

IN THE SUPREME COURT OF THE

STATE OF NEVADA

CLARK NMSD, LLC,  
Appellant,

vs

JENNIFER GOLDSTEIN,  
Respondent,

NUVEDA, LLC, Interested Party.

Electronically Filed  
Dec 16 2022 01:19 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court Case No. 84623

District Court Case No. A-15-728510-B

VOLUME II

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APPENDIX IN SUPPORT OF STATUS REPORT  
[ACTION REQUIRED ON OR BEFORE JANUARY 6, 2023 AT 5PM]<sup>1</sup>

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<sup>1</sup> The district court has scheduled the hearing on the appointment of a receiver over Interested Party, NuVeda, LLC (“NuVeda”) and its subsidiaries and affiliates (including Appellant, Clark NMSD, LLC) for **January 12, 2023 at 8:30 a.m.** Any brief by NuVeda is due on or before 5pm on December 26, 2022. The district court has prohibited parties other than Respondent, Jennifer Goldstein, and the Cannabis Compliance Board, which appeared in the district court case on December 11, 2022, from filing any briefs. **Respondent has not filed an opposition or other response to the emergency motion (Dkt. No. 22-38631) as required by NRAP 27(a)(3)(A).**

LAW OFFICE OF MITCHELL STIPP  
MITCHELL STIPP, ESQ. (Nevada Bar No. 7531)  
1180 N. Town Center Drive, Suite 100  
Las Vegas, Nevada 89144 Telephone: 702.602.1242 mstipp@stipplaw.com  
*Counsel for Appellant, Clark NMSD, LLC and  
Interested Party, NuVeda, LLC*

DATED this 16th day of December, 2022.

LAW OFFICE OF MITCHELL STIPP

/s/ Mitchell Stipp

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MITCHELL STIPP, ESQ.  
Nevada Bar No. 7531  
1180 N. Town Center Drive  
Suite 100  
Las Vegas, Nevada 89144  
Telephone: (702) 602-1242  
mstipp@stipplaw.com  
*Counsel for Appellant, Clark NMSD, LLC  
and Interested Party, NuVeda, LLC*

## EXHIBIT 19

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A-15-728510-B      Nuveda, LLC , Plaintiff(s)  
vs.  
Pejman Bady, Defendant(s)

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**December 13, 2022      08:30 AM      All Pending Motions**

**HEARD BY:**      Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 16B

**COURT CLERK:** Rapel, Stephanie

**RECORDER:**      Corcoran, Lara

**REPORTER:**

**PARTIES PRESENT:**

**Brenoch Wirthlin      Attorney for Plaintiff**

**Brian R. Irvine      Attorney for Plaintiff**

**Pejman Bady      Defendant**

### **JOURNAL ENTRIES**

STATUS CHECK ON BK STAY AND RESETTING MOTION FOR RECONSIDERATION...  
PLAINTIFF'S MOTION TO CONTINUE HEARING AND ESTABLISH BRIEFING SCHEDULE  
OR ALTERNATIVELY, PERMIT SUPPLEMENT, ON ORDER SHORTENING TIME

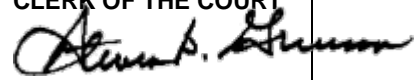
Counsel for the Cannabis Compliance Board, Emily Bordelora, also present.

Upon Court's inclination, Wirthlin confirmed he substituted in as Counsel for Nuveda, LLC and would contact the Clerk's Office to straighten out Odyssey. Wirthlin stated it was his understanding Bady still had Counsel. Court NOTED non-compliance with the Court's Ordered mandatory status check as to Mohajer, Bady, Terry and NMSD's failure to appear. Court reviewed the chronology of the case. Colloquy regarding appeal, bankruptcy and scope of hearing. Irvine stated Plaintiff filed a Notice to Appoint Receiver in March, however, a day before the hearing, Nuveda filed Chapter 11 Bankruptcy which automatically stayed the matter. Thereafter, the Bankruptcy was dismissed and a notice was filed. Irvine requested to place the Motion for Appointment of Receiver back on calendar and noted the appeal was filed by Clark (who was not a party to this action). Colloquy regarding limited scope of appeal, request to reassign District Court Judge and November 23rd Order. Irvine asserted the appeal did not have an impact over the Court's ability to appoint a receiver. Wirthlin referenced Rust vs. Clark County and the Supreme Court's decision while noting the appeal divested this Court of its jurisdiction. Wirthlin confirmed Clark was the only party to the appeal and the bankruptcy concluded. Wirthlin noted Goldstein bared the burden to show the Court could move forward. Wirthlin noted the Court could not move forward due to the appeal, however, requested briefing if the Court determined otherwise. Wirthlin was uncertain if the Constable's Office still held the \$600.00. Bordelora stated the Cannabis Compliance Board ("CCB") had no position if the Motion should be heard, however if granted, the CCB would still have to approve the receiver. Bordelora confirmed the CCB had an issue as to the approval of the person not the concept of appointing a receiver. Colloquy regarding CCB's limited joinder. Irvine stated he did not object to CCB's joinder given the timing. Colloquy regarding supplemental briefs. Court FINDS it appropriate to hear the motion. Court ORDERED Nuveda's Supplemental Brief DUE by 5:00 p.m. on December 26, 2022, Final Response thereto DUE January 4, 2023, anything additional by CCB DUE January 4, 2023 and response to Joinder issue only (if CCB

filed something new) DUE January 6, 2023. Parties that did not appear were precluded from these filings. Court SET the Motion for Appointment of Receiver. Court FURTHER ORDERED the hearing on January 10, 2023 withdrawn as moot pursuant to Wirthlin's request. Court NOTED it would look into setting an Order to Show Cause hearing for sanctions regarding parties non-appearance.

1/12/23 8:30 A.M. MOTION FOR APPOINTMENT OF RECEIVER

## EXHIBIT 20



RTRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA

NUVEDA, LLC, ET AL.,

Plaintiffs,

vs.

PEJMAN BADY, ET AL.,

Defendants.

CASE#: A-15-728510-B

DEPT. XXXI

BEFORE THE HONORABLE JOANNA S. KISHNER  
DISTRICT COURT JUDGE  
TUESDAY, DECEMBER 13, 2022

**RECORDER'S TRANSCRIPT OF PENDING MOTION**

APPEARANCES

For Nuveda, LLC:

BRENOCH WIRTHLIN, ESQ.

For Jennifer Goldstein:

BRIAN R. IRVINE, ESQ.

For Cannabis Compliance  
Board:

EMILY BORDELOVE, ESQ.

RECORDED BY: LARA CORCORAN, COURT RECORDER

1 Las Vegas, Nevada, Tuesday, December 13, 2022

2  
3 [Case called at 8:31 a.m.]

