

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Nov 17 2021 10:29 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

ALLA ZORIKOVA,
Appellant(s),

vs.

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

Case No: A-20-821249-C

Docket No: 83478

RECORD ON APPEAL VOLUME 2

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EXHIBIT “2”

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.

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21 9
22 Dated: February 8, 2021

Dated this 9th day of February, 2021

Nancy L Alf

BD8 E8C 5D2E 81B8
Nancy Alf
District Court Judge

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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
21 los angeles, CA, 90068

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

EXHIBIT “3”

20-711285



Secretary of State
Statement of Information
 (California Stock, Agricultural
 Cooperative and Foreign Corporations)

SI-550

65

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

FILED

Secretary of State
State of California

MAY 29 2020

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	City (no abbreviations) Los Angeles	State CA	Zip Code 90068
b. Mailing Address of Corporation, if different than Item 3a	City (no abbreviations)	State	Zip Code
c. Street Address of Principal California Office, if any and if different than Item 3a - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code

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.

a. Chief Executive Officer/ First Name: Olivia, Middle Name: Dae, Last Name: Jeong Address: 1905 Wilcox Av, #175 City (no abbreviations): Los Angeles, State: CA, Zip Code: 90068	Suffix
b. Secretary First Name: Alla, Middle Name: A, Last Name: Larikova Address: 1905 Wilcox Av, #175 City (no abbreviations): Los Angeles, State: CA, Zip Code: 90068	Suffix
c. Chief Financial Officer/ First Name: Olivia, Middle Name: Dae, Last Name: Jeong Address: 1905 Wilcox Av, #175 City (no abbreviations): Los Angeles, State: CA, Zip Code: 90068	Suffix

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).

a. First Name: Olivia, Middle Name: Dae, Last Name: Jeong Address: 1905 Wilcox Av, #175 City (no abbreviations): Los Angeles, State: CA, Zip Code: 90068	Suffix
b. Number of Vacancies on the Board of Directors, if any	

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.

a. California Agent's First Name (if agent is not a corporation) Olivia	Middle Name Dae	Last Name Jeong	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box 1905 Wilcox Av, #175	City (no abbreviations) Los Angeles	State CA	Zip Code 90068

CORPORATION – Complete Item 6c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 6a or 6b

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

Jeong
 Signature

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 SB2 Fee			0.00
Others			0.00
Paid			\$26.75

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.

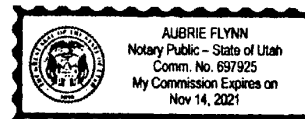
STATE OF CALIFORNIA State of Utah
 COUNTY OF Salt Lake

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 *Aubrie Flynn*

(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 & 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:

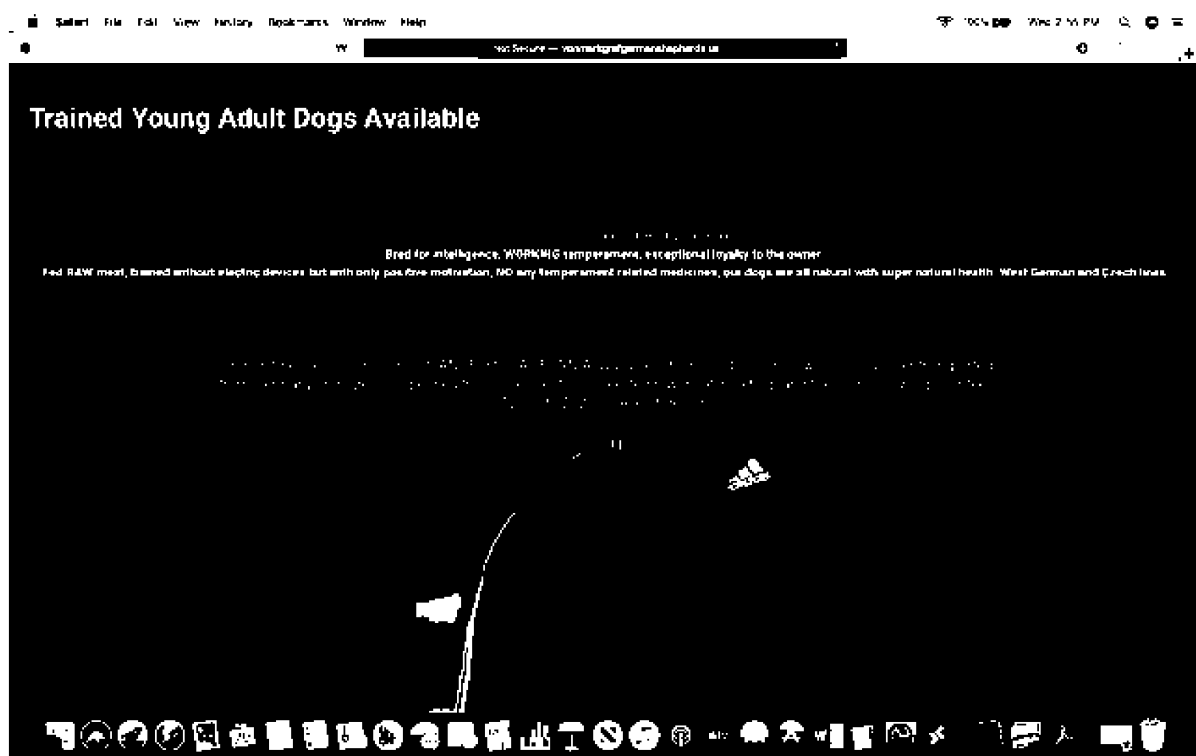
Name: Olivia Jeong

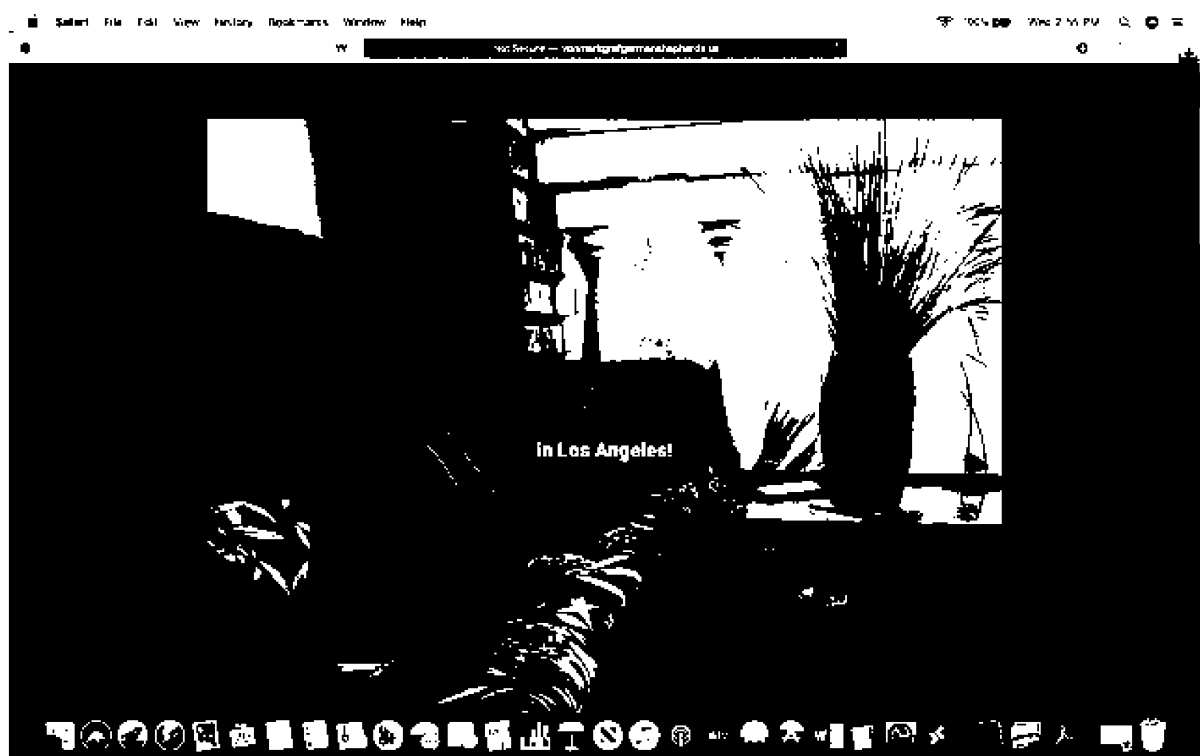
Address: Email: Olivia.car@mail.ru

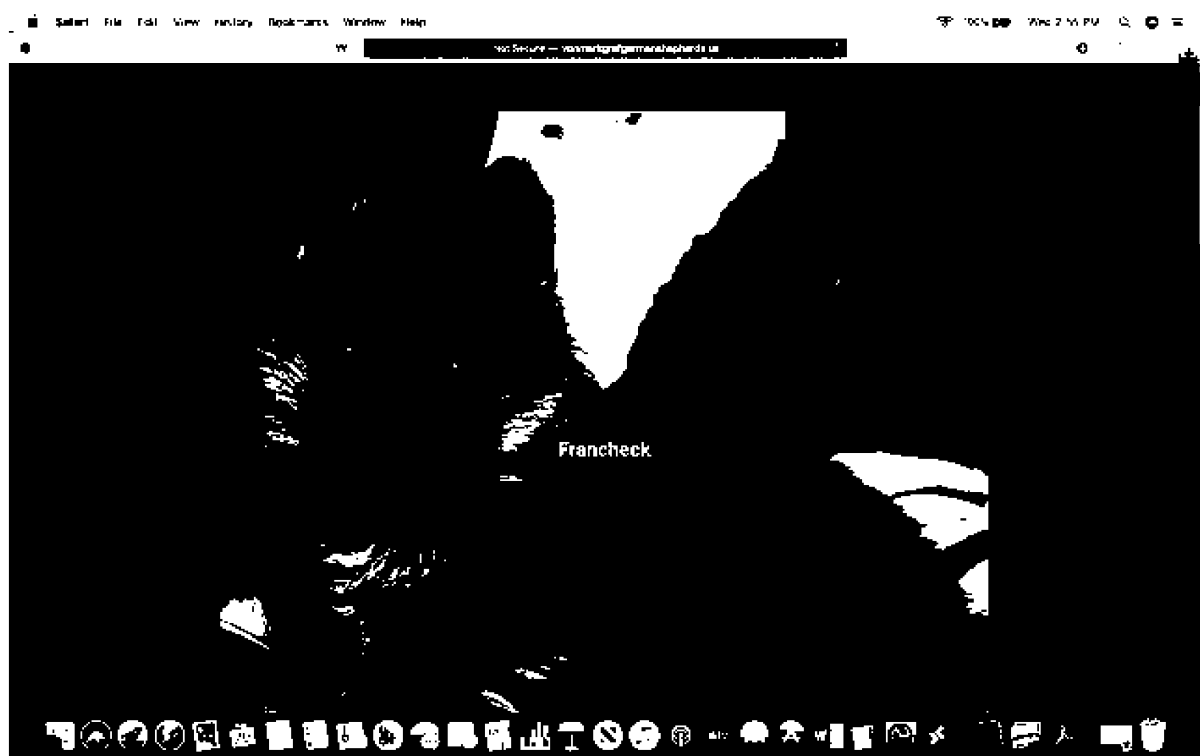
City, State, and Zip Code: _____

Corp. 56 (09/2010)

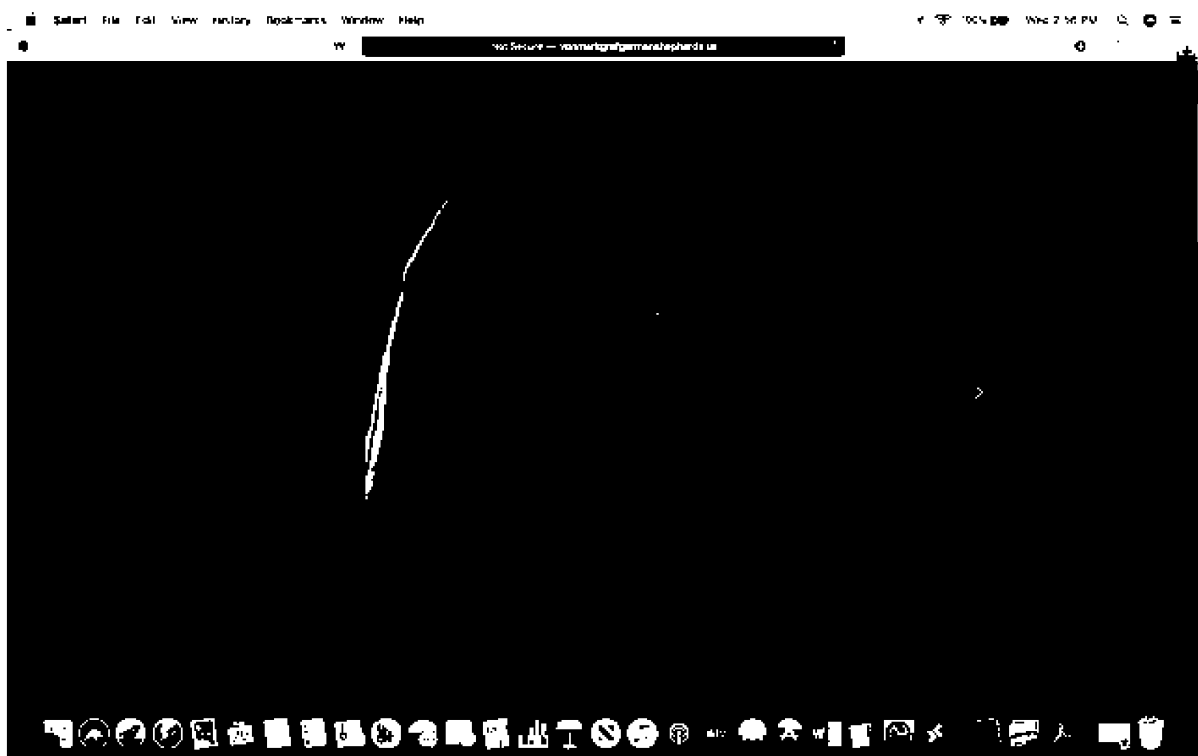
EXHIBIT “7”

