

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

2
3 IN THE MATTER OF THE)
4 RESIGNATION OF ATTORNEY)
5 BARBARA IRENE JOHNSTON)
6 NEVADA BAR NUMBER: 3748)
7 _____)

Electronically Filed
Apr 22 2022 08:34 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 **S.C.R. 98(5)(a) PETITION FOR RESIGNATION**

9 S.C.R. 98(5)(a) states:

10 Any member of the state bar who is not actively engaged in the
11 practice of law in this state, upon written application on a
12 form approved by the state bar, may resign from
13 membership in the state bar if the member: (1) has no
14 discipline, fee dispute arbitration, or clients' security
15 fund matters pending and (2) is current on all
16 membership fee payments and other financial
17 commitments relating to the member's practice of law in
18 Nevada. Such resignation shall become effective when
19 filed with the state bar, accepted by the board of
20 governors, and approved by the Supreme Court.

WHEREAS:

(1) Attorney Barbara Johnston, Bar Number 3748, submitted an application requesting resignation from membership in the State Bar of Nevada and relinquishing the right to practice law in this state in accordance with S.C.R. 98(5)(a) (See Attachment 1); and

(2) The Applicant attorney has no discipline, fee dispute arbitration, or clients' security fund matters pending and is current on all membership fee payments and other financial commitments relating to the member's practice of

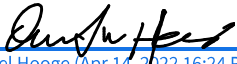
1 law in Nevada as evidenced by Exhibits A-D to Applicant's original application
2 with Exhibit A demonstrating SCR 115 compliance; and

3 (3) The application was approved by the Board of Governors;

4 (4) In accordance with SCR 98(5)(a), Applicant, by and through the
5 State Bar of Nevada, hereby requests that this Honorable Court enter its Order
6 approving Applicant's resignation.

7 Submitted this 14th day of April 2022.

8 STATE BAR OF NEVADA

9
10 By: 
11 Daniel Hooge (Apr 14, 2022 16:24 PDT)
12 DANIEL M. HOOGE
13 BAR COUNSEL
14 Bar No. 10620
15 3100 W. Charleston Blvd., Ste. 100
16 Las Vegas, Nevada 89102
17 (702) 382-2200

18 //
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ATTACHMENT 1

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Johnston - PETITION for Resignation SCR98.5a


Final Audit Report

2022-04-14


Created:	2022-04-14
By:	Jennifer Moreno (jenniferm@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqo9Rd1x3kReTQ1IHdBRel-XEgIkDL1OW


"Johnston - PETITION for Resignation SCR98.5a" History

 Document created by Jennifer Moreno (jenniferm@nvbar.org)
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 Document emailed to Daniel Hooge (danh@nvbar.org) for signature
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2022-04-14 - 11:24:19 PM GMT

 Document e-signed by Daniel Hooge (danh@nvbar.org)
Signature Date: 2022-04-14 - 11:24:37 PM GMT - Time Source: server

 Agreement completed.
2022-04-14 - 11:24:37 PM GMT



FILED

APR 14 2022

STATE BAR OF NEVADA

BY: [Signature]
OFFICE OF BAR COUNSEL

BEFORE THE

STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE)
 RESIGNATION APPLICATION OF)
 BARBARA IRENE JOHNSTON, ESQ.)

Bar Number 3748)

SCR 98(5) APPLICATION FOR RESIGNATION

WHEREAS SCR 98(5) states:

Any member of the state bar who is not actively engaged in the practice of law in this state, upon written application on a form approved by the state bar, may resign from membership in the state bar if the member: (a) has no discipline, fee dispute arbitration, or clients' security fund matters pending and (b) is current on all membership fee payments and other financial commitments relating to the member's practice of law in Nevada. Such resignation shall become effective when filed with the state bar, accepted by the board of governors, and approved by the supreme court.

Attorney BARBARA IRENE JOHNSTON, ESQ, Bar Number 3748 submits this application requesting resignation from membership in the State Bar of Nevada and relinquishes the right to practice law in this state.

Applicant verifies that, upon best information and belief, Applicant is current on all membership fee payments and other financial commitments relating to Applicant's practice of law in Nevada. (NOTE: The State Bar of Nevada retains the right of final review of Applicant's status in this regard prior to the matter being reviewed by the Board of Governors and, if applicable, referred to the Supreme Court of Nevada.)

