A. FIRST CAUSE OF ACTION THEFT (according to NRS 41.580)

9  
10 26. Plaintiff repeats and incorporates by this reference each and every allegation  
11 set

12  
13 forth in paragraphs 1 through 23, inclusive.

14 27. Dogs defined as “property” in NRS 193.021

15 28. Defendants stole Plaintiff’s dogs with intent to deprive Plaintiff from it’s  
16  
17 property.

18 29. Defendant failed to return the Dogs to the Plaintiff.

19  
20 30. Action of stealing Plaintiff’s dogs was NOT authorized by Sheriff’s  
21 Department as only Animal Control of San Bernardino County is allowed legally to take the  
22 animals.

23  
24 31. Plaintiff is lawful owner of the Dogs.

25  
26 32. The Dogs stolen by Defendants were on Plaintiff’s Private Property.

27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 5

1                   33. The 11 acres private Property was fully fenced with "No Trespassing" and  
2 "Private Property" signs displayed.

3  
4                   34. Plaintiff neither had nor gave consent nor permission to Defendants to take  
5 her Dogs.

6  
7                   35. Defendants had taken the Dogs from Plaintiff's property with the intent of not  
8 returning them to the owner.

9  
10                  36. Defendants committed aggravated larceny toward Plaintiff.

11  
12  
13                  B. SECOND CAUSE OF ACTION CIVIL CONSPIRACY

14  
15  
16                  37. Plaintiff repeats and incorporates by this reference each and every allegation  
17 set forth in paragraphs 1 through 36, inclusive.

18  
19                  38. Plaintiff believes and alleges that Defendants had conspired to taking, selling,  
20 concealing, or disposing of Plaintiff's Dogs with intent to defraud Plaintiff and to receive money  
21 from the sale of the Dog or for some impossible to reasoning evil motive.

22  
23                  C. THIRD CAUSE OF ACTION TRESPASS

24  
25                  39. Plaintiff repeats and incorporates by this reference each and every allegation  
26 set forth in paragraphs 1 through 38, inclusive.

27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 6

1 40. Plaintiff believes that Defendants entered Plaintiff's private property at 13350  
2 Trump Blvd., Barstow CA 92311 on August 08th to 11<sup>th</sup> of 2020 with intent to steal her German  
3 Shepherd Dogs.  
4

5 41. Plaintiff's 11 acres Property is fully fenced, 7 signs "Private Property" and  
6 "No Trespassing" placed around the Property.  
7

8 42. One of the Defendant's truck captured on pictures while Defendants were  
9 loading Plaintiff's Dogs on their truck (Attachment \_4\_).  
10

11 43. Another Picture displays Defendants on the Plaintiff's property while they are  
12 capturing the Dogs. (Attachment 5).  
13

#### 14 D. FOURTH CAUSE OF ACTION FRAUD

15 44. Plaintiff repeats and incorporates by this reference each and every allegation  
16 set forth in paragraphs 1 through 43, inclusive.  
17

18 45. Plaintiff provided Defendants with multiple Demand Letters in which Plaintiff  
19 asks and requests Defendants to return Plaintiff's Dogs that Defendants "rescued" on August 08<sup>th</sup>  
20 to 10<sup>th</sup> of 2020.  
21

22 46. Defendants concealed from Plaintiff the fact that they had "rescued" or took  
23 and received German Shepherd Dogs in San Bernandino County on August 08<sup>th</sup> to 11<sup>th</sup> of 2020.  
24

25 47. Defendants failed to return the Dogs and therefore, concealed the Dogs from  
26 Plaintiff.  
27

28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 7

1 E. FIFTH CAUSE OF ACTION INTENTIONAL INFLICTION OF  
2 EMOTIONAL DISTRESS  
3

4 48. Plaintiff repeats and incorporates by this reference each and every allegation  
5 set forth in paragraphs 1 through 47, inclusive.  
6

7 49. Defendants caused substantial emotional distress to Plaintiff by stealing her  
8 Dogs.  
9

10 50. 2 stolen by Defendants German shepherd females were pregnant and one  
11 german shepherd female was in her whelping stage, also there were young puppies among stolen  
12 by Defendants Dogs.  
13

14 51. Plaintiff was travmatized by the intentional malicious actions of Defendant  
15 who stole Plaintiff's Dogs.  
16

17 52. Plaintiff could not sleep nor eat.  
18

19 53. Plaintiff was crying every day from the day she learned that her Dogs has  
20 been stolen.  
21

22 54. Plaintiff raised her Dogs from the day they were born and had big emotional  
23 attachments to each Dog.  
24

25 55. Plaintiff had high blood pressure and suffered heart pain.  
26

27 56. Plaintiff was taking aspirine daily to minimize her heart pain and to prevent  
28 heart attack.

COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSESSION OF STOLEN  
PROPERTY - 8

1 57. Plaintiff had high headaches.

2  
3  
4 F. SIX CAUSE OF ACTION PROPERTY DAMAGE

5  
6 58. Plaintiff repeats and incorporates by this reference each and every allegation  
7 set forth in paragraphs 1 through 57, inclusive.

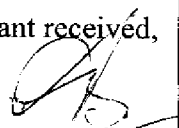
8  
9 59. Plaintiff's Dogs and puppies that have been stolen, and most likely spayed or  
10 neutered by Defendants are of total value of \$890,000.00.

11  
12 V. JURY DEMAND

13 60. Plaintiff hereby demands a jury trial in this case.

14  
15 VI. PRAYER FOR RELIEF

16  
17 WHEREFORE, Plaintiff Alla Zorikova, acting Pro Per, respectfully prays for  
18 judgment as follows:

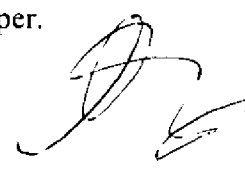
- 19  
20 1. For immediate injunction relief under NRS 33.010 and to order to return the Dogs,  
21 displayed in Attachments 1-9 and all other Dogs owned by Plaintiff that are in possession  
22 of Defendants, to Plaintiff .
- 23 2. For immediate injunction relief under NRS 33.010 as to order to Defendants to disclose  
24 all information such as to show Dogs in person or to show their pictures or provide  
25 description on all and any German Shepherd Dogs and puppies that Defendant received,  
26 took into possession from August 08<sup>th</sup> of 2020 to September 12th of 2020. 

27  
28 COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL  
INFLICTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN  
PROPERTY - 9



3. For immediate injunction relief under 33.015 restricting Defendants to sale, alter or otherwise destroy the German Shepherd Dogs and puppies that Defendant received, took into possession, had into possession from August 08<sup>th</sup> of 2020 until present, and particularly the Dogs displayed on Attachments 1-9.
4. That the Court enter a judgment against Defendants and each of them, that they have injured the Plaintiff by Defendants' acts and conduct set forth in this Complaint.
5. For actual, general and special damages in excess of \$15,000;
6. For compensatory damages in in excess of \$15,000;
7. For pain and suffering damages in in excess of \$15,000;
8. For punitive damages to punish or deter the misconduct according to proof as defined by NRS 42.005.
9. That the Court issue injunctive relief against Defendants, and that Defendants and each of them, returned the Plaintiff's Dogs immediately;
10. Three times the value of the property at the time it was willfully damaged or was the subject of a theft offense by NRS 41.580.
11. For loss of profit that Plaintiff suffered in the amount to be determined by juries at trial.
12. For an award of costs as otherwise provided by law;
13. For an award of pre-judgment interest and post-judgment interest in the maximum amount permitted by law;
14. For such other and further relief as the Court deems just and proper.

Dated: September 011 of 2020



COMPLAINT: FOR DAMAGES CIVIL CONSPIRACY, TRESPASS, THEFT, FRAUD, INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS, PROPERTY DAMAGE AND POSSESSION OF STOLEN PROPERTY - 10

1  
2 Respectfully submitted, ALLA ZORIKOVA



3  
4 **VERIFICATION**

5 I, Alla Zorikova am a Plaintiff in the above-entitled action. I have read the foregoing  
6 complaint and know the contents thereof. The same is true of my own knowledge, except as to  
7 those matters which are therein alleged on information and belief, and as to those matters, I  
8 believe it to be true.  
9

10 I declare under penalty of perjury that the foregoing is true and correct and that this  
11 declaration was executed in San Bernardino county, CA.  
12

13  
14 Alla Zorikova





Mobile Uploads



Vegas Shepherd Rescue

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)



Like



Comment



Share

35

Couldn't read NFC tag. Try again.

1 Share



Top Fan



Case A-20-821249-C  
Plaintiff's Exhibit 1



# Baker



**Vegas Shepherd Rescue**

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

*Case A-20-821249-C  
Plaintiff's Exhibit 2*



m.facebook.com



← Vegas Shepherd Rescue - Hey Everyone! I'm...

**Vegas Shepherd Rescue**

Hey Everyone! I'm going to be on Las Vegas Morning Blend today at 9:32 am. Please watch me! I'm very excited to be making my television debut 😊

Timeline Photos · Sep 3 ·

View ... Couldn't read NFC tag. Try again.





## Vegas Shepherd Rescue

Beacon · Aug 12 ·

[View Full Size](#) · [More Options](#)

*Case A-20-821249-C  
Plaintiff's Exhibit 4*



Like



Comment



Share



# Timeline Photos



**Vegas Shepherd Rescue**

Timeline Photos · Aug 12 ·

[View Full Size](#) · [More Options](#)



Like



Comment



Share



4

Couldn't read NFC tag. Try again.



Write a comment...

*Case A-20-821249-C  
Plaintiff's Exhibit*



Mobile Uploads



Vegas Shepherd Rescue

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)



Like



Comment



Share



35

2 Shares



Top Fan



34



*Case A-20-821249-C  
Plaintiff's Exhibit 5*





m.facebook.com



Mobile Uploads



Malibu



Vegas Shepherd Rescue

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)



Couldn't read NFC tag. Try again.

[Share](#)



35

Case A-20-821249-C  
Plaintiff's Exhibit 6



**Vegas Shepherd Rescue**

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)



Like



Comment



Share



42

1 Share



Top Fan



*Case A-20-821249-C  
Plaintiff's Exhibit 2*

# DISTRICT COURT CIVIL COVER SHEET

County, Nevada  
Case No. A-20-821249-C  
(Assigned by Clerk's Office)

## I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Defendant(s) (name/address/phone):

**Alla Zarikova**  
1905 Wilcox Ave, #175,  
L.A., CA 90068  
323-209-5186  
Attorney (name/address/phone):

**Julie Pyle**, 4233 Helan Av,  
Las Vegas, NV 89130  
**Tammy Willet**  
**Vegas Shepherd Rescue**  
2620 Regatta Dr, Las Vegas,  
NV 89128  
Attorney (name/address/phone):

*PROPER*

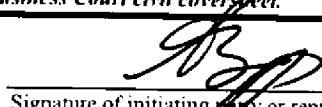
## II. Nature of Controversy (please select the one most applicable filing type below)

### Civil Case Filing Types

<p style="text-align: center;"><b>Real Property</b></p> <p><b>Landlord/Tenant</b></p> <p><input type="checkbox"/> Unlawful Detainer</p> <p><input type="checkbox"/> Other Landlord/Tenant</p> <p><b>Title to Property</b></p> <p><input type="checkbox"/> Judicial Foreclosure</p> <p><input type="checkbox"/> Other Title to Property</p> <p><b>Other Real Property</b></p> <p><input type="checkbox"/> Condemnation/Eminent Domain</p> <p><input type="checkbox"/> Other Real Property</p>	<p style="text-align: center;"><b>Negligence</b></p> <p><input type="checkbox"/> Auto</p> <p><input type="checkbox"/> Premises Liability</p> <p><input type="checkbox"/> Other Negligence</p> <p style="text-align: center;"><b>Malpractice</b></p> <p><input type="checkbox"/> Medical/Dental</p> <p><input type="checkbox"/> Legal</p> <p><input type="checkbox"/> Accounting</p> <p><input type="checkbox"/> Other Malpractice</p>	<p style="text-align: center;"><b>Torts</b></p> <p style="text-align: center;"><b>Other Torts</b></p> <p><input type="checkbox"/> Product Liability</p> <p><input type="checkbox"/> Intentional Misconduct</p> <p><input type="checkbox"/> Employment Tort</p> <p><input type="checkbox"/> Insurance Tort</p> <p><input checked="" type="checkbox"/> Other Tort</p>
<p style="text-align: center;"><b>Probate</b></p> <p style="text-align: center;"><i>(select case type and estate value)</i></p> <p><input type="checkbox"/> Summary Administration</p> <p><input type="checkbox"/> General Administration</p> <p><input type="checkbox"/> Special Administration</p> <p><input type="checkbox"/> Set Aside</p> <p><input type="checkbox"/> Trust/Conservatorship</p> <p><input type="checkbox"/> Other Probate</p> <p style="text-align: center;"><b>Estate Value</b></p> <p><input type="checkbox"/> Over \$200,000</p> <p><input type="checkbox"/> Between \$100,000 and \$200,000</p> <p><input type="checkbox"/> Under \$100,000 or Unknown</p> <p><input type="checkbox"/> Under \$2,500</p>	<p style="text-align: center;"><b>Construction Defect &amp; Contract</b></p> <p style="text-align: center;"><b>Construction Defect</b></p> <p><input type="checkbox"/> Chapter 40</p> <p><input type="checkbox"/> Other Construction Defect</p> <p style="text-align: center;"><b>Contract Case</b></p> <p><input type="checkbox"/> Uniform Commercial Code</p> <p><input type="checkbox"/> Building and Construction</p> <p><input type="checkbox"/> Insurance Carrier</p> <p><input type="checkbox"/> Commercial Instrument</p> <p><input type="checkbox"/> Collection of Accounts</p> <p><input type="checkbox"/> Employment Contract</p> <p><input type="checkbox"/> Other Contract</p>	<p style="text-align: center;"><b>Judicial Review/Appeal</b></p> <p style="text-align: center;"><b>Judicial Review</b></p> <p><input type="checkbox"/> Foreclosure Mediation Case</p> <p><input type="checkbox"/> Petition to Seal Records</p> <p><input type="checkbox"/> Mental Competency</p> <p style="text-align: center;"><b>Nevada State Agency Appeal</b></p> <p><input type="checkbox"/> Department of Motor Vehicle</p> <p><input type="checkbox"/> Worker's Compensation</p> <p><input type="checkbox"/> Other Nevada State Agency</p> <p style="text-align: center;"><b>Appeal Other</b></p> <p><input type="checkbox"/> Appeal from Lower Court</p> <p><input type="checkbox"/> Other Judicial Review/Appeal</p>
<p style="text-align: center;"><b>Civil Writ</b></p> <p><b>Civil Writ</b></p> <p><input type="checkbox"/> Writ of Habeas Corpus</p> <p><input type="checkbox"/> Writ of Mandamus</p> <p><input type="checkbox"/> Writ of Quo Warrant</p> <p><input type="checkbox"/> Writ of Prohibition</p> <p><input type="checkbox"/> Other Civil Writ</p>		<p style="text-align: center;"><b>Other Civil Filing</b></p> <p style="text-align: center;"><b>Other Civil Filing</b></p> <p><input type="checkbox"/> Compromise of Minor's Claim</p> <p><input type="checkbox"/> Foreign Judgment</p> <p><input type="checkbox"/> Other Civil Matters</p>

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

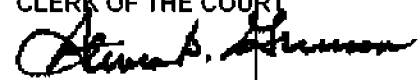
09/12/20  
Date

  
Signature of initiating party or representative

*See other side for family-related case filings.*

**THIS SEALED  
DOCUMENT,  
NUMBERED PAGE(S)  
38 - 39  
WILL FOLLOW VIA  
U.S. MAIL**

Electronically Filed  
10/2/2020 4:43 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009



**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



Electronically Filed  
10/2/2020 5:04 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

- 1 2. Unless you respond, your default will be entered upon application of the  
2 Plaintiff(s) and failure to so respond will result in a judgment of default  
3 against you for the relief demanded in the Complaint, which could result in  
4 the taking of money or property or other relief requested in the Complaint.
- 5 3. If you intend to seek the advice of an attorney in this matter, you should do  
6 so promptly so that your response may be filed on time.
- 7 4. The State of Nevada, its political subdivisions, agencies, officers,  
8 employees, board members, commission members and legislators each  
9 have 45 days after service of this Summons within which to file an Answer  
10 or other responsive pleading to the Complaint.  
11

12 STEVEN D. GRIERSON  
13 CLERK OF COURT

14 Submitted by:

15 By: \_\_\_\_\_  
16 Deputy Clerk Date

17 Regional Justice Center  
18 200 Lewis Avenue  
19 Las Vegas, NV 89155

20 **NOTE: When service is by publication, add a brief statement of the object of the**  
21 **action. See Nevada Rules of Civil Procedure 4(b).**  
22  
23  
24  
25  
26  
27  
28

**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Electronically Filed  
10/2/2020 5:04 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009



**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



Electronically Filed  
10/2/2020 5:30 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

- 1           2.     Unless you respond, your default will be entered upon application of the  
2                 Plaintiff(s) and failure to so respond will result in a judgment of default  
3                 against you for the relief demanded in the Complaint, which could result in  
4                 the taking of money or property or other relief requested in the Complaint.  
5           3.     If you intend to seek the advice of an attorney in this matter, you should do  
6                 so promptly so that your response may be filed on time.  
7           4.     The State of Nevada, its political subdivisions, agencies, officers,  
8                 employees, board members, commission members and legislators each  
9                 have 45 days after service of this Summons within which to file an Answer  
10                or other responsive pleading to the Complaint.  
11

12  
13 Submitted by:

STEVEN D. GRIERSON  
CLERK OF COURT

14 By: \_\_\_\_\_  
15                 Deputy Clerk                                 Date

16                 Regional Justice Center  
17                 200 Lewis Avenue  
18                 Las Vegas, NV 89155  
19

20 **NOTE: When service is by publication, add a brief statement of the object of the**  
21 **action. See Nevada Rules of Civil Procedure 4(b).**  
22  
23  
24  
25  
26  
27  
28

**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Electronically Filed  
10/2/2020 5:32 PM  
Steven D. Grierson  
CLERK OF THE COURT



SUMM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff(s),	CASE NO.
-vs-	DEPT. NO.
Defendant(s).	

**SUMMONS - CIVIL**

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.**

**TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
  - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
  - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

SUMM Civil/7/23/2009

- 1           2.     Unless you respond, your default will be entered upon application of the  
2                 Plaintiff(s) and failure to so respond will result in a judgment of default  
3                 against you for the relief demanded in the Complaint, which could result in  
4                 the taking of money or property or other relief requested in the Complaint.  
5           3.     If you intend to seek the advice of an attorney in this matter, you should do  
6                 so promptly so that your response may be filed on time.  
7           4.     The State of Nevada, its political subdivisions, agencies, officers,  
8                 employees, board members, commission members and legislators each  
9                 have 45 days after service of this Summons within which to file an Answer  
10                or other responsive pleading to the Complaint.  
11

12  
13 Submitted by: \_\_\_\_\_

STEVEN D. GRIERSON  
CLERK OF COURT

14 By: \_\_\_\_\_  
15                 Deputy Clerk                                 Date

16                 Regional Justice Center  
17                 200 Lewis Avenue  
18                 Las Vegas, NV 89155  
19

20 **NOTE: When service is by publication, add a brief statement of the object of the**  
21 **action. See Nevada Rules of Civil Procedure 4(b).**  
22  
23  
24  
25  
26  
27  
28

**AFFIDAVIT OF SERVICE**

STATE OF )  
 ) ss:  
COUNTY OF )

\_\_\_\_\_, being duly sworn, says: That at all times herein affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. That affiant received \_\_\_\_\_ copy(ies) of the Summons and Complaint, \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by:

**(Affiant must complete the appropriate paragraph)**

1. Delivering and leaving a copy with the Defendant \_\_\_\_\_ at (state address) \_\_\_\_\_
2. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy with \_\_\_\_\_, a person of suitable age and discretion residing at the Defendant's usual place of abode located at (state address) \_\_\_\_\_

**[Use paragraph 3 for service upon agent, completing (a) or (b)]**

3. Serving the Defendant \_\_\_\_\_ by personally delivering and leaving a copy at (state address) \_\_\_\_\_
  - (a) With \_\_\_\_\_ as \_\_\_\_\_, an agent lawfully designated by statute to accept service of process;
  - (b) With \_\_\_\_\_, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.
4. Personally depositing a copy in a mail box of the United States Post Office, enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- ☐ Ordinary mail  
☐ Certified mail, return receipt requested  
☐ Registered mail, return receipt requested

1 addressed to the Defendant \_\_\_\_\_ at Defendant's last known address which is  
2 (state address) \_\_\_\_\_  
3

4 I declare under penalty of perjury under the law of the State of Nevada that the  
5 foregoing is true and correct.

6 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
7

8 \_\_\_\_\_  
9 Signature of person making service  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28





CNND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Alla Zorikova, Plaintiff(s)

A-20-821249-C

vs.

Department 20

Julie Pyle, Defendant(s)

**CLERK'S NOTICE OF NONCONFORMING DOCUMENTS**

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, notice is hereby provided that the following electronically filed documents do not conform to the applicable filing requirements:

Titles of Nonconforming Documents: (4) Summons - Civil

Party Submitting Documents for Filing: Plaintiff

10/02/2020 at 4:43 PM

10/02/2020 at 5:04 PM

10/02/2020 at 5:30 PM

Date(s) and Time(s) Submitted for Electronic Filing:

10/02/2020 at 5:32 PM

Reason for Nonconformity Determination:

- ☐ The document filed to commence an action is not a complaint, petition, application, or other document that initiates a civil action. *See* Rule 3 of the Nevada Rules of Civil Procedure. In accordance with Administrative Order 19-5, the submitted document is stricken from the record, this case has been closed and designated as filed in error, and any submitted filing fee has been returned to the filing party.

☐ The document initiated a new civil action and a cover sheet was not submitted as required by NRS 3.275.

☒ The documents were not signed by the submitting party or counsel for said party. The fillable field forms on the documents appear to be blank.

☐ The document filed was a court order that did not contain the signature of a judicial officer. In accordance with Administrative Order 19-5, the submitted order has been furnished to the department to which this case is assigned.

☐ Motion does not have a hearing designation per Rule 2.20(b). Motions must include designation "Hearing Requested" or "Hearing Not Requested" in the caption of the first page directly below the Case and Department Number.

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, a nonconforming document may be cured by submitting a conforming document. All documents submitted for this purpose must use filing code "**Conforming Filing – CONFILE.**" Court filing fees will not be assessed for submitting the conforming document. Processing and convenience fees may still apply.

Dated this: 6th day of October, 2020

By: /s/ Chaunte Pleasant

Deputy District Court Clerk

1 **CERTIFICATE OF SERVICE**

2

3 I hereby certify that on October 06, 2020, I concurrently filed and served a copy of the

4 foregoing Clerk's Notice of Nonconforming Document, on the party that submitted the

5 nonconforming document, via the Eighth Judicial District Court's Electronic Filing and Service

6 System.

7

8

9

10 By: /s/ Chaunte Pleasant

11 Deputy District Court Clerk

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



1 Alla Zorikova  
2 1905 Wilcox Av., #175  
3 Los Angeles, CA 90068  
4 3232095186  
5 Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

7 ALLA ZORIKOVA,

8 Plaintiff,

9 vs.

10 JULIE PYLE, TAMMY WILLET, CASEY  
11 GISH, VEGAS SHEPHERD RESCUE AND  
12 DOES I THROUGH X, INDIVIDUALS, AND  
13 ROE BUSINESS ENTITIES I THROUGH X,

14 Defendants

Case No.: A-20-821249-C

EX PARTE APPLICATION FOR  
TEMPORARY RESTRAINING ORDER  
FROM CUSTODY OF PLAINTIFF'S DOGS  
AND FOR ORDER TO RETURN  
PLAINTIFF'S DOGS AND PLAINTIFF'S  
DECLARATION IN SUPPORT

15 No Notice provided to Defendants based on precedent of their violent actions they committed  
16 toward the Dogs and property owners.

17 If Notice would be given, Defendants would accelerate destruction of the stolen from Plaintiff  
18 dogs and possibly again trespass Plaintiff's property and attack Plaintiff.

19  
20 I. STATEMENT OF FACTS

- 21 1. Plaintiff's business website is <http://vonmarkgrafgermanshepherds.us>  
22 2. Defendants and each of them had stolen from Plaintiff's private property  
23 dozens of Top World class German shepherds value over \$1,000,000 on about  
24 August 09 of 2020.  
25 3. This criminal act allegedly organized by Bryan Pease and Defendant Casey  
26 Gish, while dogs were delivered into possession of Defendant and each of  
27 them.

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 1

4. Stolen Dogs were trafficked to Las Vegas, Nevada by SNARL, Vegas Shepherd Rescue, the organizations where Defendant Casey Gish has ownership.
5. No legitimate authorization by sheriff department was never provided to thieves to trespass Plaintiff's private property and steal Plaintiff's dogs.
6. Animal control arrived multiple times on Plaintiff's property following harassing phone calls requests made by Bryan Pease and Defendant Casey Gish with false allegations stated against Plaintiff.
7. Every time, when Animal Control personnel visited Plaintiff's property, they found Plaintiff's dogs in great health, not distressed, all dogs having water, shelter (Attachment 1).
8. NO violations have been found by Animal Control.
9. San Bernardino Sheriff department conducts criminal investigation with case number assigned for the stolen dogs led by Detective J Guerry.
10. This criminal investigation was escalated to San Bernardino County Detectives.
11. Deputy Parsons of Barstow Sheriff Station is now under criminal investigation by San Bernardino Sheriff's Internal Affairs for conspiracy with thieves, as she conducted Plaintiff's unwarranted false arrest on August 08 of 2020 and Parsons not while on duty allegedly called to Defendants on about August 09 of 2020 with statement that there are dogs on private property, that she had arrested/removed the owners and the dogs are available for pick up and sale.
12. NO charges have been ever filed against Plaintiff.
13. Plaintiff is the lawful owner of Private Property at 13350 Trump Blvd., Barstow, CA 92311 via Grant Deed, 10 acres property paid fully in cash.
14. Plaintiff had applied for new residential permit and other permits starting from January of 2020 or about that time and currently in process of completing the permit.

EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT - 2

- 1 15. The aggressive actions of Defendants “animal rights activists” directed against  
2 dog breeders as whole and pet owners.
- 3 16. Defendants admitted multiple times that the stolen dogs in their possession are  
4 died, spayed or neutered and altered otherwise.
- 5 17. There were 13 young puppies aged 3 to 5 month old that could not be altered  
6 so far.
- 7 18. There were pregnant females that had to deliver puppies in October of 2020  
8 and also could not be spayed so far.
- 9 19. The stolen dogs are important breeding stock for the USA and World wide  
10 and to safe them is in PUBLIC INTEREST.
- 11 20. The stolen dogs have been selectively bred for years toward protective  
12 qualities, loyalty to family, super natural health and other important for  
13 German Shepherd breed characteristics. Plaintiff’s Dogs were Sired by Top  
14 German VA studs and loss of these dogs impacts not only CA breeding stock  
15 but the whole world.
- 16 21. There is inevitable irreparable harm will be done to the stolen dogs by  
17 Defendant if the dogs are not returned immediately to the Plaintiff.
- 18 22. Dogs are the private property.
- 19 23. Defendants are now admitting possession of the Plaintiff’s dogs based on the  
20 undisputable evidences introduced by Animal Control officers and San  
21 Bernardino Sheriff’s Department.
- 22 24. However, Defendants are attempting to make the defense that the Plaintiff  
23 cannot keep the Dogs and therefore Defendants do not have to return stolen  
24 dogs.
- 25 25. Half of the stolen Dogs have been sold with deposits advanced toward them  
26 BEFORE they were stolen and upon return to Plaintiff they have to be picked  
27 up by the new owners.
- 28 26. Some other stolen Dogs has been planned to be shipped to Europe for training  
and breeding purpose.

EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF’S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF’S DOGS AND PLAINTIFF’S DECLARATION IN  
SUPPORT - 3

- 1 27. In addition to the above, Plaintiff's Dogs will enjoy 400 acres outstanding  
2 private ranch with 41+ dogs kennel license.
- 3 28. There is war on breeders and pet owners in USA led by Ingrid Newkirk,  
4 Bryan Pease, Casey Gish and other "animal rights activists" masked by this  
5 misleading public name, while real agenda is to destroy breeding stock in  
6 USA.
- 7 29. See [https://protectharvest.com/news/petas-ingrid-newkirk-order-stealing-](https://protectharvest.com/news/petas-ingrid-newkirk-order-stealing-killing-pets/)  
8 [killing-pets/](https://protectharvest.com/news/petas-ingrid-newkirk-order-stealing-killing-pets/)
- 9 30. Unfortunately, this is NOT the first time people's private property trespassed,  
10 owners are hurt and dogs are stolen and destroyed. This violence and harm to  
11 the pet owners and the Dogs must be stopped. Criminals must be prosecuted.
- 12 31. First thing thieves do is surgically remove dog's microchips.
- 13 32. However, each Plaintiff's Dog has DNA traceable as Sired by the Dogs which  
14 DNA has been recorded.
- 15 33. Plaintiff will have irreparable injury and harm if the stolen Dogs not returned  
16 to her by Defendants.
- 17 34. Plaintiff is likely to succeed on the merits of the case
- 18 35. Plaintiff is to suffer irreparable harm in the absence of preliminary relief;
- 19 36. The balance of equities tips in Plaintiff's favor;
- 20 37. The request for enjoying Defendants from custody of Plaintiff's Dogs and  
21 to return the Dogs immediately to Plaintiff is in the public interest.

## 22 II. LEGAL STANDARDS

23 38. The standard for issuing a temporary restraining order is "substantially  
24 identical" to the standard for issuing a preliminary injunction. (Washington v.  
25 Trump, 847 F.3d 1151, 1159 n.3 (9th Cir. 2017) (quoting Stuhlberg Int'l Sales  
26 Co., Inc. v. John D. Brush & Co., Inc., 240 F.3d 832, 839 n.7 (9th Cir. 2001)). A  
27 preliminary injunction is "a device for preserving the status quo and preventing  
28 the irreparable loss of rights before judgment." Sierra On-Line, Inc. v. Phoenix  
Software, Inc., 739 F.2d 1415, 1422 (9th Cir. 1984).

1           39. In *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7 (2008), the Supreme  
2 Court held that a plaintiff seeking a preliminary injunction must establish “[1]  
3 that he is likely to succeed on the merits, [2] that he is likely to suffer irreparable  
4 harm in the absence of preliminary relief, [3] that the balance of equities tips in  
5 his favor, and [4] that an injunction is in the public interest.” (Id. at 20.)

6           40. The Ninth Circuit balances these factors using a “sliding scale” approach,  
7 where “a stronger showing of one element may offset a weaker showing of  
8 another.” *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir.  
9 2011).

10          41. Ex parte relief is reserved for the most emergent circumstances. See  
11 *Mission Power Eng’g Co. v. Cont’l Cas. Co.*, 883 F.Supp. 488 (C.D. Cal. 1995).  
12 These procedures should be used sparingly because they bypass the rules that  
13 ensure decisions are fairly made on the merits, to the detriment of the adverse  
14 party. Consistent with this general doctrine, “courts have recognized very few  
15 circumstances justifying the issuance of an ex parte [temporary restraining order  
16 (“TRO”).” *Reno Air Racing Ass’n, Inc. v. McCord*, 452 F.3d 1126, 1131 (9th  
17 Cir. 2006).

18          42. A party seeking a TRO bears the burden of establishing four essential  
19 elements: 1) she is likely to succeed on the merits of the case; 2) she is likely to  
20 suffer irreparable harm in the absence of preliminary relief; 3) that the balance of  
21 equities tips in her favor; and, 4) that the request is in the public interest. *Winter*  
22 *v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008).

23          43. the Ninth Circuit uses a “sliding scale” approach to give varied weight to  
24 each factor depending on the circumstances of each case, a moving party must  
25 still make an adequate evidentiary showing on all four of these elements before a  
26 TRO may be issued. *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127,  
27 1135 (9th Cir. 2011).

28          44. Defendant Lamey failed to establish each and every required element  
pointed above and therefore is not entitled Application to be granted.




1  
2  
3 III. CONCLUSION

4 If the German Shepherd Dogs are not returned immediately to Plaintiff,  
5 Plaintiff, Dogs and PUBLIC will suffer inevitable and irreparable harm;  
6 therefore, Plaintiff respectfully asks this Court:

- 7 a). to grant Temporary Restraining Order to enjoin Defendants and each of  
8 them from custody of Plaintiff's Dogs and for the order to return immediately  
9 all German Shepherd Dogs and puppies arrived to Defendants on August 09 to  
10 September 09 from San Bernardino County, Barstow area, particularly  
11 Malibu, Baker, Beacon, Cypress, Lodi etc (Attachment 2-9) and all others.  
12 b). To order DNA sample test be taken by Plaintiff of each German shepherd  
13 dog and puppies that were in possession of Defendants, and each of them,  
14 from August 09 to September 09 of 2020 even those dogs were sold, given for  
15 adoption or disposed.  
16 c). To return to Plaintiff all newborn puppies whelped from stolen Plaintiff's  
17 female german shepherds.  
18 d). To enjoin Defendants and each of them from possessing, killing, selling,  
19 disposing, giving for adoption, spaying or neutering Plaintiff's German  
20 Shepherds that they received in August or September of 2020 from California.  
21 e). To order pick up of the Dogs by Plaintiff from Las Vegas not later than 3  
22 days after Court's order issued.  
23 f) to arrange pick up of the Dogs by Defendants via contacting Plaintiff on  
24 323-209-5186 and via email olivia.car@mail.ru with date, time and address  
25 for pick up.  
26  
27

28 Dated: October 24 of 2020

1  
2 Respectfully submitted, ALLA ZORIKOVA 

3  
4 PLAINTIFF'S DECLARATION IN SUPPORT OF Plaintiff's ex parte  
5 application of TOR.  
6

7 I, Alla Zorikova, under penalty of perjury and in best of my knowledge declare  
8 the following:  
9

- 10 1. I will have irreparable injury and harm if the stolen Dogs not  
11 returned to her by Defendants.
- 12 2. I am to suffer irreparable harm in the absence of preliminary relief;
- 13 3. The request to enjoin Defendants from custody of my Dogs and to  
14 return the Dogs immediately to me is in the public interest.
- 15 4. Defendants and each of them had stolen from my private property  
16 dozens of Top World class German shepherds value over \$1,000,000 on  
17 about August 09 of 2020.
- 18 5. This criminal act allegedly organized by Bryan Pease and  
19 Defendant Casey Gish.
- 20 6. Stolen Dogs were trafficked to Las Vegas, Nevada by SNARL,  
21 Vegas Shepherd Rescue, the organizations where Casey Gish has  
22 ownership.
- 23 7. No legitimate authorization by sheriff department was never  
24 provided to thieves to trespass my private property and steal my dogs.
- 25 8. Animal control arrived multiple times on my property following  
26 harassing phone calls requests made by Bryan Pease and Casey Gish with  
27 false allegations stated against me.

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 7

1 9. Every time, when Animal Control personnel visited my property,  
2 they found my dogs in great health, not distress, all dogs having water,  
3 shelter (Attachment 1).

4 10. NO violations have been found by Animal Control.

5 11. San Bernardino Sheriff department conducts criminal investigation  
6 with case number assigned for the stolen dogs.

7 12. This criminal investigation was escalated to San Bernardino  
8 County Detectives.

9 13. Deputy Parsons of Barstow Sheriff Station is now under criminal  
10 investigation by San Bernardino Sheriff's Internal Affairs for conspiracy  
11 with thieves, as she conducted my unwarranted false arrest on August 08  
12 of 2020 and who allegedly called to Defendants on about August 09 of  
13 2020 with statement that there are dogs on private property, that she had  
14 arrested/removed the owners and the dogs are available for pick up and  
15 sale.

16 14. NO charges have been ever filed against me.

17 15. I am the lawful owner of Private Property at 13350 Trump Blvd.,  
18 Barstow, CA 92311 via Grant Deed, property paid fully in cash.

19 16. I had applied for new residential permit and other permits starting  
20 from January of 2020 or about that time and currently in process of  
21 completing the permit.

22 17. Defendants admitted multiple times that the stolen dogs in their  
23 possession are died, spayed or neutered and altered otherwise.

24 18. There were 13 young puppies aged 3 to 5 month old that could not  
25 be altered so far.

26 19. There were pregnant females that had to deliver puppies and also  
27 could not be spayed so far.

28 20. The stolen dogs are important breeding stock for the USA and  
World wide.

1           21.     The stolen dogs have been selectively bred for years toward  
2           protective qualities, loyalty to family, super natural health and other  
3           characteristics. They were Sired by Top German VA studs and loss of  
4           these dogs impacts not only CA breeding stock but the whole world.

5           22.     There is inevitable irreparable harm will be done to the stolen dogs  
6           by Defendant if the dogs are not returned immediately to me.

7           23.     Half of the stolen Dogs have been sold with deposits advanced  
8           toward them BEFORE they were stolen and upon return they have to be  
9           picked up by the new owners.

10          24.     Some other stolen Dogs has been planned to be shipped to Europe  
11          for training and breeding purpose.

12          25.     In addition to the above, Plaintiff's Dogs will enjoy 400 acres  
13          outstanding private ranch with 41+ dogs kennel license.

14          26.     Each my Dog has DNA traceable as Sired by the Dogs which DNA  
15          recorded.

16                   I declare under penalty of perjury that the foregoing is true and correct and  
17                   that this declaration was executed in San Bernardino county, CA.

18                   

19                   Alla Zorikova  
20

21                   ATTACHMENT 1 p1  
22  
23  
24  
25  
26  
27

28                   EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
                      DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
                      SUPPORT - 9

A20-172252-1 ASSIST/POLICE Priority Level: 3 Total Animals: 20 Animal Type: DO  
Activity Address: LOCKHART RD RED MOUNTAIN  
Activity Comment: O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST. LOG# BA022

Caller Information:

Result Codes:  
1 RSULD

Officer: P999067 CHAVEZ Clerk: B4869  
Call Date: 08/08/20 02:02 PM  
New Date: 08/08/20 02:02 PM  
Dispatch Date: 08/08/20 02:30 PM  
Working Date: 08/08/20 04:13 PM  
Complete Date: 08/08/20 04:21 PM

Memo:

08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/O-85  
8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. We hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty, the phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons, I explained to her Sheriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G. Sheps were in pens with shade cloth. All the G. sheps had shade and shelter all had little water. None of the dogs appear to be in distress and all appear to be healthy and normal. S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16:20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder.....c3865

EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT - 10

Attachment 1 P2

EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 11

8/8/20 directions to the property: hwy15 north to hwy 58 west, go north on Haper lake Rd for about 6.8 mi, you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mil first dirt rd go right for 0.8 mil then left at the red pole the prop will be to your right....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 ON next to O-67 advising abandonment for the 50+ dogs and 1 chicken. When I was leaving Dep Parsons had someone pulled over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. While pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a male Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 25 dogs and 2 goats were impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85

DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 12

1 ATTACHMENT 3

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 13





FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 4

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 15




**Vegas Shepherd Rescue**

Beacon · Aug 12 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

  5



Write a comment...



FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 5

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 17




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 35

Couldn't read NFC tag. Try again.

1 Share



 Top Fan




FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 6

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 19




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 42

1 Share

 Top Fan


FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 7

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 21






 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 42

1 Share


 Top Fan

FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 8

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 23




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

  35

2 Shares



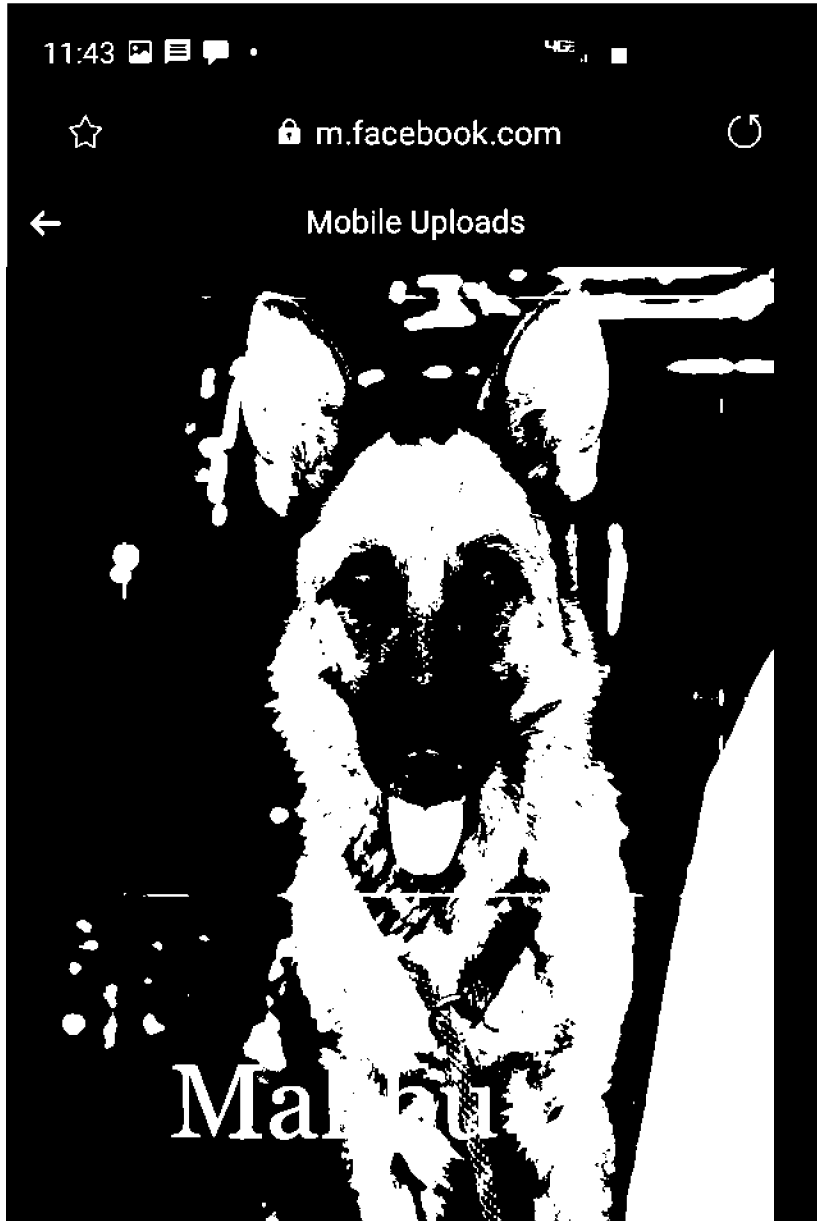
 Top Fan



FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 8

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 25



**Vegas Shepherd Rescue**

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

Like Comment Share



FROM CUSTODY OF PLAINTIFF'S  
NTIFF'S DECLARATION IN

1 ATTACHMENT 9

28 EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S  
DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN  
SUPPORT - 27



**Vegas Shepherd Rescue**  
 Hey Everyone! I'm going to be on Las Vegas Morning Blend today at 9:32 am. Please watch me! I'm very excited to be making my television debut 😊

Timeline Photos · Sep 3 ·

[View Full Size](#) · [More Options](#)



FROM CUSTODY OF PLAINTIFF'S  
 NTIFF'S DECLARATION IN



DMSC  
CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
**THE LAW OFFICE OF CASEY D. GISH**  
5940 S. Rainbow Blvd  
Las Vegas, NV 89118  
Casey@GishLawFirm.com  
(702) 583-5883 Telephone  
(702) 483-4608 Facsimile  
*Attorney for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

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

ALLA ZORIKOVA;

CASE NO. A-20-821249-C

Plaintiff(s),

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

**DEFENDANT, JULIE PYLE'S  
DEMAND FOR SECURITY OF COSTS**

Defendant(s).

NOTICE IS HEREBY GIVEN pursuant to N.R.S. 18.130 that Defendant, Julie Pyle, an individual defendant in the above-entitled case, hereby demands and requests security from ALLA ZORIKOVA, Plaintiff, a non-resident of this state, for defendant's costs and charges which may be awarded herein against Plaintiff in the sum of Five Hundred Dollars (\$500.00).

DATED this 26<sup>th</sup> day of October, 2020.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Attorney for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*





**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANT, JULIE PYLE'S DEMAND FOR SECURITY OF COSTS** on the parties whose address appears below:

X VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

X VIA ELECTRONIC SERVICE: in accordance with FRCP 5 through the CM/ECF electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

X VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: olivia.car@mail.ru  
*Plaintiff*

Executed on the 26<sup>th</sup> day of October, 2020.





1-800-441-1111  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH



DMSC  
CASEY D. GISH, ESQ.  
Nevada Bar No. 006657  
**THE LAW OFFICE OF CASEY D. GISH**  
5940 S. Rainbow Blvd  
Las Vegas, NV 89118  
Casey@GishLawFirm.com  
(702) 583-5883 Telephone  
(702) 483-4608 Facsimile  
*Attorney for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

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

ALLA ZORIKOVA;

CASE NO. A-20-821249-C

Plaintiff(s),

DEPT. NO. XX

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

**DEFENDANT, TAMMY WILLET'S  
DEMAND FOR SECURITY OF COSTS**

Defendant(s).

NOTICE IS HEREBY GIVEN pursuant to N.R.S. 18.130 that Defendant, Tammy Willet,  
an individual defendant in the above-entitled case, hereby demands and requests security from  
ALLA ZORIKOVA, Plaintiff, a non-resident of this state, for defendant's costs and charges  
which may be awarded herein against Plaintiff in the sum of Five Hundred Dollars (\$500.00).

DATED this 26<sup>th</sup> day of October, 2020.

**THE LAW OFFICE OF CASEY D. GISH**

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

*Attorney for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*



CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANT, TAMMY WILLET'S DEMAND FOR SECURITY OF COSTS** on the parties whose address appears below:

X VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

X VIA ELECTRONIC SERVICE: in accordance with FRCP 5 through the CM/ECF electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

X VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: olivia.car@mail.ru  
*Plaintiff*

Executed on the 26<sup>th</sup> day of October, 2020.





1-800-441-1111  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH



DMSC

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

*Attorney for Defendants Julie Pyle, Tammy*

*Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

**DEFENDANT, VEGAS SHEPHERD  
RESCUE'S DEMAND FOR SECURITY  
OF COSTS**

NOTICE IS HEREBY GIVEN pursuant to N.R.S. 18.130 that Defendant, Vegas Shepherd Rescue, a Nevada State Registered Non-Profit Organization defendant in the above-entitled case, hereby demands and requests security from ALLA ZORIKOVA, Plaintiff, a non-resident of this state, for defendant's costs and charges which may be awarded herein against Plaintiff in the sum of Five Hundred Dollars (\$500.00).

DATED this 26<sup>th</sup> day of October, 2020.

**THE LAW OFFICE OF CASEY D. GISH**

*/s/ Casey D. Gish*

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

Casey@GishLawFirm.com

*Attorney for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*



**CERTIFICATE OF SERVICE**

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANT, VEGAS SHEPHERD RESCUE'S DEMAND FOR SECURITY OF COSTS** on the parties whose address appears below:

X VIA U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service at Las Vegas, Nevada. I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business.

X VIA ELECTRONIC SERVICE: in accordance with FRCP 5 through the CM/ECF electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

X VIA EMAIL: in accordance to the Consent of Service by Electronic Means on file herein. Via email by transmitting through an email service maintained by the person on whom it is served at the email address provided by that person. The copy of the document served by email bears a notation of the date and time of transmission and the email address to which transmitted.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles, CA 90068  
P: (323) 209-5186  
E: olivia.car@mail.ru  
*Plaintiff*



Executed on the 26<sup>th</sup> day of October, 2020.

*/s/ Casey D. Gish*

An employee of THE LAW OFFICE OF  
CASEY D. GISH

5940 S. Rainbow Blvd, Las Vegas, NV 89118  
Phone (702) 583-5883 Fax (702) 483-4608  
Email Casey@GishLawFirm.com



THE LAW OFFICE OF  
CASEY D. GISH





1 Alla Zorikova  
2 1905 Wilcox Av., #175  
3 Los Angeles, CA 90068  
4 3232095186  
5 Olivia.car@mail.ru

6 **EIGHT JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 ALLA ZORIKOVA,

9 Plaintiff,

10 vs.

11 JULIE PYLE, TAMMY WILLET, VEGAS  
12 SHEPHERD RESCUE AND DOES I  
13 THROUGH X, INDIVIDUALS, AND ROE  
14 BUSINESS ENTITIES I THROUGH X,

15 Defendants

Case No.: A-20-821249C

MOTION TO SCHEDULE HEARING ON  
PLAINTIFF'S EX PARTE APPLICATION  
FOR TEMPORARY RESTRAINING ORDER  
FROM CUSTODY OF PLAINTIFF'S DOGS  
AND FOR ORDER TO RETURN  
PLAINTIFF'S DOGS AND PLAINTIFF'S  
DECLARATION IN SUPPORT

16 COMES NOW Plaintiff and respectfully asks this Court to schedule a Hearing for  
17 the closest available date as this is an emergency for her ExParte Application filed on October 24  
18 of 2020.

19 Dated: October 29 of 2020

20 Respectfully submitted, ALLA ZORIKOVA



21  
22  
23  
24  
25  
26  
27  
28 MOTION TO SCHEDULE HEARING ON PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY  
RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN  
PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT - 1



1 Alla Zorikova  
2 1905 Wilcox Av., #175  
3 Los Angeles, CA 90068  
4 3232095186  
5 Olivia.car@mail.ru

6 **EIGHT JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 ALLA ZORIKOVA,

9 Plaintiff,

10 vs.

11 JULIE PYLE, TAMMY WILLET, VEGAS  
12 SHEPHERD RESCUE AND DOES I  
13 THROUGH X, INDIVIDUALS, AND ROE  
14 BUSINESS ENTITIES I THROUGH X,

15 Defendants

Case No.: A-20-821249C

PLAINTIFF'S OBJECTIONS TO  
DEFENDANT'S DEMAND OF SECURITY  
COSTS AND DECLARATION IN SUPPORT

16 1. Defendants and each of them filed on 10/26/2020 with this Court  
17 Demand for Security of Costs.

18 2. The action for this complaint arises from malicious acts of  
19 Defendants by trespassing Plaintiff's Private property, stealing Plaintiff's  
20 dozens of Top World Class German Shepherd dogs, killing pregnant  
21 females and newborn puppies and totally destroying Plaintiff's business.  
22 Cash and most assets were stolen from the Plaintiff's Property.