4 THE COURT: It's 8:31. We were trying to call Nuveda v.  
5 Pejman Bady, case 728510, but I've got two people who appear to be on  
6 remotely that refuse to answer the Court of asking who they are. They're  
7 members of the public. They're more than welcome to observe. I just  
8 need to know if they're members of the public. If they're making  
9 appearances in this case, I need to know that. And I don't need to know  
10 the date they filed their notice of remote appearance, but it appears  
11 there's a box that says S that says Spectator, that refuses to answer the  
12 Court, and then there's another box that says anonymous.

13 So I'm sure, counsel, you can appreciate I can't start this  
14 hearing until I get a response from those two individuals. I'll try it one  
15 last time. If not, they will be disconnected because, realistically, while  
16 this is a public forum, we're more than glad -- can you go back to the  
17 chat box, please? More than glad the members of public can observe.  
18 They at least need to say if they're just observing.

19 UNIDENTIFIED SPEAKER: Good morning, Your Honor.

20 THE COURT: I have spectator.

21 UNIDENTIFIED SPEAKER: I'm a member --

22 THE COURT: Okay. So if you're just -- you're a client, you're  
23 more than welcome to observe. That's fine. I have the box that says  
24 anonymous.

25 UNIDENTIFIED SPEAKER: I wish to be anonymous.



1 THE COURT: No, no, I'm sorry. You're the box that says  
2 spectator, are you not?

3 \_\_: Yes.

4 THE COURT: Okay, that's fine. Put yourself on mute.  
5 Members of the public or clients are more than welcome to observe. It's  
6 just I need to know if I have any other parties, because it doesn't look like  
7 I have all the parties to this case, and it's delaying this hearing, which not  
8 only costs expense, but is multiplying the proceedings, which is subject  
9 to an order to show cause.

10 So who is the anonymous, please, that is precluding this  
11 hearing from going forward? Okay. Like I said, if you're a member of  
12 the public, you can just put in the chat you're a member of the public and  
13 you're wishing to observe, or you can state it out loud, but I can't just  
14 have someone on because I have to make sure that everybody  
15 understands that if you're a member of the public, you cannot record or  
16 anything because there's no media request at all in this case. People can  
17 observe the same way as you can observe publicly in the courtroom, and  
18 you can observe publicly remotely. But if you're in any way associated  
19 with the case and making appearance, then you need to make your  
20 appearance since it's this is more than one party.

21 As the court stated, I only granted remote appearances if  
22 people were audio visual, so in compliance with the Supreme Court rule  
23 and Administrative Order.

24 Okay. Anonymous, you're being disconnected because you  
25 choose to refuse to respond to the Court that you have any aspect in this

1 case, or that you're a member of the public, or get any agreement that  
2 you're not going to record and abide by the court rules. So,  
3 unfortunately -- I'm more than glad to have all parties here, but you're  
4 just holding up the hearing. So, Madam Court Recorder, can you  
5 disconnect anonymous, please? Like I said, people are more than  
6 welcome to observe. Members of the public are more than welcome to  
7 observe. Everybody's more than welcome to observe. We just at least  
8 need to know if that is happening, because if it's somebody who's on  
9 any of our cases, then we have to ask them about a remote appearance,  
10 if they're making an appearance.

11 So now let's try and actually go through --

12 THE COURT RECORDER: The telephone number just came  
13 back on.

14 THE COURT: Who is the telephone number, 310?

15 MR. BADY: This Dr. Baddy.

16 THE COURT: Who's that? Sorry.

17 MR. BADY: Pejman Bady.

18 THE COURT: Okay. So you just a member the public  
19 observing? You're more than welcome to appear --

20 MR. BADY: I'm sorry.

21 THE COURT: -- if you're a party to the case and you're not  
22 one of the counsel making an appearance, then you're more than  
23 welcome to observe, because the same thing, people can observe either  
24 publicly, audio/visually, or they can observe in the courtroom, or they  
25 can reserve by telephone. Just make sure you do mute yourself if you're

1 just an observer. If there's anyone making an appearance, then we need  
2 to have -- Mr. Bady, are you represented by counsel, because I don't  
3 have any counsel?

4 MR. BADY: Yes. Yes, I am.

5 THE COURT: Well, they're not on the line. They're  
6 precluding the hearing from going forward. I am, correct, right?

7 MR. BADY: Okay. so should I go on mute? I'm sorry.

8 THE COURT: Mr. Irvine, you're on behalf of Ms. Goldstein,  
9 correct? Let me go around and have the appearance.

10 MR. IRVINE: That's correct, Your Honor.

11 THE COURT: Let me have the appearances made because I  
12 don't have one of the counsel. So on behalf of Jennifer Goldstein,  
13 appearance, please.

14 MR. IRVINE: Yes, Your Honor. This is Brian Irvine, on behalf  
15 of Jennifer Goldstein. I filed my notice of remote appearance on Friday,  
16 which I know does not comply with the Supreme Court rule. I had  
17 originally booked a trip to come from Reno to Las Vegas for the hearing,  
18 when it was going to be the hearing on the motion to appoint receiver.  
19 However, when the hearing changed to a status conference, it didn't  
20 make sense for me to get on a plane. So I apologize for that late filing,  
21 but that's the reason for it.

22 THE COURT: Shane Terry. Do you also represent Shane  
23 Terry?

24 MR. IRVINE: I do not, Your Honor.

25 THE COURT: Okay. Because for some reason, it says

1 jennifer Goldstein is the attorney for Shane Terry in our records. Okay,  
2 so we have no one. Nuveda, LLC.

3 MR. WIRTHLIN: Yes, Your Honor. Brenoch Wirthlin on  
4 behalf of Nuveda. I just filed an appearance about a week and a half ago  
5 now.

6 THE COURT: Okay. Substitution or?

7 MR. WIRTHLIN: Yes, Your Honor. Substitution.

8 THE COURT: Please make sure to clean it up because for  
9 some reason we still show prior counsel on this case as well.

10 MR. WIRTHLIN: My apologies. I will do that, Your Honor.

11 THE COURT: No worries. I'm just -- I noticed it looked like it  
12 was just a straight substitution, but for some reason -- just check with  
13 Clerk's Office to make sure they get that cleaned up for your sake. Okay.

14 MR. WIRTHLIN: Will do, Your Honor.

15 THE COURT: Unless you want them still to get all the  
16 notifications, then it's up to you, but, okay. Pouya Mohajer, M-O-H-A-J-  
17 E-R, anybody? Mr. Buttell, Mr. Maupin? Anybody? No one.