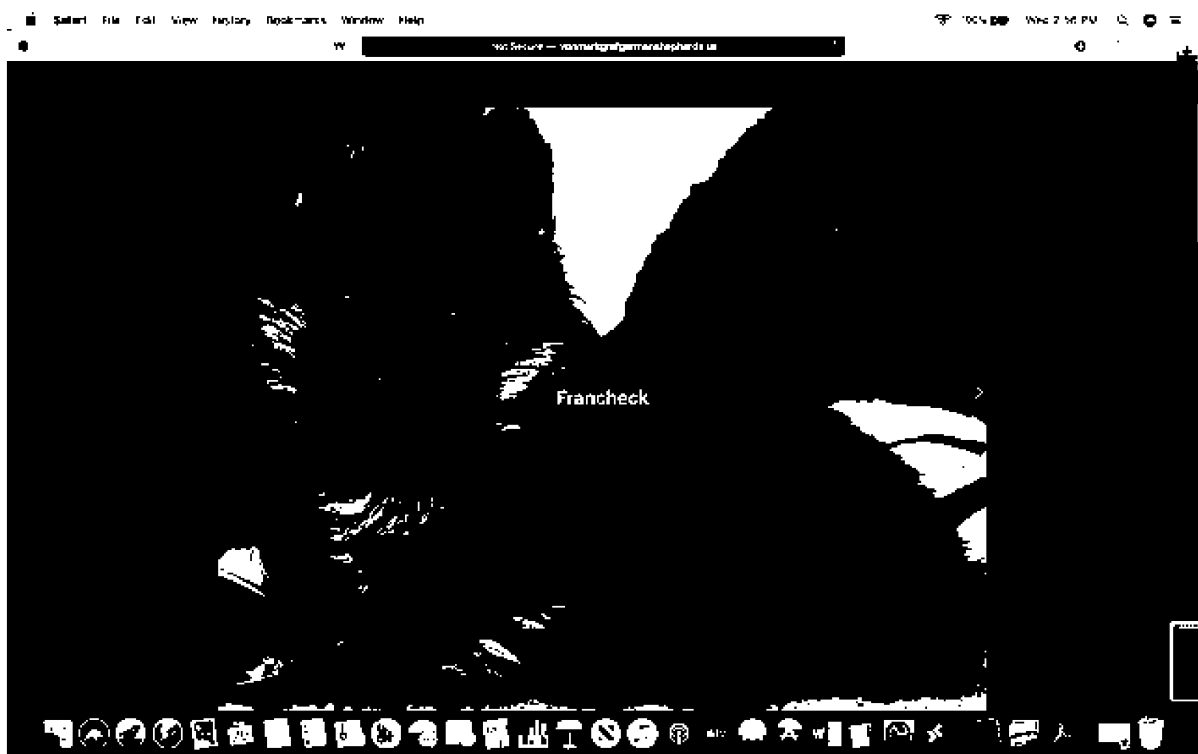




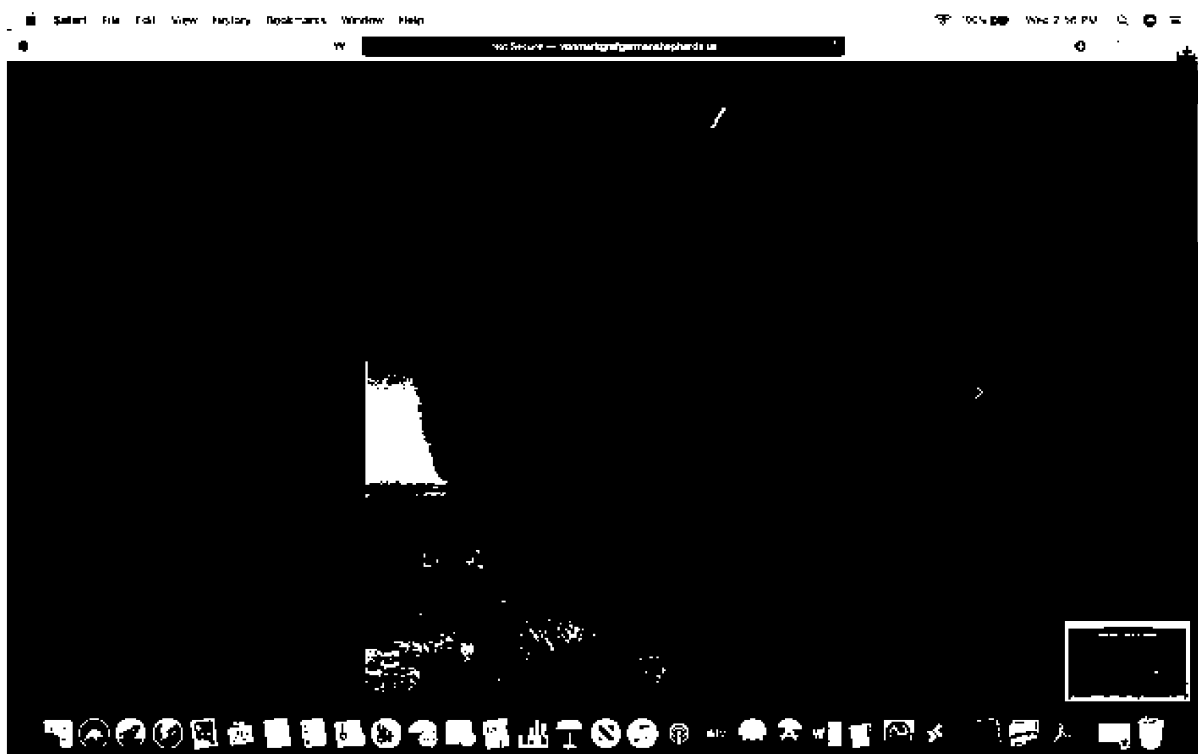


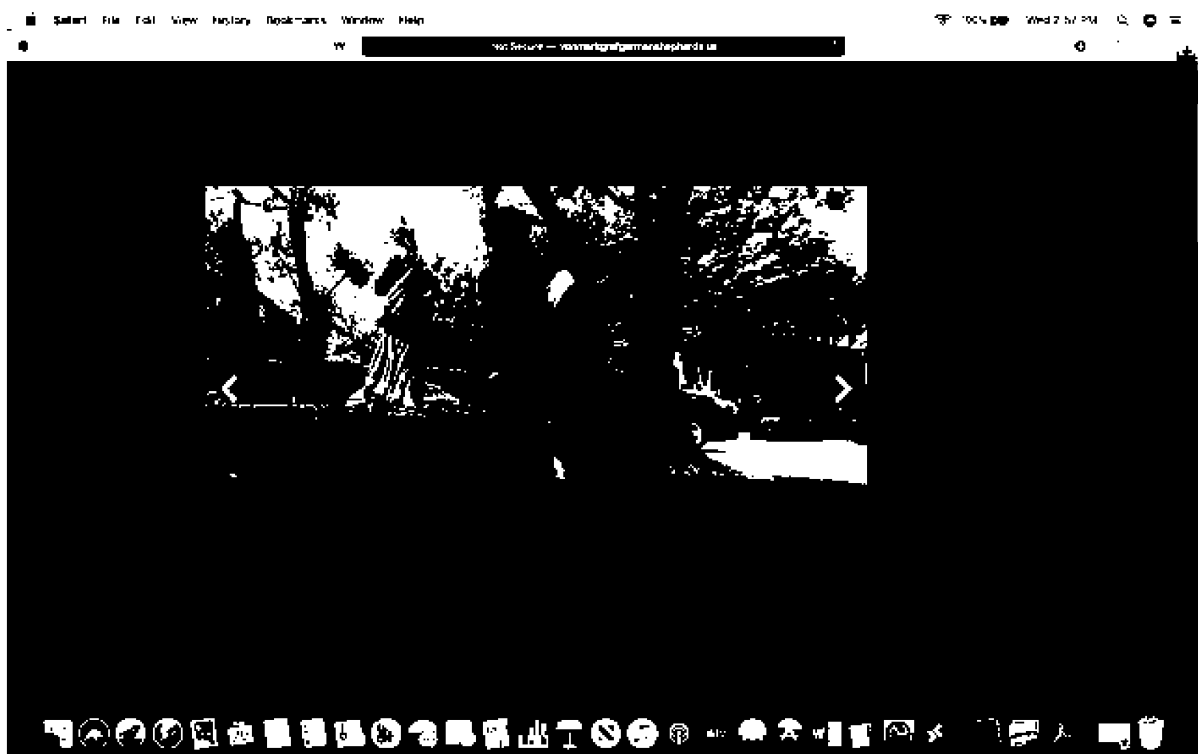






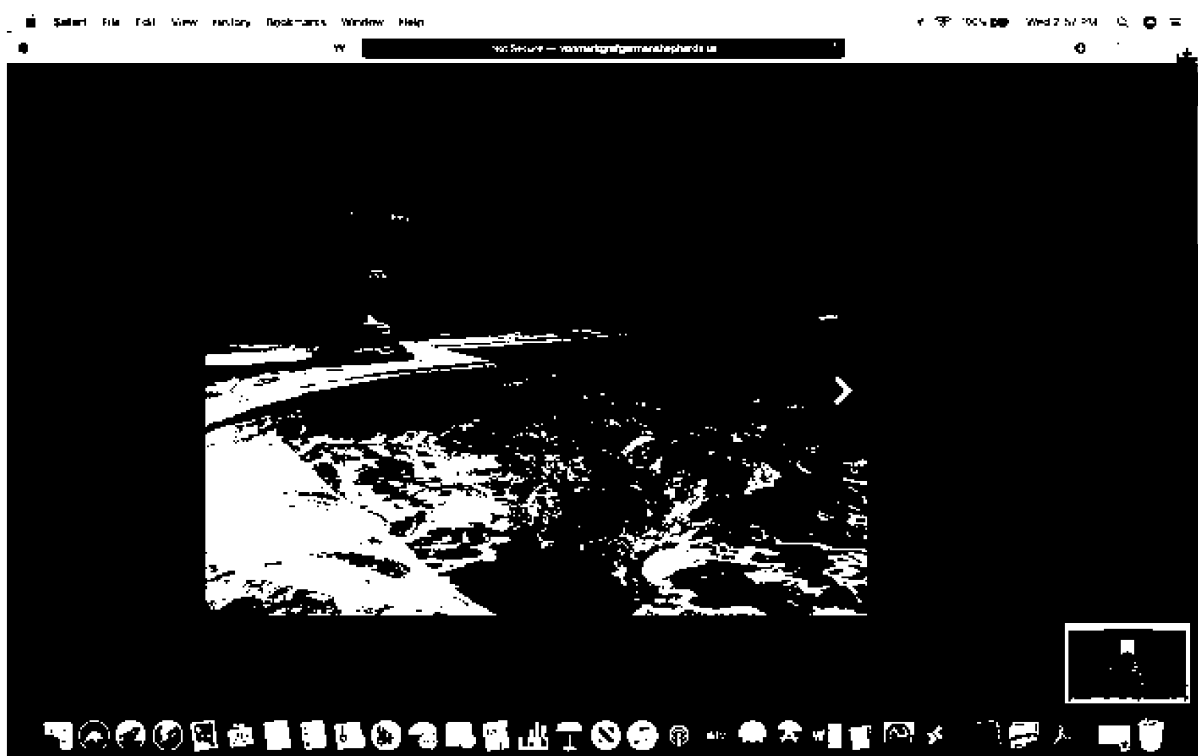












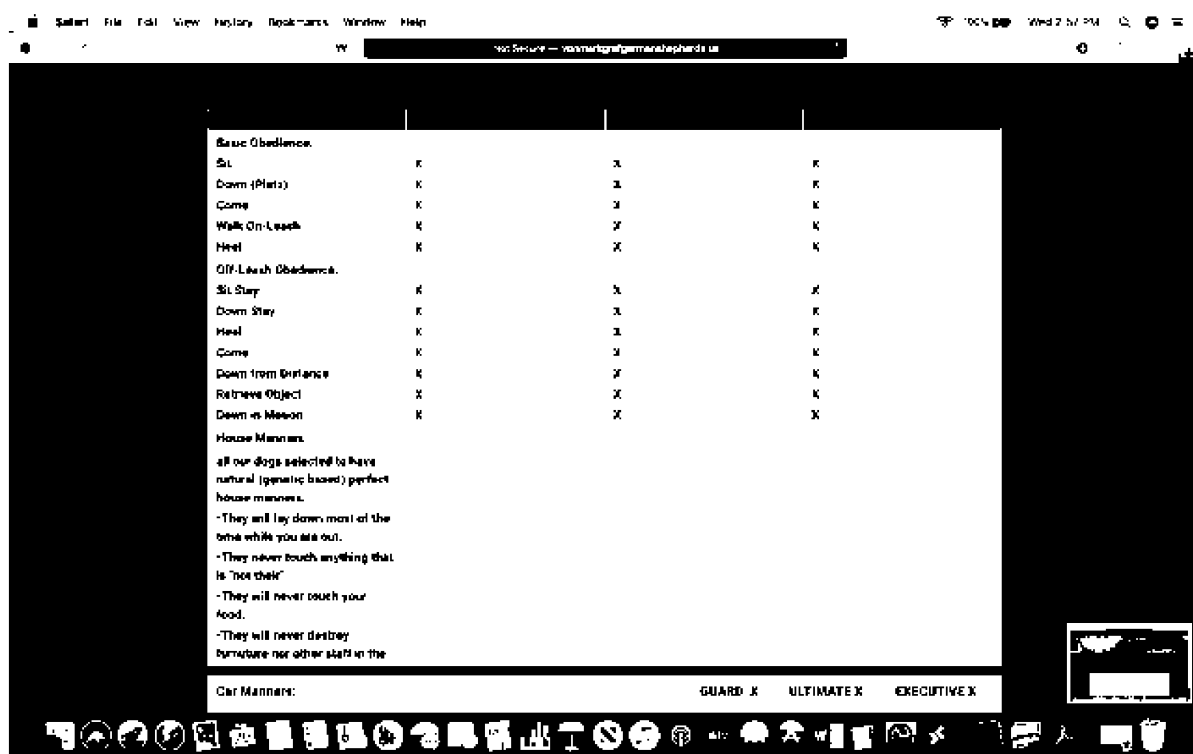
File Edit View History Bookmarks Window Help 100% Wed 2/17/PM

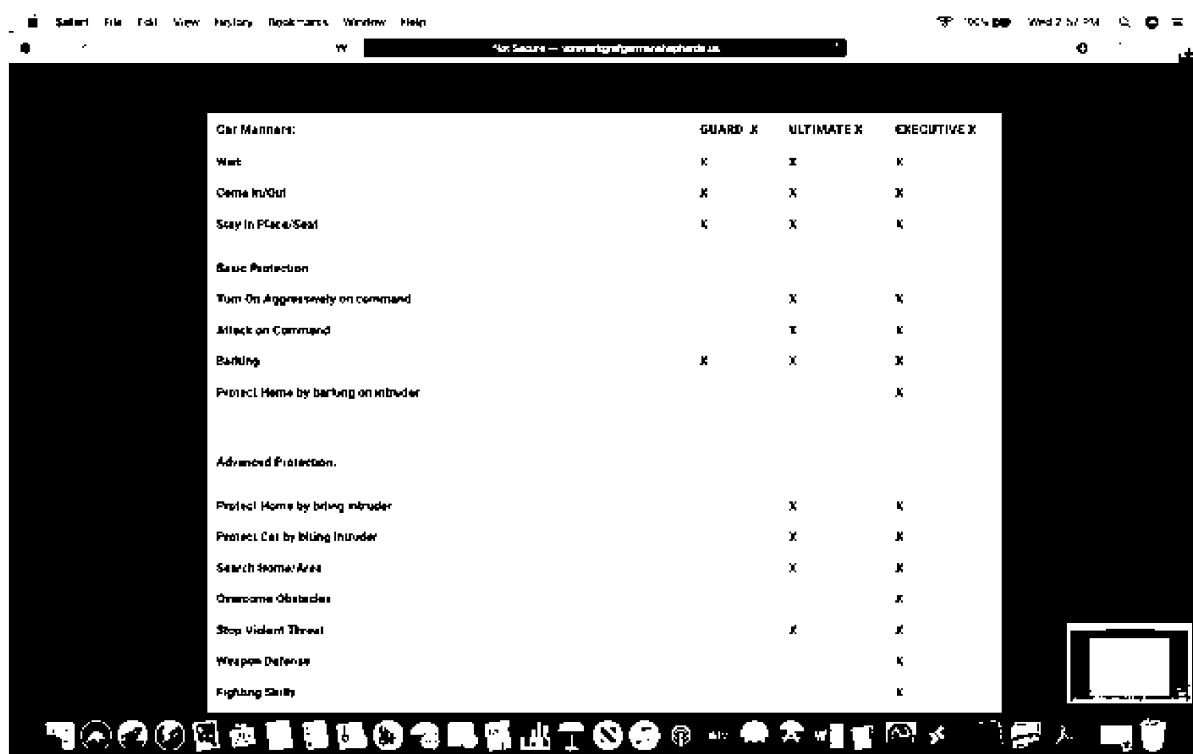
no Secure — vsmarkgrafpmrwebpsheds.us

Training Levels

Available Personal Protection Dogs

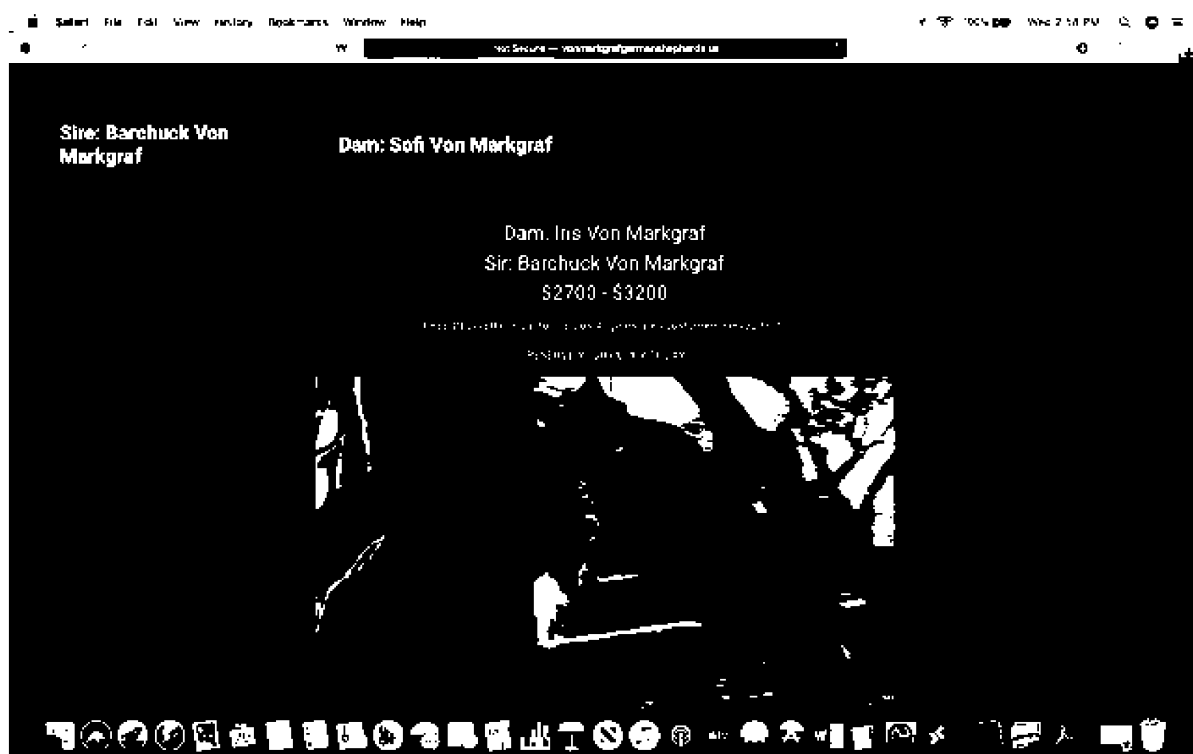
	Level 1	Level 2	Level 3	Level 4
Basic Obedience				
Sit	X	X	X	X
Down (Place)	X	X	X	X
Come	X	X	X	X
Walk On-Leash	X	X	X	X
Heel	X	X	X	X
Off-Leash Obedience				
Sit Stay	X	X	X	X
Down Stay	X	X	X	X
Heel	X	X	X	X
Come	X	X	X	X