23 3. While criminal investigation of this matter continues by San  
24 Bernardino Sheriff Department on this act of theft Plaintiff's Dogs,  
25 Plaintiff is in extremely difficult financial situation, when she has to pay  
26


27  
28 PLAINTIFF'S OBJECTIONS TO DEFENDANT'S DEMAND OF SECURITY COSTS AND DECLARATION IN  
SUPPORT - 1

1 back to her customers back from July of 2020 deposits that they placed on  
2 the dogs that were stolen and also has to withstand daily attacks of  
3 Defendants.

4 4. Plaintiff has been granted TO PROCEED IN FORMA PAUPERIS  
5 on 09/25/2020 including to be court costs waived.  
6

7 Therefore, Plaintiff respectfully asks this Court to Deny Defendants, and each of them, Demands  
8 for Security Costs.  
9

10 Dated: October 29 of 2020  
11

12  
13 Respectfully submitted, ALLA ZORIKOVA 

14  
15 DECLARATION OF PLAINTIFF IN SUPPORT

16 I, Alla Zorikova, declare under penalty of perjury to the best of my knowledge the  
17 following:  
18


- 19 1. I was granted to Proceed in Forma Pauperis for this case.  
20 2. My business has been destroyed by Defendants.  
21 3. My assets have been stolen by Defendants.  
22 4. I do not have money neither to pay Demanded by Defendants Security  
23 Costs nor any surety bond fees for the same.  
24 5. Defendants continue their daily attacks on me, my daughter and on our  
25 business.  
26  
27

28 PLAINTIFF'S OBJECTIONS TO DEFENDANT'S DEMAND OF SECURITY COSTS AND DECLARATION IN  
SUPPORT - 2

- 1 6. They are posting online and other media sources false offensive  
2 information on me and my business, come close to our private Property,  
3 writing offensive signs and threatening my daughter.  
4  
5 7. Defendants are Demanding to give them all dogs that we have left and that  
6 they will kill the dogs and puppies, stating that they do not want single  
7 puppy be born ever in United States.  
8  
9 8. Defendants stating that they will put on fire our property if we not stop our  
10 business.  
11  
12 9. As a result of these malicious actions, I cannot generate profit from the  
13 totally destroyed business, and while I can not sleep, can not answer phone  
14 without thinking that I will hear threats again, without constant threat of  
15 my loved dogs that left to get killed or destroyed by Defendants.  
16

17 I certify that all the above is true to the best of my knowledge.  
18

19 Dated: October 29 of 2020  
20

21  
22 Respectfully submitted, ALLA ZORIKOVA   
23  
24  
25  
26  
27



1 Alla Zorikova  
2 1905 Wilcox Av., #175  
3 Los Angeles, CA 90068  
4 3232095186  
5 Olivia.car@mail.ru

6 **EIGHT JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 ALLA ZORIKOVA,

9 Plaintiff,

10 vs.

11 JULIE PYLE, TAMMY WILLET, VEGAS  
12 SHEPHERD RESCUE AND DOES I  
13 THROUGH X, INDIVIDUALS, AND ROE  
14 BUSINESS ENTITIES I THROUGH X,

15 Defendants

Case No.: A-20-821249C

PLAINTIFF'S PROOF OF SERVICE OF  
OBJECTIONS TO DEFENDANT'S  
DEMAND OF SECURITY COSTS AND  
DECLARATION IN SUPPORT

16 I CERTIFY THAT I HAD EMAILED ON OCTOBER 31 OF 2020 TO C GISH PLAINTIFF'S  
17 PROOF OF SERVICE OF OBJECTIONS TO DEFENDANT'S DEMAND OF SECURITY  
18 COSTS AND DECLARATION IN SUPPORT

19 Dated: October 29 of 2020

20  
21  
22 Respectfully submitted, ALLA ZORIKOVA



23  
24  
25  
26  
27  
28 PLAINTIFF'S PROOF OF SERVICE OF OBJECTIONS TO DEFENDANT'S DEMAND OF SECURITY COSTS  
AND DECLARATION IN SUPPORT - 1

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
11/2/2020 1:14 PM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion to Schedule Hearing on Plaintiff's Ex Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support in the above-entitled matter is set for hearing as follows:

**Date:** December 09, 2020  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Marie Kramer  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Marie Kramer  
Deputy Clerk of the Court

1     ORDR

2                                 EIGHTH JUDICIAL DISTRICT COURT

3                                 CLARK COUNTY, NEVADA

4     ALLA ZORIKOVA,

Case No. A-20-821249-C

5                                 Plaintiff,

Dept. No. XX

6                 vs.

7     JULIE PYLE, TAMMY WILLET, VEGAS  
8     SHEPHERD RESCUE AND DOES I  
9     THROUGH X, INDIVIDUALS, AND ROE  
10    BUSINESS ENTITIES I THROUGH X,

Defendants.

11                                 **ORDER**

12                 **COURT FINDS** after review that on October 24, 2020, Plaintiff Zorikova filed an Ex Parte  
13     Application for Temporary Restraining Order, after filing a Complaint on September 15, 2020:

14                 **COURT FURTHER FINDS** after review that on September 25, 2020 an Order to Proceed  
15     in Forma Pauperis was entered granting Plaintiff's Application to Proceed in Forma Pauperis.

16                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Julie Pyle  
17     filed a Demand for Security Costs.

18                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Tammy  
19     Willet filed a Demand for Security Costs.

20                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Vegas  
21     Shepherd Rescue filed a Demand for Security Costs.  
22  
23  
24

1           **COURT FURTHER FINDS** after review that on October 29, 2020, Plaintiff filed a Motion  
2 to Schedule Hearing on Plaintiff's Ex-Parte Application for Temporary Restraining Order from  
3 Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in  
4 Support. Subsequently, a hearing was set on December 9, 2020 at 8:30 AM

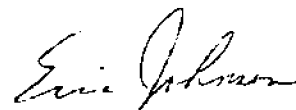
5           **COURT FURTHER FINDS** after review that on October 31, 2020, Plaintiff filed an  
6 Objection to Defendant's Demand for Security Costs on the basis that the Order granting Plaintiff to  
7 proceed in forma pauperis thereby waived court costs. However, security costs as prescribed by NRS  
8 18.130 are statutory and are not waived.

9           **THEREFORE, COURT ORDERS**, after a review that the case cannot move forward until  
10 each security for costs is posted. When security for costs is posted, a hearing can be set on  
11 Plaintiff's Ex-Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs  
12 and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support. Service will be  
13 required on all parties. All hearings are done remotely through the Bluejeans application. When a  
14 hearing is set, a link will be sent to all parties.

15           **IT IS HEREBY FURTHER ORDERED** the hearing on December 9, 2020 is VACATED.  
16

17  
18 DATED this \_\_\_\_ day of December, 2020.

Dated this 4th day of December, 2020

19  
20 

21 ERIC JOHNSON  
22 DISTRICT COURT JUDGE  
23 10B B32 44B3 40B1  
24 Eric Johnson  
District Court Judge



1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 12/4/2020**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
19 known addresses on 12/7/2020

20 **Alla Zorikova**

**1905 wilcox ave, #175  
los angeles, CA, 90068**

21 **Casey Gish**

**Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118**



1 NOH

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 ALLA ZORIKOVA,

Case No. A- 20-821249-C

5 Plaintiff,

Dept. No. XX

6 vs.

**NOTICE OF HEARING**

7 JULIE PYLE, et al.,

8 Defendant.

9  
10 **NOTICE OF HEARING**

11 Please be advised that a hearing on Plaintiff's Ex Parte Application for  
12 Temporary Restraining Order from Custody of Plaintiff's Dogs and for Order to  
13 Return Plaintiff's Dogs and Plaintiff's Declaration in Support has been scheduled  
14 for **June 9, 2021 at 8:30 a.m.**

15 DATED April 29, 2021.

16 /s/Kelly Muranaka

KELLY MURANAKA

17 Judicial Executive Assistant to:

ERIC JOHNSON

18 District Court Judge



Alla Zorikova  
1905 Wilcox Av., #175  
Los Angeles, CA 90068  
3232095186  
Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,  
  
Plaintiff,

Case No.: A-20-821249-C

vs.

DECLARATION OF OLIVIA JEONG  
IN SUPPORT  
OF PLAINTIFF'S EXPARTE APPLICATION  
HEARING ON 06/09/2021

JULIE PYLE, TAMMY WILLET, CASEY  
GISH, VEGAS SHEPHERD RESCUE AND  
DOES I THROUGH X, INDIVIDUALS, AND  
ROE BUSINESS ENTITIES I THROUGH X,

Defendants

**DECLARATION OF OLIVIA JEONG**

I, OLIVIA JEONG, declare:

1. I am the witness in this action. I make the following declaration based upon my personal knowledge and could, and would, testify competently and accurately regarding its contents.
2. I am the caretaker of the Dogs that Plaintiff Zorikova in this action is demanding to be returned to her.
3. I was present when animal control officer Shea, while visiting our kennel in September of 2020, submitted to Plaintiff Zorikova pictures (Exhibits 2-9) and stated that she saved those pictures as evidences of stolen from Plaintiff's property dogs by the Defendants.

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EXPARTE APPLICATION HEARING  
ON 06/09/2021 - 1

4. I recognized those Dogs on the pictures (Exhibit 2-9) as the Dogs that I was raising from the moment they were born and was training them and taking good care.
5. I personally was hiking 3 miles per day with those dogs, in addition to exercising them daily and training.
6. I personally was given potable water for them EACH hour.
7. I fed the Dogs with exceptional fine organic beef, lamb and pork twice per day.
8. The Dogs were in excellent shape and health and were titled on Different German Shepherd Dogs shows, while measured, weighted and evaluated by World Class Judges from all required perspective according to World Standards.
9. I see that Defendants refer on pictures 2-9 to these Dogs as “beauties”, which they truly are.
10. If anyone would see our Dogs in public, most people would approach and express excitement following by words: ”wow”, what a beautiful dogs”.
11. All Dogs were in perfect health always, free from any and all parasites.
12. As to my knowledge, Defendants have about 25 of our stolen dogs
13. San Bernardino’s 10 acres our lawful private property was used as a training site only and never planned for kennel’s permanent location.
14. Our multiple kennel’s site is located in the State of Texas on 200 acres of our private property.
15. We have State of the Art finest facility for our Dogs (Exhibits 10 – 14).

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF’S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 2

- 1 16. Each Dog enjoys daily walks and training and has 24' X 30' runs in  
2 addition to runs on whole 200 acres.  
3  
4 17. Each our dog is treated as family member, with personal love and care.  
5  
6 18. My heart is broken, I miss my loved Dogs (especially those in Exhibits 2-  
7 9) terribly and know they remember and miss us terribly too.  
8  
9 19. I cried daily months and months after our Dogs were stolen and do not  
10 know when it will feel better if Dogs are not returned.  
11  
12 20. I saw Defendant's Gish 2' by 3' cages that he calls "rooms" in his doggy  
13 daycare, about 500 of those cages on a tiny inside place. Gish thinks it's  
14 ok for Dogs, while I think it's animal cruelty.  
15  
16 21. However, I know that Animal Control's officers are the ONLY one who  
17 authorized to decide what is "ok" and evaluates dog's conditions.  
18  
19 22. We had 3 times Animal Control's personnel visited our kennels in San  
20 Bernardino and all 3 times, 3 different officers found NO violations, that  
21 the Dogs were in good health, not distressed, had shelter and water  
22 (Exhibit 1).  
23  
24 23. It's obvious to me (and I made a LOT of research) that there is a dirty  
25 agenda and dirty money flow behind those "rescued = stolen" dogs  
26 scheme. My latest investigation efforts led to findings that general  
27 socialist agenda is to eliminate ALL pet stores (which is completed)  
28 followed by eliminating ALL breeders (half way though), followed by  
eliminating farmers etc while suppressing HUMANS, hurting HUMANS,  
offending HUMANS, restricting HUMANS, destroying HUMAN's

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 3

businesses and job places AND substituting “American MADE dogs” by  
IMPORTED (mainly from China) “rescued” dogs and other pets.

Furthermore, those “substituters” are making BILLIONS of dirty money  
on this scheme only on importing those “rescued” dogs, than lobbying  
with ridiculous animal laws that padding the dirty flow.

24. And boy, what a value for thieves are those \$50k each on average young,  
trained, purebred, sired by champions, titled german shepherds including  
puppies and pregnant females!!

25. I had started movement <http://humanrightsvsanimalrights.org>

26. I declare under penalty of perjury under the laws of the State of Nevada  
that the foregoing is true and correct.



· Olivia Jeong

ATTACHMENT 1 p1

A20-172252-1 ASSIST/POLICE Priority Level: 3 Total Animals: 20 Animal Type: DO  
Activity Address: LOCKHART RD RED MOUNTAIN  
Activity Comment: O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST. LOG# BA022

Caller Information:

Result Codes:  
1 RSULD

Officer: P999067 CHAVEZ Clerk: B4869  
Call Date: 08/08/20 02:02 PM  
New Date: 08/08/20 02:02 PM  
Dispatch Date: 08/08/20 02:30 PM  
Working Date: 08/08/20 04:13 PM  
Complete Date: 08/08/20 04:21 PM

Memo:

08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/O-85  
8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. we hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty, the phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons, I explained to her Sherriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G. Sheps were in pens with shade cloth. All the G. sheps had shade and shelter all had little water. None of the dogs appear to be in distress and all appear to be healthy and normal. S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16:20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder.....c3865

Attachment 1 P2

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 5

8/8/20 directions to the property: hwy15 north to hwy 58 west, go north on Haper lake Rd for about 6.8 mi, you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mil first dirt rd go right for 0.8 mil then left at the red pole the prop will be to your right....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 ON next to O-67 advising abandonment for the 50+ dogs and 1 chicken. When I was leaving Dep Parsons had someone pulled over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. While pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a male Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 25 dogs and 2 goats were impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 6



1 ATTACHMENT 3

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 7



PARTE APPLICATIONHEARING

1 ATTACHMENT 4

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 9



20 **Vegas Shepherd Rescue**

21 Beacon · Aug 12 ·

22 View Full Size · More Options

23 Like

24 Comment

25 Share

26 5



Write a comment...




PARTE APPLICATION HEARING

1 ATTACHMENT 5

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 11




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 35

Couldn't read NFC tag. Try again.

1 Share



 Top Fan



PARTE APPLICATIONHEARING

1 ATTACHMENT 6

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 13




20 **Vegas Shepherd Rescue**

21 Mobile Uploads · Aug 11 ·

22 View Full Size · More Options

23  Like

24  Comment

25  Share

26   42

27 1 Share

28   Top Fan



PARTE APPLICATION HEARING



1 ATTACHMENT 7

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 15




20 **Vegas Shepherd Rescue**

21 Mobile Uploads · Aug 11 ·

22 View Full Size · More Options

23  Like

24  Comment

25  Share

26   42

27 1 Share

28   Top Fan



PARTE APPLICATION HEARING

1 ATTACHMENT 8

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 17




**Vegas Shepherd Rescue**

Mobile Uploads · Aug 11 ·

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

  35

2 Shares



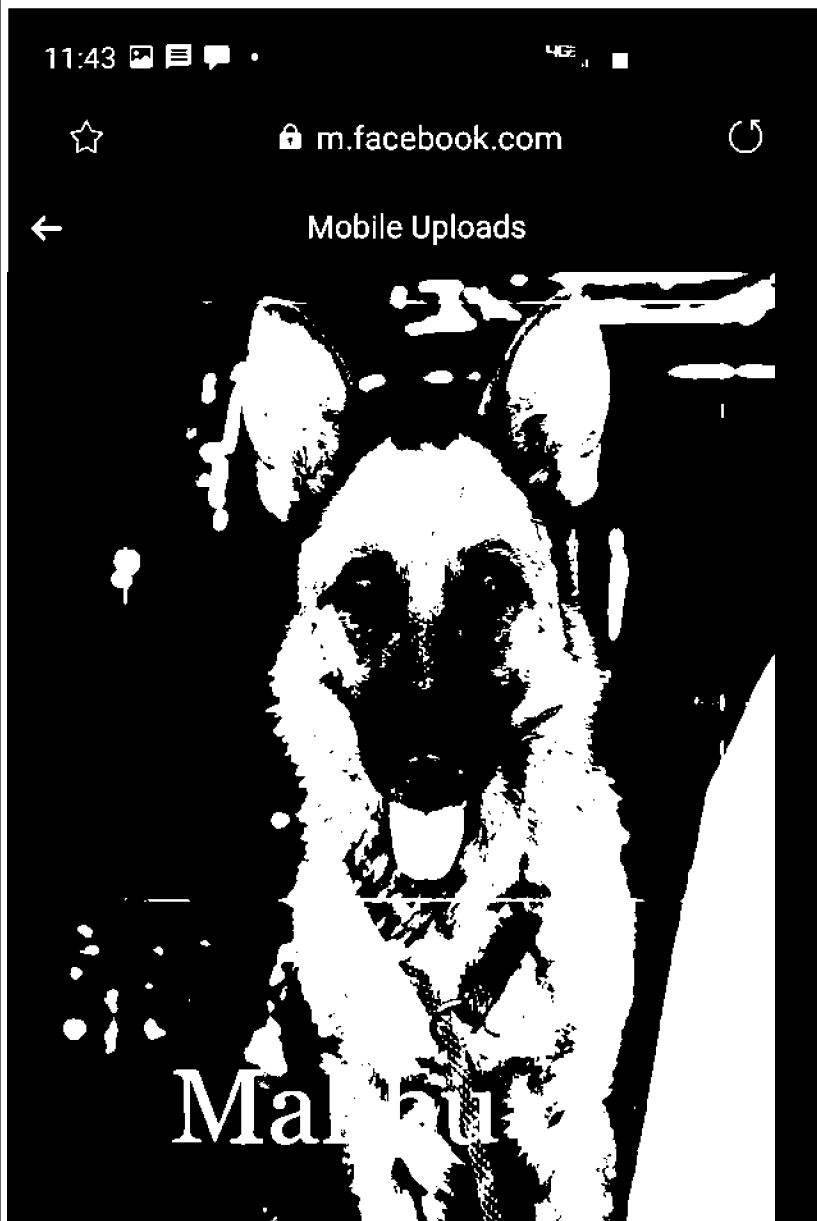
 Top Fan



PARTE APPLICATION HEARING

1 ATTACHMENT 8

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 19



PARTE APPLICATION HEARING

1 ATTACHMENT 9

28 DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 21



**Vegas Shepherd Rescue**  
Hey Everyone! I'm going to be on Las Vegas Morning Blend today at 9:32 am. Please watch me! I'm very excited to be making my television debut 😊

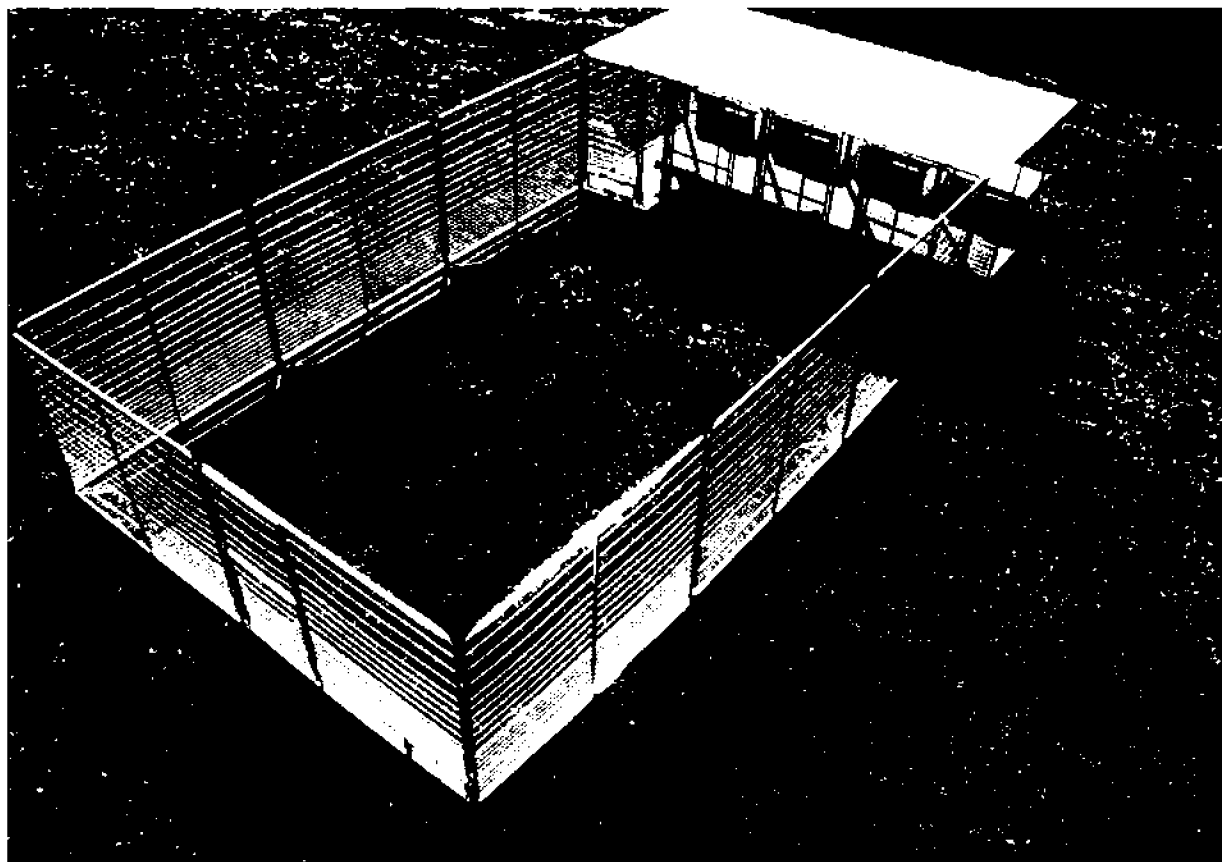
Timeline Photos · Sep 3 ·

[View Full Size](#) · [More Options](#)