18 Pejman Bady? Counsel for Pejman Bady? No one.

19 MR. WIRTHLIN: Your Honor, I think -- and I apologize, this is  
20 on -- my substitution was as to Nuveda only. Obviously, Mr. Bady is  
21 aligned with Nuveda, and for purposes of this hearing I just reached out  
22 to him to see if he would like me to represent him for purposes of this  
23 hearing as well.

24 THE COURT: You can't, there's no unbundled services in  
25 civil.

1 MR. WIRTHLIN: Understood, Your Honor. And the notice --

2 THE COURT: It shows he has counsel. It shows Vincent  
3 Aiello, Matt Dushoff, Eric Walther, Ryan Gormley, and Alan Buttell.

4 MR. WIRTHLIN: Thank you, Your Honor.

5 THE COURT: Is he still not represented by any of those  
6 individuals?

7 MR. WIRTHLIN: To my knowledge he still is, but I have not  
8 clarified that with him.

9 THE COURT: I see no substitutions. I see no withdrawals.  
10 The only substitution I saw was the one you filed on 12/6.

11 MR. WIRTHLIN: Yes, Your Honor.

12 THE COURT: So I have no attorneys as required for Mr.  
13 Bady. Okay. NMSD LLC. That used to be Mr. Stipp. Mr. Wirthlin, did  
14 you come in on that too?

15 MR. WIRTHLIN: I did not come in on that one, Your Honor.  
16 That, I believe, the one that is on appeal, if I'm not mistaken.

17 THE COURT: I'm just --

18 MR. WIRTHLIN: Understood.

19 THE COURT: -- saying who I have is my record. Anybody  
20 here on behalf of that entity? No one.

21 This is a court ordered mandatory status check that everyone  
22 got notice of. Anybody who's not here is going to get order show  
23 causes. Anonymous, you came back up. Anonymous, who are you,  
24 please?

25 UNIDENTIFIED SPEAKER: Good morning, Your Honor. I'm a

1 member of the public, I wish to remain anonymous.

2 THE COURT: Okay. That's fine. Members of public are  
3 welcome to observe, so that's perfectly fine. I just need to know if we  
4 have all counsel.

5 So I have non-compliance with counsel for Shane Terry.  
6 Non-compliance, no counsel for Pouya Mohajer. Non-compliance, no  
7 counsel for Pejman Bady. And non-compliance for NMSD LLC. One  
8 more chance. Anybody to say they represent any of those on the  
9 mandatory court order status check, which all parties needed to appear?

10 Okay. Cannabis Compliance Board, , I understand you filed  
11 something, so do you wish to make an appearance?

12 MS. BORDELOVE: Yes, Your Honor. Emily Bordelove from  
13 the AG's Office on behalf of Cannabis Compliance Board. We filed all of  
14 our initial pleadings yesterday, I believe, to make an appearance in this  
15 case as a non-party.

16 THE COURT: And did that include an audio visual request?

17 MS. BORDELOVE: Yes, Your Honor. That was filed along  
18 with our notice of appearance and the limited joinder and our in the  
19 alternative request for order.

20 THE COURT: Okay. I got a challenge on the limited joinder  
21 because of the timing, but we'll get there in just a second. I appreciate  
22 you just found out about an issue.

23 So, everybody, the reason why this was supposed to -- and  
24 there wasn't -- everyone should have gotten the memo who was signed  
25 up for electronic service -- is there was a slight little, oops, because as

1 you know there was an outstanding motion pre-appeal that then things  
2 got continued for a lot of different reasons. Between the appeal, the  
3 bankruptcy, et cetera, et cetera, et cetera. So when -- then there was a --  
4 and remember when you all file something called notice we never get it,  
5 right. So if you want something done, you have to give, right -- the  
6 EDCR specifically requires you must give us a courtesy copy.

7           So when we received -- well, we didn't receive, I shouldn't  
8 say we received -- something got filed about wanting something about a  
9 hearing, then somehow something got set, but that shouldn't have  
10 happened. What should have been -- and then there was an oops in the  
11 -- because of all of that, the hearing that the Court was having really was  
12 a status check because there was originally going to be the status check  
13 because of the bankruptcy and the impact of the bankruptcy.

14           While the Court's appreciative that the bankruptcy may not  
15 be an issue anymore, and I'm using the term may not because of the  
16 different language that was utilized in various things, we still have the  
17 appeal.

18           And so the Court was not intending to set this for hearing  
19 because I need to know whether I can do -- hear anything because of the  
20 pending appeal. I need to have a better understanding of the impacts  
21 with all parties having an opportunity to tell the Court what the impact, if  
22 anything, of the current status as it relates to the bankruptcy.

23           The Court was also cognizant that there was issues that  
24 involved Cannabis Compliance Board that they would have needed to be  
25 notified because people were making representations on their behalf. So

1 I was really going to ask if anyone had notified them, but since you're  
2 here, Cannabis Compliance Board, I don't have to ask that question.

3 So we need to know what's going on in this case to figure  
4 out what is the next step that can go on in this case. So what I'm going  
5 to do is I'm going to circle around and ask people what their viewpoint  
6 is, what the Court can and cannot do, as far as what was that original  
7 request because remember, there was the bankruptcy stay, there was  
8 the motion for reconsideration. Anyway, so I'm going to get each  
9 person's viewpoint as to what they say the Court can move forward on.

10 I do not want substantive arguments on any pending  
11 underlying motions. This is not the date for a motion. This is giving  
12 everyone an opportunity to be heard on this case so that everyone can  
13 present their viewpoint on what can move forward, what cannot move  
14 forward. And then the Court can determine, after hearing everybody,  
15 and being fully apprised, to determine what it views can and cannot be  
16 moving forward. And if things can move forward, whether or not there  
17 will or will not be any additional briefing versus pleadings that were  
18 already in, et cetera.

19 So giving everyone a full and fair opportunity to be heard  
20 and anybody who's chosen not to appear at the Court order status check,  
21 like I said, I will be doing an order show cause because it's a waste of  
22 judicial resources, waste of everyone's resources. It's multiplied the  
23 proceedings for everyone who's not appeared, and this was fully noticed  
24 because everyone got the same notifications regardless of the titling of  
25 what it is. You actually got more than one notification from the Court.



1                   So we're going to start first with -- I'm just doing it in the  
2 order of what it shows on my nice little sheet. So, counsel for Goldstein,  
3 your position please.

4                   MR. IRVINE: Yes, Your Honor. Brian Irvine on behalf of  
5 Jennifer Goldstein. Thanks for hearing us this morning.

6                   As Your Honor noted, this case has gone through a few fits  
7 and starts in the last six to nine months. Ms. Goldstein filed her motion  
8 to appoint a receiver back in March. That was fully briefed and  
9 scheduled to be heard in late April. The day before that hearing was set  
10 to take place, Nuveda, who is the judgment debtor in this case? Ms.  
11 Goldstein has a judgment against Nuveda, filed for chapter eleven  
12 bankruptcy in Nevada Bankruptcy Court.