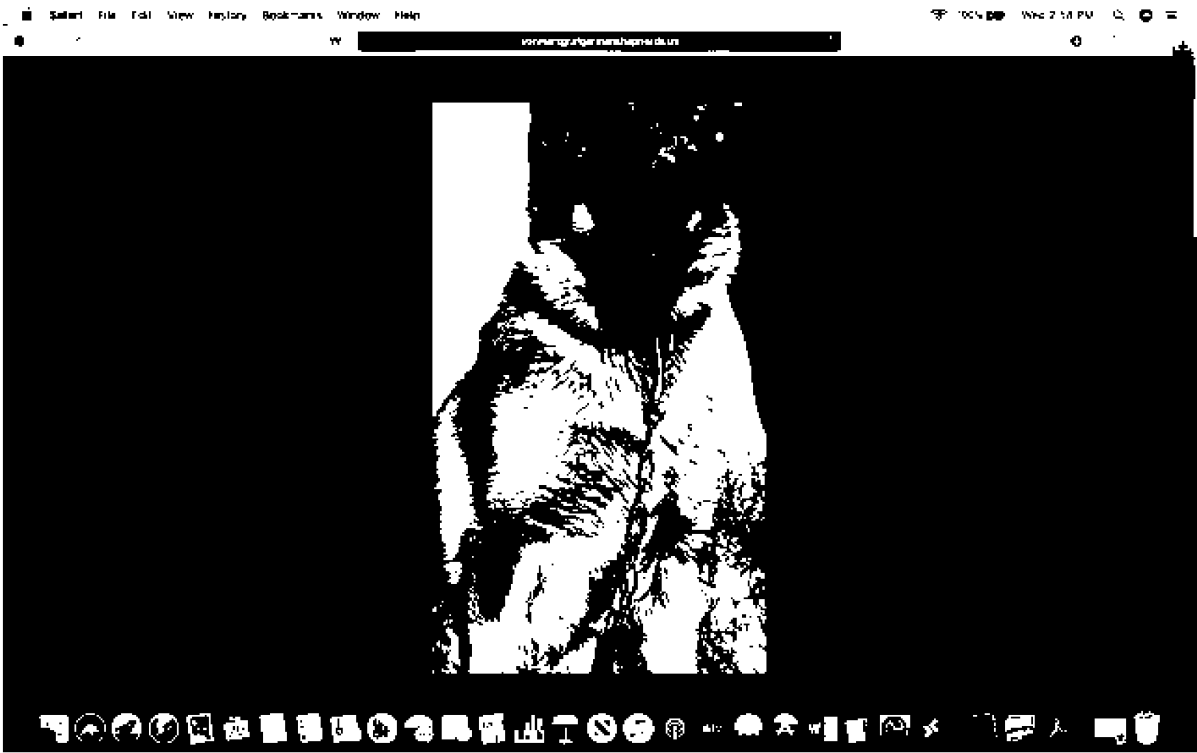


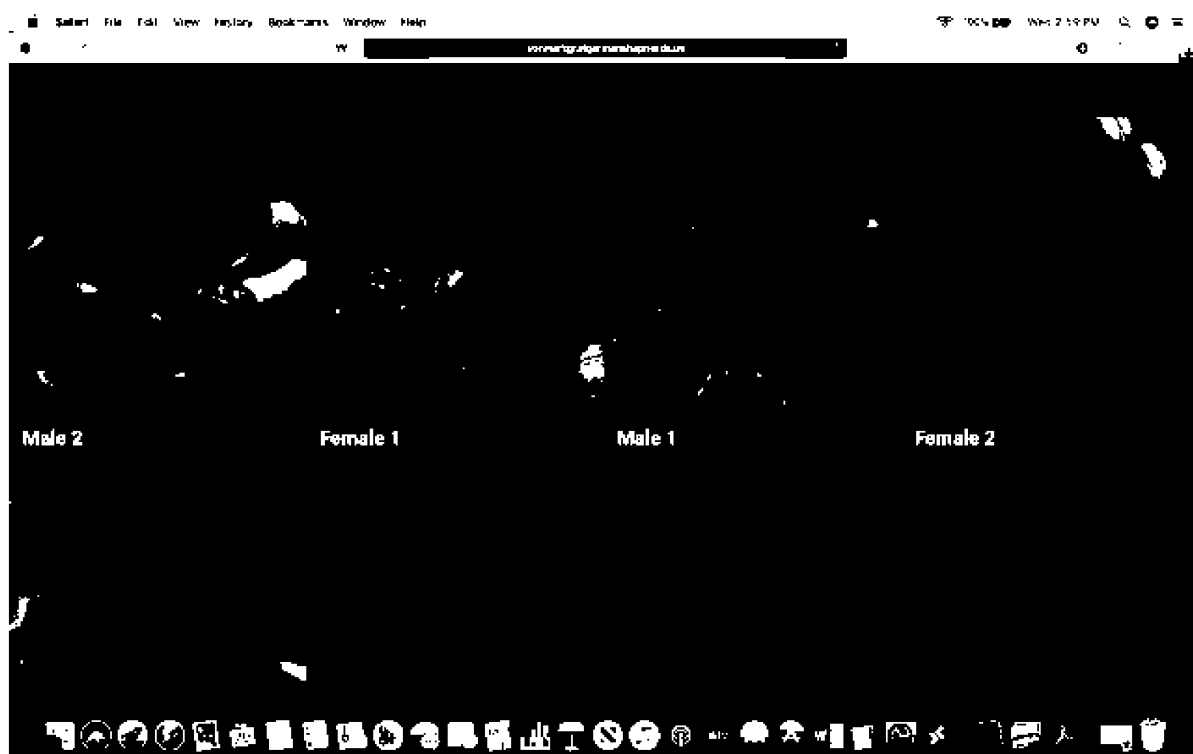








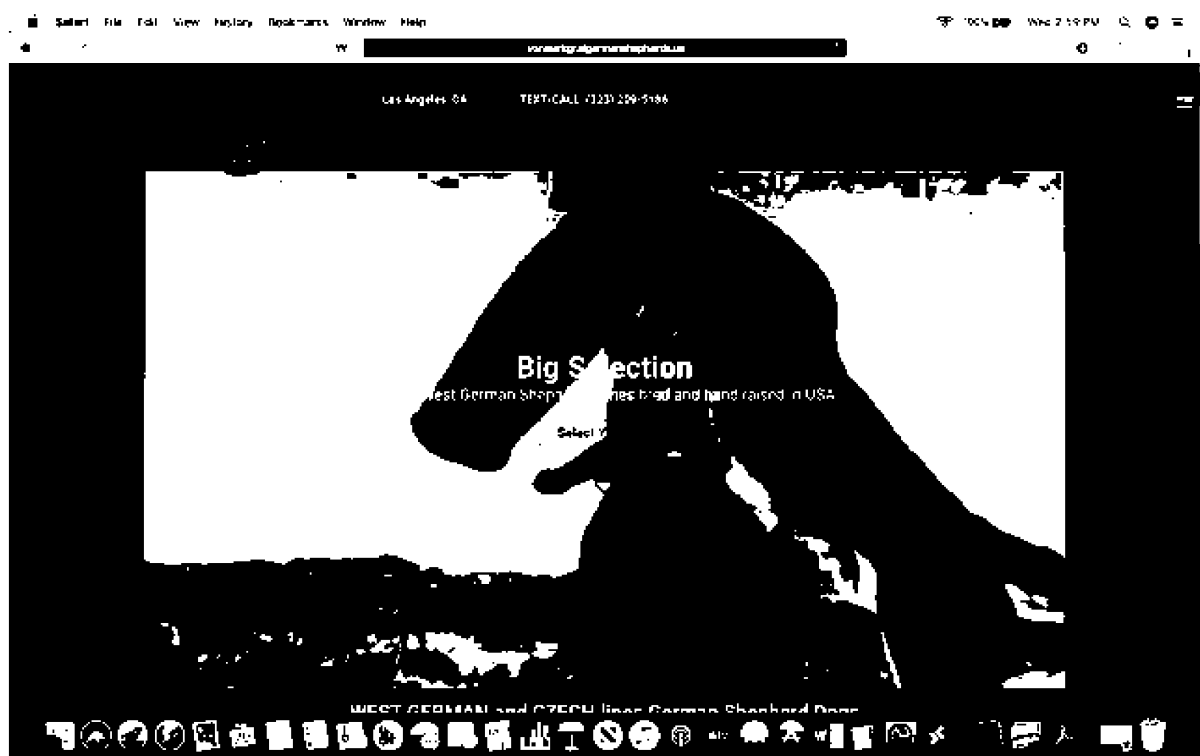




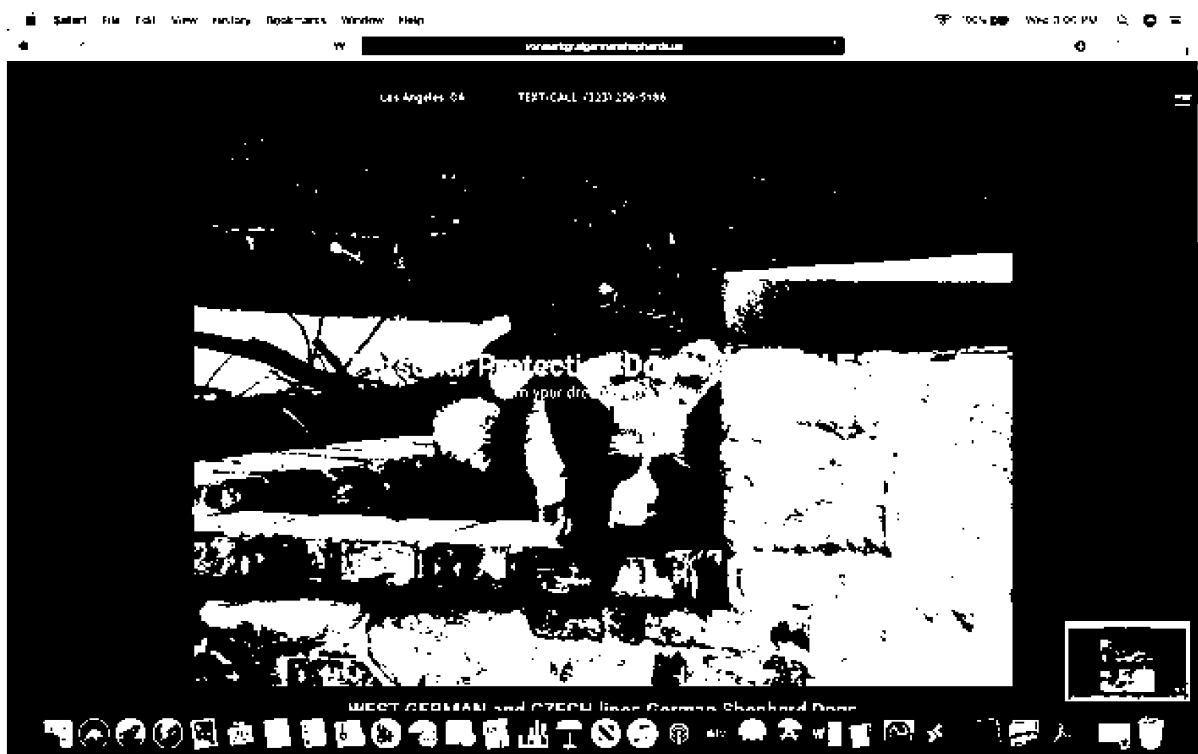


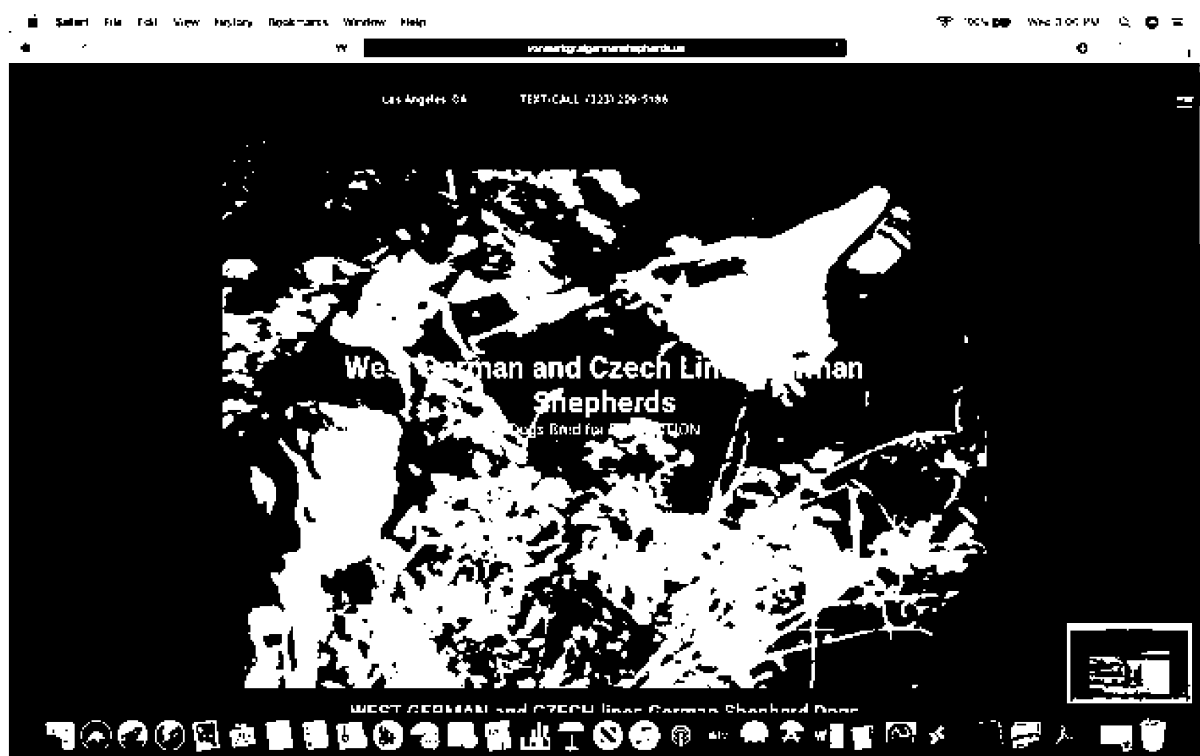




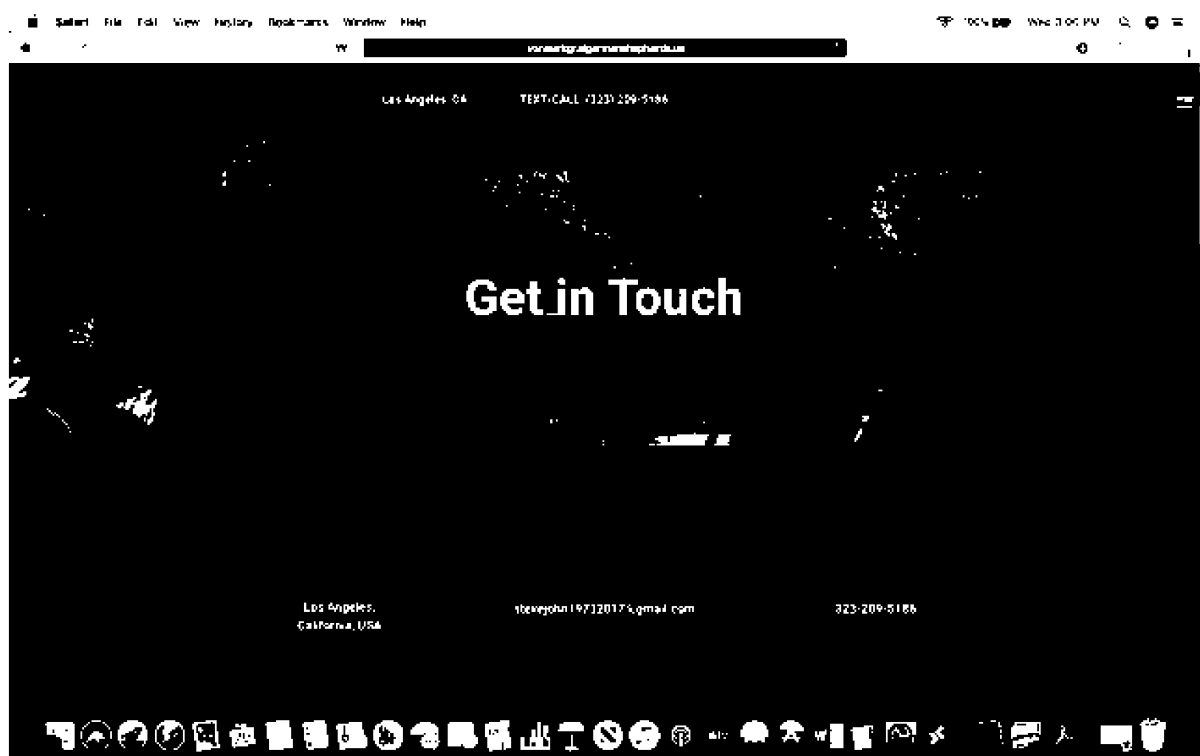


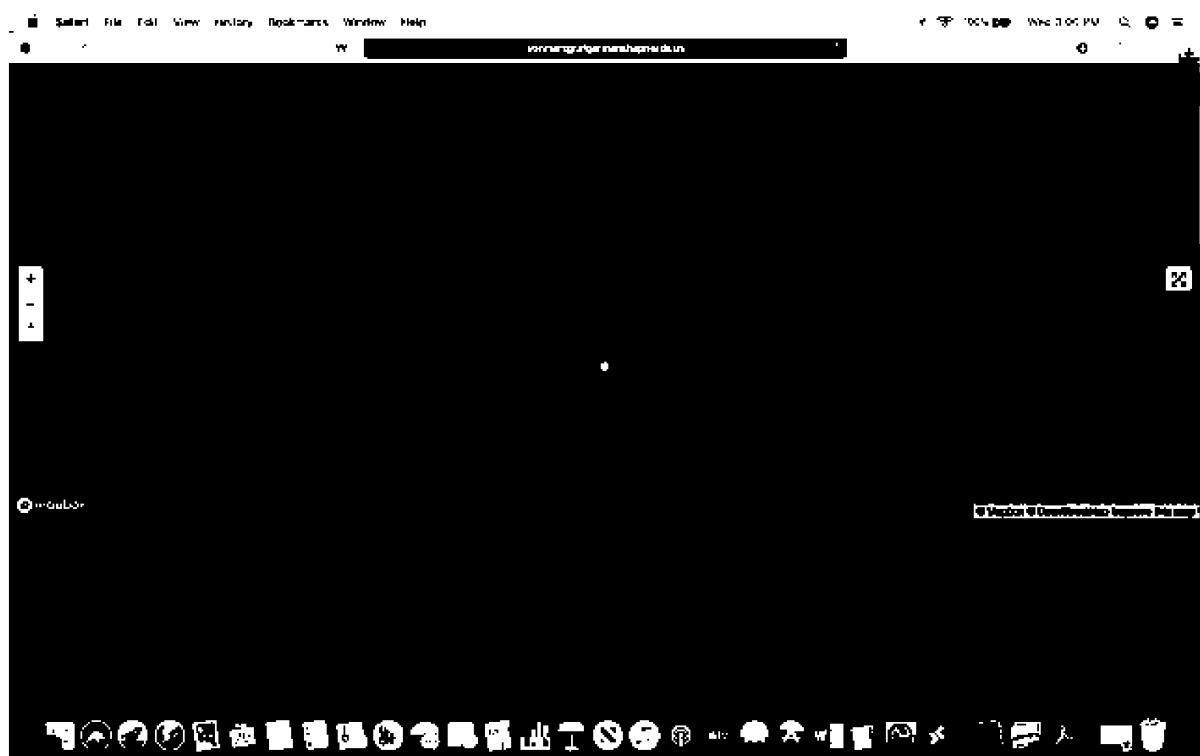


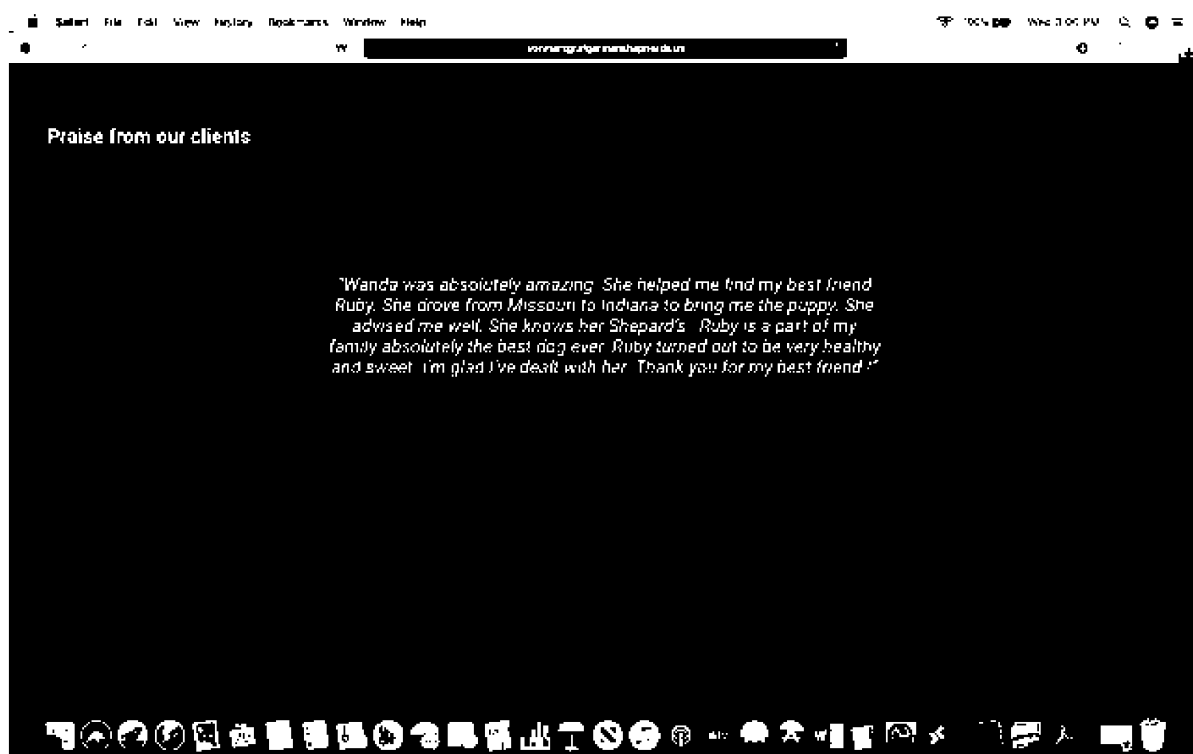


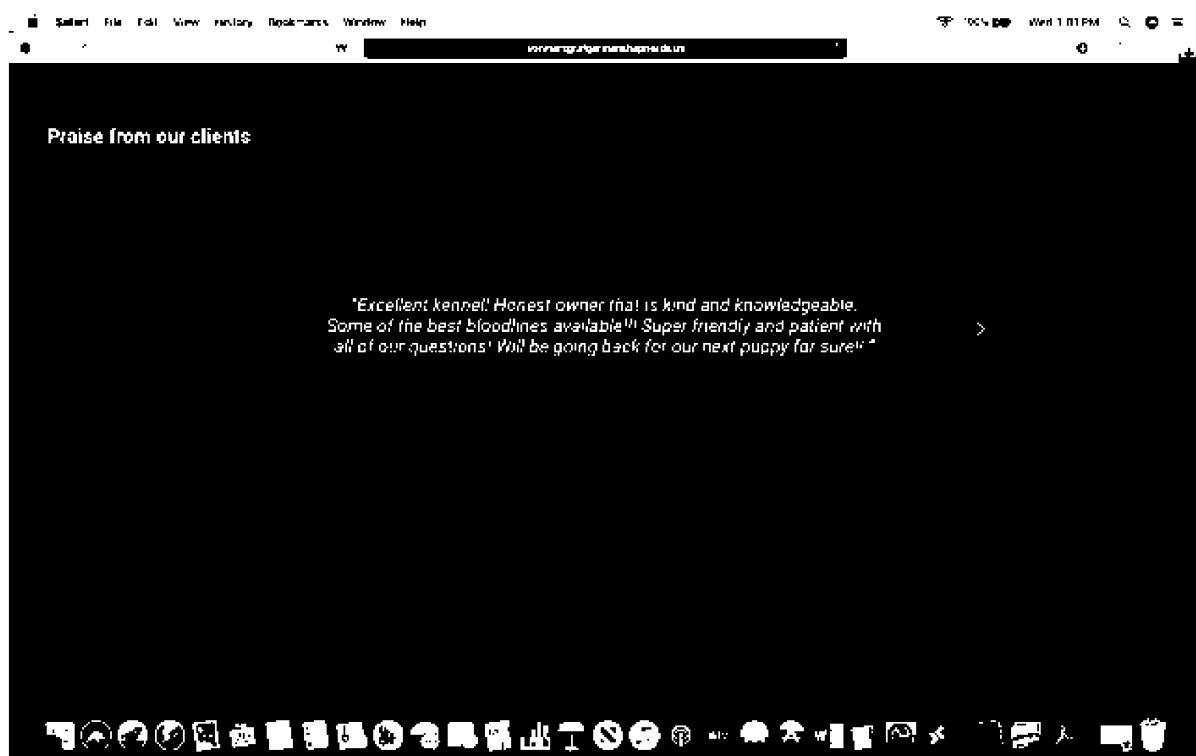


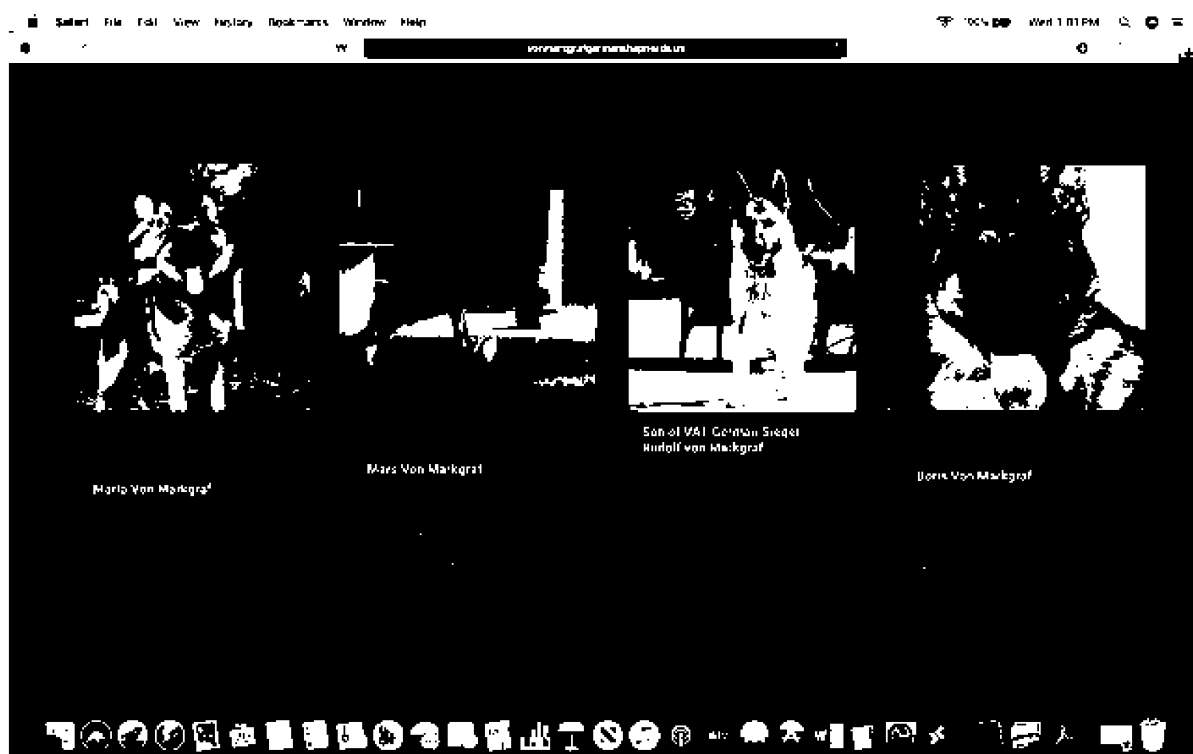


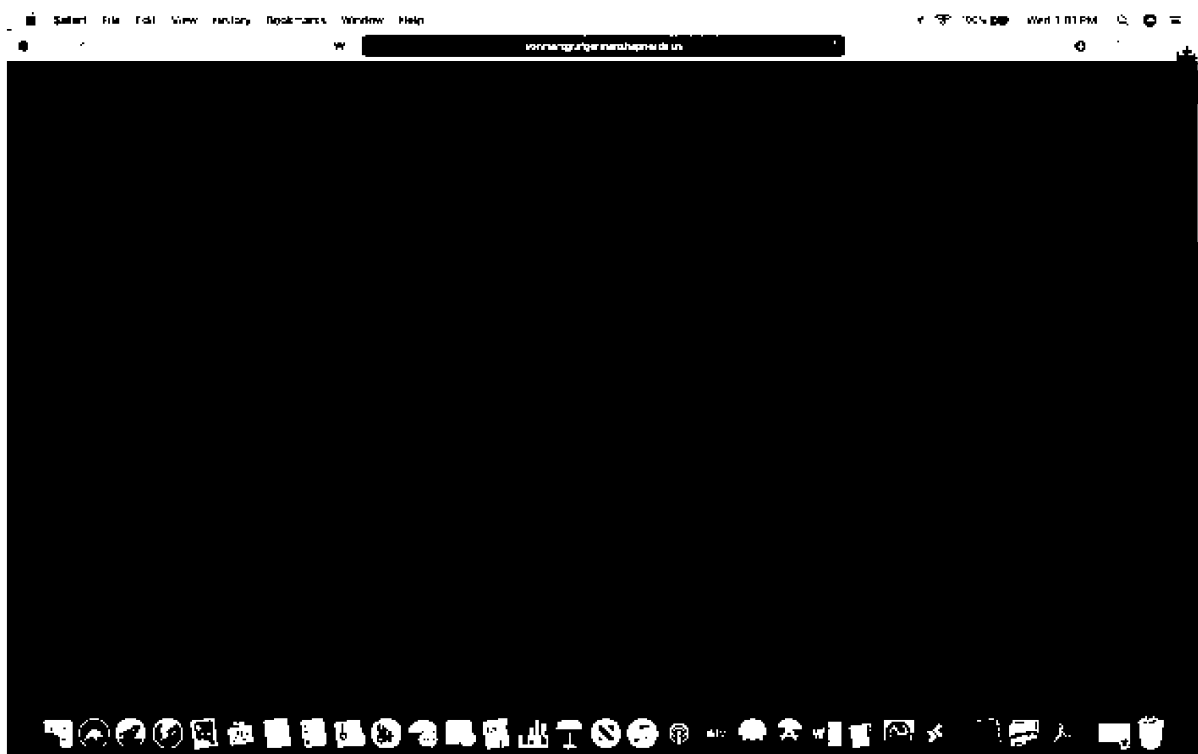












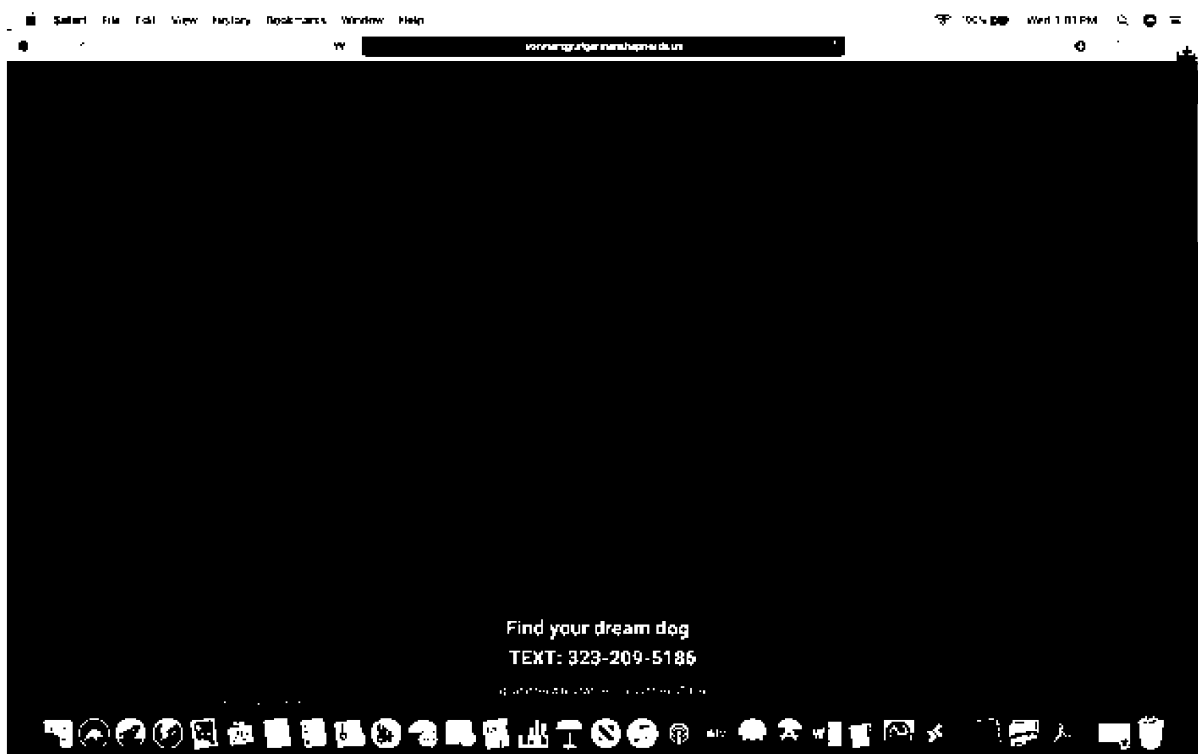