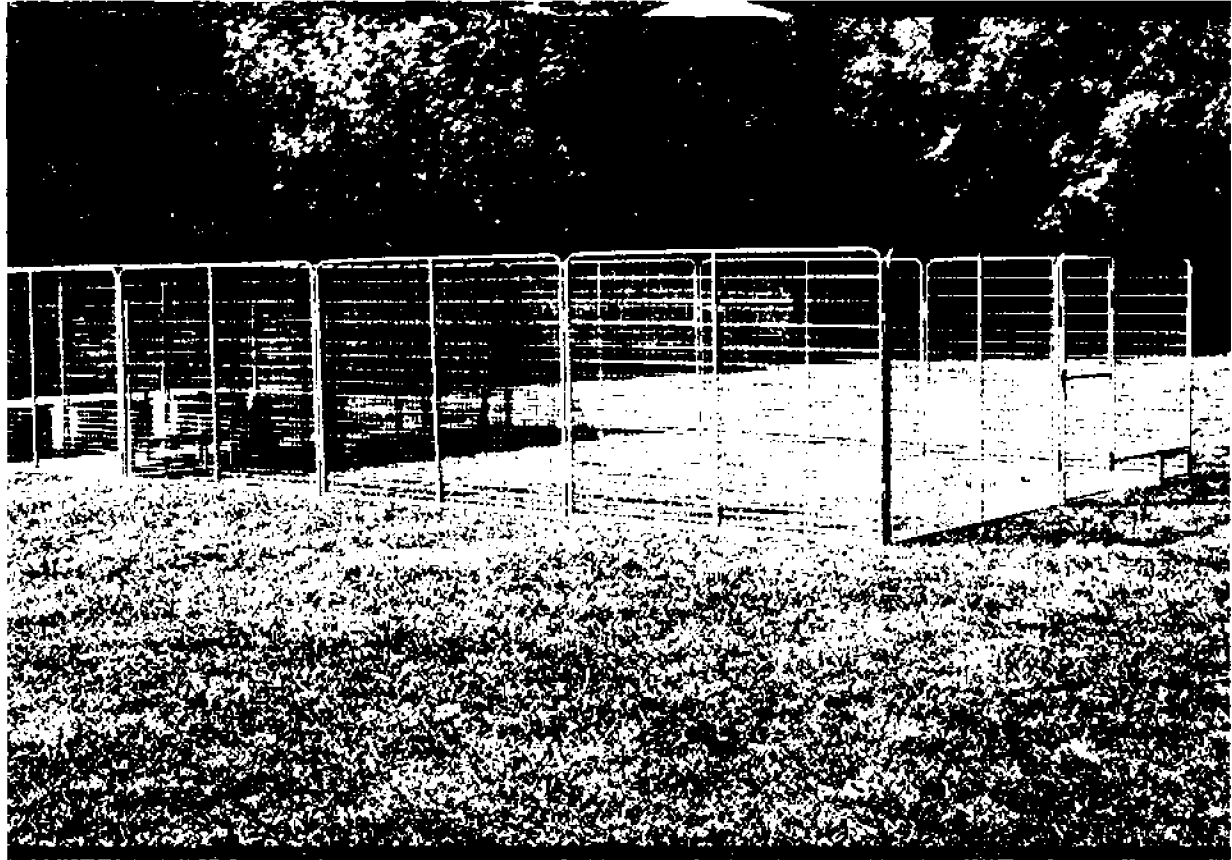
PARTE APPLICATION HEARING





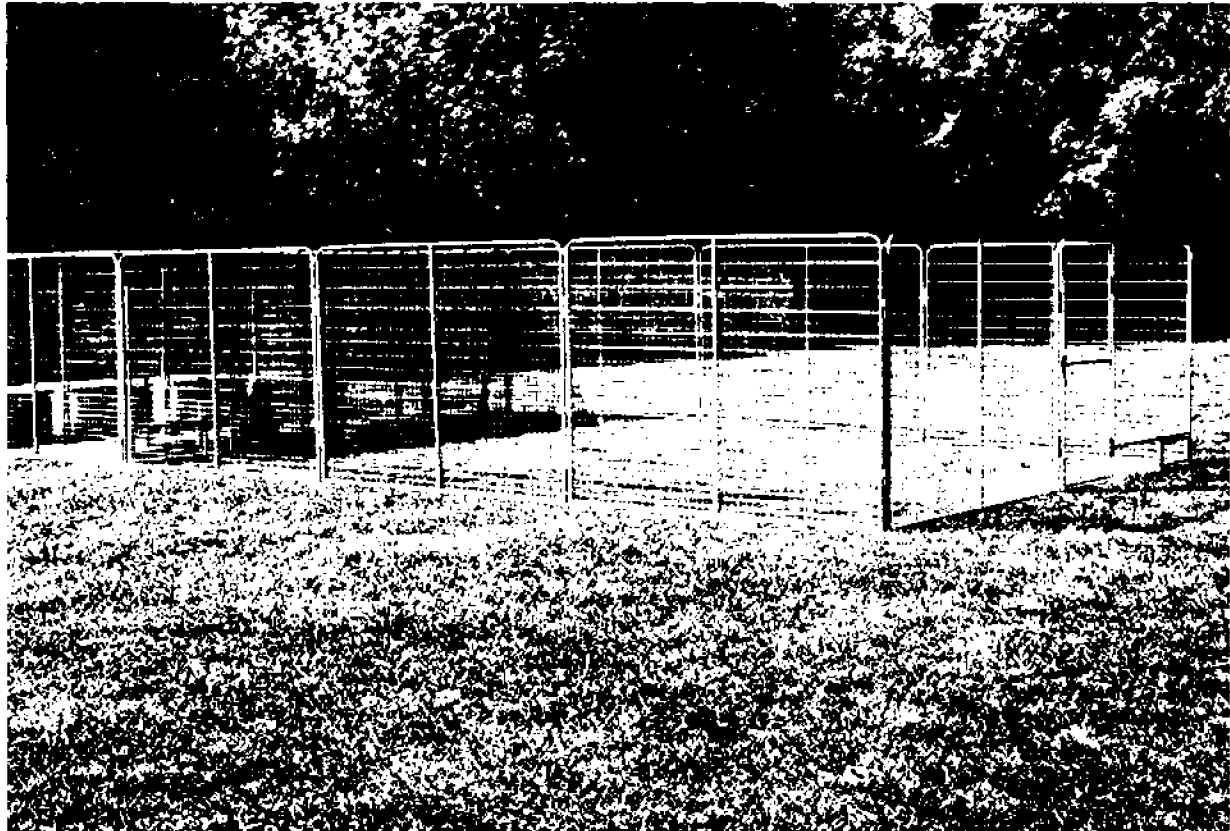
## EXHIBIT 10

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 23



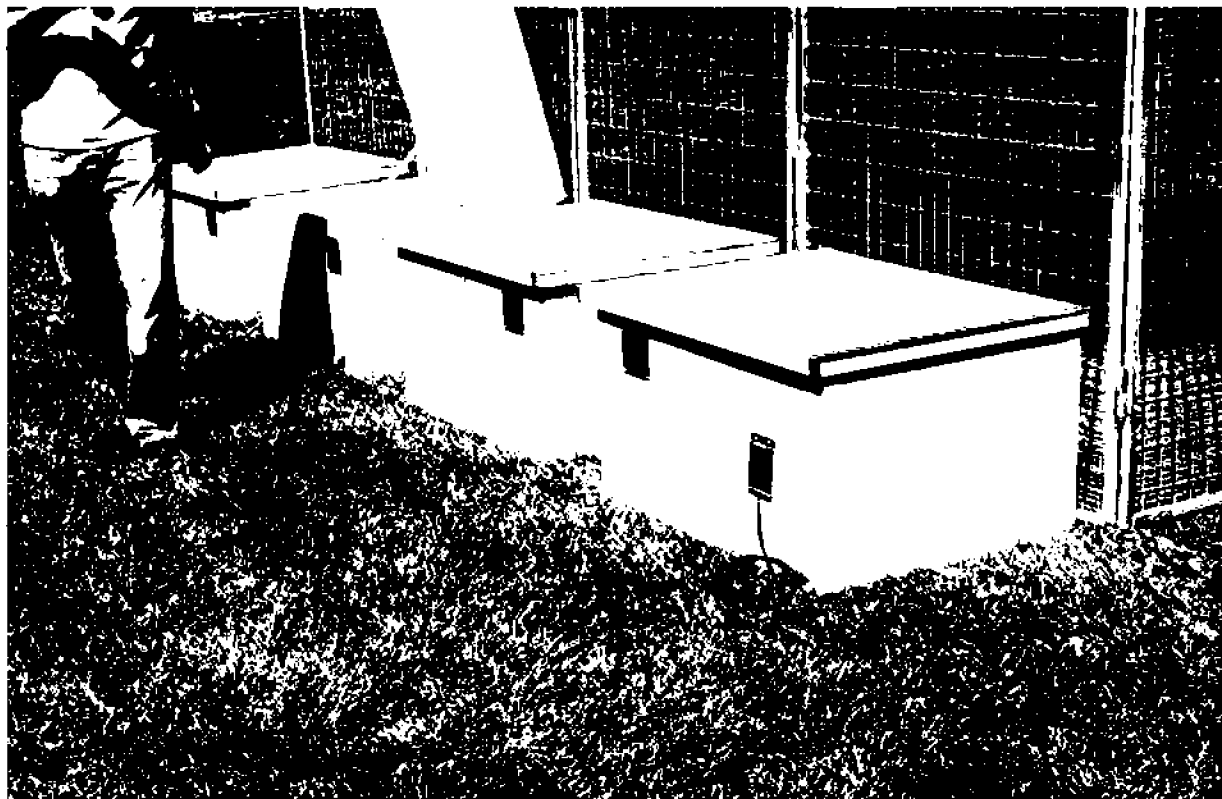
## EXHIBIT 11

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 24



## EXHIBIT 12

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 25



## EXHIBIT 14

DECLARATION OF OLIVIA JEONG IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION HEARING  
ON 06/09/2021 - 26



1 Alla Zorikova  
2 1905 Wilcox Av., #175  
3 Los Angeles, CA 90068  
4 3232095186  
5 Olivia.car@mail.ru

6 **EIGHT JUDICIAL DISTRICT COURT**

7 **CLARK COUNTY, NEVADA**

8 ALLA ZORIKOVA,  
9 Plaintiff,  
10 vs.

Case No.: A-20-821249-C

CERTIFICATE OF SERVICE

11 JULIE PYLE, TAMMY WILLET, CASEY  
12 GISH, VEGAS SHEPHERD RESCUE AND  
13 DOES I THROUGH X, INDIVIDUALS, AND  
14 ROE BUSINESS ENTITIES I THROUGH X,  
15 Defendants

16 **CERTIFICATE OF SERVICE**

17  
18 I, Alla Zorikova, certify that I had emailed Certificate of Service, Declaration of  
19 Olivia Jeong and Exhibits 10 -14 to Casey Gish on 05/06/2021.

20  
21 05/06/2021



24 Respectfully, Alla Zorikova

25  
26  
27  
28 CERTIFICATE OF SERVICE - 1



Electronically Filed  
MDZ0123 9:20 PM  
Steven D. Grissom  
CLERK OF THE COURT  
*Steven D. Grissom*

ALLA ZORIKOVA.	A-53-A-27-2884-C
JULIE PYLE, TAMMY WILLET, CASEY GEM, VIGAS SHEPHERD REUCER AND DOGS THROUGH V. INDIVIDUALS, AND ROE BUSINESS ENTITIES THROUGH X.	PLAINTIFF'S MOTION FOR LEAVE OF COURT TO AMEND COMPLAINT BY ADDING DEFENDANTS  Paragraph 20  HEARING REQUESTED

request and was dismissed without prejudice and without Plaintiff's knowledge.

Based on the fact that Gregory, Charlotte Ward and C. Gish as individuals and, as individuals and board members of Vegas Pet Rescue Project, SNARL admitted once possession of Plaintiff's dogs and for judicial efficiency, I, Alla Zorkova, respectfully ask this Court to add listed above Defendants to this matter based on the same causes of actions and relations to the facts and Defendants in the current case.

Respectfully submitted, ALLA ZORIKOVA





On Monday, August 31, 2020, Detective Grimm contacted Chelsea Moore, the President of Southern Nevada Animal Rescue League, (SNARL), to ask about any involvement or knowledge of the stolen dogs from 46535 Lockhart, located in the unincorporated area of Hinkley. While Detective Grimm was on the phone with Moore, she asked to include an additional person into the phone conversation. Casey Gish got on the phone and identified himself as the attorney for SNARL. Casey Gish works at the Law Office of Casey Gish and is a civil attorney.

Gish confirmed knowledge of the stolen dogs. Gish said representatives of SNARL went to an unknown bar in the area of Barstow and met with other animal rescue organizations who were requesting assistance in placing the dogs. Gish confirmed, SNARL took about 20 dogs but was not certain on the exact number. The dogs are no longer physically in the care of SNARL. Detective Grimm asked Gish if SNARL had information where the dogs were placed after they took possession. He confirmed SNARL did have that information but he refused to provide any documentation of where the stolen dogs were placed. Gish is compiling a separate investigation and is going to provide his documentation of abuse to the dogs to several government agencies. Detective Grimm requested for Gish to provide him with any information about who contacted him and or facilitated taking possession of the dogs. Gish refused to provide any information in that regard. Gish instructed Moore not to speak with Detective Grimm without him being present. Moore was on the phone during the complete phone interview.

Detective Grimm tried to locate a separate business location for SNARL and during his conversation with Moore and Gish. Gish denied having a rescue center where they house animals. Detective Grimm believes a search of Moore's residence will produce evidence of the theft of the German Shepherds.

70. Thus, this redacted portion of the document, which Detective Grimm states declaration is redacted "due to the ongoing investigation," contains no information privileged. The redacted portion: 1) admits that "deputies located approximately nan Shephard's [sic] without food, water and adequate shelter," 2) the suspects,

re the purported owners of these dogs the County is now siding with in its "theft" ation, "were arrested and booked into jail for Felony Cruelty to Animals," and gely, 3) "***Officers were not able to take the remaining 30 plus German rds,***" admitting that the County simply abandoned these dogs on vacant, oved land in the middle of the desert with no food, water, or shelter.

71. The affidavit then falsely claims, "An unknown person notified several rescues about the dogs still being on the property." The person is not unknown to ants. The County knows that the call to rescue came from within the San ino County Sheriff's Department.

72. The affidavit next falsely claims, "The animal rescues responded to the

1 it. CPS then came and interviewed the Ward's children separately after the officers had  
2 finished their three hour search, claiming it was due to the dog defecation in the  
3 bedroom.

4 50. CPS asked the Ward's children how they feel about their parents rescuing  
5 animals. CPS also went around the neighborhood knocking on all the neighbors' doors,  
6 asking if they had seen evidence of child abuse, which the neighbors said was not the  
7 case. The Ward's neighbors came over afterwards to make sure they were okay after  
8 seeing multiple law enforcement vehicles surrounding the Ward's home, followed by  
9 CPS canvassing the neighborhood.

10 51. Defendant Grimm's officers also took photos of everything in the Ward's  
11 home, including dishes in the sink from a dinner the previous night that had not been  
12 cleaned yet. During the search, Defendant Grimm even made us put our 14 year old  
13 senior dog outside for over an hour while officers searched their home. Despite  
14 repeatedly asking him, he would not allow the Wards to bring our dog inside.

15 52. Defendant Grimm said he was investigating the theft of German Shepherds  
16 from the desert in San Bernardino.

17 53. The German Shepherds SNARL received from San Bernardino that had  
18 been rescued from the desert in San Bernardino by other rescues who called SNARL for  
19 help adopting the animals all required extensive medical treatment. An example of one  
20 of the dog's veterinary charts is attached hereto as Exhibit 2.

21 54. SNARL spent thousands of dollars on caring for these dogs, including  
22 spaying and neutering them. When SNALR adopted them out, SNARL only received the  
23 standard adoption fee of \$500-\$700 dollars, which covered about one fourth of the  
24 veterinary costs SNARL incurred.

25 55. The rescue groups SNARL obtained these dogs from rescued them from the  
26 desert *at the direction of* San Bernardino County Sheriff's deputies after the people  
27 responsible for dumping them there were arrested and booked into jail on animal cruelty  
28 charges.

1 56. Defendants also showed up at the home of Plaintiff Jamie Gregory the next  
2 day, September 11, 2020, with a search warrant also obtained with false statements.  
3 Defendants had 10 officers who were not wearing masks during the pandemic inside  
4 Gregory's home tossing everything upside down, and eventually seizing two laptops and  
5 Gregory's cellphone.

6 57. Gregory offered to let Defendants look through her laptops and phone on  
7 the spot and told Defendants she could not afford to purchase another computer and  
8 phone and to please not take her property. Defendant Grimm took the property anyway.

9 **FIRST CAUSE OF ACTION**

10 **42 U.S.C. § 1983**

11 **(All Plaintiffs against Grimm, Gilmore, and Gregory, and Does 1-10)**

12 58. Plaintiffs re-allege and incorporate by reference all prior paragraphs of this  
13 Complaint as though each were set forth herein in full.

14 59. Title 42 U.S.C. § 1983 states in pertinent part: "Every person who, under  
15 color of [law] subjects, or causes to be subjected, any person of the United States . . . to

Electronically Filed

5/29/2021 4:54 AM

Steven D. Grierson

CLERK OF THE COURT

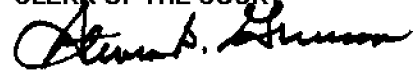


EXHIBIT 5

Case 5:20-cv-01876-JGB-SP Document 14-1 Filed 09/16/20 Page 1 of 4 Page ID #:121

1 HEIDI K. WILLIAMS (CA State Bar No. 297428)  
Deputy County Counsel  
2 MICHELLE D. BLAKEMORE (CA State Bar No. 110474)  
County Counsel  
3 385 North Arrowhead Avenue, Fourth Floor  
San Bernardino, California 92415-0140  
4 Telephone: (909) 387-5455  
Facsimile: (909) 387-4069  
5 E-Mail: heidi.williams@cc.sbcounty.gov

6 Attorneys for Specially Appearing Defendants Brian Grimm, J. Gregory, Darren  
Gilmore, and County of San Bernardino  
7

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 CHRISTINA SATO, an individual;  
12 ROXANNE LOPEZ, an individual; and  
13 DILEY GREISER, an individual

14 Plaintiff,

15 v.

16 BRIAN GRIMM, an individual; J.  
GREGORY, an individual; DARREN  
17 GILMORE, an individual; and DOES  
1-10,

18 Defendants.  
19

Case No. 5:20-cv-01876 JGB-SP

DECLARATION OF BRIAN GRIMM IN  
OPPOSITION TO PLAINTIFFS' EX  
PARTE APPLICATION FOR  
TEMPORARY RESTRAINING ORDER

Honorable District Court Judge  
Jesus G. Bernal

Honorable Magistrate Judge  
Sheri Pym

20  
21 I, Brian Grimm, declare:

22 1. I am employed as a sworn peace officer by the County of San Bernardino to  
23 serve as a Detective in the Sheriff's Department. I make this Declaration of my own free  
24 will and if called to testify to the facts stated herein, I could and would competently do  
25 so as they are within my own personal knowledge.

26 2. I have been employed by the County of San Bernardino since July 2008. I  
27 have training, experience, and professional expertise pertaining to the investigation of  
28

DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 suspected crimes, drafting affidavits and statements of probable cause in support of  
2 warrants to search and seize evidence, collection and preservation of evidence, and  
3 interviewing suspects and witnesses.

4 3. In August and September 2020, I was assigned to work at the Barstow  
5 Sheriff's Station.

6 4. I am currently the case agent for an investigation into the alleged theft of  
7 numerous German Shepherd canines from a property located in the County area of  
8 Barstow in the community of Hinkley, California. This location is within the  
9 jurisdiction of the County of San Bernardino Sheriff's Department.

10 5. On or about September 2, 2020, due to information collected during my  
11 investigation, I authored a search warrant for a residential property located on Riverside  
12 Drive in Apple Valley, California. I submitted the warrant along with a statement of  
13 probable cause and a statement of expertise of affiant to the Superior Court of California,  
14 County of San Bernardino for consideration by a bench officer. Judge Steve Mapes  
15 reviewed the items submitted and issued the warrant electronically on September 2, 2020  
16 at 5:04 p.m. A true and correct copy of the warrant pertaining to Riverside Drive is  
17 attached to this Declaration as Exhibit "A." The house number has been redacted from  
18 this document. The statement of probable cause and statement of expertise of affiant are  
19 not included as they are not provided when a warrant is served.

20 6. On September 3, 2020, I served the warrant on plaintiff CHRISTINA  
21 SATO, a resident of the premises on Riverside Drive to be searched. The premises was  
22 searched pursuant to the warrant. Property was seized from that premises pursuant to the  
23 warrant. I booked property collected into evidence to maintain the chain of custody for  
24 use in potential criminal prosecution.

25 7. On or about September 9, 2020, due to information collected during my  
26 investigation, I authored a search warrant for a residential property located on Pier Drive  
27 in Victorville, California. I submitted the warrant along with a statement of probable  
28

2  
DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 cause and a statement of expertise of affiant to the Superior Court of California, County  
2 of San Bernardino for consideration by a bench officer. Judge Corey G. Lee reviewed  
3 the items submitted and issued the warrant electronically on September 9, 2020 at 11:59  
4 a.m. A true and correct copy of the warrant pertaining to Pier Drive is attached to this  
5 Declaration as Exhibit "B." The house number has been redacted from this document.  
6 The statement of probable cause and statement of expertise of affiant are not included as  
7 they are not provided when a warrant is served.

8 8. On September 9, 2020, I served the warrant on plaintiff DILEY GREISER,  
9 a resident of the premises on Pier Drive to be searched. The premises was searched  
10 pursuant to the warrant. Property was seized from that premises pursuant to the warrant.  
11 I booked property into evidence to maintain the chain of custody for use in potential  
12 criminal prosecution.

13 9. My investigation led to the discovery that potential evidence was located in  
14 the State of Nevada. I coordinated with law enforcement agencies in that jurisdiction for  
15 assistance in obtaining search warrants in that location.

16 10. On or about September 10, 2020, due to information collected during my  
17 investigation, Detective A. Antoniewicz of the North Las Vegas Police Department  
18 authored an Application and Affidavit for Search Warrant for a residential property  
19 located on Pine Blossom Avenue in North Las Vegas, Nevada. Detective Antoniewicz  
20 submitted the application for a warrant along with a statement of probable cause to the  
21 the North Las Vegas Justice Court, for consideration by a bench officer. Judge Kalani  
22 Hoo of that court reviewed the items submitted and issued the warrant on September 10,  
23 2020. A true and correct copy of the warrant pertaining to Pine Blossom Avenue is  
24 attached to this Declaration as Exhibit "C." The house number and portions of the  
25 probable cause declaration have been redacted from this document due to the ongoing  
26 investigation.

27 11. On September 10, 2020, I was present when Detective Antoniewicz served  
28

---

DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

1 the warrant on plaintiff CHELSEA WARD, a resident of the premises on Pine Blossom  
2 Avenue to be searched. The premises was searched pursuant to the warrant. No  
3 property was seized from that premises. Photographs were taken pursuant to the warrant  
4 by officers employed by North Las Vegas Police Department. As of September 15,  
5 2020, I was not in possession of those photographs and had not booked them into  
6 evidence.

7 12. As of September 15, 2020, the criminal investigation of the alleged theft of  
8 numerous German Shepherd canines is ongoing.

9  
10 I declare under penalty of perjury under the laws of the State of California and  
11 those of the United States of America that the foregoing is true and correct and that this  
12 Declaration was executed the 15th day of September, 2020 in Barstow, California.

13  
14  E3906  
15 DETECTIVE BRIAN GRIMM,  
16 DECLARANT  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

4  
DECLARATION OF BRIAN GRIMM IN OPPOSITION TO PLAINTIFFS' EX PARTE  
APPLICATION FOR TEMPORARY RESTRAINING ORDER

# EXHIBIT “A”





SUPERIOR COURT OF CALIFORNIA  
County of San Bernardino

SEARCH WARRANT  
Probable Cause Warrant to Search  
(Penal Code Section 1524)

SEARCH WARRANT AND AFFIDAVIT

Warrant  
No.

Report #: 068201074

AFFIDAVIT

I, Detective B. Grimm swear under oath that the facts expressed by me in the attached and incorporated Statement of Probable Cause are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.

NOBIS SEALING REQUESTED:

☐ YES ☒ NO

IMMEDIATE SEARCH REQUESTED:

☐ YES ☒ NO

(Signature of Affiant)

SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by Deputy B. Grimm that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "[X]"(s), in that:

- ☐ It was stolen or embezzled;
- ☒ It was used as the means of committing a felony;
- ☒ It is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- ☒ It tends to show that a felony has been committed or that a particular person has committed a felony;
- ☐ It tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- ☐ an arrest warrant has been issued for \_\_\_\_\_ N/A \_\_\_\_\_;
- ☐ a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

Search Warrant DBM

- 1 -

Warrant ID: 000045028

Page 1 of 6

5

**PREMISES TO BE SEARCHED:**

██████████ Riverside Drive, Apple Valley CA 92307



██████████ Riverside Drive, Apple Valley CA 92308, is a single-family residence located on the west side of Riverside drive with red clay scalloped shingles on the roof and light tan stucco. The residence has a double entrance door and a three-car garage located on the north end of the residence.

**YOU ARE THEREFORE COMMANDED TO SEARCH:**

The search of the above location shall include all rooms, attics, basements, sub-basements, file cabinets, storage devices, electronic storage devices, cellular phones, smart phones, containers or compartments, surrounding grounds, any garages, out-buildings, sheds, cellars, safes, vaults and other parts therein; subterranean burial grounds, outside storage areas, storage units, bushes, easements, alleyways, trees, adjoining utility right-of-ways connected to the property, trash containers, trailers, campers, outbuildings of any kind and any place or thing not listed that could be reasonable to conceal or contain the following property and/or persons located therein, and all persons located on or at the premises. Any device or container of significant size to conceal the below listed property to be seized, that is found on or connected to the property to be searched. The search shall also include any vehicles, as defined by VC 670, which are found on the property or under the control of persons on the property.

The search shall specifically authorize the officers of the San Bernardino County Sheriff's Department, San Bernardino County District Attorney's Office, Federal Bureau of Investigation, San Bernardino County Fire Department Arson Investigators, California Highway Patrol, and any peace officer, as defined in Chapter 4.5 of the California Penal Code, a locksmith to be supervised by law enforcement personnel during the investigation, who are summoned to assist by the affiant, to photograph and/or videotape the location being searched in order to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search.

Search Warrant DRL

- 2 -

Warrant ID: 0000450.

Page 2 of 9

**FOR THE FOLLOWING PROPERTY:**

See attachment "A"

AND TO SEIZE IT IF FOUND and bring it before me, or this court, at the courthouse of this court. This Search Warrant and Incorporated Affidavit was sworn to and subscribed before me this 2 day of SEPTEMBER 2020, at \_\_\_\_\_ a.m./p.m. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

NIGHT SEARCH APPROVED: ☐ YES ☐ NO

(Signature of Magistrate)

Judge of the Superior Court, High Desert Judicial District

Search Warrant DEW

- 3 -

Warrant ID: 000045028

Page 3 of 8

7

**Attachment "A"****Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hialeah CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

**Electronic Storage Devices & Hardware**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazzi drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output devices e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connectors, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic time-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks like metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

**Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

**Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

**Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alphanumeric

**Search Warrant DR#****- 4 -**

Warrant ID: 0000480

Page 4 of 9

character) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

#### Authority to Duplicate Electronic Media

It is further requested that a forensic technician, sworn or non-sworn, be granted authorization to examine, make duplicate images/copies of the above-mentioned electronic media and to determine if evidence of the offenses enumerated above are contained therein. Therefore, authorization is requested to make images/copies of the requested data. Evidence copies of the items relating to these offenses will be created and retained for further proceedings and made available to the authorities. Only those items recovered under the Search Warrant and relating to the offenses will be retained. The master copy will be retained in evidence storage for later discovery and trial purposes.

#### Request for Off-Site Search Authorization

For the following reasons, the execution of this warrant may take a great deal of time and require a secure facility, special equipment, and software:

It is unknown what operating system is running the computer(s) that is subject of this warrant and, therefore, it will take time to determine how the operating system permits access to data. The amount of data that may be stored in the hard drives and removable storage devices is enormous, and the number or size of the hard drives and removable storage devices that will have to be searched pursuant to this warrant is not known.

The data to be seized may be located anywhere on the hard drives and removable storage devices, including hidden files, program files, and "deleted" files that have not been overwritten. The data may be encrypted, or inaccessible without a password, and may be protected by self-destruct programming, all of which take time to bypass. Because data stored on a computer can be destroyed or altered rather easily, either intentionally or accidentally, the search must be conducted carefully and in a secure environment. To prevent alteration of data and insure the integrity of the search, clones (master copies) of all data storage devices will be made. The clones (master copies) will then be searched and this process will take time and special equipment.

Furthermore, a lengthy on-site search may pose a severe hardship on all people who [live][work] on the premises. It would also require the presence of law enforcement officers to secure the premises while the search is being conducted, thus depleting law enforcement resources in the community.

