

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

2
3 IN THE MATTER OF THE GUARDIANSHIP
4 OF THE PERSON AND ESTATE OF
5 KATHLEEN JUNE JONES, AN ADULT
6 PROTECTED PERSON,

No. 84655

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7
8 KATHLEEN JUNE JONES,

9 Appellant,

10 *vs.*

11 ROBYN FRIEDMAN; AND DONNA
12 SIMMONS; AND ELIZABETH
13 BRICKFIELD, GUARDIAN AD LITEM FOR
14 KATHLEEN JUNE JONES,

15 Respondents.

16 **APPEAL**

17 From the Eighth Judicial District Court, Clark County
18 The Honorable Linda Marquis, District Judge
19 District Court Case No. G-19-052263-A

20 **APPELLANT'S APPENDIX**

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APPELLANT’S APPENDIX: VOLUME 1



PET

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DISTRICT COURT

CLARK COUNTY, NEVADA

IN THE MATTER OF THE GUARDIANSHIP)
OF THE PERSON AND ESTATE OF:)
Kathleen June Jones,)
An Adult Protected Person.)

Case Number: G-19-052263-A
Department: B

HEARING REQUESTED

**VERIFIED PETITION FOR COMMUNICATION, VISITS,
AND VACATION TIME WITH PROTECTED PERSON**

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

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

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

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

COME NOW, pursuant to NRS 159.328(1)(d) and NRS 159.332, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and "Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., and file this Verified Petition for Communication, Visits, and Vacation Time with Protected Person to

ask for this Court's assistance ensuring consistent contact between Kathleen June Jones ("protected person" or "Ms. Jones") and her daughters, Robyn and Donna, in addition to other family members of Ms. Jones beyond Ms. Jones' guardian and daughter, Kimberly Jones ("Kim"), as follows:

CONTEXT AND BACKGROUND RELEVANT TO THIS PETITION

A. The Court and Court-Appointed Counsel Requested that Petitioners File this Petition.

1. An ongoing focal point in this case has been the need for the guardian to coordinate and facilitate communication, visits, and vacation time between Petitioners, other family members, and Ms. Jones, the protected person.

2. Despite a truly agonizing amount of effort and expense to cajole, convince, request, supplicate a recalcitrant guardian to humanely help the protected person communicate and arrange visits with the rest of her family, the guardian has been unwilling to do so. Despite the Court's admonishment on many occasions, the guardian has continued to be passive aggressive, manipulative and controlling.

3. With the guardian continuing to refuse to alter course without the Court's intervention, court-appointed counsel for Ms. Jones requested that Petitioners file this Petition at the September 17, 2020 hearing so she could discuss it with her client. Petitioners have tried to raise these issues with court-appointed counsel previously, including a recent hour-long phone conference. These efforts have not been helpful because court-appointed counsel asserts that there is nothing she can do, although the issues have been presented to court-appointed counsel and guardian's counsel many times.

4. In response to the continued gridlock, the Court also requested that Petitioners file this Petition after hearing some of the difficulties that are detailed hereinbelow.

B. Petitioners Only Seek a Course Correction.

5. This Petition is NOT to ask this Court to remove Kim as guardian. However,

1 Petitioners are forced to bring this petition to compel Kim, as guardian, to be more humane; to
2 provide the same kind of logistical support to Ms. Jones' family as Kim provides to Ms. Jones'
3 medical professionals, legal aid attorney, this Court, friends, neighbors, gardeners, dry cleaners,
4 the veterinarian and the dog groomer.

5 6. In short, this Petition is a request for a course correction for Kim, as the guardian
6 of Ms. Jones, to help Kim follow through with protecting Ms. Jones' right, among others, as
7 recognized in the Protected Person's Bill of Rights, to "[r]eceive telephone calls and personal
8 mail and have visitors" NRS 159.328(1)(n).

9 7. This Petition requests this Court to issue an order identifying the calendar,
10 availability or procedure that is effective and works best for Ms. Jones, and for Kim, to facilitate
11 the communication, visits and vacation time that Ms. Jones should have with Robyn and Donna,
12 and Ms. Jones' other family members. Petitioners are open to whatever calendaring procedure
13 works best for Ms. Jones that also takes into consideration Petitioners' availability and ability to
14 take time off from work and caring for their own families and children. Many times, any efforts
15 by Kim to coordinate communication or visits between Ms. Jones and Robyn or Donna are last
16 minute, or with no notice whatsoever. Petitioners simply need reasonable, established
17 timeframes to work within so they can plan accordingly to have time with Ms. Jones.