EXHIBIT “8”

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



Land Use Services Department Code Enforcement NOTICE OF VIOLATION

TO: ZINAIDA, DMITREEVA ETAL OR NOTICE DATE: 10/13/2020
JEONG, OLIVIA
 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: _____

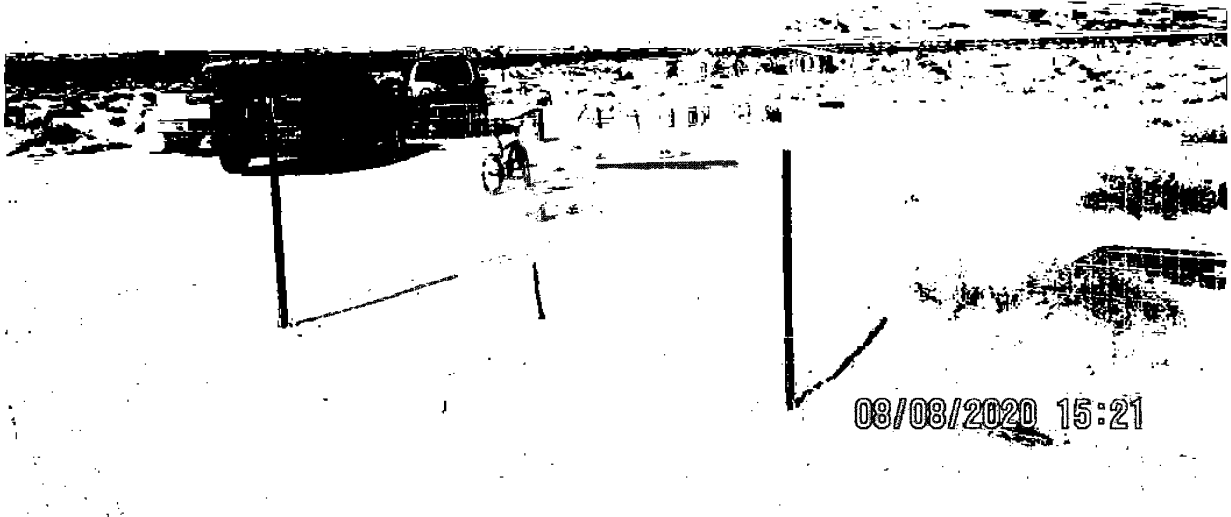
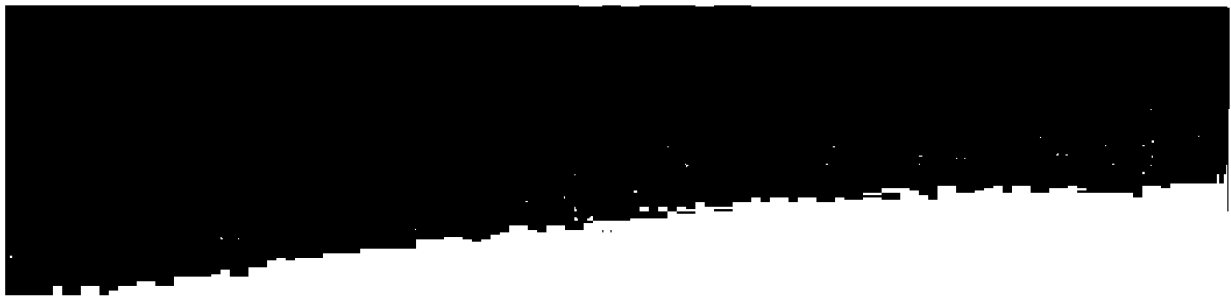
☐ SBCC 84.04.090(h) - **Animal Density Standards:** The number of animals shall be within approved limits.
 Corrective Action: _____

☒ 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.