13                   I appeared before Your Honor and notified you of that  
14 bankruptcy filing, and we discussed that the motion to appoint a receiver  
15 could not go forward on April 21st because of the automatic stay  
16 imposed by the bankruptcy.

17                   We went to bankruptcy court. We filed a motion to dismiss  
18 the bankruptcy, which was granted by Judge Landis in late October of  
19 this year. As Your Honor noted, we filed a notice with this Court of that  
20 dismissal of the bankruptcy and requested that the motion to appoint a  
21 receiver be set for hearing.

22                   I'm hearing from Your Honor that I didn't do that correctly,  
23 and I apologize for that, but that was our intention, was to be as efficient  
24 as we could and get the fully briefed motion to appoint a receiver back  
25 on file.

1                   So in our view, Your Honor, the bankruptcy poses no  
2                   impediment whatsoever to proceeding on the motion to appoint  
3                   receiver, which is the only thing outstanding for the Court to decide in  
4                   our view.

5                   With regard to the appeal, Your Honor, that appeal was not  
6                   filed by Nuveda. That appeal was filed by Clark NMFD, who's not here  
7                   today. They're represented by Mr. Stipp, but he's not on the line. But if  
8                   you look, Your Honor, at the opening brief that Clark and NMFD filed  
9                   with the Nevada Supreme Court, and that's in case number 84623, and  
10                  I'm looking at the opening brief, which is document number 22-36636.

11                  This appeal has a very limited scope. It only has to do, Your  
12                  Honor, with the writs of execution that Ms. Goldstein had served on a  
13                  cannabis dispensary owned by Clark and MSD. The writs of execution  
14                  resulted in about \$600 being seized by the constable out of the cash  
15                  register at the dispensary.

16                  There was a number of motions that first Nuveda and then  
17                  Clark and NMFD filed challenging the writs of execution. They first filed  
18                  a motion to quash those, which was denied. Then they sought to get the  
19                  money returned on a couple of different occasions, and they ultimately  
20                  took an appeal earlier this year from Your Honor's order denying that  
21                  relief.

22                  So if you look at the opening brief, Your Honor, I'm at page  
23                  eight of that document I referred to, the statement of issues presented  
24                  for review are whether the District Court has jurisdiction, summarily, to  
25                  deny an application under NRS 31.070, if appellant complied with the

1 requirements of that statute and offered prima facia evidence that the  
2 cash seized belonged to appellant, which is, again, Clark and NMSD.  
3 They also challenged this Court's jurisdiction to deny an application  
4 where the respondent, my client, failed to post security. And then they  
5 also asked the Supreme Court to reassign the case to a different district  
6 court judge on remand if the case were vacated and remanded.

7 So -- and then the relief they're seeking --

8 THE COURT: That's the entire case, counsel.

9 MR. IRVINE: -- is essentially to vacate the order.

10 THE COURT: Counsel, that's the --

11 MR. IRVINE: Yes, that's the entire case.

12 THE COURT: -- entire case, right? And that appeal is --

13 MR. IRVINE: That's the entire case. That's Clark and MSD.

14 THE COURT: Right. But the request was to remand to a  
15 different judge the entire case, correct? The case -- it wasn't carving out  
16 and creating a new case number, correct?

17 MR. IRVINE: That's correct, Your Honor.

18 THE COURT: Okay. And the Supreme Court on 11/23 said  
19 the appeal can go forward, correct?

20 MR. IRVINE: They have. Ms. Goldstein has not yet filed her  
21 brief, so that the appeal is not fully briefed. So we see that appeal --

22 THE COURT: I'm sorry, counsel --

23 MR. IRVINE: -- as a --

24 THE COURT: Okay. But counsel --

25 MR. IRVINE: Yes, Your Honor.

1 THE COURT: -- what my question was on 11/23, right, there's  
2 an order? Remember, a District Court only gets what comes down to it  
3 from the Supreme Court. So the only thing that this Court has the  
4 benefit of, in this record here at the District Court level, right, is the  
5 opinion that was filed 138 Nevada Advanced Opp. 75, right? It was filed  
6 on 11/23.

7 MR. IRVINE: Correct.

8 THE COURT: That's what the Court has --

9 MR. IRVINE: Yes, Your Honor.

10 THE COURT: -- the third-party entity in a post judgment  
11 collection. Right. So you're saying the appeal has no impact, and you  
12 think your motion should go forward. Is that correct or incorrect?

13 MR. IRVINE: That's absolutely correct, Your Honor. Even if  
14 they get the relief that they're seeking, they would get the \$600 back. My  
15 client never got that \$600, Your Honor. In fact, the Constable, I believe,  
16 is still holding that money, and Nevada has actually sued the Sheriff's  
17 Department and the Constable for holding on to that money. That's  
18 pending in 8th Judicial also. That's case number A-22-850747-W. I just  
19 checked the docket on that case this morning, and it's still pending.

20 So they can certainly seek the relief they want in that case to  
21 get the money back. And I see no impact whatsoever on that appeal  
22 over the Court's ability to consider and decide Ms. Goldstein's motion to  
23 appoint a receiver in this case.

24 THE COURT: Okay. And just real quickly.

25 MR. IRVINE: It involves a different party.

1 THE COURT: Okay. I see two other individuals. Remember,  
2 if you all are on another case so we're in our 830 calendar. We'll got you  
3 on 9:00 calendar after we're done at 8:30. Thank you so very much.  
4 You've already put your names in the chat, so you're taking care of.

5 Okay. So next we're going to go to Nuveda. Only just your  
6 position of what the Court can and cannot do on moving forward with  
7 the motion. Go ahead, please.

8 MR. WIRTHLIN: Yes, Your Honor. Thank you.

9 We believe, at this point, that it is, to me ,to be totally candid,  
10 it is unclear whether the Supreme Court's decision in *Rust v. Clark*  
11 *County School District*, that's 103 Nev 686, divests this Court of  
12 jurisdiction. Frankly, it is a closed case. As the Court is aware it's been  
13 close for a while. Mr. Irvine is correct. It's my understanding. I did not  
14 file the appeal, but the only file -- so Nevada and Clark both were parties  
15 to the motion in this Court, but I believe that Clark is the only party to the  
16 appeal.