It is therefore requested that authorization be given to remove all electronic storage devices and storage media that are found on the premises to an off-site location, with the necessary resources and equipment to conduct the search safely and efficiently. It is further requested that authorization be given to search for and seize all peripheral devices that appear to be reasonably necessary to access data stored in the electronic storage devices and storage media.

Search Warrant DRAFT

- 5 -

Warrant ID: 000048029

Page 6 of 8

9

**Authority to Record Scene/Evidence**

The granting of this Search Warrant shall specifically authorize the officers to photograph and/or video tape the location being searched to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search. Investigative personnel, sworn or non-sworn are authorized to assist in the search in order identify, document and collect evidence, provided their participation is supervised by a sworn officer.

**Disposition of Evidence seized**

It is further requested that the San Bernardino County Sheriff's Department be authorized, without necessity of further Court Order:

1. To evaluate, process and download any electronic storage devices seized, to produce information from them for analysis by detectives.
2. To retain seized evidence for scientific testing and storage prior to trial. The property will then be disposed of in accordance with law and Department Policy upon adjudication of the complaint and all appeals have been made.
3. To return seized property if found to have no evidentiary value to any known victims or other subjects if such items have been photographically documented and was not directly related to forensic evidence.

Search Warrant DPM

- 6 -

Warrant ID: 0000480

Page 6 of 9

10

Case 5:20-cv-01876-JGB-SP Document 14-2 Filed 09/16/20 Page 8 of 8 Page ID #:132

**WARRANT NOTES**

(No Notes)

County of San Bernardino.

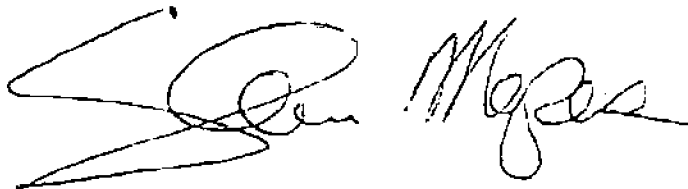
... the people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 17:04 on this 2nd day of September, 2020

Hobbs Sealing Approved: NO

Night Service Approved: NO

A handwritten signature in black ink, appearing to read "Steve Mapea", is written over a horizontal line. The signature is fluid and cursive.

Judge Steve Mapea

Warrant ID: 000945029

END OF WARRANT

# EXHIBIT “B”



Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 2 of 8 Page ID #:134

**SUPERIOR COURT OF CALIFORNIA**  
**County of San Bernardino**

**SEARCH WARRANT**  
**Probable Cause Warrant to Search**  
**(Penal Code Section 1524)**

Warrant  
No.

Report #: 062001074

**SEARCH WARRANT AND AFFIDAVIT**

**AFFIDAVIT**

I, Detective B. Grimm swear under oath that the facts expressed by me in the attached and incorporated Statement of Probable Cause are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.

  
 (Signature of Affiant)

HOBBS SEALING REQUESTED:  
 NIGHT SEARCH REQUESTED:

☐ YES ☒ NO  
☐ YES ☒ NO

**SEARCH WARRANT**

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by Deputy B. Grimm that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "☒"(s), in that:

- ☐ It was stolen or embezzled;
- ☒ It was used as the means of committing a felony;
- ☒ It is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- ☒ It tends to show that a felony has been committed or that a particular person has committed a felony;
- ☐ It tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- ☐ an arrest warrant has been issued for \_\_\_\_\_ N/A \_\_\_\_\_;
- ☐ a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

Search Warrant Dkt

- 1 -

Warrant ID: 000045364

Page 1 of 3

12

**PREMISES TO BE SEARCHED:**

████████ Pier Drive, Victorville, CA 92395



████████ Pier Drive, Victorville, CA 92395, is a single-family residence with a brown asphalt roof. The address is located on the curb on the north side of the driveway and affixed to the facade above the garage. The residence is located on the east side of the roadway and the front door faces west.

**YOU ARE THEREFORE COMMANDED TO SEARCH:**

*The search of the above locations shall include all rooms, attics, basements, sub-basements, file cabinets, storage devices, electronic storage devices, cellular phones, smart phones, containers or compartments, surrounding grounds, any garages, out-buildings, sheds, cellars, safes, vaults and other parts therein; subterranean burial grounds, outside storage areas, storage units, bushes, easements, alleyways, trees, adjoining utility right-of-ways connected to the property, trash containers, trailers, campers, outbuildings of any kind and any place or thing not listed that could be reasonable to conceal or contain the following property and/or persons located therein, and all persons located on or at the premises. Any device or container of significant size to conceal the below listed property to be seized, that is found on or connected to the property to be searched. The search shall also include any vehicles, as defined by VC 670, which are found on the property or under the control of persons on the property.*

The search shall specifically authorize the officers of the San Bernardino County Sheriff's Department, San Bernardino County District Attorney's Office, Federal Bureau of Investigation, San Bernardino County Fire Department Arson Investigators, California Highway Patrol, and any peace officer, as defined in Chapter 4.5 of the California Penal Code, a locksmith to be supervised by law enforcement personnel during the investigation, who are summoned to assist by the affiant, to photograph and/or videotape the location being searched in order to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search.

Search Warrant D&J

- 2 -

Warrant ID: 000048364

Page 2 of 6

13

• Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 4 of 8 Page ID #:136

**FOR THE FOLLOWING PROPERTY:**

See attachment "A"

**AND TO SEIZE IT IF FOUND** and bring it before me, or this court, at the courthouse of this court. This Search Warrant and Incorporated Affidavit was sworn to and subscribed before me this 4th day of SEPTEMBER, 2020, at \_\_\_\_\_ a.m./p.m. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

NIGHT SEARCH APPROVED: ☐ YES ☐ NO

*(Signature of Magistrate)*

Judge of the Superior Court, High Desert Judicial District

Search Warrant DR# \_\_\_\_\_

- 3 -

Warrant ID: 000045354

Page 3 of 9

14

**Attachment "A"**

**Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hinkley CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

**Electronic Storage Devices & Hardware:**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing unit, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

**Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

**Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

**Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alphanumeric

Search Warrant DRT#

- 4 -

Warrant ID: 000048884

Page 4 of 8

15

characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booty-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

#### **Authority to Duplicate Electronic Media**

It is further requested that a forensic technician, sworn or non-sworn, be granted authorization to examine, make duplicate images/copies of the above-mentioned electronic media and to determine if evidence of the offenses enumerated above are contained therein. Therefore, authorization is requested to make images/copies of the requested data. Evidence copies of the items relating to these offenses will be created and retained for further proceedings and made available to the authorities. Only those items recovered under the Search Warrant and relating to the offenses will be retained. The master copy will be retained in evidence storage for later discovery and trial purposes.

#### **Request for Off-Site Search Authorization**

For the following reasons, the execution of this warrant may take a great deal of time and require a secure facility, special equipment, and software:

It is unknown what operating system is running the computer(s) that is subject of this warrant and, therefore, it will take time to determine how the operating system permits access to data. The amount of data that may be stored in the hard drives and removable storage devices is enormous, and the number or size of the hard drives and removable storage devices that will have to be searched pursuant to this warrant is not known.

The data to be seized may be located anywhere on the hard drives and removable storage devices, including hidden files, program files, and "deleted" files that have not been overwritten. The data may be encrypted, or inaccessible without a password, and may be protected by self-destruct programming, all of which take time to bypass. Because data stored on a computer can be destroyed or altered rather easily, either intentionally or accidentally, the search must be conducted carefully and in a secure environment. To prevent alteration of data and insure the integrity of the search, clones (master copies) of all data storage devices will be made. The clones (master copies) will then be searched and this process will take time and special equipment.

Furthermore, a lengthy on-site search may pose a severe hardship on all people who [live][work] on the premises. It would also require the presence of law enforcement officers to secure the premises while the search is being conducted, thus depleting law enforcement resources in the community.

It is therefore requested that authorization be given to remove all electronic storage devices and storage media that are found on the premises to an off-site location, with the necessary resources and equipment to conduct the search safely and efficiently. It is further requested that authorization be given to search for and seize all peripheral devices that appear to be reasonably necessary to access data stored in the electronic storage devices and storage media.

**Search Warrant DRAFT**

- 5 -

Warrant ID: 000048384

Page 6 of 9

16

**Authority to Record Scene/Evidence**

The granting of this Search Warrant shall specifically authorize the officers to photograph and/or video tape the location being searched to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search. Investigative personnel, sworn or non-sworn are authorized to assist in the search in order identify, document and collect evidence, provided their participation is supervised by a sworn officer.

**Disposition of Evidence seized**

It is further requested that the San Bernardino County Sheriff's Department be authorized, without necessity of further Court Order:

1. To evaluate, process and download any electronic storage devices seized, to produce information from them for analysis by detectives.
2. To retain seized evidence for scientific testing and storage prior to trial. The property will then be disposed of in accordance with law and Department Policy upon adjudication of the complaint and all appeals have been made.
3. To return seized property if found to have no evidentiary value to any known victims or other subjects if such items have been photographically documented and was not directly related to forensic evidence.

Search Warrant DR#

- 6 -

Warrant ID: 000045384

Page 6 of 8

17

**WARRANT NOTES**

(No Notes)

County of San Bernardino.

The people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 11:58 on this 9th day of September, 2020

Hobbs Sealing Approved: NO

Night Service Approved: NO



Judge Corey G Lee

Warrant ID: 000048354

END OF WARRANT

# EXHIBIT “C”



STATE OF NEVADA )  
 )  
County of Clark )

That there is probable cause to believe that certain property hereinafter described will be found at the following premises, to wit:

164

LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

#### **Software**

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

#### **Documentation**

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

#### **Passwords and Data Security Devices**

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may

consist of hardware, software, or other programming code. A password (a string of alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

That Affiant is satisfied that there is probable cause to believe that said property is located as set forth above and that based upon the Affidavit attached hereto there are sufficient grounds for the issuance of a Search Warrant.

The property described constitutes evidence which tends to demonstrate the criminal offense of Possession of Stolen Property, has been committed at the premises to be searched in violation of Nevada Revised Statute 205.275.

In support of your Affiant's assertion to constitute the existence of probable cause the following facts are offered based on Affiant's personal knowledge and on information and belief.

On August 31, 2020, Affiant received correspondence from North Las Vegas Police Department Sergeant Nellis to contact San Bernardino County Sheriff's Department in reference to assistance needed in our jurisdiction.

On September 1, 2020, Affiant contacted Detective Brian Grimm (employee #E3908), who was the lead investigator on a grand larceny case that occurred in their jurisdiction (SBCSD case #082001074). Detective Grimm needed assistance in obtaining a search warrant for [REDACTED] Pine Blossom in North Las Vegas. Detective Grimm provided the following facts for the case:

On Saturday, August 8, 2020, San Bernardino County Sheriff's deputies responded to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

[illegible]

\_\_\_\_\_

WHEREFOR, Affiant requests that a Search Warrant be issued directing a search for and seizure of the aforementioned items at the location set forth herein and authorizing a day time search between the hours of 7:00 a.m. and 7:00 p.m.

A. Antoniewicz

SUBSCRIBED and SWORN to before me by  
A. Antoniewicz this 10 day of September, 2020.

## JUDGE

### **SEARCH WARRANT**

STATE OF NEVADA )  
                                  ) ss:  
County of Clark )

The State of Nevada, to any Peace Officer in the County of Clark. Proof by Application and Affidavit for Search Warrant having been made before me by Detective [Affiant] said Application and Affidavit for Search Warrant incorporated herein by reference, that there is probable cause to believe that certain property, namely:

#### **Documentation:**

Any written or electronically stored documentation relating to the possession, treatment or sales of the stolen German Shepherds from [REDACTED] Lockhart Road, Hinkley CA. Also, any documentation which may indicate who the German Shepherds were sold to or placed with. To include all business or personal records documenting the above mentioned stolen German Shepherds. Affiant also requests to include any personal electronic devices which may contain evidence proving the theft or possession of the stolen German shepherds. The German Shepherds were stolen August 8, 2020 and August 12, 2020.

#### **Electronic Storage Devices & Hardware**

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data. Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self-contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers. Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives,

**optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.**

**Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.**

**Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.**

#### **Software**

**Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications (like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.**

#### **Documentation**

**Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.**

#### **Passwords and Data Security Devices**

**Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of**

alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, hand writing authentication systems and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

is presently located at:

■ Pine Blossom, North Las Vegas, NV 89031, County of Clark, State of Nevada. More particularly described as a two story, single family residence, that is tan in color with brown trim. The numbers ■ are posted in black numbers on the south side of the residence, east of the garage door. The front door of the residence is brown in color and faces south.

and I am satisfied that there is probable cause to believe that said property located as set forth above that based upon the Application and Affidavit for Search Warrant there are sufficient grounds for the issuance of the Search Warrant.

You are hereby commanded to search forthwith said premises for said property, serving this Search Warrant between the hours of 7:00 a.m. and 7:00 p.m. at ■ Pine Blossom, North Las Vegas, NV 89031. As set forth in the Application and Affidavit for Search Warrant in support hereto, and if the property there to seize it, prepare a written inventory of the property seized and make a return for me within ten (10) days.

Dated this 10 day of September, 2020.

JUDGE



Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

,

.

JULIE PYLE, TAMMY WILLET, CASEY  
GISH, VEGAS SHEPHERD RESCUE AND  
DOES I THROUGH X, INDIVIDUALS,  
AND ROE BUSINESS ENTITIES I  
THROUGH X,

s

: A-20-821249-C

PLAINTIFF'S MOTION FOR LEAVE OF COURT  
TO AMEND COMPLAINT BY ADDIING  
DEFENDANTS

Department 20

HEARING REQUESTED

COMES NOW, the PLAINTIFF ALLA ZORIKOVA appearing *pro per* and submits  
following motion.

Plaintiff Alla Zorikova respectfully asks this Court to add to this case the following Defendants:

1. SNARL (Southern Nevada Animal Rescue Legue), business entity



Clark County, Las Vegas, NV

2. CHELSEA WARD/MOOR, individual, president of SNARL

Clark County, Las Vegas, NV

3. Vegas Pet Rescue Project, business entity

7817 Seychelles Ct.,

Las Vegas, NV 89129

4. CASEY GISH, individual, board member of Vegas Pet Rescue (Exhibit 1)

Project.

5940, S Rainbow Blvd.,

Las Vegas, NV 89118

#### STATEMENT OF FACTS

5. There is ongoing criminal investigation on the allegedly stolen my 25 germans shepherd dogs conducted by detectives of San Bernardino Sheriff Department (the true and correct copy of attached thereto "Declaration of Detective Grimm" as Exhibit 5\_) .

6. No criminal charges has ever been filed by District Attorney against Plaintiff; further, Plaintiff does not have any criminal records.

7. On August 09, 10, 17 of 2020 and in October of 2020 Animal Control Personel visited Plaintiff's Dog tfraining private property and had found in all 4 visits all Plaintiff's Dogs in good

health, not distressed, all having shelter and water, the true and correct copy of AC Report attached thereto as (Exhibit 6 ) and therefore, never had legal reason to take Plaintiff's Dogs.

8. Animal Control's personnel Tara Campos, Desiree Molina and Christy Hamrick stated to Plaintiff that half dogs were missing when they are arrived on August 10th of 2020 to the San Bernardino's Plaintiff's private property and AC officers had provided Plaintiff with all evidences they had and found regarding who stole the missing dogs and puppies on August 09 of 2020.

9. San Bernardino County Sheriffs Detectives conducted searches and seized property in suspect's Lamie Gregory and others homes in California and Nevada in September of 2020 (Exhibit 5).

10. Investigation is still ongoing; however, some admissions to Detectives have been made by Defendants during the investigation (the true and correct copy of case attached thereto as CASE NO. 5:20-cv-01876-JGB-SPx Exhibit 2,3).

11. SNARL admitted receiving 20 of my dogs ( the true and correct copy of case attached thereto as CASE NO. 5:20-cv-01876-JGB-SPx Exhibit 4)

12. The following has been admitted as fact in the Second Amended Complaint filed by Defendants (in this case) against San Bernardino County and detectives and State's response, Declaration of Detective Grimm, (Exhibit7\_ ):

a). Sheriff's Department did NOT authorize anyone, nor any rescues to take the Plaintiff's Dogs.(,the true and correct copy of case attached thereto as CASE NO. 5:20-cv-01876-JGB-SPx (Exhibit 1))

b). SNARL took without authorization Plaintiff's dogs (about 20 of those) from San Bernardino County in August of 2020.

c). Defendants stated that the dogs are not in their possession any longer.

d). Defendants were inquired by Detectives as where they placed the stolen dogs and Defendants refused to state to Detectives where the dogs have been placed as well as they refused to show any documentation related to placement.

Plaintiff had case filed in the same court against J. Gregory, Vegas Pet Rescue Project and Casey Gish (case # A-20-820761C ); however, that case was on stay upon Defendant's request and was dismissed without prejudice and without Plaintiff's knowledge.

## MEMORANDUM OF LAW

### Nevada Rules of Civil Procedures

#### RULE 15. AMENDED AND SUPPLEMENTAL PLEADINGS

(a) Amendments. A party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served or, if the pleading is one to which no responsive pleading is permitted and the action has not been placed upon the trial calendar, the party may so amend it at any time within 20 days after it is served. Otherwise a party may amend the party's pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service of the amended pleading, whichever period may be the longer, unless the court otherwise orders.

## CONCLUSION

Based on the fact that J.Gregory, Chelsea Ward and C. Gish as individuals and, as individuals and board's members of Vegas Pet Rescue Project, SNARL admitted once possession of Plaintiff's dogs and for judicial efficiency, I, Alla Zorikova, respectfully ask this Court to add listed above Defendants to this matter based on the same causes of actions and relation to the facts and Defendants in this current case.

Respectfully submitted, ALLA ZORIKOVA 

#### CERTIFICATE OF SERVICE

I, Alla Zorikova, certify that on May 28 of 2021 I had emailed the copy of the same to Casey Gish, Jamie Gregory,

Dated: May 28 of 2020

Respectfully submitted, ALLA ZORIKOVA 

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

Electronically Filed  
6/1/2021 12:58 PM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion for Leave of Court to Amend Complaint by Adding Defendants in the above-entitled matter is set for hearing as follows:

**Date:** June 30, 2021  
**Time:** 10:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Joshua Raak  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Joshua Raak  
Deputy Clerk of the Court

■

AOS  
(Your Name) Alla Zorikova  
(Your Mailing Address) 1905 Wilcox Ave, #125  
(Your City, State, Zip Code) L.A., CA 90068  
(Your Telephone Number) 5232045186  
(Your Fax Number)  
(Your E-mail Address) Olivia.CARL@mail.ru  
Plaintiff, Self-Represented

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff's Name Zorikova Case No. A-20-821248-C  
Dept. No. 20  
vs.  
Defendant's Name Pyle et al  
Defendant.

**AFFIDAVIT/DECLARATION OF SERVICE UNDER PENALTY OF PERJURY**

(Insert name of person performing service) Olivia Jeang, being duly sworn or under penalty of perjury, states that at all times relevant, I was over 18 years of age and not a party to or interested in the above-captioned case; that I served a copy of the ☒ Summons, ☒ Complaint, ☐ Other (specify) DEK. 09 ON (insert date and time you served) 10/08, 2020, at the hour of 1 p.M., on Defendant (insert Defendant's name) Tammy Willet by the following method (complete appropriate paragraph below):

☐ **Personal service per NRCP 4.2(a)(1)**: Delivering and leaving a copy with (insert Defendant's name) \_\_\_\_\_ at (insert address at which you served) \_\_\_\_\_

Page 1 of 2  
For more forms and information, visit [www.civillawselfhelpcenter.org](http://www.civillawselfhelpcenter.org).

Rev. 2/20/2019  
© Civil Law Self-Help Cent.

Rev. 2/20/2019  
© Civil Law Self-Help Cent.

☒ **Substitute service per NRCP 4.2(a)(2)**: Delivering and leaving a copy with (insert name or physical description of person served) Receptionist, Lady Brown 480 at 50 V.O., a person of suitable age and discretion residing at Defendant's dwelling house or usual place of abode, at (insert Defendant's address) 2620 Roseha Dr., #102, Las Vegas, NV 89128  
☐ **Service on a business entity per NRCP 4.2(c)(1)(A)**: Delivering and leaving a copy with (insert name or physical description of person served) \_\_\_\_\_ who is Defendant's (check one) ☐ registered agent, ☐ officer or director, ☐ partner, ☐ member, ☐ manager, ☐ trustee, or ☒ other (specify) receptionist, at (insert address at which you served) 2620 Roseha Dr., #102, Las Vegas, NV 89128  
☐ **Other method of service authorized by Nevada statute or court rule**

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

SERVER'S SIGNATURE: [Signature] Date: 10/20/20

Server's Phone \_\_\_\_\_ Server's ☐ Residential/ ☒ Business Address: 1905 Wilcox Ave #125 L.A. (H9a)

☐ I am a licensed process server or an employee of a licensed process server; my license or registration number is (insert license or registration number) \_\_\_\_\_

☒ I am not required to be licensed under chapter 648 of the Nevada Revised Statutes or another provision of law because am not engaged in the business of serving legal process within the State of Nevada.

AOS

*Alla Zorikova*  
(Your Name)  
*1905 Wilcox Ave. #175*  
(Your Mailing Address)  
*L.A. CA 90068*  
(Your City, State, Zip Code)  
*3232095186*  
(Your Telephone Number)

*Olivia CARO mail. RU*  
(Your E-mail Address)  
Plaintiff, Self-Represented

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

Plaintiff's Name: *Zorikova*

Case No.: *A-20-821248-C*  
Dept. No.: *20*

Plaintiff,

vs.

Defendant's Name: *Pyle et al*

Defendant.

**AFFIDAVIT/DECLARATION OF SERVICE UNDER PENALTY OF PERJURY**

(Insert name of person performing service) *Olivia Jeong*, being duly

sworn or under penalty of perjury, states that at all times relevant, I was over 18 years of age and not a party to or interested in the above-captioned case; that I served a copy of the ☒ Summons, ☒ Complaint,

☐ Other (specify) \_\_\_\_\_ on (insert date and

time you served) *10/09*, 20 *20*, at the hour of *1 P.M.*, on Defendant (insert Defendant's

name) *J PYLE* by the

following method (complete appropriate paragraph below):

☐ **Personal service per NRCP 4.2(a)(1):** Delivering and leaving a copy with (insert

Defendant's name) \_\_\_\_\_ at (insert address at

which you served) \_\_\_\_\_

!!!

Page 1 of 2

For more forms and information, visit [www.civilawselfhelpcenter.org](http://www.civilawselfhelpcenter.org).

Rev. 2/10/2019  
© Civil Law Self-Help Center

☒ **Substitute service per NRCP 4.2(a)(2):** Delivering and leaving a copy with (insert name or physical description of person served) *Reception, lady brown hair about 50 y.o.*, a person of suitable age

and discretion residing at Defendant's dwelling house or usual place of abode, at (insert Defendant's address)

*2620 Rosetta Dr., #102, Las Vegas, NV 89128*

☐ **Service on a business entity per NRCP 4.2(c)(1)(A):** Delivering and leaving a copy

with (insert name or physical description of person served) \_\_\_\_\_

who is Defendant's (check one) ☐ registered agent, ☐ officer or director, ☐ partner, ☐ member, ☐ manager,

☐ trustee, or ☒ other (specify) *Receptionist*, at (insert address at which you served)

*2620 Rosetta Dr., #102, Las Vegas, NV 89128*

☐ **Other method of service authorized by Nevada statute or court rule:**

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

SERVER'S SIGNATURE: *[Signature]* Date: *10/20/20*

Server's Phone: \_\_\_\_\_

Server's ☐ Residential/ ☒ Business Address: *1905 Wilcox Ave. #175 L.A., CA, 90068*

☐ I am a licensed process server or an employee of a licensed process server; my license or registration number is (insert license or registration number) \_\_\_\_\_

☒ I am not required to be licensed under chapter 648 of the Nevada Revised Statutes or another provision of law because am not engaged in the business of serving legal process within the State of Nevada.

Page 2 of 2

For more forms and information, visit [www.civilawselfhelpcenter.org](http://www.civilawselfhelpcenter.org).

Rev. 2/10/2019  
© Civil Law Self-Help Center





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PLAINTIFF'S MOTION FOR DEFAULT  
JUDGMENT AND PLAINTIFF'S  
DECLARATION IN SUPPORT

Under NRCP 55 (b)(2)


Department 20

HEARING REQUESTED

COMES NOW Plaintiff, Alla Zorikova, and pursuant to NRCP 55 (b)(2) respectfully asks this Court to enter the Default Judgment against Defendants and each of them.

1. Plaintiff had filed her Complaint against Defendants, and each of them on 09/24/2020

2. Defendants Pyle, Willet, Vegas Shepherd Rescue have been duly served via personal service on October 09 of 2020.
3. Today is June 06 of 2021.
4. Defendants and each of them failed to plead or otherwise defend.
5. The time for Defendants to answer or otherwise response have expired.
6. CONCLUSION
7. Plaintiff Alla Zorikova respectfully asks this Court to enter the Default Judgment against the Defendants and each of them and to schedule Hearing for Determination of sum amount for damages in excess of \$15,000.00.

Respectfully, 

06/06/2021

#### PLAINTIFF'S DECLARATION

I, Alla Zorikova, declare as follows:

I have personal knowledge of the following and if called upon to testify as witness

I could and would competently testify to the facts set forth in this declaration

1. The Complaint has been filed against Defendants on 09/24/2020-
2. The Complaint has been personally served on Defendants on October 09 of 2020 by qualified server.
3. Defendants and each of them failed to plead or otherwise defend.