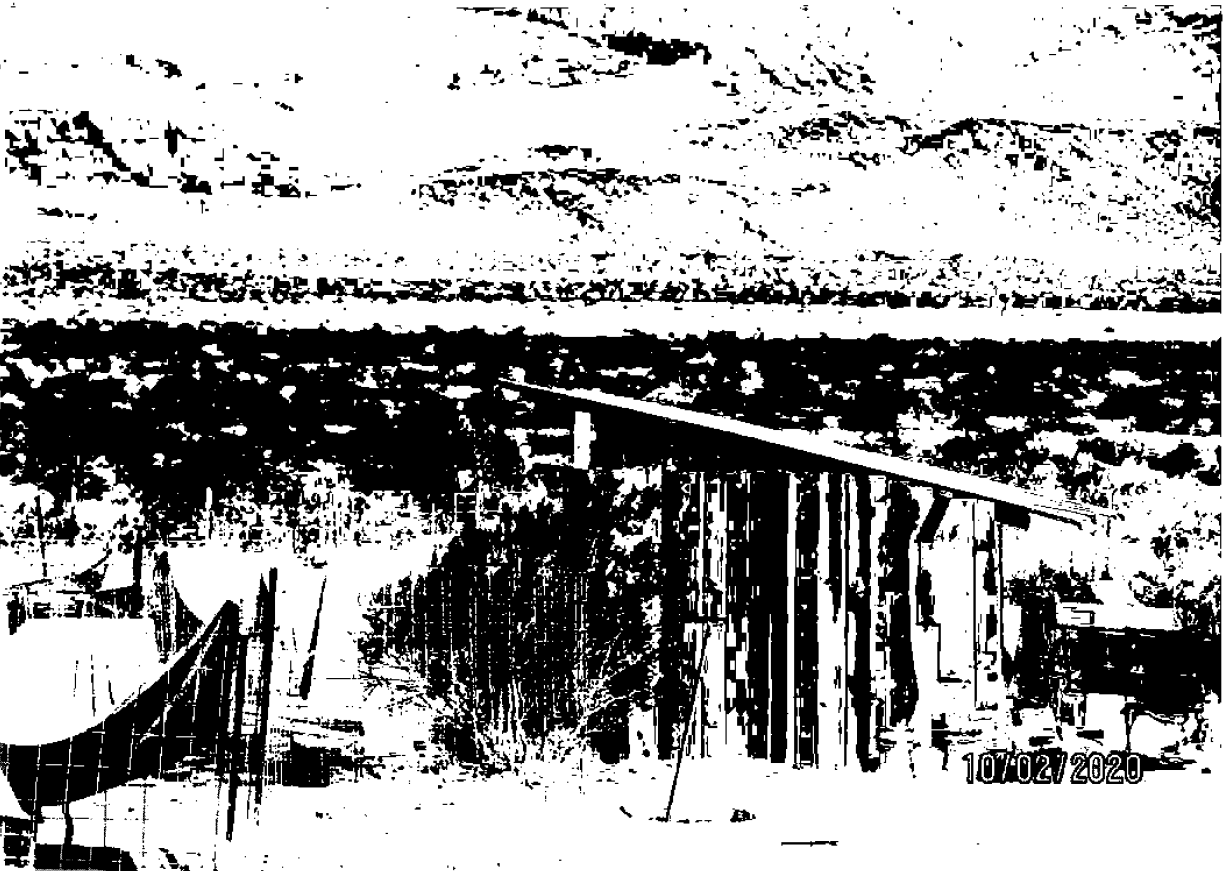
Notice received by: Standard Mail Code Enforcement Officer: G. Arroyo

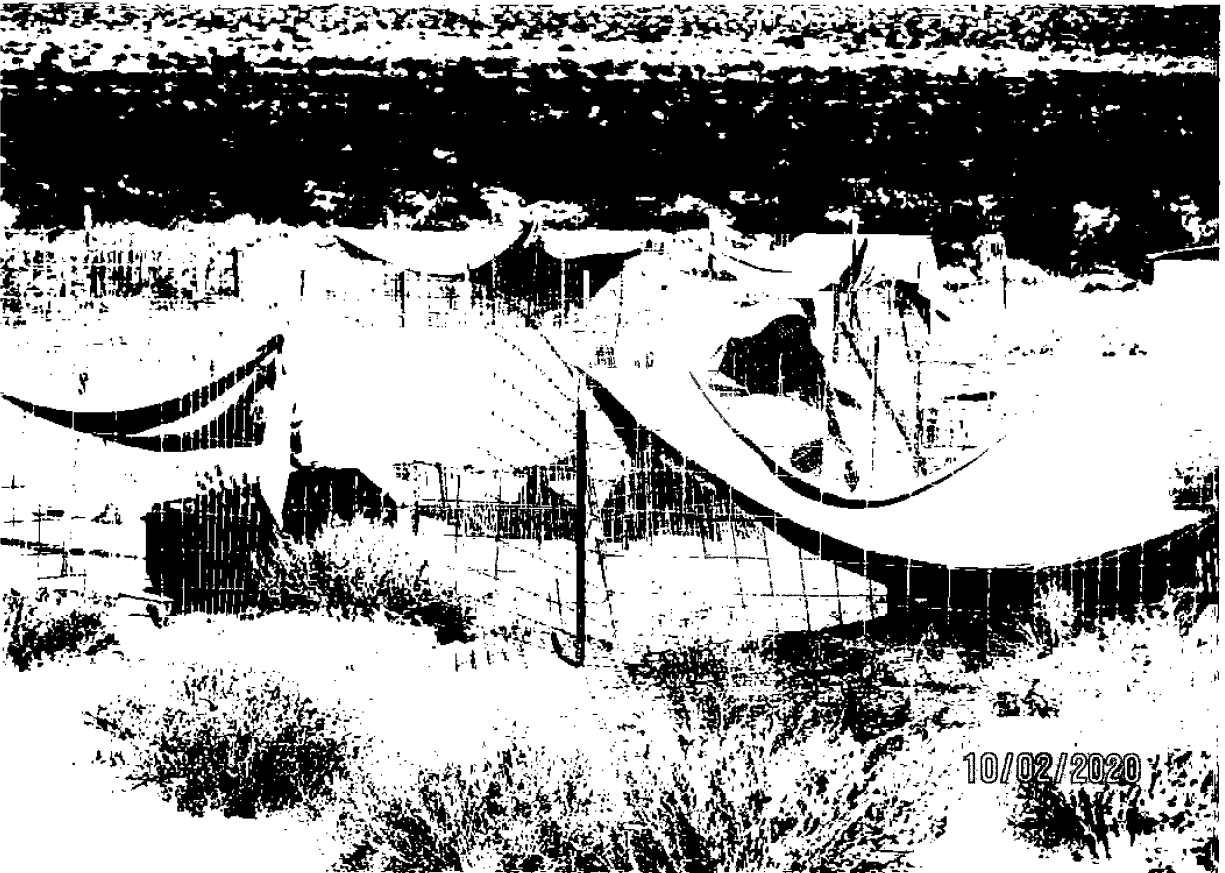
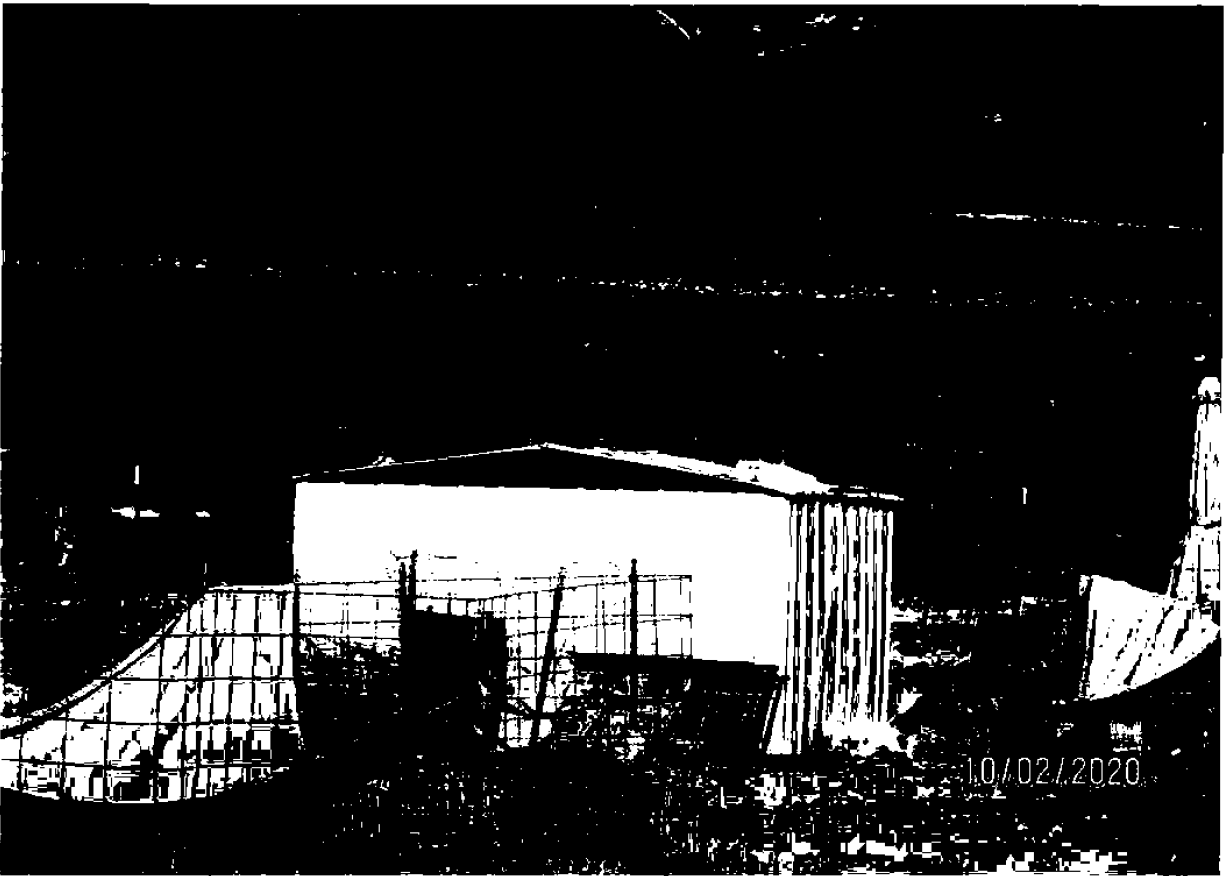














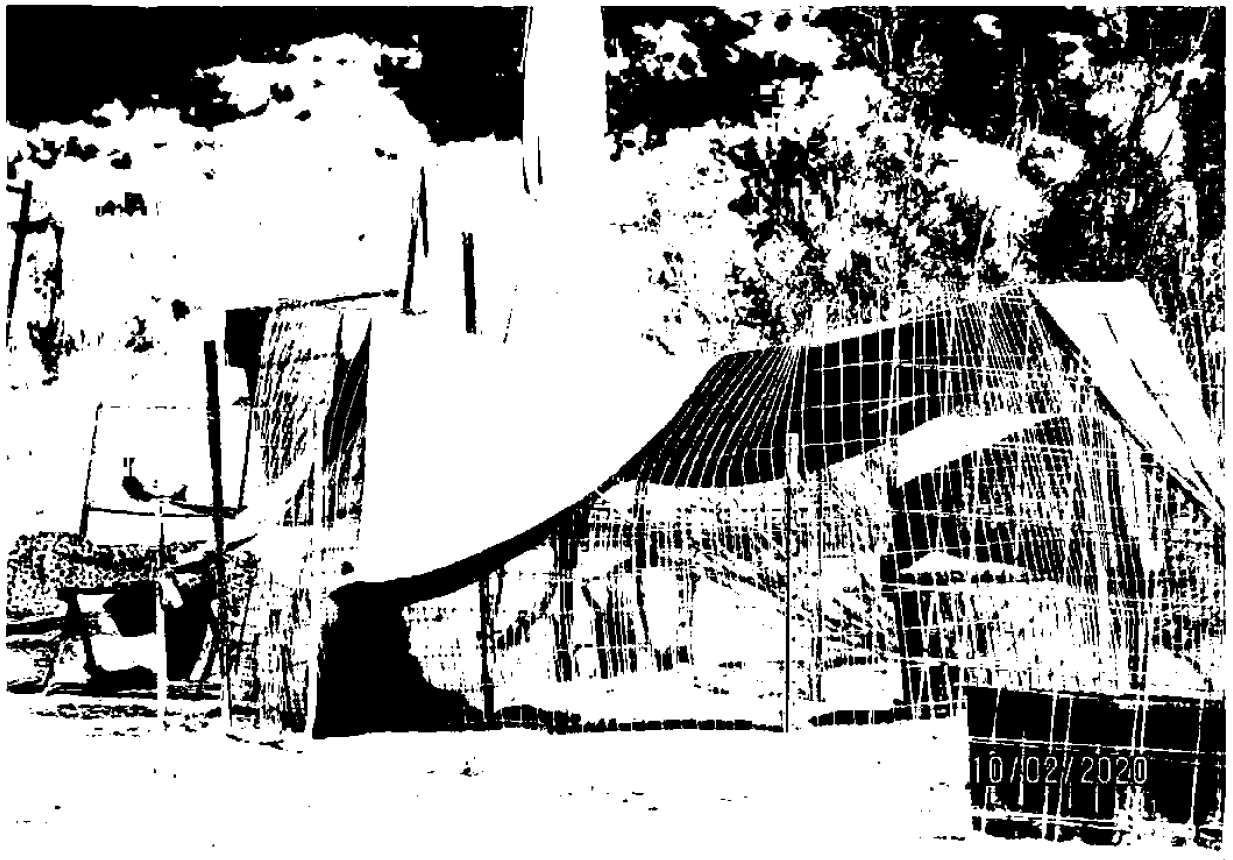




EXHIBIT “9”

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.

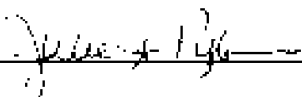
8. I have never been in possession of any dogs that have a microchip registered to Ms. Zorikova, Ms. Jeong and/or Von Mark Graf German Shepherds. Neither has Vegas Shepherd Rescue. Because Plaintiff has alleged that “thieves remove microchips;” and for brevity’s sake, neither myself nor Vegas Shepherd 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 4th day of June, 2024.



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

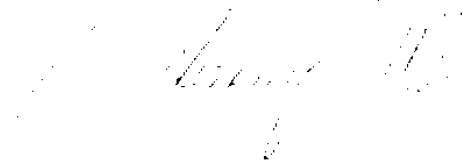


EXHIBIT “10”



Land Use Services Department Code Enforcement NOTICE OF VIOLATION

ZINAIDA, DMITREEVA ETAL OR
TO: 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