18 8. Petitioners do not desire to compel Ms. Jones to visit with them. Rather, they
19 seek a routine or series of windows of opportunity so that all sides can plan to be available to
20 accomplish the visits. If Ms. Jones is not feeling well or ever desires not to have a visit with
21 Petitioners, Petitioners would of course respect that, but a framework needs to be in place, rather
22 than a directive from Kim to "just call mom."

23 9. As stated in the September 17, 2020 hearing, this Petition is necessary due to
24 strong disagreements over Kim's actions and inactions (listed below) regarding Ms. Jones'
25 communication and time with family members, the discussion of which prompted the Court to

1 invite Petitioners to file this Petition. Furthermore, this Petition is necessary because the
2 communications and visits are so scarce that Petitioners cannot even speak to whether Ms. Jones
3 is secure and safe. Kim’s behavior has effectively denied Petitioners access to Ms. Jones to the
4 point where Petitioners really do not know what is going on with their mother.

5 10. In the Guardianship Care Plan for Kathleen June Jones filed on October 2, 2019,
6 Gina Jolliff, MSG, CMC, Aging Life Care Professional, Aging Perspectives, LLC, included the
7 poignant statement, “[c]ommunication has been an ongoing battle in the midst of Kathleen’s
8 situation.”

9 11. This family, and Ms. Jones most of all, need this Court’s assistance resolving
10 these difficulties because, as described above, attempts outside of Court have not been
11 successful.

12 **C. The Requested Relief is Necessary Because Ms. Jones Lacks Capacity to Coordinate**
13 **Visits and Vacations on Her Own.**

14 12. Notably, Ms. Jones’ lack of capacity is the reason why this guardianship is in
15 place and Ms. Jones is a protected person. Examples of her incapacity include Ms. Jones cannot
16 operate her phone without assistance, has a severely impaired memory, and is often disoriented
17 as to time, including the year, month, week and hour.

18 13. On many occasions, Ms. Jones voiced her desire to meet Robyn and her family
19 on the phone to Robyn. When Robyn asks when they can meet, Ms. Jones hesitates and then
20 says she will call Robyn to set something up. However, invariably, Ms. Jones does not call,
21 possibly because she simply does not remember to do so. When Robyn appeals to Kim for
22 assistance in coordinating the meetings, Kim typically ignores the communications for a time
23 and then eventually tersely refers Robyn back to their mother, Ms. Jones, to make the
24 arrangements directly as if Ms. Jones realistically can carry through on any planning to set up a
25 visit—continuing the cruel cycle.

1 14. Kim’s one-line text messages do not help accomplish visits, not even with Robyn,
2 who lives in the same city but still only gets limited visits with Ms. Jones. Robyn possess
3 numerous text messages that show how poorly Kim communicates when it comes to helping Ms.
4 Jones have visits with family members. These text messages would show only the tip of the
5 iceberg when it comes to what it has been like for the last nine (9) months trying to work with
6 Kim to have visits with Ms. Jones.

7 15. Attempting to work directly with the protected person to set up communication
8 and family visits has been like a cruel hoax. Petitioners already knew that such efforts were futile
9 based on months of experience with their mother and the guardian. However, as an “nth” degree
10 effort to show cooperation, Petitioners have attempted exactly what the guardian, the guardian’s
11 attorney and the LACSN attorney claim will work. They have called the protected person
12 directly attempting to setup visitation. This simply does not work due to Ms. Jones’ limitations
13 and it deprives Ms. Jones of time with family other than Kim.

14 16. Notably, Kim is willing to plan in advance visits and communication between
15 Ms. Jones and Teri Butler, Ms. Jones daughter that lives in Arizona. Kim does not give Teri last
16 minute notice or phone calls that are cut short because Kim and Teri are close. Other family
17 members, on the other hand, do get last minute notice; terse, vague text messages; and phone
18 calls that are cut short.

19 17. Ms. Jones is cognitively incapable of reliably and accurately transferring visit
20 information to anyone or remembering to act on it herself.¹ The time for Ms. Jones to have a
21 Guardian Ad Litem appointed may have come so she can have someone appointed to act in her
22 best interest, rather than as directed. One example of how the client-directed model that the Legal
23

24 ¹ Although it has been and will be argued that Ms. Jones has capacity to manage her own
25 calendar, communications, visits, and vacations, the Court has yet to hear that directly from Ms. Jones.