17 That being said, it is Nuveda's position that the appeal  
18 would divest the Court of jurisdiction unless and until the Supreme Court  
19 makes a decision otherwise, which I do not believe Ms. Goldstein has  
20 sought any type of belief in that regard. I'm happy --

21 THE COURT: Can I ask just -- I need a quick question on this.

22 MR. WIRTHLIN: Yes, Your Honor.

23 THE COURT: Do you concur with the summary provided by  
24 counsel for Goldstein of what the issues on appeal are?

25 MR. WIRTHLIN: I believe that is I believe that is correct, yes,

1 Your Honor. I would have to -- I guess what I would ask if the Court were  
2 inclined to permit it, would be I believe that Ms. Goldstein would have  
3 the burden of showing that the Court does have jurisdiction to move  
4 forward in the way that she is requesting. And we would, I guess,  
5 respectfully request that a brief be provided by Ms. Goldstein as to that  
6 effect, as well as, your Honor, the impact of the bankruptcy proceedings.  
7 I know that's --

8 THE COURT: Well, the impact is you concur the bankruptcy  
9 proceedings are concluded, correct?

10 MR. WIRTHLIN: Yes, Your Honor.

11 THE COURT: So there's no automatic state, correct? Right.  
12 The impact goes to substance and merits, doesn't it? It doesn't go to  
13 moving forward, correct?

14 Speaker C: I believe that is correct, yes.

15 THE COURT: Okay. That's what I'm just trying to -- okay. So  
16 your viewpoint and the summation is the Court can't do anything or  
17 you're requesting briefing? I kind of heard two different things. And  
18 then I also heard you citing *Russ* for the concept that everything is a  
19 closed case and there's nothing -- well, actually it's inactive. It's not  
20 closed, but --

21 MR. WIRTHLIN: Okay. Yes, Your Honor.

22 THE COURT: So can you give me the thumbnail sketch of  
23 whether you think the motion can go forward or if you're saying that the  
24 Court can't move forward on anything?

25 MR. WIRTHLIN: Yes, Your Honor. Our position, Nuveda's

1 position is because of the appeal under the *Russ* doctrine, this Court  
2 cannot proceed on the motion to appoint receiver.

3 THE COURT: Are you saying the appeal, though, affects  
4 receiver? Okay, I just need a point of clarification. Do you concur that  
5 the 600 is still with the Constable's Office?

6 MR. WIRTHLIN: Candidly, I don't know the answer to that,  
7 Your Honor. I can certainly find that out, but I do not know --

8 THE COURT: Okay. Are you not counsel for Nuveda in the  
9 other case?

10 MR. WIRTHLIN: Not in the appeal, Your Honor, no.

11 THE COURT: Oh, sorry. Are you counsel for Nuveda? Do  
12 you concur that there is a separate district court case where Nuveda is  
13 seeking to get back that \$600 through a writ?

14 MR. WIRTHLIN: That was news to me today, Your Honor, to  
15 be honest.

16 THE COURT: Okay.

17 MR. WIRTHLIN: I have no reason to dispute what Mr. Irvine  
18 is saying.

19 THE COURT: Okay. The reason why the Court's asking that  
20 question is because if that's being done in a separate proceeding, right,  
21 then the receivership wouldn't cover, presumably, that \$600, which is the  
22 issue of NMSD, correct?

23 MR. WIRTHLIN: I believe that is correct, Your Honor.

24 THE COURT: The appeal is not by Nuveda, correct?

25 MR. WIRTHLIN: Yes.

1 THE COURT: Because that's the whole issue is it's a third-  
2 party, which was the subject of the published decision on the 23rd of  
3 whether a third party could do something, right?

4 MR. WIRTHLIN: My understanding is the appeal was filed  
5 only by Clark. I believe that is correct.

6 THE COURT: So Nuveda is not even part of the appeal?

7 MR. WIRTHLIN: I believe that is correct, Your Honor, yes.

8 THE COURT: So then on what basis would the appeal  
9 preclude the Court from moving forward?

10 MR. WIRTHLIN: I believe that the appeal itself does divest  
11 the court of jurisdiction simply because there is no -- that's my  
12 understanding of the Rust case, Your Honor.

13 THE COURT: Right. Where I'm going is --

14 MR. WIRTHLIN: Yes.

15 THE COURT: -- if the appeal is narrow -- okay, I'll phrase it in  
16 a different context, right. Say, hypothetically, there was just a general  
17 breach of contract case, right. Three different defendants said that each  
18 of the defendants owed the plaintiff \$100,000. So I'll make sure it's in the  
19 jurisdiction of the District court, right?

20 MR. WIRTHLIN: Yes.

21 THE COURT: If two of those people paid the 100,000 and the  
22 third person appealed and said that they didn't owe the money --

23 MR. WIRTHLIN: Yes.

24 THE COURT: And the ones that paid it, some other issue  
25 came up, I don't know, enforcing the settlement agreement or whatever,



1 they paid 96,000, not 100,000.

2 MR. WIRTHLIN: Yes, Your Honor.

3 THE COURT: Are you -- it seems to me, by analogy, if the  
4 600 is isolated and the Nuveda is not part of the appeal, I wasn't  
5 understanding how you're saying that that appeal could preclude  
6 Nuveda when they're not part of an appeal, how that could do it,  
7 particularly if that appeal was only to \$600, and it was not Nuveda \$600.

8 MR. WIRTHLIN: Yes, Your Honor. And the only reason that I  
9 say that is because it is my understanding Nuveda was a party to the  
10 motion, which led to the order, which is the subject of the appeal.

11 THE COURT: But if they didn't appeal, are you saying --

12 MR. WIRTHLIN: They're not a party to the appeal. That's  
13 correct. So I suppose --

14 THE COURT: So how are they aggrieved if they are only  
15 subject to the court's order and the time has passed, right, more than 30  
16 days, otherwise it would [indiscernible] be a Supreme Court order on a  
17 third-party issue, right?

18 MR. WIRTHLIN: Right. And it may not be, Your Honor. I  
19 guess that's my initial opinion would be, and Nuveda's position would  
20 be that the appeal under the *Russ* doctrine is very broad. It simply says  
21 an appeal divest the court of jurisdiction. It doesn't really parse out --

22 THE COURT: Well, there's exceptions, right, fees, costs, and  
23 lots of other things, and post judgment relief.

24 MR. WIRTHLIN: Yes, there are. Absolutely, Your Honor. I do  
25 think that with the relief that Ms. Goldstein is requesting, that it would be

1 her burden to prove to the Court that the court does have jurisdiction  
2 and that it fits within one of the exceptions. So my understanding, I  
3 guess, is that the *Russ* case is that general rule. Nuveda did file that  
4 motion or joined in the motion which led to the order, which is on  
5 appeal. They are not a party to it. But my understanding would be, and  
6 this was my request and why it's a little bit, I guess, two parts, would be  
7 that our initial position is that the general rule is that the appeal does  
8 divest the Court of jurisdiction. If Ms. Goldstein believes that she fits  
9 within an exception, it would be her burden to prove to the Court that  
10 that is the case, which we would like an opportunity to respond to that,  
11 Your Honor, in briefing, if we could.