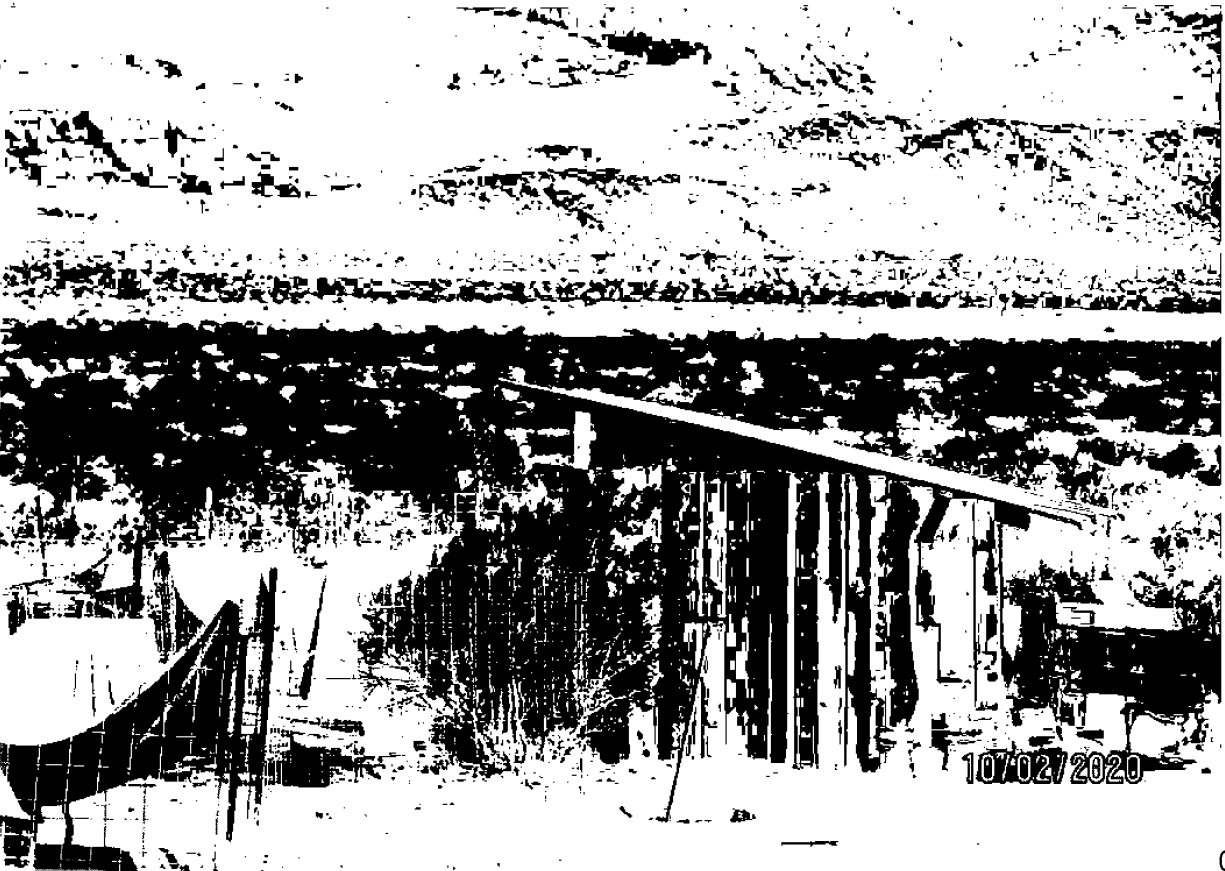
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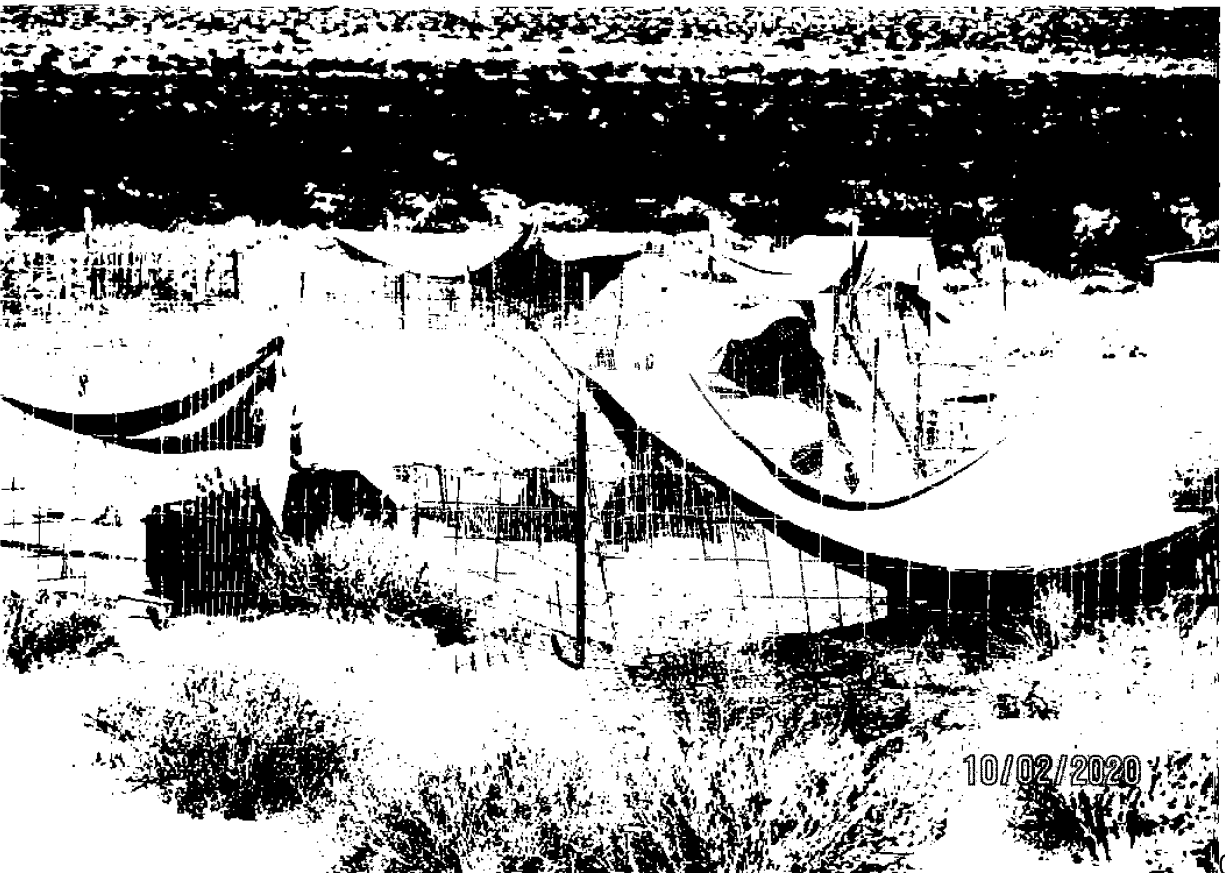
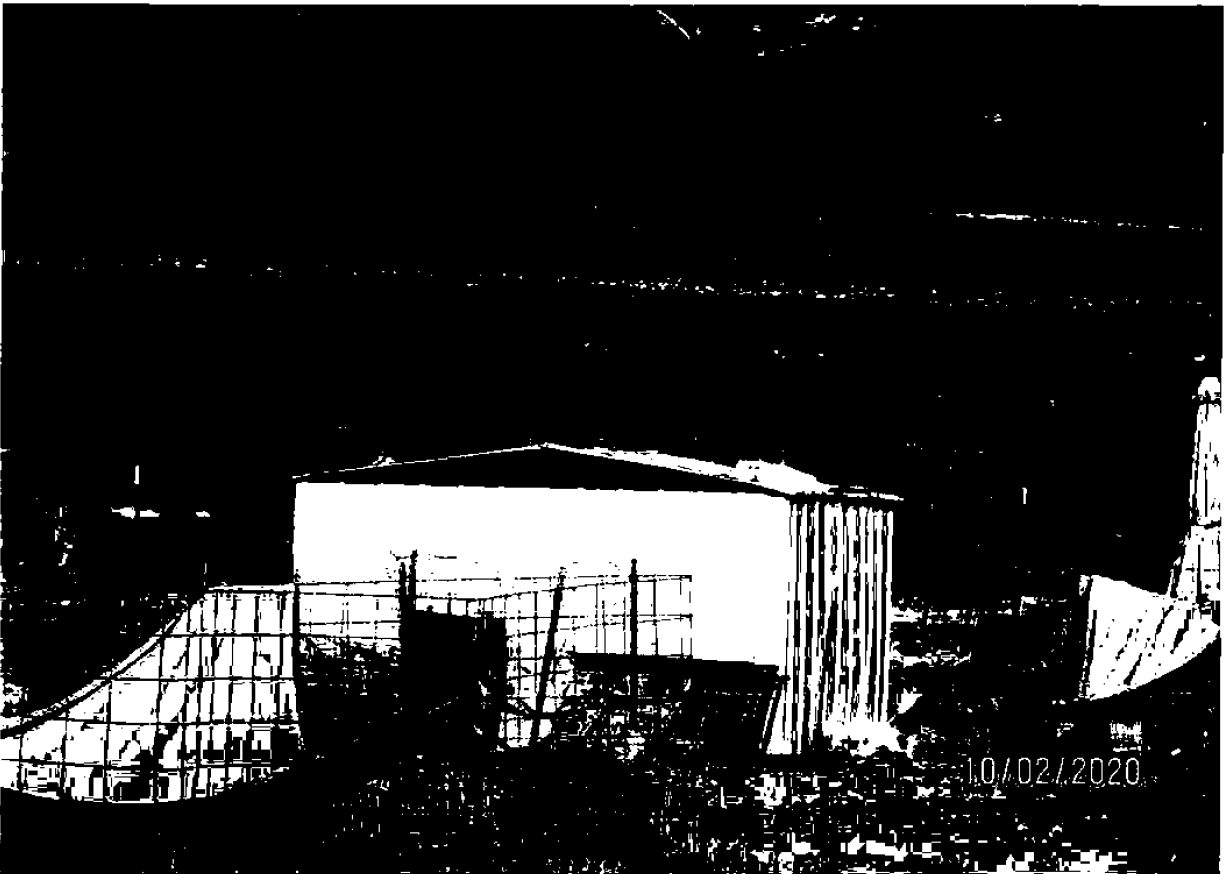


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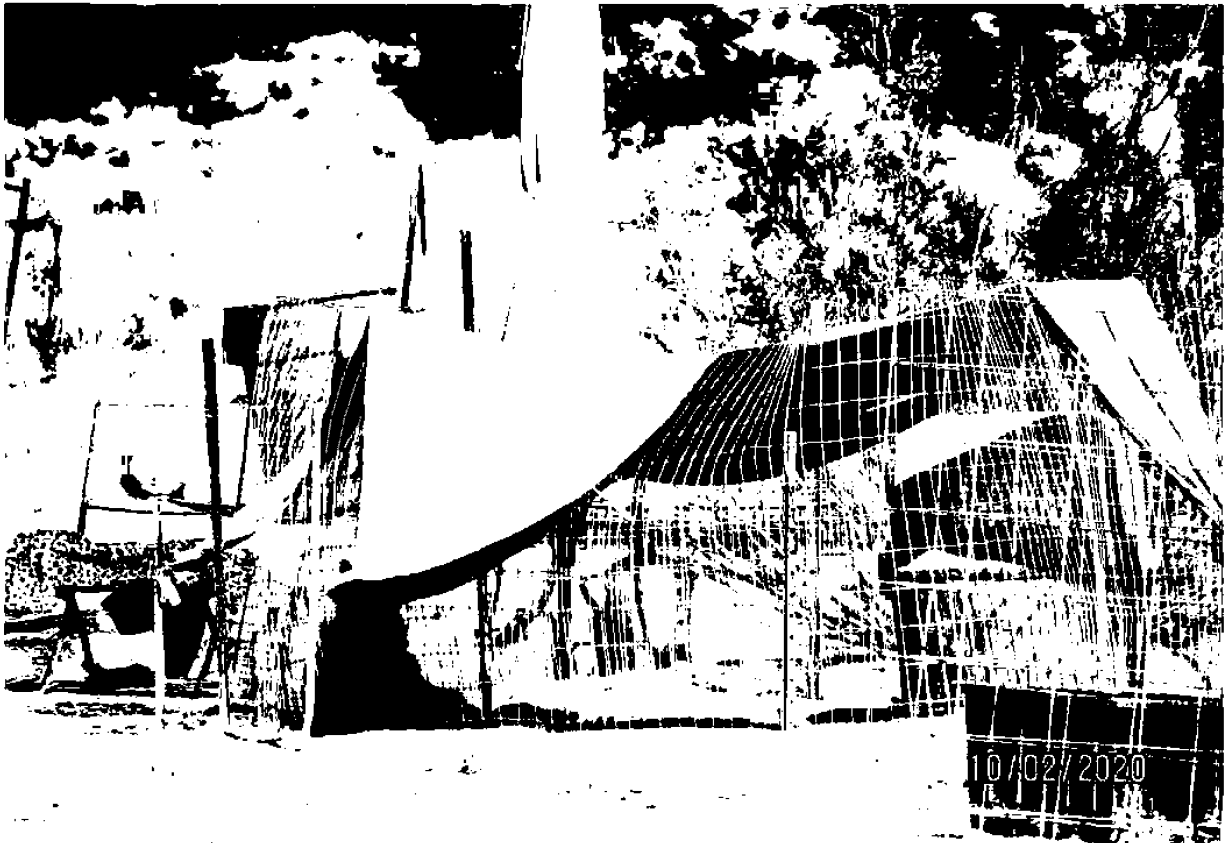
















OPPS

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*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, Defendants¹ Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and
provides their Opposition to *PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT*

¹ 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 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I.**

6 **INTRODUCTION**

7
8 So as not to belabor issues not pertinent to the instant Motion, Defendants hereby
9 incorporate the factual background contained in their Opposition to Plaintiff's motion for
10 temporary restraining order; and Defendants' Countermotion on file herein.

11 Plaintiff, Alla Zorikova, filed her Complaint against Defendants on September 15, 2020,
12 alleging causes of action for: 1) theft under NRS 41.580, 2) civil conspiracy, 3) trespass, 4) fraud;
13 5) intentional infliction of emotional distress; and 6) property damage. The general basis of her
14 complaint is that she owns 50 German Shepherds, of which she claims 25 were stolen from her on
15 August 8 or 9, 2020 while she and her daughter, Olivia Jeong, were in jail in San Bernardino
16 County, California for felony animal cruelty to those dogs. Plaintiff allegedly effectuated service
17 of process on Defendants (which is the subject of the Counter-Motion to Dismiss) on October 6,
18 2020.

19 This case was stayed on December 4, 2020 after Defendants timely filed Demands for
20 Security of Costs due to Plaintiff being a California resident outside this Court's Jurisdiction. On
21 June 7, 2021, the Court conducted a hearing on Plaintiff's Motion for Temproary Restraining
22 Order wherein Defendants objected to Plaintiff not having filed a bond for security costs.
23 However, the Court advised Defendants that Plaintiff had filed the same. The court docket still
24 does not reflect that filing and Defendants have not been provided with the required notice of
25 posting the same.

1 The day after the June 7, 2021 court hearing that Plaintiff and Defendants participated in,
2 when Plaintiff was made aware of the June 18, 2021 deadline for Defendants to file their motion
3 to dismiss, Plaintiff filed the instant motion seeking a default judgment.

4 As discussed herein, Plaintiff is not entitled to a default judgment because Plaintiff has not
5 obtained a default; never provided the Defendants or their counsel a 3 Day Notice of Intent to
6 Default; and Defendants' motion to dismiss is pending. Further, Plaintiff should be sanctioned in
7 the amount of her posted security in the amount of \$1,500 for her blatant disregard for the law,
8 blatant disregard for the rules of this court, and for her continuing failure to comply with the most
9 basic portions of the NRCP.
10

11 II.

12 LEGAL ARGUMENT

13 A. Plaintiff's Motion must be denied due to her failure to provide Defendants 14 and their counsel with the required 3-Day Notice of Intent to Take Default.

15 If a defendant has entered an "appearance" in the matter, the plaintiff must give the
16 defendant notice of the plaintiff's intention to take a default. *Lindblom v. Prime Hospitality*
17 *Corp.*, 120 Nev. 372, 375, 90 P.3d 1283, 1285 (2005); *see Cen Val Leasing Corp. v. Bockman*, 99
18 Nev. 612, 668 P.2d 1074 (1983) holding that failure to give notice of intent to take default when
19 plaintiff knew of identity of defendant's attorney, required that default be set aside. The entry of
20 default and default judgment is improper when notice of intent to take default was not given.
21 *Rowland v. Lepire*, 95 Nev. 639, 600 P.2d 237 (1979). The Nevada Supreme Court has defined
22 what constitutes an "appearance" for purposes of NRCP 55 very broadly. Once an "appearance"
23 has been made by a party or its counsel, the requirement of the 3 Day Notice from the plaintiff is
24 triggered. Even pre-litigation settlement negotiations between an attorney and a non-attorney
25 insurance adjuster are considered an "appearance" for purposes of NRCP 55. *Lindblom v. Prime*
26
27
28

1 *Hospitality Corp.*, 120 Nev. 372, 376, 90 P.3d 1283, 1285 (2005). Therefore, it is obvious that
2 Defendants displayed an intent to defend the litigation by filing Demands for Security of Costs in
3 October 2020 (which resulted in this Court issuing an Order Staying the litigation) and by
4 appearing through counsel at the most recent hearing in this matter and notifying the Court and
5 Plaintiff that they intended to defend this matter with a Motion to Dismiss and by actually
6 filing a Motion to Dismiss. Her Motion should be denied.

7
8 **B. Plaintiff Has Not Obtained a Default Against Defendants That Would Entitle**
9 **Her to A Default Judgment; And Plaintiff Cannot Obtain a Default Because**
10 **Defendants' Motion to Dismiss Is Pending and because she never submitted**
11 **the required 3-Day Notice to the Defendants or their Counsel.**

12 NRCP 55(a) states:

13 Entering a Default. When a party against whom a judgment for affirmative relief is
14 sought has failed to plead or otherwise defend, and that failure is shown by affidavit
15 or otherwise, the clerk must enter the party's default.

16 Here, Plaintiff has not obtained a default against any Defendants; and therefore her motion
17 for default judgment is not ripe. Plaintiff is legally prohibited from obtaining a default against
18 Defendants because she never served a 3-Day Notice of Intent to Default and because Defendants
19 already "appeared" in this matter via their Demands for Security of Costs and because Defendants
20 have a pending Motion to Dismiss, which also constitutes a "appearance" for purposes of NRCP
21 55.

22 Defendants appeared on the Court's hearing on July 7, 2021 to object to the same because
23 Defendants had received no proof of Plaintiff filing her bond for security costs. There is no record
24 of the same in the docket and Plaintiff never served the same on Defendants. Therefore,
25 Defendants had no notice or information that would suggest that they needed to respond to
26 Plaintiff's Complaint or motions on file herein prior to that hearing.

27 During the hearing, the court advised Defendants that Plaintiff had filed the bond (which
28 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 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
24 **D. Because of her clear bad faith in bringing the subject motion, Plaintiff should**
25 **be sanctioned in the amount of her current security of costs that were**
26 **evidently posted with the Court (\$1,500) and she should be required to post**
27 **additional security due to her inability to follow basic legal principles and**
28 **court rules.**

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.

Defendants request that based upon the number of motions pending from Plaintiff, the Plaintiff's repeated disregard for the Court's procedural rules, and the sheer volume of correspondence and discovery directed at Defendants' counsel constantly from Plaintiff, and the fact that counsel for Defendants are performing their work pro bono for Defendants, it is requested that the court increase the amount of the cost bonds to \$5,000 per Defendant.

III.

CONCLUSION

Based upon the foregoing, Defendants respectfully request that this Court deny Plaintiff's Motion for Default Judgment.

DATED this 22nd day of June, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

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WEIR LAW GROUP, LLC

/s/ Shana D. Weir

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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 22nd 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





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 PLAUNTIFF'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 15th 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 12th 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 Bernardinno 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 German 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 15th 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 15th of 2020 to be amended. Plaintiff had filed Motion to Amend Complaint by adding defendants and is filing today her Motion for leave 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 Bernardirno Sheriff and San Bernardirno 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 Bernardirno 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 Bernardinno 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 Bernardinno 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 Bernardinno 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 rescues 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 vehicules, 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 Bernadirno County of California, there is no and breeding business on Plaintiff's private land in San Bernadirno County.
65. NO any breeding license required in San Bernadirno 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 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 20th 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 12th of 2020, the very next date when San Bernardirno 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 PLAUNTIFF'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
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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 12th of 2020, August 13th 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 13th 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 Bernardirno Sheriff in search for my stolen dogs.
8. My attorney on my behalf sent letters on September 11th 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 17th of 2020 and 3rd 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

 <https://www.courtlistener.com>  

Notice was attached \$1,500 bond to the list of defendants.
Zurkova
Case Dept 20 Zurkova vs. Pyro



noticeBondFiled.pdf.pdf



Previous



Next



Case Number: A-20-821249-C

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6/29/2021 2:07 PM
Steven D. Grierson
CLERK OF THE COURT

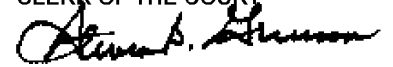


EXHIBIT 5

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)
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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

Case 5:20-cv-01876-JGB-SP Document 14-1 Filed 09/16/20 Page 2 of 4 Page ID #:122

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

Case 5:20-cv-01876-JGB-SP Document 14-1 Filed 09/16/20 Page 3 of 4 Page ID #:123

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

Case 5:20-cv-01876-JGB-SP Document 14-1 Filed 09/16/20 Page 4 of 4 Page ID #:124

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
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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	Warrant No. _____
	SEARCH WARRANT Probable Cause Warrant to Search (Penal Code Section 1524)	
	SEARCH WARRANT AND AFFIDAVIT	Report #: <u>068001074</u>

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)

MOBBS SEALING REQUESTED: ☐ YES ☒ NO
 NIGHT SEARCH REQUESTED: ☐ 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 DR# _____
- 1 -

Warrant ID: 000045029

Page 1 of 8

PREMISES TO BE SEARCHED:

██████████ Riverside Drive, Apple Valley CA 92307



██████████ Riverside Drive, Apple Valley CA 92306, 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 DE#

- 3 -

Warrant ID: 0000460.