4. I did not receive the answer to the Complaint or other responsive pleadings from Defendants, and each of them as on today's date June 6th of 2021.

I declare under penalty of perjury under the law of State of Nevada that the

foregoing is true and correct.



Alla Zorikova 06/06/2021

#### PROOF OF SERVICE

I certify that I had emailed to Bryan Pease the copy of the same on October 20 of 2020.

Respectfully submitted, ALLA ZORIKOVA

06/06/2021





Alla Zorikova

1905 Wilcox Av., #175

Los Angeles, CA 90068

3232095186

Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

PLAINTIFF,

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

DEFENDANTS

: A-20-821249-C

PROOF OF SERVICE FOR PLAINTIFF'S  
MOTION FOR DEFAULT JUDGMENT  
AND PLAINTIFF'S DECLARATION IN  
SUPPORT

Department 20

**PROOF OF SERVICE**

I certify that I had emailed to Casey Gish the Plaintiff's Motion for Entry of  
Default Judgment for Defendants and each of them and Declaration in support on  
June 06 of 2021 .

Respectfully submitted, ALLA ZORIKOVA

06/06/2021



DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
6/9/2021 7:49 AM  
Steven D. Grierson  
CLERK OF THE COURT



Alla Zorikova, Plaintiff(s)  
vs.  
Julie Pyle, Defendant(s)

Case No.: A-20-821249-C  
Department 20

**NOTICE OF HEARING**

Please be advised that the Plaintiff's Motion for Default Judgment and Plaintiff's Declaration in Support in the above-entitled matter is set for hearing as follows:

**Date:** July 14, 2021  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Chaunte Pleasant  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Chaunte Pleasant  
Deputy Clerk of the Court



Alla Zorikova  
1905 Wilcox Av., #175  
Los Angeles, CA 90068  
3232095186  
Olivia.car@mail.ru

**EIGHT JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA,

: A-20-821249-C

JULIE PYLE, TAMMY WILLET, CASEY  
GISH, VEGAS SHEPHERD RESCUE AND  
DOES I THROUGH X, INDIVIDUALS,  
AND ROE BUSINESS ENTITIES I  
THROUGH X,

PROOF OF SERVICE OF PLAINTIFF'S FIRST SET OF  
INTERROGATORIES ON DEFENDANTS PYLE,  
WILLET, VEGAS SHEPHERD RESCUE

Department 20

s

I, Alla Zorikova, certify that I had emailed Plaintiff's First Set of Interrogatories directed to Defendants Pyle, Willet and Vegas Shepherd Rescue to Casey Gish on 06/10/2021.

Respectfully submitted,



Alla Zorikova

06/10/2021

<b>A20-172252-1</b>		<b>ASSIST/POLICE</b>	<b>Priority Level: 3</b>	<b>Total Animals: 20</b>	<b>Animal Type: Dr</b>
<b>Activity Address:</b>		<b>LOCKHART RD RED MOUNTAIN</b>			
<b>Activity Comment:</b>		<b>O-67 87 W/ DEP ALEXANDER. WILL DIRECT TO ADDRESS FOR ASSIST LOG# BA022</b>			
<b>Caller Information:</b>					
<b>Result Codes:</b> 1 RSVD					
<b>Officer:</b>		<b>P999067</b>	<b>CHAVEZ</b>	<b>Clerk: B4869</b>	
<b>Call Date:</b>	<b>08/08/20 02:02 PM</b>				
<b>New Date:</b>	<b>08/08/20 02:02 PM</b>				
<b>Dispatch Date:</b>	<b>08/08/20 02:30 PM</b>				
<b>Working Date:</b>	<b>08/08/20 04:13 PM</b>				
<b>Complete Date:</b>	<b>08/08/20 04:21 PM</b>				

**Memo:**

08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher daily for the dogs food. The address to the property is 1370 Trump Rd, but it does not come up on the map yet. I took pictures and put them in O-67 folder. H9045/O-85

8/8/20 O-67 arrived to the call and said all dogs had water and shade. O-67 said all dogs were healthy and normal. He said there were 50+ dogs on the ppty and they all had water and shade in their cages. O-67 said the dog owner was going to be arrested for 597 due to the Deputy's not viewing water and shade. I told O-67 we weren't going to impound the dogs today. I told him to make sure the dogs have water and we will return on 8/9 to ensure the dogs still have water and aren't in distress. we hung up the phone. O-67 called me back asking about under age pups on the ppty. I asked to talk to an Officer on the ppty, the phone was handed to a SGT. I was unable to get his name due to the fact he was so upset we weren't impounding dogs. I listened to him about how he is leaving and didn't care what animal control does or doesn't do. I told O-67 to post the ppty and impound all under age pups that didn't have a mother. I called O-67 back to make sure SO knew ACC wouldn't pay for the cost of the dogs or any of the fees that incur. He put me on the phone with officer Parsons. I explained to her Sheriff Dpt will have to pay for all the cost of the dogs. She went on a rant about how she doesn't care she is only there to uphold her officer oath. I was able to explain to her we were not picking up 50+ dogs today and we would return each day to water and feed to ensure none of them go into distress, until we make arrangements to impound all 50+ dogs. B4869

8/8/20 I M/C with S/O and was able to see many dogs in plain view on property. The dogs were all large G. Sheps were in pens with shade cloth. All the G. sheps had shade and shelter all had little water. None of the dogs appear to be in distress and all appear to be healthy and normal, S/O and dog owner gave the dogs water. There were 12 pups unknown which of the female dogs was the mother. Per O-99/ O-90 the pups were to be impounded and the property is to be posted for 24 hr abandonment. I posted the front gate, side gate, and the little house/shack @ 16:20 for 48 G- Sheps per S/O they arrested dog owner for 597 animals in distress. ...pic in O-67 folder.....c3865

8/8/20 directions to the property.: hwy15 north to hwy 58 west. go north on Haper lake Rd for about 6.8 mi. you will then turn left on Hoffman Rd till paved rd. at end of paved rd go right for about 4.1 mi at the pole with blue ribbon go left for 0.1 mil first dirt rd go right for 0.8 mil then left at the red pole the prop will be to your nght....c3865

08/09/20 I met with Dep Parson's and we fed and watered the dogs. All of O-67 notices were still up and the dogs were still on the property. I counted at least 63 dogs but they were hiding in the dens so it was hard to get a full count. I posted 7 ON over at Hoffman rd X Hoffman Rd and as I drove down Hoffman Rd to Harper Valley Lake rd and there was a lifted black Dodge Ram 2500 or 3500 with a man and a woman in it followed by a larger white van with German shep stickers on it. I tried to talk to them but they would not speak with me and drove East on Hoffman Rd. I did not get the lic plate numbers for the truck but I did get a partial plate on the van. The first 3 letters were "AKC". I was unable to take pictures as my camera was overheating and not working properly H9045/0-85

08/11/20 I took pictures and noticed a significant amount of dogs were missing and the chicken was gone. O-55/Stevens counted 25 dogs on the property. We impounded 1 dog that was stuck under fencing trying to get shade under a board. While pulling in Lt. Molina noticed goats on the North/East corner/side of the property line. I went to go check and there was a male Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tied down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 25 dogs and 2 goats where impounded in total. Lt Molina was then leaving the property and a white van with German shep stickers and advertising of rescues pulled up. Lt Molina asked why they were there and the woman stated this was the first time she was out here and Lt. Molina took down her lic plate which was "AKC GSD" and there was a phone number on the side of the van "909-297-6217". The woman would not give any more information and drove away. All pictures are in O-67 folder. h9045/0-85

ATTACHMENT 3

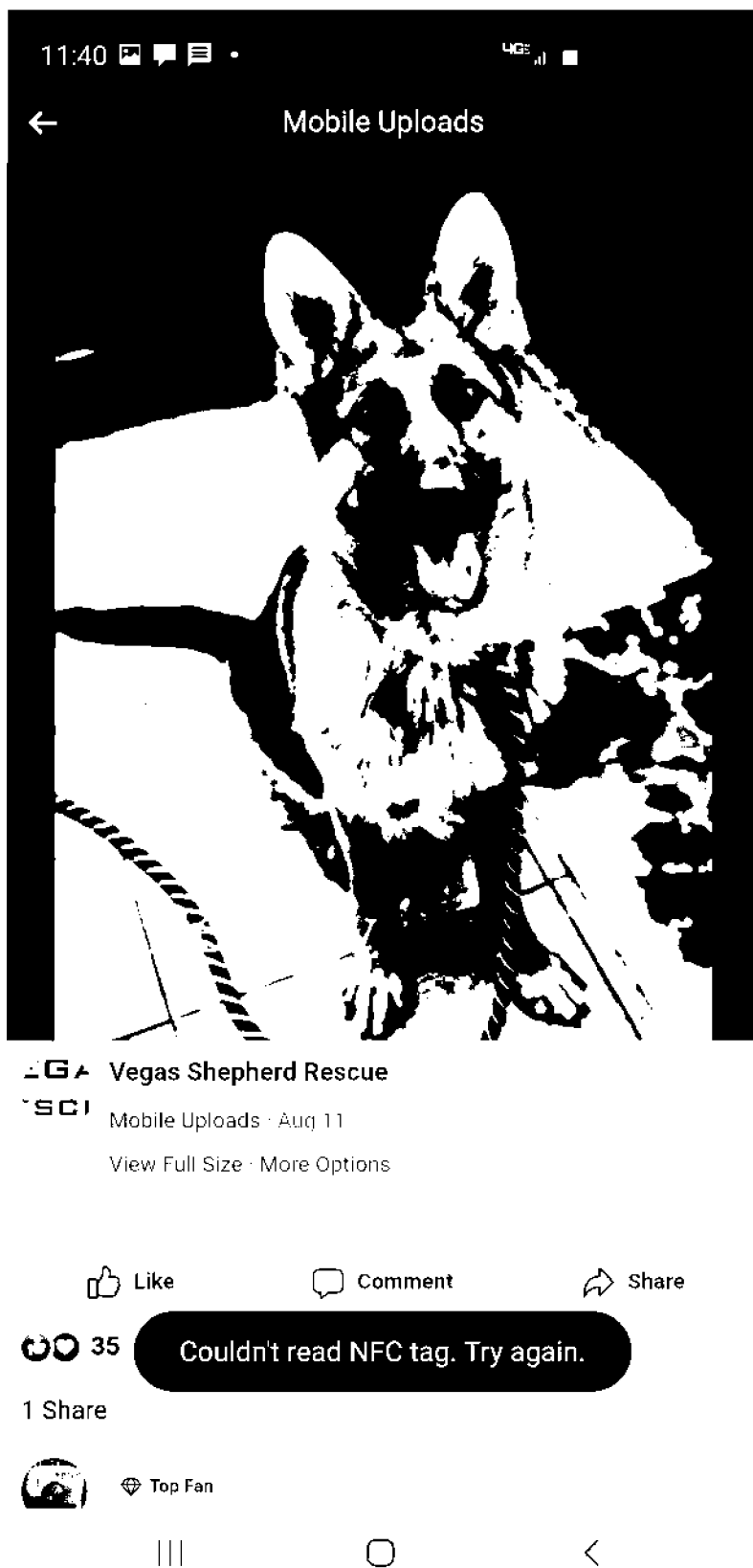




ATTACHMENT 4




ATTACHMENT 5



ATTACHMENT 6




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 42

1 Share

 Top Fan

ATTACHMENT 7




**Vegas Shepherd Rescue**

Mobile Uploads · Aug 11

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 42


1 Share

 **Top Fan**



ATTACHMENT 8




 Vegas Shepherd Rescue

 Mobile Uploads · Aug 11

[View Full Size](#) · [More Options](#)

 Like

 Comment

 Share

 35

2 Shares

  Top Fan

ATTACHMENT 8



ATTACHMENT 9







1 **NOAC**  
2 SHANA D. WEIR, ESQ.  
3 Nevada Bar No. 9468  
4 **WEIR LAW GROUP, LLC**  
5 6220 Stevenson Way  
6 Las Vegas, NV 89120  
7 (702) 509-4567 Telephone

8 *Attorneys for Defendants Julie Pyle, Tammy*  
9 *Willet, & Vegas Shepherd Rescue*

10 **DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 ALLA ZORIKOVA;

CASE NO. A-20-821249-C  
DEPT. NO. XX

13 Plaintiff(s),

14 vs.

15 JULIE PYLE, TAMMY WILLET, VEGAS  
16 SHEPHERD RESCUE AND DOES I  
17 THROUGH X, INDIVIDUALS, AND ROE  
18 BUSINESS ENTITIES I THROUGH X,

19 Defendant(s).

20 **ASSOCIATION OF COUNSEL**

21 TO: ALL INTERESTED PARTIES; and

22 TO: ALL COUNSEL OF RECORD:

23 PLEASE TAKE NOTICE that SHANA D. WEIR, ESQ. of WEIR LAW GROUP, LLC,  
24 hereby associates the following counsel for Defendants, Julie Pyle, Tammy Willet and Vegas  
25 Shepherd Rescue in this action

26 Shana D. Weir, Esq.  
27 WEIR LAW GROUP, LLC  
28 6220 Stevenson Way  
Las Vegas, NV 89120

///

1 Please direct all service and correspondence in this action to both WEIR LAW GROUP,  
2 LLC and THE LAW OFFICES OF CASEY D. GISH.

3 Dated this 18<sup>th</sup> day of June, 2021.

4 **WEIR LAW GROUP, LLC**

5  
6 /s/ Shana D. Weir

7 SHANA D. WEIR, ESQ.

8 Nevada Bar No. 9468

9 6220 Stevenson Way

10 Las Vegas, NV 89120

11 (702) 509-4567 Telephone

12 *Co-counsel for Defendants Julie Pyle,*

13 *Tammy Willet and Vegas Shepherd Rescue*

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on this 18<sup>th</sup> day of June, 2020, I served a true and correct copy of the  
16 foregoing **NOTICE OF ASSOCIATION OF COUNSEL** by electronic service to all parties listed  
17 on the master service list pursuant to Administrative Order 14-2 and Rule 9 of the NEFCR.

18 /s/ Shana D. Weir

19 An Employee of Weir Law Group



**OPPS**

CASEY D. GISH, ESQ.

Nevada Bar No. 006657

**THE LAW OFFICE OF CASEY D. GISH**

5940 S. Rainbow Blvd

Las Vegas, NV 89118

Casey@GishLawFirm.com

(702) 583-5883 Telephone

(702) 483-4608 Facsimile

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

**WEIR LAW GROUP, LLC**

6220 Stevenson Way

Las Vegas, NV 89120

(702) 509-4567 Telephone

*Attorneys for Defendants Julie Pyle, Tammy  
Willet, & Vegas Shepherd Rescue*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ALLA ZORIKOVA;

Plaintiff(s),

vs.

JULIE PYLE, TAMMY WILLET, VEGAS  
SHEPHERD RESCUE AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BUSINESS ENTITIES I THROUGH X,

Defendant(s).

CASE NO. A-20-821249-C

DEPT. NO. XX

Hearing Date: 7/7/2021

Hearing Time: 9:00 a.m.

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR  
TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS  
AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S  
DECLARATION IN SUPPORT; OPPOSITION TO PLAINTIFF'S MOTION TO  
AMEND; AND DEFENDANTS' COUNTER-MOTION TO DISMISS PLAINTIFF'S  
COMPLAINT**





COME NOW, Defendants<sup>1</sup> Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and provides their Opposition to *PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT; OPPOSITION TO PLAINTIFF'S MOTION TO AMEND COMPLAINT; and DEFENDANTS' COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT.*

These Oppositions are based upon all matters of record herein, the Points and Authorities submitted herewith, the exhibits attached hereto, and upon such oral argument as the Court may allow at the time of the hearing of this matter.

## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **I.**

#### **INTRODUCTION**

Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020, alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud; 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service of process on Defendants (which is the subject of the Counter-Motion to Dismiss) on October 6, 2020. Plaintiff filed the instant motion on October 24, 2020. The Motion was filed ex-parte and not served on Defendants. This case was stayed on December 4, 2020 after Defendants timely

---

<sup>1</sup> The Complaint on file herein does not name attorney Casey D. Gish as a Defendant. Plaintiff unilaterally modified the caption at some point to include him as a Defendant. Plaintiff's later inclusion of attorney Casey D. Gish should be stricken, and arguments for same are included in Defendants' Counter-Motion to Dismiss filed concurrently herein. However, should the court allow Plaintiff's modified caption to stand, Mr. Gish incorporates the arguments herein.



1 filed Demands for Security of Costs due to Plaintiff being a California resident outside this  
2 Court's Jurisdiction. Please see Exhibit 1, a copy of this Court's December 4, 2020 Order staying  
3 this case.

4 Defendant Vegas Shepherd Rescue is a Nevada non-profit rescue group dedicated to  
5 rescuing homeless, abandoned, and abused dogs. Defendants Tammy Willet and Julie Pyle are the  
6 President and Director of Vegas Shepherd Rescue.  
7

8 In the Complaint, Ms. Zorikova claims that 25 of her missing dogs were retrieved from  
9 Devore Animal Shelter on August 12, 2020 (*See* Complaint on file herein, pp. 3, #17). She also  
10 claims that the other 25 dogs are in the possession of Vegas Pet Rescue Project and/or Jamie  
11 Gregory (*See* Complaint on file herein, pp. 4, #21). Neither Vegas Pet Rescue Project nor Jamie  
12 Gregory are defendants in this action.<sup>2</sup> Later, she claims that 7 of the 25 German Shepherds are  
13 displayed on Vegas Shepherd Rescue's Facebook page (*See* Complaint on file herein, at pp. 4,  
14 #24).  
15

16 In support of her claim that Defendants herein stole her dogs, she attached photos which  
17 she alleges are screen shots of 5 dogs (Exhibits 4-8 are identified as Beacon, Berkley, Cypress,  
18 Lodi, and Malibu), from a Facebook page for Defendant. (*See* Ex Parte Motion, at attachments 4-  
19 8). It is unclear where the photo of the dog depicted in attachment 3 came from, or who that dog  
20 is, as the photo does not identify it as being from Vegas Shepherd Rescue's Facebook page. It is  
21 unclear whether the dog in attachment 9 is duplicative of other dogs or a different dog, as the  
22 name is not identified therein. She does not allege the age, sex, names, dates of birth, microchip  
23 information, or otherwise demonstrate any proof of ownership or suggest why she believes the  
24  
25  
26

27  
28 <sup>2</sup> Vegas Pet Rescue Project and Jamie Gregory have been sued in another action that has been dismissed by Judge Nancy Alf for Plaintiff's failure to post the required security bonds demanded by the Defendants in that case, including Defendant, Casey D. Gish (Case No. A-20-820761-C) – Please see attachment marked as Exhibit 2, a copy of the February 9, 2021 Order from Judge Alf dismissing Plaintiff's Complaint against Vegas Pet Rescue Project, et. al, for Plaintiff's failure to post the required security bonds.



1 dogs depicted in Exhibits 3-9 are hers. She has provided no photos of her own, the names she  
2 gave those dogs, identifying characteristics, their ages, sex, date of birth or microchip  
3 information. There is no discussion or evidence regarding the identity of the remainder of the 16  
4 dogs she alleges were stolen by Defendants, except there is also a reference to a dog called Baker  
5 in one paragraph of her Motion. *See* Motion, at pp. 6: 6-10. In sum, Plaintiff has provided no  
6 evidence of identity or ownership of the dogs in Exhibits 3-9 (which constitutes 5 identified  
7 dogs), plus Baker (number 6); and no evidence at all of the remaining 19 dogs.  
8

9 The Motion itself seeks return of dogs referenced as Malibu, Baker, Beacon, Cypress,  
10 Lodi etc. (Attachment 2-9) and all others.” *See* Motion at pp. 6: 6-10. She also seeks a DNA test  
11 of all German Shepherds in Defendants’ custody between August 8 and September 9, 2020. *See*  
12 *id.* at 6: 11-13. She seeks all newborn puppies. *See id.* at 6: 14-15. She further seeks to prevent  
13 Defendants from selling, disposing, adopting, spaying, neutering Plaintiff’s German Shepherds;  
14 an order to allow Plaintiff to pick up the dogs. *See id.* at 6: 16-23.  
15

16 Defendants are not in possession of dogs Plaintiff claims are hers because they have all  
17 been adopted out nearly a year ago and were spayed/neutered in compliance with Clark County  
18 criminal and civil ordinances.  
19

## 20 **FACTUAL BACKGROUND**

### 21 **A. THE ARREST**

22 According to the California Secretary of State, Plaintiff owns and operates a protection  
23 dogs training business in Los Angeles, CA.<sup>3</sup> However, as Plaintiff indicates in her Motion, she  
24 actually houses upwards of 50 dogs in cages in the middle of the desert on vacant land,  
25 approximately 25 miles outside of Hinkley, CA. *See* Motion on file herein, at pp. 2, #13.  
26 According to property records, Plaintiff has owned this land since May 17, 2018,<sup>4</sup> and likely has  
27  
28

<sup>3</sup> A true and correct copy of the Secretary of State filing is attached hereto as Exhibit 3.

<sup>4</sup> A true and correct copy of the property deed is attached hereto as Exhibit 4.



1 been illegally conducting her business at this location since that time. Plaintiff likewise owns a  
2 similar business in the heart of the puppy mill capital of the United States, Missouri.<sup>5</sup> Clearly,  
3 Plaintiff is an established illegal operator of puppy mills throughout the United States, and her  
4 dogs are kept in inhumane and cruel conditions that she goes to great lengths to conceal from the  
5 purchasers of her dogs. Her website(s) portray her dogs as being bred and raised in luxurious  
6 surroundings in Los Angeles, when in fact they are raised in horrific, cruel, and inhumane  
7 conditions in the California desert outside of Barstow, California.

8 Plaintiff and her daughter were arrested for felony animal cruelty on August 8, 2020 when  
9 San Bernardino Sheriff deputies became aware of approximately 50+ dogs being housed on  
10 unimproved land in cages in the middle of the desert approximately 2 hours outside of Barstow, in  
11 the middle of the summer.<sup>6</sup> The location of the property wherein the dogs were found was  
12 extremely remote, approximately 24 miles into the middle of the desert, north of Hinkley,  
13 California (which is outside of Barstow), on completely vacant, and unimproved, desert land.  
14 There were no dirt roads, no running water, no housing structures, or electricity. There are no  
15 neighbors or towns for miles. The dogs did not have any permanent housing or shelter from the  
16 extreme elements of the blistering desert heat, food or water, which is a violation of California  
17 law and San Bernardino County code.

18 Pursuant to a public records request, and only after Plaintiff's arrest, Plaintiff attempted to  
19 inquire about and file for a kennel permit, which was unable to be granted to her because kennel  
20 permits are not allowed on vacant unimproved land.<sup>7</sup> San Bernardino issued her a violation  
21 notice on October 13, 2020 for operating a kennel without a permit. See *Id.* The photos depicted  
22 in those records show the condition of the property on August 8, 2020, when Plaintiff was  
23 arrested. See *Id.*

24 As shown in Exhibit 7, the property is totally vacant and unimproved with only a small  
25 makeshift shanty or shed that was filthy with garbage and raw rotting meat everywhere. The shed  
26 had no toilet, sink, shower or bed. Therefore, Plaintiff could not possibly not live there and likely  
27

28 <sup>5</sup> A true and correct copy of the Missouri Secretary of State filing is attached hereto as Exhibit 5.

<sup>6</sup> See arrest report attached to Plaintiff's moving papers.

<sup>7</sup> See response to public records request attached hereto as Exhibit 7.

1 leaves the dogs tied up and alone for long periods of time, without food, water or human  
2 interaction/companionship (which is illegal under California law and under San Bernardino  
3 ordinances). The dogs most were likely exposed to predatory animals due to inadequate fencing  
4 around the property and lack of shelter.

5 Ms. Zorikova and Ms. Jeong represent themselves to be breeders of “protection dogs”  
6 whose company is based out of Los Angeles; and whose dogs are trained to bite  
7 (<http://www.vonmarkgrafgermanshepherds.us>). Screen shots of the website are attached as  
8 Exhibit 6. Neither Ms. Zorikova, nor Ms. Jeong, and/or VonMarkGraf German Shepherds has a  
9 breeder license, which is a violation of the California Puppy Mill Ban under California Health and  
10 Safety Code Sec. 122354.5 and is also a prohibited deceptive and unfair business under the  
11 California Legal Remedies Act, Civil Code Sec. 1750 et seq. Furthermore, pursuant to San  
12 Bernardino County Code, it is illegal to have more than 5 dogs on the property without a breeder  
13 license or kennel permit. Ms. Zorikova’s property contained over 70 dogs.

14 Ms. Zorikova and Ms. Jeong remain under investigation for felony animal cruelty in  
15 California according to the San Bernardino County District Attorney’s Office.

#### 16 **B. THE ALLEGED “THEFT”**

17 Plaintiff claims that Defendants went on her property and stole her dogs at some point  
18 between August 8 and 10, 2020, while she was incarcerated on felony animal cruelty charges in  
19 San Bernardino County, California. However, Defendants have never, ever been on Plaintiff’s  
20 property, to steal her dogs or otherwise. *See* Declaration of Julie Pyle and Tammy Willet attached  
21 hereto as Exhibits 8 and 9. In fact, for the last 8 years, Defendant Tammy Willet has not lived in  
22 the State of Nevada. *See* Exhibit 9. She was not in the State of Nevada or the State of California  
23 in all of 2020. *Id.* Defendant Julie Pyle lives in the State of Nevada; however, she was not in the  
24 State of California at any point in August 2020. *See* Exhibit 8.