12 THE COURT: Okay. Cannabis Compliance Board.

13 MS. BORDELOVE: Yes, Your Honor.

14 THE COURT: Do you say I should or shouldn't -- your view  
15 on whether the Court should -- well, whether the Court can or cannot  
16 move forward with the motion by Goldstein.

17 MS. BORDELOVE: The CCB isn't necessarily taking a position  
18 on whether the Court can hear the receivership motion, not necessarily  
19 today, but in just regular course, but more that if the Court were to hear  
20 that motion, we would like our limited joinder and request to be heard in  
21 conjunction with that. But we didn't take a position on the timing of  
22 when that motion is heard.

23 THE COURT: Okay. So does the CCB assert, in any manner,  
24 that the issue that is the subject of the motion is fully within the scope of  
25 the CCB and there's not something to be decided by a district court? I

1 appreciate your limited jointer. And you've made statements about  
2 certain -- you may or may not agree with certain statements that were  
3 made in asserting your position, et cetera, but now I see, really  
4 substance if I'm hearing the motion. I'm just trying to go for is CCB in  
5 any way saying that the Court wouldn't have the ability to move forward  
6 with the motion because these are issues that are solely within the scope  
7 of the CCB?

8 MS. BORDELOVE: Not necessarily, unless there's a change  
9 in ownership of licenses that would be decided by the receivership  
10 motion, which I don't believe that covers [indiscernible]. There isn't a --  
11 if there was a receivership the Court can appoint and then the CCB would  
12 then approve. But -- the CCB has done that before. And we've -- also,  
13 we -- counsel for CCB also offers to take a look at those orders to make  
14 sure that those are how we typically do or how my client, the Board, will  
15 review the receivership appointments to approve.

16 THE COURT: Okay. So is the CCB's concern as the scope of  
17 any potential order that could come as a result of the Court hearing the  
18 motion, but you take no position on whether I should hear the motion?  
19 Is that correct or is there some other petition?

20 MS. BORDELOVE: Yes. The representations that have been  
21 made on the CCB's behalf. So --

22 THE COURT: Okay. Is your --

23 MS. BORDELOVE: So the [indiscernible] --

24 THE COURT: Sorry. Go ahead, please.

25 MS. BORDELOVE: No, that the -- the Court, in making a

1 decision, there might be -- the Court may consider representations that  
2 parties have made on the CCB's behalf, but they're not necessarily  
3 correct, and that the CCB just wants to correct the record to make sure  
4 that if those representations are being considered, that it's actually what  
5 the CCB's positions are.

6 THE COURT: Okay. And the reason why the Court's asking  
7 that realistically is page 4 of your brief, around line 20. Actually, it is line  
8 20, okay, you can read that first sentence starting at line 20. A lot of  
9 different ways, right? One way -- could you say, if this Court appoints a  
10 receiver subject to CCB approval, footnote 6, see NRS, right?

11 MS. BORDELOVE: Oh, yes, Yes, Your Honor.

12 THE COURT: The CCB could disclose additional ownership.  
13 So one could read that sentence that the CCB was saying that the Court  
14 could only address the issue with the CCB's approval or that any order of  
15 the Court then needs to go by the CCB? I mean, there's a lot of different  
16 ways that that can be read. So can you please explain to me how it  
17 should be read, because you wrote it?

18 MS. BORDELOVE: Yes, Your Honor. So as far as the  
19 receivership, it's any receiver that's appointed over a Cannabis  
20 establishment must be approved by the CCB. So it's the receiver that's --  
21 the person that's actually that's approved -- that the CCB would approve.  
22 They have to get a cannabis agent card. They have to go for the Board  
23 approval.

24 So it's not just -- I just wanted to clarify that it wouldn't just  
25 be the Court appoint the receiver and then they could go forward. It's

1 the approval footnote. The CCB approval footnote is referring to the fact  
2 that the Board would also need to approve any receiver that's appointed.

3 THE COURT: Approve the person, Jane Doe, Jack Doe  
4 versus approve the concept of even addressing a receivership? That's  
5 really what I'm trying to get. You understand the distinction?

6 MS. BORDELOVE: Yes, Your Honor. It's the latter. It would  
7 be the approval of the person.

8 THE COURT: The person? Jane Doe, Jack Doe. Not the  
9 concept of appointing a receiver; is that correct?

10 MS. BORDELOVE: Yes, Your Honor.

11 THE COURT: Okay. I'm not asking for -- I'm just trying to get  
12 what your position is because obviously that impacts whether or not  
13 you're saying there has to be a procedural step --

14 MS. BORDELOVE: I understand.

15 THE COURT: -- before I even hear the motion. I at least need  
16 to know your position so that I can determine what to do. So I'm hearing  
17 everyone's position. So is that correct? That it's. Only the Jane Doe.  
18 Jack Doe. If the Court were to appoint a receiver, it's not the concept of  
19 appointing receiver. That CCB says it has to be consulted prior to  
20 concept of appointing a receiver --

21 MS. BORDELOVE: Yes, Your Honor.

22 THE COURT: -- but only needs to be approval if a receiver is  
23 appointed. Who that receiver is has to be approved by the CCB or some  
24 third option?

25 MS. BORDELOVE: It's the -- as you said, it's the concept that

1 the CCB has to approve Jane Doe -- the person sitting as the receiver,  
2 not the concept of the receiver.

3 THE COURT: Okay. That's what I just want to make sure.  
4 Thank you so much.

5 Okay. So here's what the Court has and here's what the  
6 Court is going to do. I'm going to ask one more question before I move  
7 on. Because the briefing that was provided to the Court was pre-  
8 bankruptcy and pre-appeal. And I'm not saying that either of those have  
9 an impact. I'm just asking each party's position who chose to attend the  
10 mandatory court ordered status check. And no one, since that time, has  
11 stated that they are now appearing. So it's now 33 minutes into the  
12 hearing.

13 Okay. With regard to that question, I have -- there was a  
14 motion that the OST was returned because really the court saw it  
15 because today was just a status check. I have full briefing, as noted by  
16 counsel for Goldstein. But that full briefing does predate a bankruptcy  
17 and does predate an appeal. So I need to know, counsel for Goldstein,  
18 your position. And then I also now have a request from the CCB, as of  
19 yesterday, that they want to file a limited joinder.