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 DRY

- 3 -

Warrant ID: 000046028

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, 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 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

Search Warrant DR#

- 4 -

Warrant ID: 0000460;

Page 4 of 8

8

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 DR#

- 5 -

Warrant ID: 000045020

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 DR#

- 6 -

Warrant ID: 0000450

Page 6 of 8

10

WARRANT NOTES

(No Notes)

County of San Bernardino.

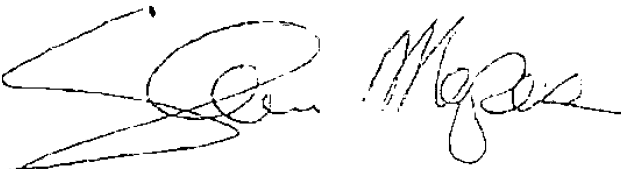
I, the people of the State of California to any peace officer in the County of San Bernardino:

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 Mapes", is written over a horizontal line. The signature is cursive and somewhat stylized.

Judge Steve Mapes

Warrant ID: 000045029

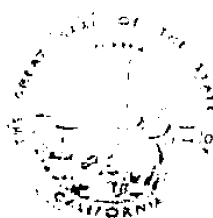
END OF WARRANT

EXHIBIT “B”

Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 2 of 8 Page ID #:134

ORIGINAL

FIG 2



SUPERIOR COURT OF CALIFORNIA
County of San Bernardino

Warrant
No.

SEARCH WARRANT
Probable Cause Warrant to Search
(Penal Code Section 1524)

SEARCH WARRANT AND AFFIDAVIT

Report #: 082001074

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 DRE

- 1 -

Warrant ID: 000045384

Page 1 of 8

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 fascia 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 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 D99J

- 2 -

Warrant ID: 000046364

Page 2 of 8

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.

(Signature of Magistrate)

Judge of the Superior Court, High Desert Judicial District

NIGHT SEARCH APPROVED: ☐ YES ☐ NO

Search Warrant ID# _____

- 3 -

Warrant ID: 000045354

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14

Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 5 of 8 Page ID #:137

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 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

Search Warrant DR#

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Warrant ID: 000045354

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• Case 5:20-cv-01876-JGB-SP Document 14-3 Filed 09/16/20 Page 6 of 8 Page ID #:138

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 DR#

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Warrant ID: 000045354

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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#

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Warrant ID: 000046384

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WARRANT NOTES

(No Notes)

County of San Bernardino.

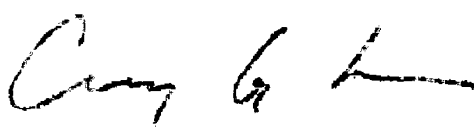
The people of the State of California to any peace officer in the County of San Bernardino:

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 11:59 on this 9th day of September, 2020

Hobbs Sealing Approved: NO

Night Service Approved: NO



Judge Corey G Lee

Warrant ID: 000045354

END OF WARRANT

EXHIBIT “C”

STATE OF NEVADA)
)
County of Clark) ss:

That there is probable cause to believe that certain property hereinafter described will be found at the following premises, to wit:

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.

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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 Nellie 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] the 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]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[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

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.

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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: D
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:

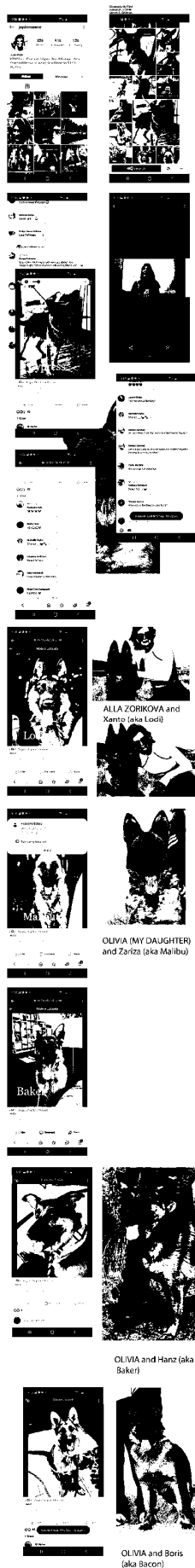
08/17/20 Myself and O-94 MC with the owner and her daughter. The owner drove us to a Government owned spring where they get their water. She then walked us around the property and showed us all the dogs who all had water and shelter. She stated she picks up left over meat from Barstow Country Butcher 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 60+ 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 MC 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 557 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 mil, you will then lt 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 i 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 st 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 lt 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. W 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 mi Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tie down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 2t 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





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Phone 619-723-0369
E-Mail: 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

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;

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Image of a dog, likely a German Shepherd, being transported in a vehicle.

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 protection dogs business in San
Bernardino County CA. Our top world 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 15 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.

Among dogs stolen are pregnant breeding females and one was
female in labor.

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.

(<https://www.change.org/p/donald-j-trump-14-young-puppies-killed-25-top-german-shepherd-dogs-stolen>, last visited October 12, 2020.)

I declare under penalty of perjury under the laws of California and Nevada that the foregoing is
true and correct.

Dated: October 12, 2020

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 voicemails 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 27th 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 27th 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



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

Judicial Executive Assistant to:

ERIC JOHNSON

District Court Judge

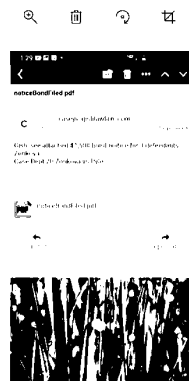


PLAINTIFF'S OPPOSITION EXHIBIT 6

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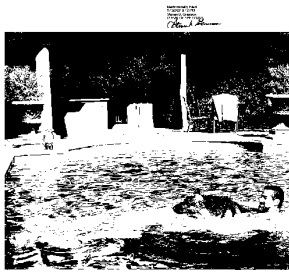
PLAINTIFF'S OPPOSITION
EXHIBIT 8,13,17



PLAINTIFF'S OPPOSITION EXHIBIT 3



PLAINTIFF'S OPPOSITION
EXHIBITS 11, 12, 18



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

11/20/2018
11:46 AM
NP
SAN



BOB DUTTON
ASSESSOR - RECORDER - CLERK

R Regular Mail

Doc# **2018-0443016**



Titles	1	Pages	1
Fees		14.00	
Taxes		0.00	
CA SBT Fee		75.00	
Others		0.00	
Paid		\$89.00	

TITLE ORDER NO.

ESROW 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
State of California, with the following legal description:

BARSTOW County of **San Bernardino**
vacant land section 33,

T32S, R43E
address: 13350 Trump Blvd
BARSTOW, CA 92311

10/9/18
Date

[Signature]
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**

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.

[Signature]
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 PLAUNTIFF'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
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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, Defendants¹ Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and
provides their Reply to *PLAINTIFF'S OPPOSITION TO DEFENDANTS' COUNTER-MOTION*

¹The 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 ThisReplyis 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 jailin 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
21
22 Defendant Vegas Shepherd Rescue is a Nevada non-profit rescue group dedicated to
23 rescuing homeless, abandoned, and abused dogs.Defendants Tammy Willet and Julie Pyle are the
24 President and Director of Vegas Shepherd Rescue.

25
26 In the Complaint, Ms. Zorikova claims that 25 of her missing dogs were retrieved from
27 Devore Animal Shelter on August 12, 2020 (*See* Complaint on file herein, pp. 3, #17). She also
28 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.² 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 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.

² 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.

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

II.

FACTUAL BACKGROUND

A. THE ARREST

According to the California Secretary of State, Plaintiff owns and operates a protection dogs training business in Los Angeles, CA.³ However, as Plaintiff indicates in her Motion, she actually houses upwards of 50 dogs in cages in the middle of the desert on vacant land, approximately 25 miles outside of Hinkley, CA. *See* Motion on file herein, at pp. 2, #13. According to property records, Plaintiff has owned this land since May 17, 2018,⁴ and likely has been illegally conducting her business at this location since that time. Plaintiff likewise owns a similar business in the heart of the puppy mill capital of the United States, Missouri.⁵ Clearly, Plaintiff is an established illegal operator of puppy mills throughout the United States, and her dogs are kept in inhumane and cruel conditions that she goes to great lengths to conceal from the purchasers of her dogs. Her website(s) portray her dogs as being bred and raised in luxurious surroundings in Los Angeles, when in fact they are raised in horrific, cruel, and inhumane conditions in the California desert outside of Barstow, California.

Plaintiff and her daughter were arrested for felony animal cruelty on August 8, 2020 when San Bernardino Sheriff deputies became aware of approximately 50+dogs being housed on unimproved land in cages in the middle of the desert approximately 2 hours outside of Barstow, in the middle of the summer.⁶ The location of the property wherein the dogs were found was extremely remote, approximately 24 miles into the middle of the desert, north of Hinkley, 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

³ A true and correct copy of the Secretary of State filing is attached hereto as Exhibit 3.

⁴ A true and correct copy of the property deed is attached hereto as Exhibit 4.

⁵ A true and correct copy of the Missouri Secretary of State filing is attached hereto as Exhibit 5.

⁶ 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.

22 C. VEGAS SHEPHERD RESCUE

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

1 hundred dogs a year, approximately 85% of which are German Shepherd Dogs. Vegas Shepherd
2 Rescuehasperformed 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 Beaconto Defendants.
20 Beacon had been shot in the face and required extensive medical care before being adopted.
21 Beacon was not microchipped.
22
23

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

Exhibit 1 dated 12/18/2020. In addition, please see another of Plaintiff's many emails to attorney Gish under her alias "Olivia Car" in which she alleges attorneys Gish and Pease are part of some sort of communist Jewish conspiracy against the German people. Please see attached Exhibit 2 dated 12/18/2020.

Furthermore, Plaintiff's Opposition specifically alleges that she is the one that has "delivered" copies of the Complaint at various business addresses, but not for purposes of service. See Plaintiff's Opposition, page 17, paragraph 80. The only copy of the Complaint that was delivered or served was by Plaintiff herself at the mailing address of Vegas Shepherd Rescue. This is improper service of process of violative of Nevada law and the NRCP. The Complaint was never delivered or served to any other businesses or to any other residences, and was never personally served. Therefore, Plaintiff's entire Complaint must be dismissed for lack of proper service.

C. Defendants Willet and Pyle have only acted within the course and scope of their responsibilities as members and officers of Vegas Shepherd Rescue and the claims against them should be dismissed.

NRS 41.745 provides employer liability for employees' acts when they are acting within the course and scope of employment. Plaintiff alleges in paragraph 7 of her Complaint, "All of the acts and/or failures to act were within the scope of any agency or employment. . . ." (See Complaint at pp. 2). Therefore, Plaintiff's claims against Willet and Pyle fail as a matter of law pursuant to NRCP 12(b)(5).

As discussed in Defendants' moving papers, Plaintiff alleged herself that Ms. Willet and Ms. Pyle were acting within the course and scope of their employment. It is only in the face of a motion to dismiss that she has now decided otherwise, which should not be tolerated by this Court.

Plaintiff's Opposition argues that because Ms. Willet and Ms. Pyle are officers/directors (or founders as she calls them) and not employees; and therefore, not covered under NRS 41.745. See Opposition at p. 17, pp 83. However, that is inaccurate.

NRS 41.745(3)(a) states in relevant part:

3. For the purposes of this section:

(a) "Employee" means any person who is employed by an employer, including, without limitation, **any present or former officer** or employee, immune contractor, an employee of a university school for profoundly gifted pupils described in chapter 388C of NRS or a member of a board or commission or Legislator in this State. (Emphasis added.)

Additionally, Plaintiff claims that Ms. Pyle and Ms. Willet acted in bad faith by concealing stolen property. However, NRS 41.745(1) makes it clear that it must be a truly independent venture, not committed in the course of the very task assigned to the employee and was not reasonably foreseeable under the facts and circumstances of the case considering the nature and scope of his or her employment.

As Vegas Shepherd Rescue is a rescue group that rescues, spays, neuters, and adopts pets, and they were conducting that very same activity with respect to the dogs Plaintiff claims are hers, they were acting within the course and scope of their employment. Vegas Shepherd Rescue authorized all of their conduct. Vegas Shepherd Rescue allegedly possessed the dogs Plaintiff claims are hers, rather than Ms. Willet and/or Ms. Pyle individually. As a result, Plaintiff's motion to dismiss Ms. Pyle and Ms. Willet in their individual capacity should be granted.

D. Plaintiff's Cause of Action No. 1 for Theft

Plaintiff's claim for Theft fails as a matter of law due to Plaintiff's failure to state a claim upon which relief can be granted. Even assuming the facts asserted by Plaintiff are true, they cannot satisfy the elements of her claim

NRS 41.580 states:

Action by owner of property; treble damages. If property has been taken from its owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is 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**

1 Plaintiff alleges Defendants conspired among themselves to steal her dogs. *See* Complaint
2 at pp. 6, #38. Agents and employees of a corporation cannot conspire with their corporate
3 principal or employer where they act in their official capacities on behalf of the corporation and
4 not as individuals for their individual advantage. *Collins v. Union Federal Savings and Loan*
5 *Association*, 662 P.2d 610, 615 (1983) (quoting *Wise v. Southern Pacific Company, et al*, 35 Cal.
6 Rptr 652, 655 (1963)). As the Defendants are the President and Director of Vegas Shepherd
7 Rescue, they cannot conspire amongst themselves and this claim fails as a matter of law.
8

9 Plaintiff's Opposition states that new people WILL be added and she can allege their
10 conspiracy at that time. (Emphasis added). See Opposition at pp. 3, pp 9. Plaintiff is banking on
11 her motion to amend being granted, which Defendants have opposed. However, with respect to
12 the current Defendants that are in the case now, the fact remains that they cannot conspire with
13 themselves and this claim must be dismissed. Notwithstanding the above, it is undisputed that
14 Defendants were not involved in the "rescue" or the alleged "theft" of Plaintiff's dogs. Vegas
15 Shepherd Rescue cannot conspire alone. Plaintiff cannot recover as a matter of law on her theft
16 cause of action and that claim should be dismissed pursuant to NRCP 12(b)(5).
17

18
19 **F. Plaintiff's Cause of Action No. 3 for Trespass**

20 Plaintiff alleges Defendants entered her property while she was incarcerated for felony
21 animal cruelty, to steal her dogs. Plaintiff alleges these actions constitute trespass. Plaintiff alleges
22 no damages resulting from alleged trespass in her Complaint, and therefore, it cannot succeed on
23 the merits. A necessary element of a trespass claim is damages. Therefore, Plaintiff cannot
24 recover as a matter of law on her theft cause of action and that claim should be dismissed
25 pursuant to NRCP 12(b)(5). Plaintiff's Opposition still has not alleged any damages that occurred
26 to her property as a result of the alleged trespass; and therefore it must be dismissed. Plaintiff
27 claims that it is possible that someone was on her property on Defendant's behalf, which is not
28

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 Plaintiff has the burden of proving each and every element of the fraud claim by clear and
3 convincing evidence, and where an essential element is absent, the facts, disputed or otherwise, as
4 to other elements are rendered immaterial and the case should be dismissed. *Barmettler v. Reno*
5 *Air, Inc.*, 114 Nev. 441, 956 P.2d 1382 (1998); *Bulbman, Inc. v. Nevada Bell*, 108 Nev. 105, 825
6 P2d 588 (1992). Therefore, Plaintiff's cause of action for fraud should be dismissed as a matter
7 of law.
8

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
20 Plaintiff now seeks to amend her complaint by adding the dismissed defendants from the
21 Zorikova v. Vegas Pet Rescue Project case (A820761). This constitutes improper "forum-
22 shopping". Forum shopping is "[t]he practice of choosing the most favorable jurisdiction or court
23 in which a claim might be heard." *Black's Law Dictionary* 681 (8th ed. 2004). Plaintiff's case
24 was dismissed by Judge Alf. If she wants to resurrect that claim, she needs to take the appropriate
25 procedural steps. Attempting to add parties that were previously dismissed in another lawsuit is
26 procedurally improper, especially when Plaintiff has failed to post the required security bonds
27 pursuant to NRS 18.130.
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 III.

11 CONCLUSION

12 Based upon the foregoing, it is clear that Plaintiff cannot, as a matter of law, recover on
13 any of her causes of action, and therefore it is respectfully requested that Plaintiff's Complaint be
14 dismissed.
15

16 DATED this 21st day of July, 2021.

17 THE LAW OFFICE OF CASEY D. GISH

18 /s/ Casey D. Gish

19 CASEY D. GISH, ESQ.

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



Electronically Filed
7/22/2021 12:20 AM
Steven D. Grierson
CLERK OF THE COURT



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

17 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Julie Pyle
18 filed a Demand for Security Costs.

19 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Tammy
20 Willet filed a Demand for Security Costs.