25 In support of Plaintiff’s motion, she attaches a document that appears to be a police record  
26 that references a vehicle that was reportedly seen near Plaintiff’s property on August 9 and/or 11,  
27  
28



2020, with the license plate AKC GSD. None of Defendants have ever owned a vehicle with that license plate.

Additionally, in Ms. Zorikova's motion, pp. 2, she alleges:

11. Deputy Parsons of Barstow Sheriff Station is now under criminal investigation by San Bernardino Sheriff's Internal Affairs for conspiracy with thieves, as she conducted Plaintiff's unwarranted false arrest on August 08 of 2020 and Parsons not while on duty allegedly called to Defendants on about August 09 of 2020 with statement that there are dogs on private property, that she had arrested/removed the owners and the dogs are available for pick up and sale.

At no time were Defendants contacted by San Bernardino County Sheriffs or government officials, including but not limited to Deputy Parsons, about removing and/or rescuing dogs from Plaintiff's property. *See* Exhibits 9 and 10. Defendants were not in any way, shape or form, associated with the San Bernardino County Government Officials' request for removal of dogs from Plaintiff's property. *Id.*

Plaintiff's claims are self-defeating, in that she acknowledges that law enforcement officials told people (who are not Defendants) to go on the property and remove dogs. This directive by California government officials is the subject of multiple lawsuits by Ms. Zorikova against the Sheriff's department in San Bernardino County and San Diego County, California, a portion of which recently settled to Ms. Zorikova for \$10,000. Plaintiff has also sued various people in multiple counties in California, including rescue groups there, for the alleged theft and return of her 25 dogs.

### C. Vegas Shepherd Rescue

As a rescue group, Vegas Shepherd Rescue's singular purpose is to take in lost, found, abused, abandoned, and/or surrendered dogs – primarily German Shepherd Dogs as the name implies; obtain necessary medical attention, including spay and neuter as required by Nevada/Clark County law, and adopt them out. *Id.* Vegas Shepherd Rescue also takes shepherds in from kill shelters and adopts them out. *Id.* Vegas Shepherd Rescue rescues and places upwards



1 of a hundred dogs a year, approximately 85% of which are German Shepherd Dogs. *Id.* Vegas  
2 Shepherd Rescue has performed this service as a non-profit corporation that exists entirely on  
3 donations since its inception in 2012.<sup>8</sup> When Defendants come into possession of any dog, they  
4 immediately check to see if there is a microchip. *Id.* When they obtain veterinary care, which they  
5 do for each dog that comes into their possession, the veterinarian also checks to see if there is a  
6 microchip. *Id.*

8 Plaintiff alleges her dogs are all microchipped. (*See* Complaint, pp. 4, #20). Defendants  
9 are not, and have never been in possession of any dogs that have a microchip registered to Ms.  
10 Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. *Id.* Because Plaintiff has alleged  
11 that “thieves remove microchips;” and for brevity’s sake, Defendants have never removed or  
12 directed the removal of a dog’s microchip. *Id.* Defendant’s veterinarians have likewise never  
13 removed a microchip (and Defendants are unsure if that is even legal for veterinarians to do so).  
14 *Id.*

17 It appears that Plaintiff simply stumbled upon a German Shepherd rescue group’s  
18 Facebook and decided, without proof, to claim various dogs as hers. She actually has no idea what  
19 dogs are hers. Puppy mills are like that. Take the case of Beacon, for example (Plaintiff’s Exhibit  
20 4). Defendants came into possession of Beacon, on July 8, 2020, a full month before Plaintiff was  
21 arrested and a full month before any of the facts that are the subject of Plaintiff’s claims. Beacon  
22 was found by a trucker running alongside the highway. The trucker brought Beacon to  
23 Defendants. Beacon had been shot in the face and required extensive medical care before being  
24 adopted. Beacon was not microchipped.

26 After Plaintiff and her daughter were arrested for felony animal cruelty by San Bernardino  
27 County Sheriff deputies, Plaintiff filed a police report for theft against various people, including  
28

---

<sup>8</sup> Counsel for Defendants are performing their services entirely on a pro bono basis in multiple lawsuits in Nevada and California.

Julie Pyle. In response, San Bernardino County Sheriff's deputies visited Ms. Pyle at her Las Vegas home in early September 2020. There, the deputies and Ms. Pyle talked for 40 minutes. The Sheriff determined Ms. Pyle was not in possession of any of Plaintiff's German Shepherds. The Sheriff did not find any reason to enter the residence of Ms. Pyle.

As a practical matter Baker, Berkley, Cypress, Lodi, and Malibu were adopted in August and September of 2020, with the last dog being adopted on or about September 15, 2020, weeks before Plaintiff served her Complaint on Defendants, and more than a month before the instant motion was filed (that was not served). As such, there was never any status quo to preserve vis-à-vis an injunction.

## II. LEGAL ARGUMENT

### A. Standard of Review

The Supreme Court has stated that courts must consider the following elements in determining whether to issue a temporary restraining order and preliminary injunction: (1) a likelihood of success on the merits; (2) likelihood of irreparable injury if preliminary relief is not granted; (3) balance of hardships; and (4) advancement of the public interest. Winter v. N.R.D.C., 555 U.S. 7, 20 (2008). The test is conjunctive, meaning the party seeking the injunction must satisfy each element. Backman v. Goggin, No. 2:16-CV-1108 JCM-PAL (D. Nevada 2016).

Additionally, post-Winter, the Ninth Circuit has maintained its serious question and sliding scale test. See Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127 (9th Cir. 2011). Under this approach, the elements of the preliminary injunction test are balanced, so that a stronger showing of one element may offset a weaker showing of another. Id. at 1131. Serious questions going to the merits and a balance of hardships that tips sharply towards the plaintiff can support issuance of a preliminary injunction, so long as the plaintiff also shows that there is a likelihood of irreparable injury and that the injunction is in the public interest. Id. at 1135.

The Nevada Supreme Court has recently stated that "[a] preliminary injunction to preserve the status quo is normally available upon a showing that the party seeking it enjoys a reasonable probability of success on the merits and that the defendant's conduct, if allowed to continue, will result in irreparable harm for which

compensatory damage is an inadequate remedy. Swarovski Ventures, Ltd. v. JGB Vegas Retail Lessee, LLC, No. 71618, (2018) (citing Dixon v. Thatcher, 103 Nev. 414, 415, 742 P.2d 1029, 1029 (1987)). The party seeking injunctive relief carries the burden of proving that there exists a reasonable probability of irreparable harm for which compensatory damages would not provide adequate remedy. S.O.C., Inc. v. Mirage Casino-Hotel, 117 Nev. 403, 408, 23 P.3d 243, 246 (2001) (Emphasis added.)

First, Plaintiff has provided no facts and no evidence that show she is entitled to an injunction because compensatory damages are an adequate remedy. Plaintiff has identified the amount of money she believes she is entitled to be compensated – namely, \$1,150,000 for 25 dogs. See Complaint, at pp 4, #18).

Plaintiff admittedly breeds dogs (without appropriate licenses) and sells them, so she is ultimately looking to make money off of them, not keep them as pets. That's why she keeps them in the middle of the desert in inhumane and cruel conditions without adequate shelter, and without even food and water.

As a practical matter, because Defendants adopted out the last dog Plaintiff claims ownership of weeks before being served with the Complaint, and approximately a month and half before Plaintiff ever filed her unserved motion for restraining order, Defendants cannot turn over dogs to Plaintiff.

As discussed above, Plaintiff is mistaken as to which dogs are hers and is globbing onto anyone and everyone for the same 25 dogs in multiple lawsuits. It's an honest mistake from the owner of a puppy mill because they simply cannot keep track of all of the dogs they breed and sell. Unfortunately for Plaintiff, none of the dogs in question had any microchips associated with Plaintiff, her daughter, or Von Mark Graf German Shepherds.

**B. Plaintiff's Motion Should Be Denied Because She Has Not Alleged Facts Or Circumstances By Which She Can Succeed On The Merits**

Plaintiff provides a single sentence in her motion regarding probability of success on the merits: "34. Plaintiff is likely to succeed on the merits of the case." See Motion at pp. 4. This utterly fails to meet Plaintiff's burden (which her moving papers acknowledge she has) of showing how she will succeed on the merits. It provides no law and no facts regarding the same and her motion should be denied on this basis.

1                   **a.       Plaintiff Cannot Succeed on the Merits Against Ms. Willet or Ms. Pyle**  
2                   **Because They Were Acting Within the Course And Scope of Their**  
3                   **Employment**

4               Plaintiff will not succeed against Ms. Willet or Ms. Pyle individually because Plaintiff  
5 cannot maintain an action against them in addition to Vegas Shepherd Rescue. NRS 41.745  
6 provides employer liability for employees' acts when they are acting within the course and scope  
7 of employment. Plaintiff alleges in paragraph 7 of her Complaint, "All of the acts and/or failures  
8 to act were within the scope of any agency or employment. . . ." (See Complaint at pp. 2).

9                   **b.       Plaintiff Cannot Succeed On the Merits of Her Theft Claim under**  
10                  **NRS 41.580**

11               NRS 41.580 states:

12               Action by owner of property; treble damages. If property has been taken from its  
13 owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is  
14 a crime against property and another person buys, receives, possesses or withholds  
15 the property under circumstances that make such conduct a violation of subsection 1  
16 of NRS 205.275, the owner of the property may bring a civil action against the person  
17 who bought, received, possessed or withheld the property and may recover treble the  
18 amount of any damage the owner has suffered, together with the owner's costs in the  
19 action and a reasonable attorney's fee.

20               Plaintiff's viable claims, if any, are likely against the Sheriff's department or other San  
21 Bernardino officials for directing people or rescue groups (who were not Defendants) to remove  
22 suffering animals from her illegal and unpermitted puppy mill. The County has paid Ms.  
23 Zorikova at least \$10,000, and litigation is ongoing. Plaintiff has also sued other people and  
24 rescue groups in California and Nevada in multiple lawsuits relative to this matter.

25               Plaintiff likewise cannot succeed on the merits as to her theft claim because Defendants  
26 were never on Plaintiff's property or even in the State of California at the time Plaintiff's dogs  
27 were allegedly stolen. Plaintiff has brought no evidence of this claim, other than to allege it is a  
28 fact. Defendants were never asked by any San Bernardino government officials to remove the  
dogs. Defendants have never possessed any animals with microchips that belong to Ms. Zorikova,  
Ms. Jeong and/or Von Mark Graf German Shepherds. It is undisputed that Defendants never



1 entered Plaintiff's property. It is also undisputed that Defendants never even entered the State of  
2 California anywhere near the timeframe that is the subject of Plaintiff's Complaint.

3 Plaintiff has provided no facts or evidence to show that any of the dogs observed on Vegas  
4 Shepherd Rescue's Facebook are her dogs. Nevertheless, the dogs she claims are hers were all  
5 adopted weeks before Plaintiff served her Complaint and Defendants were under no order or  
6 requirement to do anything different with those dogs than what they do with every other dog that  
7 comes to them: adopt them out.

8 **c. Plaintiff Cannot Succeed On The Merits On Her Conspiracy Claim**

9 Plaintiff alleges Defendants conspired among themselves to steal her dogs. *See* Complaint  
10 at pp. 6, #38. Agents and employees of a corporation cannot conspire with their corporate  
11 principal or employer where they act in their official capacities on behalf of the corporation and  
12 not as individuals for their individual advantage. *Collins v. Union Federal Savings and Loan*  
13 *Association*, 662 P.2d 610, 615 (1983) (quoting *Wise v. Southern Pacific Company, et al*, 35 Cal.  
14 *Rptr* 652, 655 (1963)). As the Defendants are the President and Director of Vegas Shepherd  
15 Rescue, they cannot conspire amongst themselves and this claim fails as a matter of law.  
16 Notwithstanding the above, Defendants were not involved in the "rescue" or the alleged "theft" of  
17 Plaintiff's dogs. Vegas Shepherd Rescue cannot conspire alone.

18 **d. Plaintiff's Claim for Trespass Enjoys No Success On the Merits**  
19 **Because Defendants Have Never Been On Plaintiff's Property**

20 Plaintiff alleges Defendants entered her property while she was incarcerated for animal  
21 cruelty, to steal her dogs. Plaintiff alleges these actions constitute trespass. Plaintiff alleges no  
22 damages resulting from alleged trespass in her Complaint, and therefore, it cannot succeed on the  
23 merits.  
24

25 Notwithstanding the above, as discussed herein, Defendants have never been to Plaintiff's  
26 property. Defendants were not even in the entire State at the time Plaintiff alleges they trespassed.  
27 Plaintiff has no evidence to the contrary. As a result, Plaintiff enjoys no success on the merits.  
28

1                   e.       **Plaintiff's Claim for Property Damage Enjoys No Success on the**  
2                               **Merits Because Dogs in Clark County Must Be Spayed and Neutered**

3               Plaintiff's Complaint alleges that the spaying and neutering of dogs reduces their value,  
4 and constitutes property damage. *See* Complaint at pp. 9, #59. Her Motion seeks that dogs she  
5 identified as her property not be spayed or neutered.

6               In Clark County, it is the law that all dogs must be spayed or neutered (see Clark County  
7 Ordinance 7.14, North Las Vegas Ordinance 6.04, Municipal Ordinance 10.08 and Henderson  
8 Ordinance 7.04). Failure to do so constitutes a criminal and civil violation of law. Because  
9 Defendants cannot break the law by failing to spay and neuter dogs in their possession, Plaintiff  
10 enjoys no success on the merits.

11              Notwithstanding the above, Plaintiff had no breeder license at the time that would have  
12 allowed her to have intact dogs either.

13                   f.       **Even assuming all of Plaintiff's allegations against Defendants are**  
14                               **true, which they are not, Plaintiff would be precluded as a matter of**  
15                               **law from recovering against Defendants based upon her undisputed**  
16                               **"dirty hands" due to her illegal operation of a cruel and inhumane**  
17                               **puppy mill on unimproved land in the desert in California and based**  
18                               **upon her deceptive business practices which mislead and defraud**  
19                               **members of the public and therefore she has no probability of success**  
20                               **on the merits.**

21              Even if this Court accepts all of Plaintiff's allegations as true, the undisputed facts of this  
22 matter conclusively prove that Plaintiff has been operating an illegal puppy mill in San  
23 Bernardino County, California in violation of San Bernardino County ordinances. Her "house of  
24 horrors" was investigated by San Bernardino County authorities and she was cited for her failure  
25 to have proper structures on her land adequate to meet the basic minimum requirements that  
26 kennel/breeding facilities must comply with in San Bernardino County. Please see attached  
27 Exhibit 10, which is a citation issued by San Bernardino County against Plaintiff for her failure to  
28 maintain her "kennel" in accordance with the requirements of San Bernardino County law. Also



1 included are pictures of the unimproved property taken by San Bernardino County investigators  
2 showing the atrocious conditions Plaintiff keeps her dogs in year-round. Of course, Plaintiff does  
3 not show such pictures in her own advertising materials on her website. She only shows false and  
4 fake images of dogs in lush green conditions at beautiful homes in Los Angeles which she falsely  
5 portrays as the location of where her dogs are bred, raised, and trained to bite. This is a lie and it  
6 is fraudulent.  
7

8 In addition, it is undisputed that Plaintiff has been arrested for and is currently under  
9 investigation for felony animal cruelty for keeping dogs hidden in the desert on vacant land  
10 without food, water, shelter and their most basic needs. Plaintiff also defrauds members of the  
11 public by making false representations that her dogs are bred in luxurious conditions in Los  
12 Angeles, California. She provides pictures on her website of beautiful German Shepherd Dogs in  
13 clean and healthy conditions. These images are actually stock images taken by her from other  
14 sites on the internet. If she provided members of the public with pictures of the true conditions in  
15 which her dogs are raised, no sane person would purchase one of these dogs. Plaintiff and her  
16 daughter, Ms. Jeong, represent themselves to be breeders of “protection dogs” whose company is  
17 based out of Los Angeles; and whose dogs are trained to bite  
18 (<http://www.vonmarkgrafgermanshepherds.us>). Screen shots of the website are attached hereto as  
19 Exhibit 6. Neither Plaintiff, nor Ms. Jeong, nor VonMarkGraf German Shepherds has a breeder  
20 license, which is a violation of the California Puppy Mill Ban under California Health and Safety  
21 Code Sec. 122354.5 and is also a prohibited deceptive and unfair business under the California  
22 Legal Remedies Act, Civil Code Sec. 1750 et seq. Furthermore, pursuant to San Bernardino  
23 County Code, it is illegal to have more than 5 dogs on the property without a breeder license or  
24 kennel permit. Ms. Zorikova’s property contained over 70 dogs. Her deceptive business  
25  
26  
27  
28





practices, horrific animal abuse, and fraud against the public all constitute illegal activities by Plaintiff that preclude her from recovery under the doctrine of “unclean or dirty hands”.

In determining whether a plaintiff is precluded from recovering against a defendant based upon the plaintiff’s unclean hands, the Nevada Supreme Court has established a two-factor analysis: (1) the egregiousness of the misconduct at issue, and (2) the seriousness of the harm caused by the misconduct. *See Income Investors*, 101 P.2d at 974; *cf. Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66. When these factors weigh against granting the requested relief, the unclean hands doctrine will bar Plaintiff from recovering. *See Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66; *Income Investors*, 101 P.2d at 974; *see also Smith v. Smith*, 68 Nev. 10, 24, 226 P.2d 279, 286 (1951) (recognizing that “the un-clean hands maxim is one founded on public policy”). The district court has broad discretion in applying these factors, and will not be overturned unless it is unsupported by substantial evidence. *Las Vegas Fetish and Fantasy Ball v. Ahern Rentals*, 124 Nev. 272, 276, 182 P.3d 764 (2008). *See also See University Sys. v. Nevadans for Sound Gov’t*, 120 Nev. 712, 721, 100 P.3d 179, 187 (2004) (recognizing the district court’s discretion in granting equitable injunctive relief).

Based upon the forgoing, it is clear that Plaintiff would be precluded from recovering against Defendants due to her “dirty hands” based upon her continuous and illegal activities in operating an unlicensed puppy mill on unimproved land in the remote California desert and based upon her ongoing concealment from the public of the true cruel and inhumane conditions in which these dogs are bred in and raised in. Therefore, as a matter of law, Plaintiff cannot meet her burden of showing the probability of success on the merits.

**g. Plaintiff’s Claim for Fraud Enjoys No Success on the Merits because based upon the Undisputed Facts of this Case, Plaintiff Cannot Meet all the Elements of a Claim for Fraud as a Matter of Law**



NRCP 9 creates special rules governing the pleading of specified matters, including fraud. Plaintiff's first cause of action in her Complaint is based upon alleged fraud. When these specified matters are material to a pleading, the party must assert in some detail the factual basis of the matter. *See Ivory Ranch, Inc. v. Quinn River Ranch, Inc.*, 101 Nev. 471, 705 P.2d 673 (1985). An allegation of fraud must provide the circumstances with particularity and must include the time, place, and identity of the parties and the nature of the fraud. *Rocker v. KPMG LLP*, 122 Nev. 1185, 148 P.3d 703,704 (2006), *abrogated on other grounds by Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008). Because Plaintiff's Complaint fails to specify the time, place, and identities and the nature of the fraud, it is obvious she will not be able to recover against Defendants for alleged fraud. In fact, Plaintiff puts forth no evidence that Defendants and Plaintiff have ever had an interaction or any type of conversation, communication, or discussion whatsoever. She alleges no communication whatsoever between herself and any of the defendants, and no such communications have ever taken place. Therefore, Plaintiff cannot recover on her claim for fraud as a matter of law, and therefore her Motion should be denied.

**h. Plaintiff's Claim for Intentional Infliction of Emotional Distress Enjoys No Success on the Merits because the facts alleged by Plaintiff, even if the Court assumes they are true, cannot support a claim for IIED as a matter of law because all the elements of such a claim cannot possibly be met by Plaintiff.**

For a plaintiff in Nevada to succeed on a claim for intentional infliction of emotional distress, the plaintiff must show three things: (1) the defendant engaged in extreme and outrageous conduct with either the intention of, or reckless disregard for, causing emotional distress, (2) the plaintiff suffered severe or extreme emotional distress, and (3) actual or proximate causation. *Dillard Dept. Stores, Inc. v. Beckwith*, 115 Nev. 372, 378 (1999) (Citing *Star v. Rabello*, 97 Nev. 124, 125 (1981)). The Nevada Supreme Court defines



extreme and outrageous conduct as "that which is outside all possible bounds of decency and is regarded as utterly intolerable in a civilized society." *Maduike v. Agency Rent-A-Car*, 114 Nev. 1, 4 (1998) (internal quotations omitted). *Shoen v. Amerco, Inc.*, 111 Nev. 735, 747 (1995).

The Defendants in this matter rescue abused and homeless and neglected dogs. That is undisputed. It is also undisputed that many German Shepherd Dogs come into the possession of Defendants, as part of their volunteer efforts to save dogs that have been abused and neglected. If Defendants came into the possession of any of Plaintiff's dogs, the purpose would have been to save the dogs lives and provide them with food, shelter, medical treatment, and find them homes. Plaintiff on the other hand runs an illegal puppy mill and keeps dogs in horrific, cruel, filthy, and inhumane conditions. If anyone has engaged in extreme and outrageous conduct, it is the Plaintiff. Because the facts alleged by Plaintiff clearly demonstrate that she has no chance of proving Defendants engaged in extreme and outrageous conduct, she has no likelihood of success on the merits and her Motion should be denied.

C. **There is No Irreparable Injury Because Plaintiff Has Already Established Her Claimed Value of the Property and the Purpose of the Dogs is to Sell Them for Profit**

In her motion, Plaintiff merely states that she will suffer an irreparable injury if her motion is not granted, without any marshalling of the facts and circumstances that support her claim; and for that reason, her motion should be denied.

As discussed above, Plaintiff breeds her bite dogs for sale and will ship them anywhere. These are not her pets and she clearly does not think much of them since she keeps them in cruel and inhumane conditions in the hot desert summer and cold desert winter without so much as regular food, water or shelter. She does this for a profit, without the proper licensing, and with much suffering to the dogs. She operates an illegal puppy mill. Indeed, Plaintiff has already

provided what she believes is the value of the allegedly 25 stolen dogs: \$1,150,000. Therefore, if Plaintiff's claims are proven, money damages are appropriate to compensate Plaintiff. She'll just buy and breed more until she is no longer allowed.

**D. The Balance of Hardships Tips in Favor of Defendants Because An Injunction Would Be Impossible for Defendants to Accomplish, Given They Were Adopted Nearly a Year Ago**

Again, Plaintiff makes a single statement that the balance of hardships is in her favor, without any discussion as to why. *See* Motion, at pp. 4, #32. As a result, her motion should be denied.

More importantly, Defendants suffer the hardship in this scenario. They cannot effectuate the return dogs that have been adopted to subsequent purchasers for value. "A subsequent purchaser is bona fide under common-law principles if it takes the property 'for a valuable consideration and without notice of the prior equity, and without notice of facts which upon diligent inquiry would be indicated and from which notice would be imputed to him, if he failed to make such inquiry.' (*Shadow Woods Homeowners Association v. New York Community Bancorp*, 366 P3d. 1105 (2016) quoting *Bailey v. Butner*, 64 Nev. 1, 19, 176 P.2d 226, 234 (1947) (emphasis omitted); *see also Moore v. DeBernardi*, 47 Nev. 33, 54, 220 P. 544, 547 (1923) ('The decisions are uniform that the bona fide purchaser of a legal title is not affected by any latent equity founded either on a trust, [e]ncumbrance, or otherwise, of which he has no notice, actual or constructive.'))"

Here, the last dog Plaintiff claims were hers was adopted on or before Plaintiff even filed her lawsuit, let alone served the same. Defendant adopted the dogs in good faith as they do with all of the 100 or so dogs that come into their possession each year. It will be impossible for Plaintiff to claw back dogs who have been purchased by families for money (who will not be leaving them in the middle of the desert without food, water, or shelter).

Defendants likewise cannot obtain DNA testing from dogs already adopted. Who would even pay for the cost of the same? Defendant is a non-profit entity that exists entirely on donations. Counsel for Defendants are providing their services pro bono in multiple lawsuits.

1 Plaintiff has an interest in protecting her unlicensed and unpermitted puppy mill business  
2 but she does not have an actual interest in these particular dogs. As a result, monetary damages, if  
3 proven, are sufficient.

4 **E. Public Interest Favors Plaintiff Never Possessing Dogs Again**

5 Plaintiff is currently under investigation for felony animal cruelty for keeping dogs hidden  
6 in the desert on vacant land without food, water, shelter and their most basic needs. It seems clear  
7 that the public interest would favor dogs not living in inhumane and illegal conditions. As a  
8 result, monetary damages, if proven, are sufficient.

9 Defendants, on the other hand, are a nonprofit animal rescue group that helps at least 100  
10 dogs a year with medical care, treatment, rehabilitation and finally, adoption. Plaintiff makes a  
11 living out of deceiving the public and fraudulently selling dogs under false pretenses. People like  
12 Defendants often spend their own money when donations come up short.