In accordance with SCR 98(5) attached is an Affidavit of Compliance with Supreme Court Rule 115 (Notice of Change in License Status). (Exhibit A)

1 Pursuant to SCR 98(5)(b), resignation under this rule is irrevocable. By signing below,
2 Applicant verifies and understands that:

3 1. Applicant may only return to the active practice of law by making application as a
4 new admittee, subject to the provisions of Supreme Court rules and applicable law, including the
5 requirements that Applicant:

6 (a) Demonstrates that Applicant is of good character and is willing and able to
7 abide by the high ethical standards required of attorneys and counselors at
8 law; and

9 (b) Takes and passes the Nevada State Bar Examination; AND

10 2. That as a member with no pending matter before the State Bar, Applicant is eligible
11 to transfer to/remain in "inactive" status pursuant to SCR 98(4) and knowingly elects instead to
12 file the instant application for resignation pursuant to § 5; AND

13 3. That in accordance with SCR 98(5)(c), "The state bar shall retain jurisdiction to
14 investigate and take action with respect to matters involving a past member's conduct prior to the
15 member resigning from the State Bar." AND

16 4. That Applicant has read and understands the appendix attached hereto entitled
17 "Notice to Applicant of Manner of Approval."

18 Submitted this 4th day of March, 2021 ^{BJ}

19 Barbara Irene Johnston

20 Name

21 8309 Shad Bush Ave.

22 Address

23 Las Vegas, NV 89149

24 City/State/Zip

25 Barbara Irene Johnston
BARBARA IRENE JOHNSTON, Esq., ATTORNEY

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STATE OF NEVADA)
COUNTY OF CLARK) SS:

SUBSCRIBED AND SWORN to
before me this 17 day of FEBRUARY, 2022



NOTARY PUBLIC



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

2
3 IN THE MATTER OF THE)
4 RESIGNATION APPLICATION OF)

5 Barbara Irene Johnston)

6 Bar Number: 3748)

7 **AFFIDAVIT OF COMPLIANCE WITH SUPREME COURT RULE 115**

8 STATE OF NEVADA,)
9) SS:
10 COUNTY OF CLARK)

11 I, Barbara Irene Johnston, Esq., being duly sworn under oath, deposes and says:

- 12 1. That I am the attorney in the above-entitled matter and am filing this Affidavit in
13 accordance with Supreme Court Rule 115(4).
- 14 2. That when the Order granting petition for resignation is filed in this matter in
15 accordance with Supreme Court Rule 115(7) it will become effective immediately.
- 16 3. That I will fully comply with the provisions of said Order granting petition for
17 resignation and these rules.
- 18 4. That I do not have Nevada clients.
- 19 5. That I have been admitted in the past to the following state bars:
- 20 6. State of Nevada, and the following courts: State of Nevada, State District Court,
21 Federal District Courts, and the 9th Circuit Court of Appeals..
- 22 7. That I have served on Bar Counsel a copy of this affidavit, along with a mailing
23 matrix of all clients and adverse attorneys notified under Supreme Court Rule
24 115(2) and 115(3) on Bar Counsel.

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Exhibit A

7. That I may be reached at the following address: Barbara Irene Johnston, Esq., 8309
Shad Bush Avenue, Las Vegas, NV, 89149,

8. The address and telephone number of a contact person designated for client files is:

Barbara I. Johnston 702-684-6163

Barbara I. Johnston, Esq.
ATTORNEY

Subscribed and sworn to before me this

17 day of FEBRUARY, 2022.

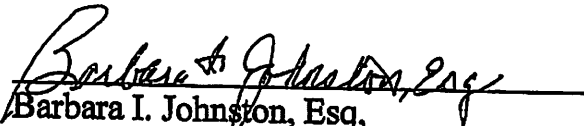
[Signature]
NOTARY PUBLIC of and for said County and State