21 **COURT FURTHER FINDS** after review that on October 26, 2020, Defendant Vegas
22 Shepherd Rescue filed a Demand for Security Costs.
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

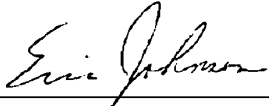
5 **COURT FURTHER FINDS** after review that on October 31, 2020, Plaintiff filed an
6 Objection to Defendant's Demand for Security Costs on the basis that the Order granting Plaintiff to
7 proceed in forma pauperis thereby waived court costs. However, security costs as prescribed by NRS
8 18.130 are 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 _____
22 ERIC JOHNSON
23 DISTRICT COURT JUDGE
24 10B B32 44B3 40B1
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 If indicated below, a copy of the above mentioned filings were also served by mail
17 via United States Postal Service, postage prepaid, to the parties listed below at their last
18 known addresses on 12/7/2020

19 Alla Zorikova

1905 wilcox ave, #175
los angeles, CA, 90068

20 Casey Gish

21 Van Law Firm
22 Attn: Casey D. Gish
5940 S. Rainbow Blvd.
23 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 <olivia.car@mail.ru>

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



Casey Jones @jlawfirm.com

Open in app

Notice was attached \$1,500 bond notice for 1 defendant,
Zurkova,
Case Dept 20 Zurkova vs. Pyro



noticeBondFiled.pdf.pdf



Share Link



Open Link



Case Number: A-20-821249-C

EXHIBIT “4”



Land Use Services Department Code Enforcement NOTICE OF VIOLATION

TO: ZINAIDA, DMITREEVA ETAL OR NOTICE DATE: 10/13/2020
JEONG, OLIVIA
 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



013

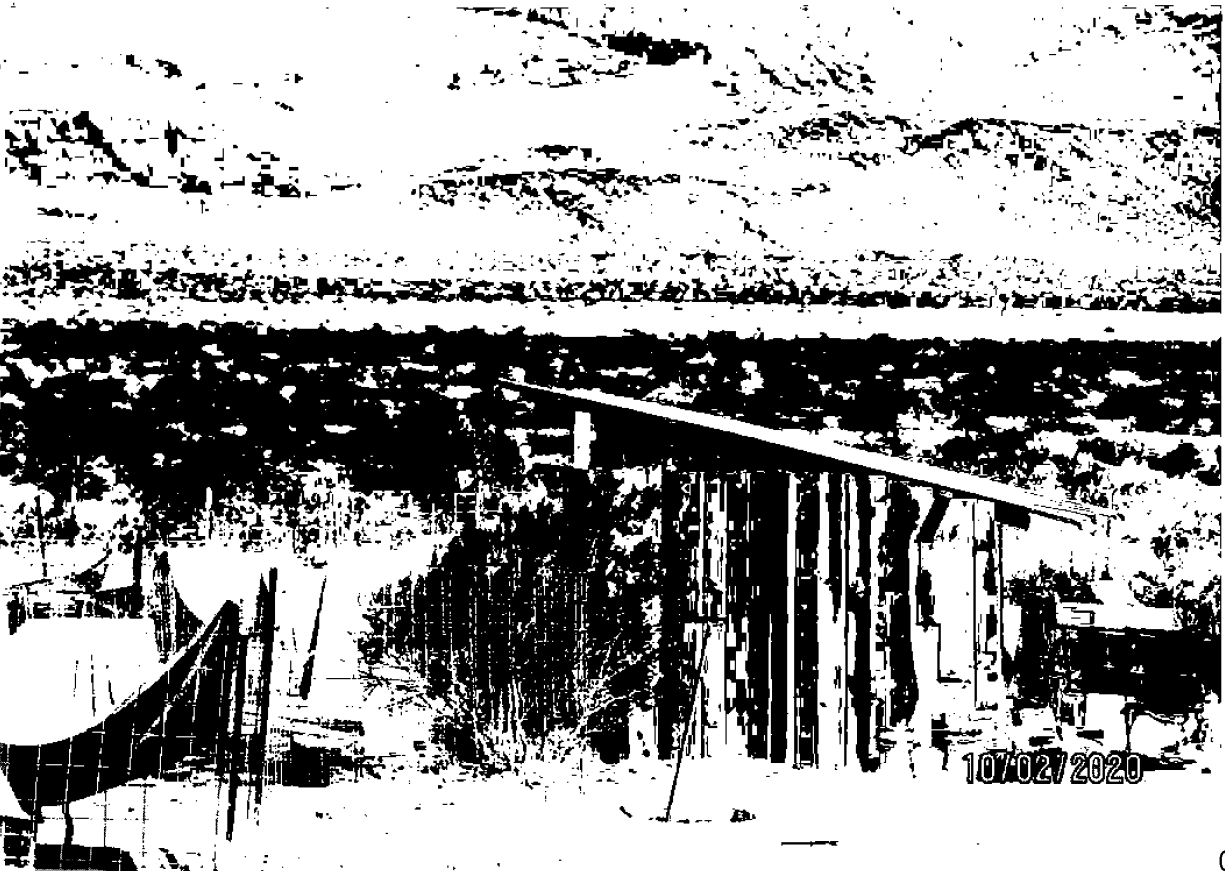


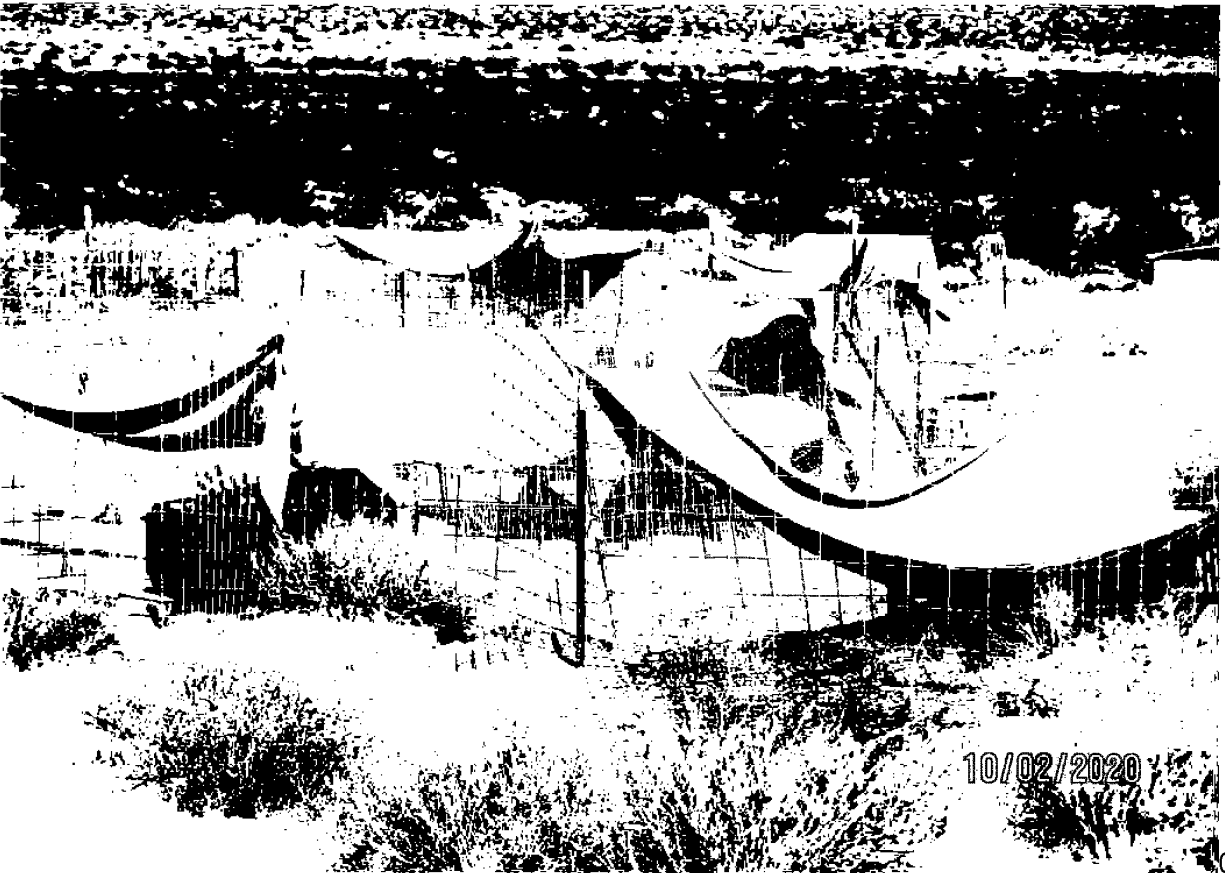
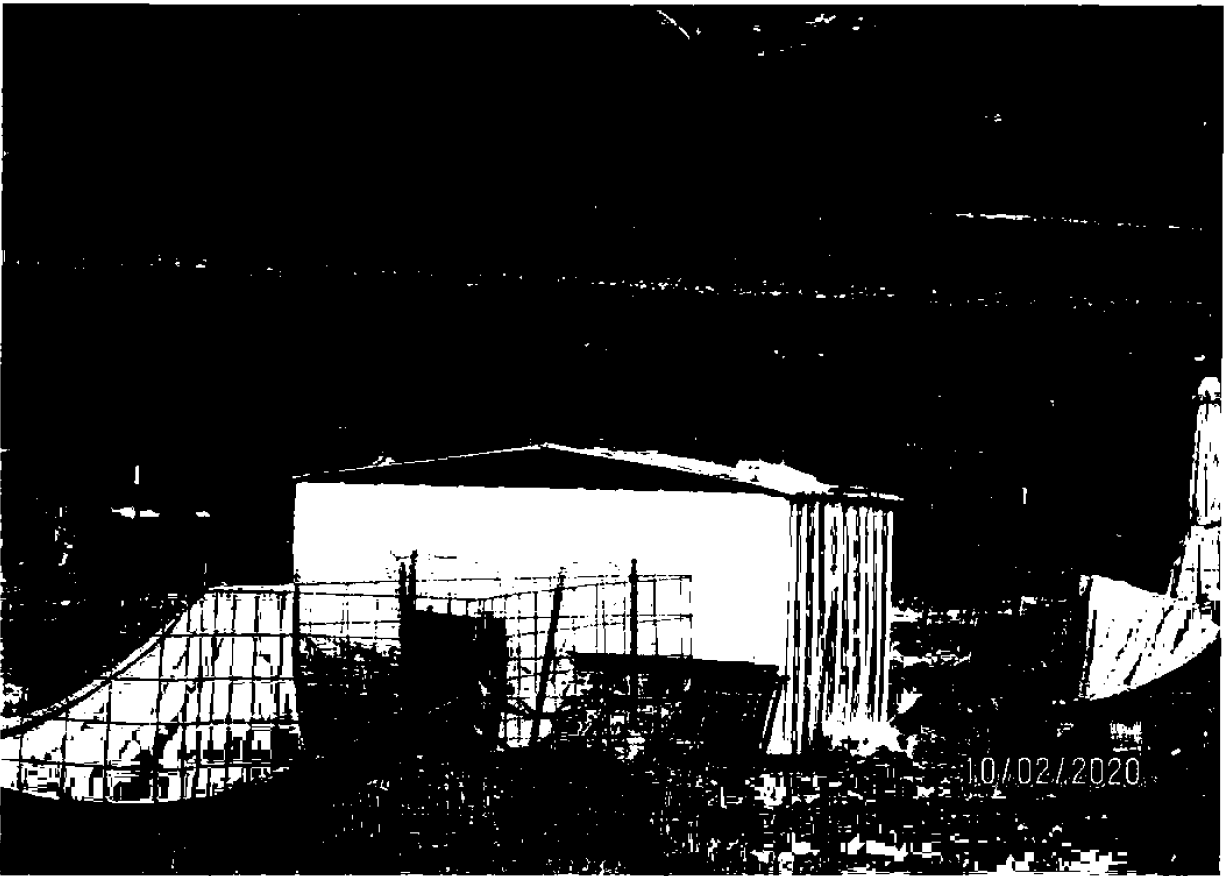
014



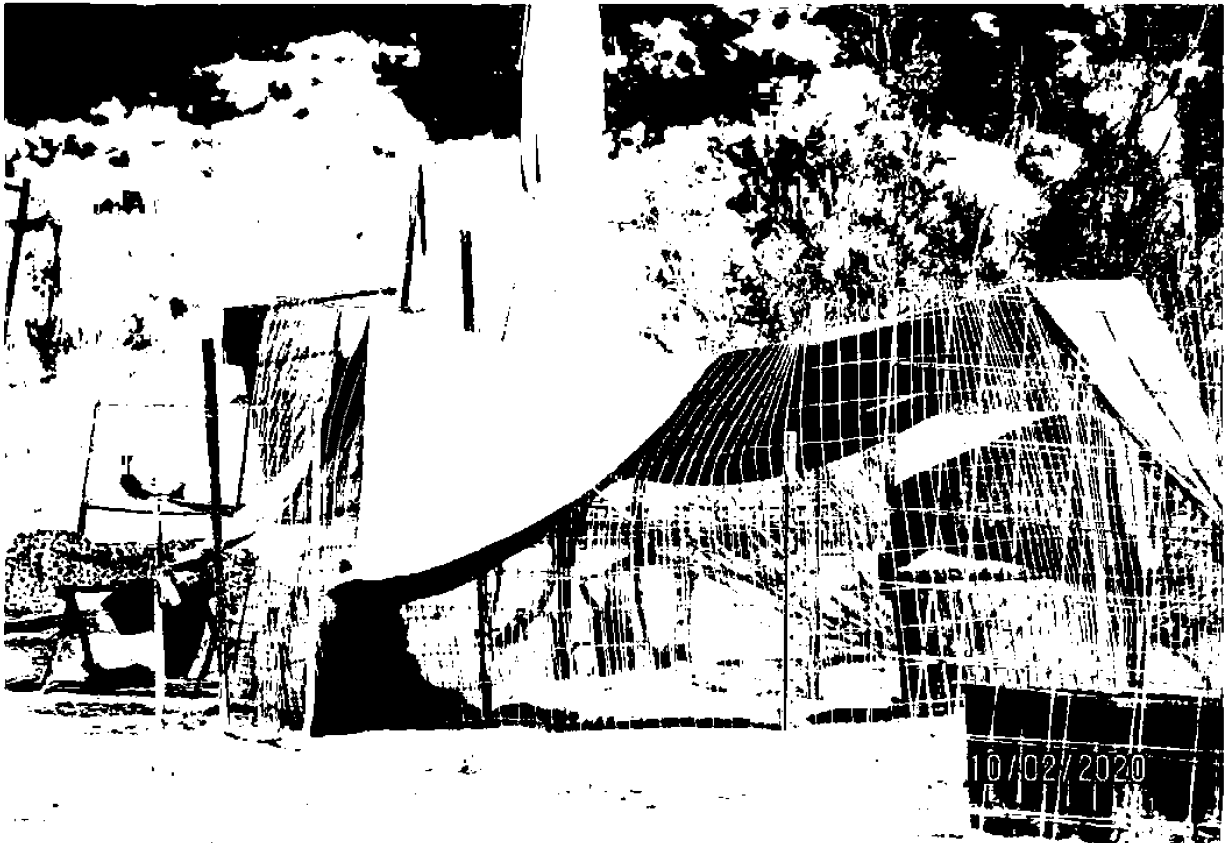
015















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 Bernardinno 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



A20-172252-1 ASSIST/POLICE		Priority Level: 3	Total Animals: 20	Animal Type: D
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. H9045/0-85
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 60+ 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 MC 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 557 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 mil, you will then lt 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 i 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 st 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 lt 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. W 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 mi Nigerian dwarf goat tied with a collar and chain to the ground as well as a Nubian/Alpine mix female goat who was also tie down by a collar and chain. Neither goat had food water or shelter. We put both goats in the truck and gave them water. 2t 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



Land Use Services Department
Code Enforcement
NOTICE OF VIOLATION

www.SBCounty.gov

Electronically Filed

8/15/2021 3:52 PM

Steven D. Grierson

CLERK OF THE COURT

ZINAIDA, DMITREEVA ETAL OR
TO: **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

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

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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 Defendants¹ Julie Pyle, Tammy Willet, and
Vegas Shepherd Rescue, hereby declares under penalty of perjury under the law of the State of

¹The 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.

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



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
9 *Plaintiff*

DATED this 16th day of Augsut, 2021.

THE LAW OFFICE OF CASEY D. GISH

/s/ Casey D. Gish

CASEY D. GISH, ESQ.

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WEIR LAW GROUP, LLC

/s/ Shana D. Weir

SHANA D. WEIR, ESQ.

Nevada Bar No. 9468

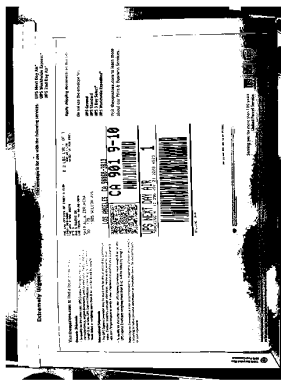
6220 Stevenson Way

Las Vegas, NV 89120

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

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DISTRICT COURT

CLARK COUNTY, NEVADA

ALLA ZORIKOVA;

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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, Defendants¹ Julie Pyle, Tammy Willet, and Vegas Shepherd Rescue, and
hereby provides the following SUPPLMENT to their REPLY IN SUPPORT OF COUNTER-

¹The 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 *MOTION TO DISMISS PLAINTIFF'S COMPLAINT.*

2 Defendants hereby supply this Court with the following Supplement to their prior Reply to
3 Plaintiff's Opposition to Defendants' Counter-Motion to Dismiss. Said Reply was filed on July
4 21, 2021. This supplement amends section II(L) "Reconsideration of In Forma Pauperis Order"
5 on page 21 and 22 of said Reply as follows:
6

7 **L. Reconsideration of In Forma Pauperis Order.**

8 Rule 60(b)(2) allows this Court to reconsider and correct any of its previous orders. In
9 this case, the Complaint was filed on 9/15/2020. An application to proceed in forma pauperis was
10 filed by Zorikova on 9/20/2020. The application was denied on 9/20/2020. A subsequent
11 application to proceed in forma pauperis was filed on 9/24/2020. Also, on 9/24/2020, it appears
12 an amended complaint was filed. On 9/25/2020 the application to proceed in forma pauperis was
13 granted.
14

15 It was recently discovered through a Freedom of Information Act request to the San
16 Bernardino County Sheriff's office that Plaintiff received at least \$325,000 in settlement for her
17 claims against that agency for their officers' directing of individuals, not the Defendants, to
18 retrieve dogs in the California desert that were in distress and in physical danger due to the
19 environmental conditions in the middle of summer. In light of that settlement, it would appear
20 that Plaintiff is no longer indigent and can afford Court costs and fees in this matter.
21

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

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 19th 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

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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

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23 Las Vegas, NV 89120

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

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Email Casey@GishLawFirm.com



THE LAW OFFICE OF
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' 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
Plaintiff

Executed on the 19th day of August, 2021.

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

**PLEADING
CONTINUES
IN NEXT
VOLUME**