20 So, counsel for Goldstein, your position about whether or not  
21 there should be any briefing, additional briefing whatsoever, or that the  
22 briefing is all concluded, or some third option. I'm not limiting you to  
23 those two. Counsel for Goldstein, and then I'm going to asked counsel  
24 for Nuveda, and then I already heard CCB. They want to have a position  
25 in it. So I'll ask you again, but if you want to repeat the same thing.

1                   So, Counselor Goldstein, your position on that?

2                   MR. IRVINE: Yes, Your Honor. First, we have no objection to  
3 the CCB's joinder. The timing of it was -- couldn't be helped. The  
4 representations that Nuveda made were made recently, and the CCB was  
5 only made aware of those recently, so we have no issue with their  
6 joinder being filed.

7                   With respect to the briefing on the motion to appoint  
8 receiver, it's our position that it's concluded. We've given Your Honor  
9 the order from the bankruptcy court dismissing the bankruptcy case  
10 along with the entire transcript. So the Court, if it's so inclined, can see  
11 Judge Landis' reasoning.

12                  THE COURT: But you gave that to me --

13                  MR. IRVINE: We would intend --

14                  THE COURT: But counsel -- counsel, didn't you give that to  
15 me after all the pleadings have been closed?

16                  MR. IRVINE: Yes, we did, Your Honor. We wanted you to be  
17 aware of what the Court decided at the bankruptcy --

18                  THE COURT: All right.

19                  MR. IRVINE: -- motion to dismiss.

20                  THE COURT: So if you're adding things, wouldn't it be fair  
21 for any other party to have an opportunity to add something?

22                  MR. IRVINE: That's fair, Your Honor. I didn't include -- I  
23 deliberately did not include any argument in that brief. I just provided  
24 the court notice and asked for a hearing. There was no argument  
25 whatsoever. If Your Honor is inclined to allow Nuveda's supplemental

1 brief to be filed, we would obviously like an opportunity to respond to  
2 that. But we think that a simple read of the transcript shows that  
3 Nuveda's arguments in the supplementer are meritless.

4 THE COURT: Okay.

5 MR. IRVINE: But if Your Honor is inclined to allow that to be  
6 filed, we'd like to respond.

7 THE COURT: We're not getting into substance.

8 Okay. CCB, it's your position you'd like to consider your  
9 joinder if I have a hearing; is that correct? I saw you affirmatively nod. I  
10 just need it verbally, please.

11 MS. BORDELOVE: Sorry, I muted my mic. This is Emily  
12 Bordelove for the CCB. Yes, Your Honor.

13 THE COURT: Okay. Counsel for Nuveda, your position. Go  
14 ahead.

15 MR. WIRTHLIN: Our position, Your Honor, very briefly, is  
16 that we do believe that the briefing is stale at this point, given the  
17 proceedings in the bankruptcy court as well as the appeal.

18 We also believe Your Honor -- again, I received the  
19 supplement that was filed yesterday. We believe it does not comply with  
20 EDCR 2.20's five day joinder requirement. But also, Your Honor, I don't  
21 believe there's been a motion intervene under Rule 24. We would like a  
22 chance to respond to that if the Court would permit that. Thank you,  
23 Your Honor.

24 THE COURT: Okay. Here's what the Court is going to do.  
25 The Court is going to do the following.



1           The Court finds it's appropriate to hear and this is subject to  
2 any arguments that could be raised in briefing. Stay tuned because,  
3 obviously, I'm going to give you some briefing, okay. That the Court  
4 may not hear it for other reasons, okay?

5           But the Court finds now that the bankruptcy stay has been  
6 lifted, the reason why this initial motion was not heard, is moot. The  
7 stay has been lifted. In fact, it was anticipated that this motion would be  
8 heard after the stay was lifted or before the bankruptcy was even set to  
9 occur, okay, and there was no briefing that told this Court that somehow  
10 the Court could not hear that motion. See your pleadings, okay.

11           So that means that the Court is going to move forward and  
12 the Court also is going to say, based on the limited information as part of  
13 this record, which is the 11/23 order from the Supreme Court that talks  
14 only about the parties to that appeal and the party to that appeal is not  
15 Nuveda. In fact, the notice of appeal doesn't say it.

16           So I'm looking only at this record that's here in District Court,  
17 728510, that each of those say it's with -- in fact, the order of Supreme  
18 Court 11/23 says it's with the non-party NMSD. So none of those  
19 reasons would initially preclude the Court from hearing said motion  
20 because the parties had a full opportunity to address any other issues  
21 prior to that appeal in their briefing when the motion first came forward  
22 before the Court.

23           So the court is going to set a date for hearing said motion.  
24 What the Court was inclined to do is I'm trying to be cognizant of  
25 people's holiday schedules unless you tell me that you don't care and

1 then I'll say fine. Is today, last time I checked, is Tuesday the 12th. So I  
2 was really inclined to give Nuveda until the 19th to file whatever  
3 supplemental brief they deemed that they needed to file with the current  
4 status of things. I was not going to require the other side to do it over  
5 the, although I'm having hearings that week because people want to be  
6 heard, which is fine, I really was going to give you to January 4th to do  
7 any final response.

8 I was going to give the Cannabis Compliance Board, because  
9 to the extent that I was going to give the Cannabis Compliance Board  
10 also to the board also to the 4th, if they wish to file anything additional  
11 because in fairness, they just found out about something, so I'm going to  
12 let them address it. And they didn't know that someone's going to raise  
13 an issue on a joinder timeliness. So stay tuned if you want to not  
14 requiring anybody.

15 And then only on the joinder issue, I was going to give  
16 Nuveda, only on the joinder issue from Cannabis Compliance Board, if  
17 Cannabis Compliance Board files something new, okay, if they don't file  
18 something, you don't get this date, but if they file something new that  
19 addresses the joinder issue, I'm going to give a final response to Nuveda  
20 by the 6th, only on that very limited issue. If you go outside of it, it will  
21 not be considered because you don't get extra pleadings. Okay.

22 So that means then I would have a hearing January 17th. I  
23 could do it as early as the 12th, but I really would prefer to do it on the  
24 17th, because of giving this Court sufficient -- well, I could do it in five  
25 days. I'll do it -- let me see what the 12th and the 17th look like, see

1 which was a lighter day for us. The 12th looks like it's a lighter day, so  
2 we could do it on the 12th, at 8:30 would be the hearing.

3 Any party who did not participate in today's status check is  
4 precluded from filing any briefing. If you fail to show up to a court  
5 ordered status check where it was specifically stated that it would be  
6 discussed the very motion at issue and would be discussed the impact of  
7 the appeal, then this Court finds that you have waived your right to file  
8 anything because only those parties that have met said request here at  
9 the hearing has that opportunity. I have no request from anybody else  
10 because nobody else appeared.