1 **AFFIDAVIT OF COUNSEL BARBARA I. JOHNSTON, ESQ. as**
2 **attached to REQUEST FOR RESITNATION**
3

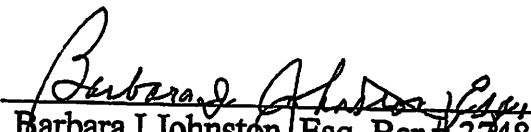
4
5 I, Barbara I. Johnston, Esq., solemnly swear that the following is true and
6 accurate, that upon my retirement from the practice of law in the State of Nevada,
7 there is an open and pending Minor's Compromise Account in the name of Kayla
8 Brown, Ward, filed 06/09/91. (Ex. 1) Said Minor's Compromise account A324880,
9 was opened 7/19/91 and \$2,000.00 was deposited with Wells Fargo for a Minor's
10 Compromise of funds for personal injury sustained by the minor child, Kayla Brown,
11 Ward. (See Register of Actions, Ex. 1 attached hereto) The Minor's Compromise
12 was ordered by the then District Court Judge, Judge Guy. (Ex1). This counsel open
13 and filed the Minor's Compromise account and funded \$2,000.00 at Wells Fargo
14 Bank on August 9, 1991, when the minor child was about 4 years of age. The last
15 "Time Account CD Maturity date" changed and the most recent Maturity Date and
16 accounting of funds is attached hereto as Ex. 2. On contemporary information and
17 belief, the subject minor, Kayla Brown, has reached her age of majority, but likely
18 knows nothing about the funds. This counsel suspects that the account will
19 ultimately escheat to the State of Nevada for her failure to claim the funds. The last
20 Wells Fargo account CD Maturity Notice states that the next maturity date is
21 December 17, 2023. (see Exhibit 1).
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1 This counsel asks that the Nevada State Bar maintain and/or monitor the
2 Minor's Trust Account upon this counsel's retirement until such time as it is resolved
3 as the Minor is now of her majority. Further your affiant sayeth naught.
4
5

6
7 
8 Barbara I. Johnston, Esq,

9
10 **CERTIFICATE OF SERVICE**

11 I, the undersigned, herby certify that the foregoing Affidavit was
12 electronically filed served pursuant to N.E.F.C.R. Rule 9, to Nevada State Bar
13 Counsel regarding the Application for Resignation from the practice of law in the
14 State of Nevada. The Original documents will be provided to the State Bar.
15
16 Dated this 2nd day of March, 2022.
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20 Barbara I Johnston, Esq. Bar # 3748
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Acknowledgment by Individual

WELLS
FARGO

State of

County of

Nevada

Clark

On this 2 day of March, 20 22. Before me, J. Lindell

Name of Notary Public

the undersigned Notary Public, personally appeared

Barbara I Johnston

Name of Signer(s)

☐ Proved to me on the oath of _____

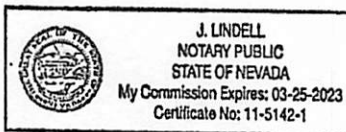
☐ Personally known to me

☒ Proved to me on the basis of satisfactory evidence NVDL1600918107 Exp 02/11/2024

(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.

WITNESS my hand and official seal.



Notary Seal

(Signature of Notary Public)

My commission expires March 25, 2023

For Bank Purposes Only

Description of Attached Document

Type or Title of Document

Affidavit of Counsel Barbara I Johnston, ESQ

Document Date

Number of Pages

03/02/2022

2

Signer(s) Other Than Named Above

N/A

Account Number (if applicable)

N/A

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint
of Signer

Top of thumb here



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Location : District Court Civil/Criminal [Help](#)

REGISTER OF ACTIONS

CASE NO. 93A324880

In the Matter of the Compromise of Minor's Claim by Kayla Brown; Karl Brown

§
§
§
§
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§

Case Type: Other Civil Filing
Subtype: Other Civil Matters
Date Filed: 07/18/1991
Location: Department 2
Cross-Reference Case Number: A324880

PARTY INFORMATION

Defendant Allstate Ins. Co.

Defendant Glisson, Linda

Plaintiff Brown, Karl

Plaintiff Brown, Kayla

Lead Attorneys

Barbara Irene Johnston
Retained
702-884-8163(W)

Barbara Irene Johnston
Retained
702-884-8163(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

- 08/09/1991 Order Approving Minor's Compromise (Judicial Officer: Thompson, J. Charles)
Converted Disposition:
Entry Date & Time: 08/08/1991 @ 16:33 Description: ORDER OF APPROVAL OF MINORS CLAIM Debtor: Glisson, Linda
Creditor: Brown, Karl Amount Awarded: \$2000.00 Attorney Fees: \$0.00 Costs: \$0.00 Interest Amount: \$0.00 Total: \$2000.00
- 08/09/1991 Order Approving Minor's Compromise (Judicial Officer: Thompson, J. Charles)
Converted Disposition:
Entry Date & Time: 08/08/1991 @ 16:33 Description: ORDER OF APPROVAL OF MINORS CLAIM Debtor: Allstate Ins. Co.
Creditor: Brown, Karl Amount Awarded: \$2000.00 Attorney Fees: \$0.00 Costs: \$0.00 Interest Amount: \$0.00 Total: \$2000.00