13 **F. If an Injunction Should Be Issued, Plaintiff Should Be Required to Post Bond**  
14 **in the Amount of the Damages, Multiplied by the Expected Time Until Trial**

15 As discussed above, Defendants have no way of giving any dogs that have been adopted  
16 to Plaintiff, let alone within the 3 days sought by Plaintiff. Defendants are not in possession of the  
17 dogs and believe that clawing dogs back is illegal because the new owners are subsequent  
18 purchasers for value (discussed above). Further, Defendants do not have resources to pay for  
19 DNA testing.  
20

21 However, should this Court issue an injunction, NRCP (65c) provides that the court may  
22 issue a preliminary injunction or a temporary restraining order only if the movant gives security in  
23 an amount that the court considers proper to pay the costs and damages sustained by any party  
24 found to have been wrongfully enjoined or restrained. The State, its officers, and its agencies are  
25 not required to give security.  
26

27 Here, Defendants are having to defend Plaintiff's baseless and vexatious lawsuits, where  
28 Plaintiff has produced ZERO proof of ownership of dogs she claimed Defendants once had in



1 their possession. Plaintiff alleges that the dogs are worth \$1,150,000; and Defendants request that  
2 be the amount of Plaintiff's bond (plus the expected time for resolution of Plaintiff's Complaint).  
3 This amount will make Defendants whole in the event Plaintiff's claims fail.

4 The Court is authorized under NRS 18.130(2) to order an increased security of costs bond  
5 on out of state Plaintiffs if the Court finds that the statutory minimum of \$500 is insufficient.  
6 Defendants request that based upon the number of motions pending from Plaintiff, the Plaintiff's  
7 repeated disregard for the Court's procedural rules, and the sheer volume of correspondence and  
8 discovery directed at Defendants' counsel constantly from Plaintiff, and the fact that counsel for  
9 Defendants are performing their work pro bono for Defendants, it is requested that the court  
10 increase the amount of the cost bonds to \$5,000 per Defendant.

11  
12  
13 **G. Opposition to Plaintiff's Motion to Amend.**

14 Plaintiff is seeking to amend her Complaint in this matter to add additional defendants,  
15 including Jamie Gregory, Vegas Pet Rescue Project, and attorney Casey D. Gish. A bit of  
16 procedural back ground may be instructive for the Court on this issue.

17  
18 The instant matter is Case No. A821249 - Zorikova vs. Vegas Shepherd Rescue, Tammy  
19 Willet, and Julie Pyle. The Complaint was filed on 9/15/2020. An application to proceed in  
20 forma pauperis was filed by Zorikova on 9/20/2020. The application was denied on  
21 9/20/2020. A subsequent application to proceed in forma pauperis was filed on 9/24/2020. Also  
22 on 9/24/2020, it appears an amended complaint was filed. On 9/25/2020 the application to  
23 proceed in forma pauperis was granted. The summons in the case were issued on 10/2/2020. On  
24 10/6/2020 the court clerk issued a notice of non-conforming documents. Plaintiff allegedly  
25 "served" her Complaint at Vegas Shepherd Rescue's business address on 10/6/2020. A responsive  
26 pleading was due 10/26. On 10/26/2020, Demands for Security of Costs, due to Plaintiff being an  
27 out-of-state resident of California were filed on behalf of each Defendant. Defendant had 30 days  
28



1 in which to post the security bonds under. On December 4, 2021, this Court issued an order  
2 staying this action until Plaintiff posted the required bond. Please see Exhibit 1 hereto. She failed  
3 to post the required bond until April 11, 2021. She failed to provide counsel with the required  
4 notice of posting of the bonds.

5 Case No. A820761 - Zorikova vs. Vegas Pet Rescue Project, Casey Gish, Jamie Gregory,  
6 Shannon Weeks, and Erica Weeks. The Complaint was filed on 9/6/2020. The court clerk issued  
7 a notice of non-conforming documents on 9/9/2020. The case was assigned to Judge Nancy Alf.  
8 An application to proceed in forma pauperis was filed by Zorikova on 9/24/2020. The application  
9 was granted the same day on 9/24/2020. Also, on 9/24/2020, it appears an amended complaint  
10 was filed. The summons in the case was issued on 10/2/2020. However, neither the summons,  
11 the Complaint, nor the Amended Complaint were ever served on any of the Defendants. On  
12 10/22/2020 Defendants and each of them filed Demands for Security of Costs from Plaintiff due  
13 to her out of state residency in California. Plaintiff had 30 days to post the required bonds. She  
14 never did. On 2/29/2021, Judge Alf issued an order dismissing Plaintiff's Complaint in that  
15 matter due to the failure to post the required security bonds. Please see Exhibit 2 attached hereto.

16 Plaintiff now seeks to amend her complaint by adding the dismissed defendants from the  
17 Zorikova v. Vegas Pet Rescue Project case (A820761). This constitutes improper "forum-  
18 shopping". Forum shopping is "[t]he practice of choosing the most favorable jurisdiction or court  
19 in which a claim might be heard." *Black's Law Dictionary* 681 (8th ed. 2004). Plaintiff's case  
20 was dismissed by Judge Alf. If she wants to resurrect that claim, she needs to take the appropriate  
21 procedural steps. Attempting to add parties that were previously dismissed in another lawsuit is  
22 procedurally improper. Plaintiff's Motion to Amend should be denied.

23  
24  
25  
26  
27 ///

28 ///

IV.

CONCLUSION

Based upon the foregoing, Defendants respectfully request that this Court deny Plaintiff's Motion for Restraining Order.

**COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

**MEMORANDUM OF POINTS AND AUTHORITIES**

I.

**FACTUAL AND PROCEDURAL HISTORY**

Defendants hereby incorporate by reference, as if fully set forth herein, the factual and procedural history stated in their Opposition to Plaintiff's Ex Parte Motion above, including the exhibits thereto.

II.

**LEGAL ARGUMENT**

**A. Standard of Review**

A Motion to Dismiss pursuant to NRCP 12(b)(5), failure to state a claim, the Court shall accept the allegations of the Complaint as true and draw all inferences in favor of the non-moving party. *Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670, 672 (2008). Dismissal is proper where the allegations are insufficient to establish the elements of a claim for relief. *Stockmeier v. Nevada Department of Corrections*, 124 Nev. 313, 316, 183 P.3d 133, 135 (2008).

**B. Improper Service of Process**

Plaintiff herself served a copy of the summons and complaint on 10/2/2020 at the mailing address of Defendant Vegas Shepherd Rescue. NRCP 4(c)(3) requires that a person, that is not a party to the action, must serve the summons and complaint. Defendant Vegas Shepherd Rescue has surveillance video of Plaintiff personally serving the documents herself. This constitutes invalid service of process and requires dismissal of the case pursuant to NRCP 12(b)(4). In addition, Plaintiff has sued Defendants Willet and Pyle personally. However, she failed to serve



1 them personally or at their residences as required by NRCP 4(2)(a). Again, this is improper  
2 service requiring the dismissal of Plaintiff's Complaint pursuant to NRCP 12(b)(4).

3 **C. Defendants Willet and Pyle have only acted within the course and scope of**  
4 **their responsibilities as members and officers of Vegas Shepherd Rescue and**  
5 **the claims against them should be dismissed.**

6 NRS 41.745 provides employer liability for employees' acts when they are acting within  
7 the course and scope of employment. Plaintiff alleges in paragraph 7 of her Complaint, "All of the  
8 acts and/or failures to act were within the scope of any agency or employment. . . ." (See  
9 Complaint at pp. 2). Therefore, Plaintiff's claims against Willet and Pyle fail as a matter of law  
10 pursuant to NRCP 12(b)(5).

11 **D. Plaintiff's Cause of Action No. 1 for Theft**

12 Plaintiff's claim for Theft fails as a matter of law due to Plaintiff's failure to state a claim  
13 upon which relief can be granted. Even assuming the facts asserted by Plaintiff are true, they  
14 cannot satisfy the elements of her claim  
15

16 NRS 41.580 states:

17 Action by owner of property; treble damages. If property has been taken from its  
18 owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is  
19 a crime against property and another person buys, receives, possesses or withholds  
20 the property under circumstances that make such conduct a violation of subsection 1  
21 of NRS 205.275, the owner of the property may bring a civil action against the person  
22 who bought, received, possessed or withheld the property and may recover treble the  
23 amount of any damage the owner has suffered, together with the owner's costs in the  
24 action and a reasonable attorney's fee.

25 Plaintiff's viable claims, if any, are likely against the Sheriff's department or other San  
26 Bernardino officials for directing people or rescue groups (who were not Defendants) to remove  
27 suffering animals from her illegal and unpermitted puppy mill. The County has paid Ms.  
28 Zorikova at least \$10,000, and litigation is ongoing. Plaintiff has also sued other people and  
rescue groups in California and Nevada in multiple lawsuits relative to this matter.



1 Plaintiff likewise cannot succeed on the merits as to her theft claim because Defendants  
2 were never on Plaintiff's property or even in the State of California at the time Plaintiff's dogs  
3 were allegedly stolen. Defendants were never asked by any San Bernardino government officials  
4 to remove the dogs. Defendants have never possessed any animals with microchips that belong to  
5 Ms. Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. It is undisputed that  
6 Defendants never entered Plaintiff's property. It is also undisputed that Defendants never even  
7 entered the State of California anywhere near the timeframe that is the subject of Plaintiff's  
8 Complaint.  
9

10 Plaintiff has provided no facts or evidence to show that any of the dogs observed on Vegas  
11 Shepherd Rescue's Facebook are her dogs. Nevertheless, the dogs she claims are hers were all  
12 adopted weeks before Plaintiff served her Complaint and Defendants were under no order or  
13 requirement to do anything different with those dogs than what they do with every other dog that  
14 comes to them: adopt them out. Plaintiff cannot recover as a matter of law on her theft cause of  
15 action and that claim should be dismissed pursuant to NRCP 12(b)(5).  
16  
17

#### 18 **E. Plaintiff's Cause of Action No. 2 for Civil Conspiracy**

19 Plaintiff alleges Defendants conspired among themselves to steal her dogs. *See* Complaint  
20 at pp. 6, #38. Agents and employees of a corporation cannot conspire with their corporate  
21 principal or employer where they act in their official capacities on behalf of the corporation and  
22 not as individuals for their individual advantage. *Collins v. Union Federal Savings and Loan*  
23 *Association*, 662 P.2d 610, 615 (1983) (quoting *Wise v. Southern Pacific Company, et al*, 35 Cal.  
24 *Rptr* 652, 655 (1963)). As the Defendants are the President and Director of Vegas Shepherd  
25 Rescue, they cannot conspire amongst themselves and this claim fails as a matter of law.  
26 Notwithstanding the above, Defendants were not involved in the "rescue" or the alleged "theft" of  
27 Plaintiff's dogs. Vegas Shepherd Rescue cannot conspire alone. Plaintiff cannot recover as a  
28



1 matter of law on her theft cause of action and that claim should be dismissed pursuant to NRCP  
2 12(b)(5).

3 **F. Plaintiff's Cause of Action No. 3 for Trespass**

4 Plaintiff alleges Defendants entered her property while she was incarcerated for animal  
5 cruelty, to steal her dogs. Plaintiff alleges these actions constitute trespass. Plaintiff alleges no  
6 damages resulting from alleged trespass in her Complaint, and therefore, it cannot succeed on the  
7 merits. A necessary element of a trespass claim is damages. Therefore, Plaintiff cannot recover  
8 as a matter of law on her theft cause of action and that claim should be dismissed pursuant to  
9 NRCP 12(b)(5).

10 **G. Plaintiff's Cause of Action No. 4 for Fraud**

11 NRCP 9 creates special rules governing the pleading of specified matters, including fraud.  
12 Plaintiff's first cause of action in her Complaint is based upon alleged fraud. When these  
13 specified matters are material to a pleading, the party must assert in some detail the factual basis  
14 of the matter. *See Ivory Ranch, Inc. v. Quinn River Ranch, Inc.*, 101 Nev. 471, 705 P.2d 673  
15 (1985). An allegation of fraud must provide the circumstances with particularity and must  
16 include the time, place, and identity of the parties and the nature of the fraud. *Rocker v. KPMG*  
17 *LLP*, 122 Nev. 1185, 148 P.3d 703,704 (2006), *abrogated on other grounds by Buzz Stew, LLC v.*  
18 *City of N. Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008). Because Plaintiff's Complaint fails to  
19 specify the time, place, and identities and the nature of the fraud, it is obvious she will not be able  
20 to recover against Defendants for alleged fraud. In fact, Plaintiff puts forth no evidence that  
21 Defendants and Plaintiff have every had an interaction or any type of conversation,  
22 communication, or discussion whatsoever. She alleges no communication whatsoever between  
23 herself and any of the defendants, and no such communications have ever taken place.  
24  
25  
26  
27  
28



Therefore, Plaintiff cannot recover on her claim for fraud as a matter of law, and therefore her Complaint should be dismissed pursuant to NRCP 12(b)(5).

**H. Plaintiff's Cause of Action No. 5 for Intentional Infliction of Emotional Distress.**

For a plaintiff in Nevada to succeed on a claim for intentional infliction of emotional distress, the plaintiff must show three things: (1) the defendant engaged in extreme and outrageous conduct with either the intention of, or reckless disregard for, causing emotional distress, (2) the plaintiff suffered severe or extreme emotional distress, and (3) actual or proximate causation. *Dillard Dept. Stores, Inc. v. Beckwith*, 115 Nev. 372, 378 (1999) (Citing *Star v. Rabello*, 97 Nev. 124, 125 (1981)). The Nevada Supreme Court defines extreme and outrageous conduct as "that which is outside all possible bounds of decency and is regarded as utterly intolerable in a civilized society." *Maduikie v. Agency Rent-A-Car*, 114 Nev. 1, 4 (1998) (internal quotations omitted). *Shoen v. Amerco, Inc.*, 111 Nev. 735, 747 (1995).

The Defendants in this matter rescue abused and homeless and neglected dogs. That is undisputed. It is also undisputed that many German Shepherd Dogs come into the possession of Defendants, as part of their volunteer efforts to save dogs that have been abused and neglected. If Defendants came into the possession of any of Plaintiff's dogs, the purpose would have been to save the dogs lives and provide them with food, shelter, medical treatment, and find them homes. Plaintiff on the other hand runs an illegal puppy mill and keeps dogs in horrific, cruel, filthy, and inhumane conditions. If anyone has engaged in extreme and outrageous conduct, it is the Plaintiff. Because the facts alleged by Plaintiff do not demonstrate any extreme and outrageous conduct by Defendants, her claim fails as a matter of law and should be dismissed pursuant to NRCP 12(b)(5).



**I. Plaintiff cannot recover as a matter of law under the doctrine of “unclean hands”**

Even if this Court accepts all of Plaintiff’s allegations as true, the undisputed facts of this matter conclusively prove that Plaintiff has been operating an illegal puppy mill in San Bernardino County, California in violation of San Bernardino County ordinances. In addition, it is undisputed that Plaintiff has been arrested for and is currently under investigation for felony animal cruelty for keeping dogs hidden in the desert on vacant land without food, water, shelter and their most basic needs.

In determining whether a plaintiff is precluded from recovering against a defendant based upon the plaintiff’s unclean hands, the Nevada Supreme Court has established a two-factor analysis: (1) the egregiousness of the misconduct at issue, and (2) the seriousness of the harm caused by the misconduct. *See Income Investors*, 101 P.2d at 974; *cf. Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66. When these factors weigh against granting the requested relief, the unclean hands doctrine will bar Plaintiff from recovering. *See Evans*, 116 Nev. at 610, 5 P.3d at 1050-51; *Banks*, 120 Nev. at 843, 102 P.3d at 66; *Income Investors*, 101 P.2d at 974; *see also Smith v. Smith*, 68 Nev. 10, 24, 226 P.2d 279, 286 (1951) (recognizing that “the un-clean hands maxim is one founded on public policy”). The district court has broad discretion in applying these factors, and will not be overturned unless it is unsupported by substantial evidence. *Las Vegas Fetish and Fantasy Ball v. Ahern Rentals*, 124 Nev. 272, 276, 182 P.3d 764 (2008). *See also University Sys. v. Nevadans for Sound Gov’t*, 120 Nev. 712, 721, 100 P.3d 179, 187 (2004) (recognizing the district court’s discretion in granting equitable injunctive relief).

Based upon the forgoing, it is clear that Plaintiff would be precluded from recovering against Defendants due to her “dirty hands” based upon her continuous and illegal activities

1 Therefore, as a matter of law, Plaintiff cannot meet her burden of showing the probability of  
2 success on the merits and her claims should be dismissed pursuant to NRCP 12(b)(5).

3 **III.**

4 **CONCLUSION**

5 Based upon the foregoing, it is respectfully requested that Plaintiff's Complaint be  
6 dismissed.  
7

8 DATED this 18<sup>th</sup> day of June, 2021.

9 **THE LAW OFFICE OF CASEY D. GISH**

10 /s/ Casey D. Gish

11 CASEY D. GISH, ESQ.

12 Nevada Bar No. 006657

13 5940 S. Rainbow Blvd

14 Las Vegas, NV 89118

15 Casey@GishLawFirm.com

16 (702) 583-5883 Telephone

17 (702) 483-4608 Facsimile

18 *Co-counsel for Defendants Julie Pyle, Tammy*  
19 *Willet, & Vegas Shepherd Rescue*

20 **WEIR LAW GROUP, LLC**

21 /s/ Shana D. Weir

22 SHANA D. WEIR, ESQ.

23 Nevada Bar No. 9468

24 6220 Stevenson Way

25 Las Vegas, NV 89120

26 (702) 509-4567 Telephone

27 *Co-counsel for Defendants Julie Pyle, Tammy*  
28 *Willet, & Vegas Shepherd Rescue*

CERTIFICATE OF SERVICE

I, Casey D. Gish, declare:

I am a resident of and employed in Clark County, Nevada. I am over the age of eighteen (18) years and not a party to the action within. My business address is 5940 S. Rainbow Blvd., Las Vegas, Nevada 89118.

That I served the document described as **DEFENDANTS' OPPOSITION TO PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER FROM CUSTODY OF PLAINTIFF'S DOGS AND FOR ORDER TO RETURN PLAINTIFF'S DOGS AND PLAINTIFF'S DECLARATION IN SUPPORT; OPPOSITION TO PLAINTIFF'S MOTION TO AMEND; AND DEFENDANTS' COUNTER-MOTION TO DISMISS PLAINTIFF'S COMPLAINT** on the parties whose address appears below:

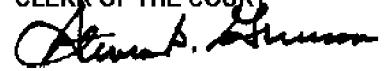
X VIA ELECTRONIC SERVICE: in accordance with NRCP through the Odyssey File & Serve electronic filing system. I am "readily familiar" with the firm's practice of electronically serving documents.

ALLA ZORIKOVA  
1905 Wilcox Ave, #175  
Los Angeles. CA 90068  
P: (323) 209-5186  
E: stevejohn19732017@gmail.com  
*Plaintiff*

Executed on the 18<sup>th</sup> day of June, 2021.

/s/ Casey D. Gish  
An employee of THE LAW OFFICE OF  
CASEY D. GISH





## EXHIBIT “1”



1     ORDR

2                                 EIGHTH JUDICIAL DISTRICT COURT

3                                 CLARK COUNTY, NEVADA

4     ALLA ZORIKOVA,

Case No. A-20-821249-C

5                                 Plaintiff,

Dept. No. XX

6                                 vs.

7     JULIE PYLE, TAMMY WILLET, VEGAS  
8     SHEPHERD RESCUE AND DOES I  
9     THROUGH X, INDIVIDUALS, AND ROE  
10    BUSINESS ENTITIES I THROUGH X,

Defendants.

11                                 **ORDER**

12                 **COURT FINDS** after review that on October 24, 2020, Plaintiff Zorikova filed an Ex Parte  
13     Application for Temporary Restraining Order, after filing a Complaint on September 15, 2020:

14                 **COURT FURTHER FINDS** after review that on September 25, 2020 an Order to Proceed  
15     in Forma Pauperis was entered granting Plaintiff's Application to Proceed in Forma Pauperis.

16                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Julie Pyle  
17     filed a Demand for Security Costs.

18                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Tammy  
19     Willet filed a Demand for Security Costs.

20                 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Vegas  
21     Shepherd Rescue filed a Demand for Security Costs.  
22  
23  
24

1           **COURT FURTHER FINDS** after review that on October 29, 2020, Plaintiff filed a Motion  
2 to Schedule Hearing on Plaintiff's Ex-Parte Application for Temporary Restraining Order from  
3 Custody of Plaintiff's Dogs and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in  
4 Support. Subsequently, a hearing was set on December 9, 2020 at 8:30 AM

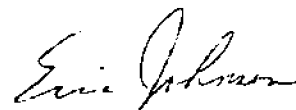
5           **COURT FURTHER FINDS** after review that on October 31, 2020, Plaintiff filed an  
6 Objection to Defendant's Demand for Security Costs on the basis that the Order granting Plaintiff to  
7 proceed in forma pauperis thereby waived court costs. However, security costs as prescribed by NRS  
8 18.130 are statutory and are not waived.

9           **THEREFORE, COURT ORDERS**, after a review that the case cannot move forward until  
10 each security for costs is posted. When security for costs is posted, a hearing can be set on  
11 Plaintiff's Ex-Parte Application for Temporary Restraining Order from Custody of Plaintiff's Dogs  
12 and for Order to Return Plaintiff's Dogs and Plaintiff's Declaration in Support. Service will be  
13 required on all parties. All hearings are done remotely through the Bluejeans application. When a  
14 hearing is set, a link will be sent to all parties.

15           **IT IS HEREBY FURTHER ORDERED** the hearing on December 9, 2020 is VACATED.  
16

17  
18 DATED this \_\_\_\_ day of December, 2020.

Dated this 4th day of December, 2020

19  
20 

21 ERIC JOHNSON  
22 DISTRICT COURT JUDGE  
23 10B B32 44B3 40B1  
24 Eric Johnson  
District Court Judge

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-821249-C**

7 **vs.**

**DEPT. NO. Department 20**

8 **Julie Pyle, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 12/4/2020**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
19 known addresses on 12/7/2020

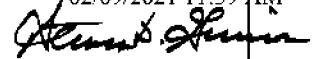
20 **Alla Zorikova**

**1905 wilcox ave, #175  
los angeles, CA, 90068**

21 **Casey Gish**

**Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118**

## **EXHIBIT “2”**



CLERK OF THE COURT

ORDM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \*

CASE NO.: A-20-820761-C

ALLA ZORIKOVA,

Plaintiff(s),

DEPARTMENT 27

vs.

JAMIE GREGORY, SHANNON WEEKS,  
ERICA WEEKS, VEGAS PET RESCUE  
PROJECT, CASEY GISH, AND DOES I  
THROUGH X, INDIVIDUALS, AND ROE  
BSUINESS ENTITIES I THROUGH X,

Defendants(s).

**ORDER FOR DISMISSAL**

**COURT FINDS** after review that on September 6, 2020, Plaintiff filed a Complaint with Jury Demand.

**COURT FURTHER FINDS** after review that on September 24, 2020 a second Complaint for Damages was filed.

**COURT FURTHER FINDS** after review that on September 24, 2020 an Order to Proceed In Forma Pauperis was granted and filed.

**COURT FURTHER FINDS** after review that on October 2, 2020, Summons for five Defendants were filed, however the Court clerks filed a Notice of Nonconforming Documents on October 6, 2020 stating that the documents were not signed by the submitting party or counsel for said party. The fillable field forms on the document were blank.

**COURT FURTHER FINDS** after review that an Affidavit of Service was filed on December 8, 2020 for all five Defendants indicating that Defendants were served on October 9, 2020.

1           **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant  
2 Jamie Gregory filed a Demand for Security Costs.

3           **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant  
4 Shannon Weeks filed a Demand for Security Costs.

5           **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant  
6 Vegas Pet Rescue Project filed a Demand for Security Costs.

7           **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant  
8 Casey Gish filed a Demand for Security Costs.

9           **COURT FURTHER FINDS** after review that the Demand for Security Costs  
10 was timely filed for all Defendants pursuant to NRS 18.130.

11           **COURT FURTHER FINDS** after review that NRS 18.130(4) states that after  
12 the lapse of 30 days from the service of notice that security is required, or of an order for  
13 new or additional security, upon proof thereof, and that no undertaking as required has  
14 been filed, the court or judge may order the action to be dismissed.

15           **THEREFORE COURT ORDERS** for good cause and after review that due to  
16 failure to comply with NRS 18.130, this case is hereby **DISMISSED** without  
17 prejudice.

18  
19  
20  
21                               9  
22           Dated: February 8, 2021

23   Dated this 9th day of February, 2021

24   *Nancy L Alf*

25   BD8 E8C 5D2E 81B8  
26   Nancy Alf  
27   District Court Judge

28   NB

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on or about the date filed, a copy of the foregoing was electronically served pursuant to N.E.F.C.R. Rule 9, to all registered parties in the Eighth Judicial District Court's Electronic Filing Program.

\_\_\_\_\_/s/\_\_\_\_\_  
Karen Lawrence  
Judicial Executive Assistant

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 **Alla Zorikova, Plaintiff(s)**

**CASE NO: A-20-820761-C**

7 **vs.**

**DEPT. NO. Department 27**

8 **Jamie Gregory, Defendant(s)**

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 2/9/2021**

15 **Casey Gish, Esq.**

**casey@gishlawfirm.com**

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
19 known addresses on 2/10/2021

20 **Alla Zorikova**

**1905 wilcox ave, #175  
los angeles, CA, 90068**

21 **Casey Gish**

**Van Law Firm  
Attn: Casey D. Gish  
5940 S. Rainbow Blvd.  
Las Vegas, NV, 89118**



**PLEADING  
CONTINUES  
IN NEXT  
VOLUME**