11 The Court finds that that's fair and equitable because  
12 everyone got notice of this. If somebody was requesting something,  
13 they could have appeared. The Court called multiple times to see if  
14 anyone appeared. It's now been 40 minutes. So even if somebody was  
15 late, they'd had more than enough time to do it. So only those parties  
16 who made the request for supplemental briefing are having the  
17 opportunity to do supplemental briefing because nobody else has  
18 requested it. So that gets taken care of. So, January 12th.

19 The Court, with regards to the supplemental briefing, please  
20 do not for anybody say, well, I'm incorporating all my arguments in 15  
21 other different pleadings hypothetically. If you want the Court to  
22 consider it, it needs to be before me and fully compliant with all the  
23 rules. That's fair and equitable to everyone.

24 So, counsel for Goldstein, is there anything else we can  
25 address for you today or does that take care of all issues from your

1 viewpoint?

2 MR. IRVINE: Your Honor, I may have missed what you said.  
3 I heard that Nuveda's supplemental brief was due December 19th, I  
4 believe, and I don't know that I caught the date for our response to that.

5 THE COURT: January 4th, because I'm being fair that most  
6 parties -- individuals are gone during that week between the holidays.  
7 Okay. So I think that's fair enough.

8 MR. IRVINE: Thank you, Your Honor.

9 THE COURT: I'm going to circle around to everyone if  
10 somebody thinks that I've given wrong dates or unfair dates, now is your  
11 chance to let the court know. If not, it's waived. So -- and then I gave the  
12 6th to Nuveda only if the Cannabis Compliance Board feels that it's going  
13 to file something supplemental on addressing the timeliness of their  
14 joinder. If they choose not to address it, the Court is going to take into  
15 consideration what the court needs to take into consideration, realizing I  
16 got a supplemental briefs and feel free to look at the EDCR with regards  
17 to joinders.

18 So have I taken care of everything for counsel for Goldstein?

19 MR. IRVINE: Yes, Your Honor. Thank you very much.

20 THE COURT: And Cannabis Compliance Board by taking care  
21 of everything from your end?

22 MS. BORDELOVE: Yes, Your Honor.

23 THE COURT: And am I going -- oh, stay tuned. Before I  
24 finish this, can I ask one other quick question? Counsel for Nuveda, who  
25 is the only other party who chose to appear today at the Court ordered

1 mandatory status check.

2 MR. WIRTHLIN: Yes, Your Honor. And I sincerely apologize.  
3 I am actually here the week between Christmas and New Year's, but I am  
4 gone with my spouse on long planned vacation from the 19th, oh, I'm  
5 sorry, from the 15th through the 22nd. Would it be possible for our brief  
6 to maybe do that next Monday even?

7 THE COURT: Counsel for Goldstein, do you have any  
8 objection since you're getting to the 4th anyway? You only got the extra  
9 time because I wasn't going to require anybody to do briefing that week.

10 MR. IRVINE: No objection, Your Honor. That's fine.

11 THE COURT: So 26th by 05:00 p.m.? Counsel, does that  
12 meet your needs?

13 MR. WIRTHLIN: Yes, Your Honor. I appreciate that. Thank  
14 you.

15 THE COURT: Counsel for Goldstein. The 26th by 05:00 p.m.,  
16 Nuveda's instead of the 19th. Is that okay with you?

17 MR. IRVINE: Yes, Your Honor.

18 THE COURT: Okay. Cannabis Compliance Board, do you  
19 have a viewpoint on that?

20 MS. BORDELOVE: No, Your Honor.

21 THE COURT: Okay. That's taken care of.

22 So that takes care of all of those issues. That seems to take  
23 care of everything that we need to take care of with regards to -- wait,  
24 hold on a second. January 10th. That then moots, right, your January  
25 10th motion, does it not, Nuveda?

1 MR. WIRTHLIN: It does, Your Honor.

2 THE COURT: Would you like that to be -- are you  
3 withdrawing it as moot or are you asking the Court to keep it on for the  
4 10th?

5 MR. WIRTHLIN: No, we will withdraw that as moot, Your  
6 Honor. Thank you.

7 THE COURT: Okay. So the hearing on 1/10, that's withdrawn  
8 as moot. That gets that one taken care of. Okay. One moment, please.  
9 Let's check one other thing. Unrelated -- okay. That then should take  
10 care of all matters. Everyone has had a full opportunity to be heard who  
11 chose to appear at the mandatory court ordered status check. The Court  
12 will be doing an order to show cause unless I -- I'm going to look at this  
13 end of day to ensure if there was any good reason. The Court's not  
14 aware of anything. I'll tell you the court received no notification for  
15 anybody requesting continuing it. The Court received no notification of  
16 anyone having any emergencies, last minute illnesses, anything.

17 And at this time, the Court is not aware of any reason why  
18 counsel for all the other parties would not appear to this mandatory  
19 court ordered status check. So the Court's intention is to do an order to  
20 show cause re sanctions for anyone who -- any party that did not appear  
21 because it's multiplying the proceedings, it caused extra time, et cetera,  
22 and the Court is going to double check to make sure I have correct  
23 counsel, et cetera, on all those other parties, and whether or not that  
24 order show cause should apply to all parties. But that is currently based  
25 on what the Court knows. That's the current intention. The Court is

1 intending probably I'll do that order to show cause -- I'll probably do it on  
2 the same day, the 12th, if not I might do it next week. We'll determine  
3 what's the best appropriate time with regards to that. That then should  
4 conclude this case, which is page 1728.

5 And for Cannabis Compliance Board, I may be seeing you  
6 tomorrow at 8:30 on a different matter that involved -- I don't know if I  
7 am or not. If so, I'll see you tomorrow on 787004. If I'm not seeing you  
8 tomorrow on 787004, I wish you happy holidays, like I'll wish the other  
9 two counsel. The only reason I'm making a distinction is I may be seeing  
10 you tomorrow. So if I'm not seeing people have a happy holidays. If I  
11 am seeing you then I'll say it when I see you later this week. Thank you  
12 so very much.

13 MR. WIRTHLIN: Happy holiday, Your Honor. Thank you.

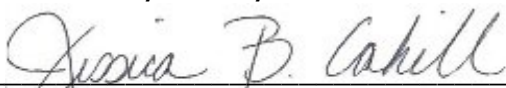
14 MR. IRVINE: Thank you, Your Honor. Happy holidays.

15 THE COURT: Thank you.

16 MS. BORDELOVE: Your Honor, thank you.

17 [Proceedings concluded at 9:17 a.m.]

18  
19  
20 ATTEST: I do hereby certify that I have truly and correctly transcribed the  
21 audio-visual recording of the proceeding in the above entitled case to the  
22 best of my ability.

23 

24 Maukele Transcribers, LLC  
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