OTHER EVENTS AND HEARINGS

- 07/19/1991 Petition for Compromise of Minors Claim
PETITION FOR COMPROMISE OF A MINOR'S CLAIM Fee \$0.00
93A3248800001.tif pages
- 08/08/1991 Conversion Case Event Type
REASSIGN CASE FROM JUDGE GUY, III TO JUDGE THOMPSON
93A3248800002.tif pages
- 08/08/1991 Conversion Case Event Type
PETITION TO COMPROMISE A MINOR'S CLAIM
93A3248800003.tif pages
- 08/09/1991 Order
ORDER COMPROMISING MINOR'S CLAIM
93A3248800004.tif pages
- 08/09/1991 Petition to Compromise Minor's Claim (9:00 AM) ()
PETITION TO COMPROMISE A MINOR'S CLAIM Court Clerk: PAULETTE TAYLOR Relief Clerk: VALERIE RIGGS Heard By: J. Charles Thompson
Petites Present
Minutes
- 08/29/1991 Result: Motion Granted
Notice
NOTICE OF SERVICE
93A3248800003.tif pages
- 09/04/1991 Motion
ORDER TO SHOW CAUSE: PROOF OF DEPOSIT LTR 9/4
93A3248800008.tif pages
- 09/09/1991 Show Cause Hearing (9:00 AM) ()
ORDER TO SHOW CAUSE: PROOF OF DEPOSIT LTR 9/4 Court Clerk: THERESA ALMSTEAD Relief Clerk: SANDRA SMITH Heard By: Addellor Guy, III

*Lois Case
is Don
Cannon*

Ex 1

	<u>Parties Present</u>
	<u>Minutes</u>
09/16/1991	Result: Continuance Granted Show Cause Hearing (9:00 AM) () ORDER TO SHOW CAUSE: PROOF OF DEPOSIT LTR 9/4 Court Clerk: THERESA ALMSTEAD Relief Clerk: SANDRA SMITH Heard By: Addellier Guy, III
	<u>Parties Present</u>
	<u>Minutes</u>
09/20/1991	Result: Matter Heard Order ORDER FOR BENCH WARRANT 93A3248800010.tif pages
09/20/1991	Bench Warrant BENCH WARRANT 93A3248800011.tif pages
10/02/1991	Notice NOTICE OF ENTRY OF ORDER (BENCH WARRANT) 93A3248800012.tif pages
01/01/1993	Conversion Case Event Type Prior Case Number Was: 91-A-298142-P 93A3248800013.tif pages
10/18/1993	Conversion Case Event Type Prior Case Number Was: 93-D-158399-J 93A3248800015.tif pages
11/02/2001	Order ORDER 93A3248800019.tif pages
12/20/2001	Notice NOTICE OF PROOF OF FUNDING OF MINOR'S BLOCKED TRUST ACCOUNT 93A3248800020.tif pages
05/04/2015	Case Reassigned to Department 2 Case reassigned from Judge Abbi Silver Dept 15

FINANCIAL INFORMATION

	Conversion Extended Connection Type No Convert Value @ 93A324880		
	Total Financial Assessment		2.00
	Total Payments and Credits		2.00
	Balance Due as of 02/12/2016		0.00
11/28/2001	Transaction Assessment		
11/28/2001	Conversion Payment	Receipt # 00743913	2.00
		CASH ACCOUNT	(2.00)

Time Account (CD) Maturity Notice

November 19, 2021



DCCDRDTYF 001907



KAYLA BROWN WARD
BARBARA I JOHNSTON GDN
COURT BLOCKED ACCOUNT
8309 SHAD BUSH AVE
LAS VEGAS NV 89149-2003

Dear Customer:

Thank you for banking with Wells Fargo. We are writing to remind you that your Wells Fargo Time Account (CD) will mature on December 17, 2021 and renew automatically for the same term. Here are important details about your account:

Account Number:	7576102011
Account Opened/Last Renewed:	December 17, 2019
Value at Maturity:	\$2,455.56
Term:	24 months
Current Maturity Date:	December 17, 2021
Grace Period End Date:	December 24, 2021
Next Maturity Date:	December 17, 2023
Please refer to the back of this letter for additional terms and conditions.	

You made a sound decision opening your Wells Fargo CD with a guaranteed interest rate and the backing of the Federal Deposit Insurance Corporation (FDIC). The interest rate for your automatic CD renewal will be set on your maturity date, December 17, 2021, and will be based on the value of the account and the term on that day. Other CD interest rates and terms will also be available to you from your maturity date through the grace period ending on December 24, 2021. If you wish to make changes to your CD when it matures, you will have an opportunity until December 24, 2021 to:

- Add funds to the account - higher balances may earn higher interest rates
- Change the term - longer terms may earn higher interest rates
- Close the account

The balance in your CD may count towards the combined balance requirements of our personal relationship accounts - such as the *Portfolio by Wells Fargo*® program and select Wells Fargo consumer checking accounts - all of which offer many valuable benefits that may save you money. For information about our personal relationship accounts, current CD interest rates based on balance and term, special CD offers, or other products that may meet your needs, please:

- Contact your Banker or
- Call us at 1-800-869-3557, 24 hours a day, 7 days a week

We appreciate your business and look forward to continuing to help you with your financial needs.

Wells Fargo Bank

Ex. 2

1 **APPENDIX: NOTICE TO APPLICANT OF MANNER OF APPROVAL**

2

3 In accordance with SCR 98(5), the following three (3) exhibits will be attached to this

4 Application before being presented to the Board of Governors:

- 5 1. The approval of Bar Counsel, including confirmation that no discipline is pending
- 6 against Applicant (Exhibit B); and
- 7 2. Verification there are no pending fee dispute arbitration or clients' security fund
- 8 claims against the Applicant (Exhibit C), and
- 9 3. Verification that Applicant is current on all membership fee payments and other
- 10 financial commitments relating to the Applicant's practice of law in Nevada
- 11 (Exhibit D).

12 This application will be brought before the State Bar Board of Governors at its next

13 regularly-scheduled meeting.

14 Applicant will be notified of the Board's decision, in writing, at the Applicant's last-

15 reported address of record to the State Bar.

16 If the Board approves this application, State Bar Counsel will forward the matter to the

17 Supreme Court of Nevada for a final determination in accordance with SCR 98(5).

18 **NOTE: APPLICANT'S RESIGNATION SHALL NOT BE EFFECTIVE UNLESS**

19 **AND UNTIL THE SUPREME COURT OF NEVADA ENTERS AN ORDER APPROVING**

20 **THE RESIGNATION.**

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BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
Barbara Irene Johnston)
Bar Number: *3748*)
_____)

APPROVAL OF BAR COUNSEL

Having confirmed Applicant has no pending disciplinary matters and having reviewed applicant's SCR 98(5) Application for Resignation submitted herewith and being satisfied with it Bar Counsel hereby recommends the Supreme Court of Nevada approve Applicant's resignation under the terms and conditions set forth in SCR 98(5).

DATED this 4 day of March, 2022

STATE BAR OF NEVADA

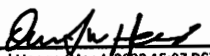
By: 
Daniel Hooge (Mar 4, 2022 15:07 PST)
DANIEL M. HOOGE
Bar Counsel
Nevada Bar No. 10620
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

Exhibit A

Exhibit B

BEFORE THE

STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE
RESIGNATION APPLICATION OF

Barbara Irene Johnston

Bar Number: 3748

STATEMENT OF FEE DISPUTE/CLIENTS' SECURITY FUND MANAGER

The undersigned, in her official capacity as Manager for the State Bar Fee Dispute Arbitration and Clients' Security Fund programs, hereby confirms that there are no pending claims against the Applicant before either the Fee Dispute or Clients' Security Committees.

DATED this 4 day of March, 2022.

STATE BAR OF NEVADA

By: Theresa Freeman
Theresa Freeman (Mar 4, 2022 13:33 PST)
THERESA FREEMAN
Client Protection Manager
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

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Exhibit C

BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE
RESIGNATION APPLICATION OF
BARBARA IRENE JOHNSTON, ESQ.

Bar Number 3748

STATEMENT OF EXECUTIVE DIRECTOR

The undersigned, in her official capacity as Executive Director of the State Bar of Nevada, hereby confirms that the above-named applicant is current on all membership fee payments and other financial commitments relating to the applicant's practice of law in Nevada.

DATED this 7 day of March, 2022.

STATE BAR OF NEVADA

By: Kimberly Farmer
KIMBERLY K. FARMER
Executive Director
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200