1 Aid Center of Southern Nevada (by whom court-appointed counsel is employed) relies upon is
2 currently failing Ms. Jones is that it is not at all clear that Ms. Jones is able to direct the currently
3 pending appeal, even though it is being conducted under the auspice that she directed it.

4 18. Additionally, under the Protected Person's Bill of Rights, NRS 159.328(1)(i), Ms.
5 Jones has the right to "be granted the greatest degree of freedom possible," but that freedom is
6 also limited in the same provision inasmuch as it is "consistent with the reason for a
7 guardianship." Due to her limitations, combined with all her family's love and support for Ms.
8 Jones, one reason for this guardianship is for Ms. Jones to receive the same kind of assistance
9 calendaring and having time with family as she does calendaring and keeping medical
10 appointments, Court hearings, or visits with her legal aid attorney.

11 19. Unlike in almost every other guardianship case counsel for Petitioners has been
12 involved in, in this matter, the court-appointed attorney maintains she is powerless to affect any
13 change. In most cases, seeing this difficulty, court-appointed counsel would be an advocate for
14 the guardian to be more humane.

15 20. A simple canvass of Ms. Jones by this Court will show her limitations, and the
16 need she has for assistance with communication, visits and vacation time with loved ones.
17 Indeed, this is important because there is a strong disconnect between what has been presented
18 to the Court regarding Ms. Jones' capacity and desires as those pertain to visits and
19 communication, what has been expressed between Ms. Jones and Petitioners, and what has
20 occurred in practice.

21 21. Examples of Ms. Jones' limiting memory loss include: (1) Ms. Jones' court-
22 appointed attorney has stated on the record to this Court that Ms. Jones does not remember that
23 she no longer owns the Kraft House, despite the fact that her counsel has repeatedly advised her
24 of the loss of her property; (2) Ms. Jones had no recollection of the restaurant Ventano where
25 she was married when Robyn drove her there; (3) Ms. Jones was confused as to whom she

1 married in the restaurant Ventano; (4) Kim handles the scheduling of all of Ms. Jones' medical
2 appointments, reminds Ms. Jones when they are to occur, makes sure Ms. Jones is dressed for
3 the appointments, and takes Ms. Jones to and from those appointments, as Kim should as a good
4 guardian; and (5) upon information and belief, Kim does the same for Ms. Jones' regarding Court
5 hearings and visits with her legal aid counsel. Petitioners simply ask that an order and calendar
6 issue for Kim to do similarly for Ms. Jones' communication, visits and vacation time with
7 Robyn, Donna and other people that also care about Ms. Jones, as she does for Ms. Jones'
8 medical, Court and other appointments.

9 22. Notably, Robyn is in possession of a voice recording of Ms. Jones where she is
10 heard struggling to operate her cell phone.

11 23. In a recent phone conference with Ms. Jones' legal aid attorney, the legal aid
12 attorney expressed repeatedly how well she thinks Ms. Jones is doing, stating repeatedly that she
13 has been participating in the refinance of her house and is personally directing an appeal to the
14 Nevada Supreme Court of an attorney fee award. Counsel for Ms. Jones suggested a
15 guardianship is not necessary.

16 24. In light of Ms. Jones' memory difficulties, her limitations, and communications
17 with Ms. Jones' counsel, Petitioners are utterly dismayed that Ms. Jones' counsel has considered
18 or is considering asking this Court to terminate her guardianship and revert back to a situation
19 where Kim, as agent nominated in a power of attorney, will be responsible to care for Ms. Jones'
20 person and finances without Court supervision and oversight. Kim has stated that she would
21 prefer to handle this case in California where she is more familiar with the courts. However, a
22 power of attorney situation did not work for Ms. Jones before, and it will not work now.
23 Petitioners are especially fearful that such a request to return to a power of attorney situation
24 might take place after Kim and Ms. Jones relocate to California and the issue is presented to a
25 California court that is not familiar with the history of this case. Ms. Jones' situation requires

1 more transparency and accountability than a power of attorney situation can offer, especially the
2 court oversight that has been and will continue to be required in this case.

3 **D. Kim's Actions Since the May Agreement Show why the Court's Intervention is**
4 **Necessary.**

5 25. During a months-long period prior to May 19, 2020, Petitioners and other family
6 members had very little contact and time with Ms. Jones. Thereafter, because direct
7 communications by family members with the guardian are futile, many attorneys became
8 involved and a staggering amount of meet and confer time, money and effort was expended to
9 get Kim, as guardian, to coordinate simple, intuitive communication and visits between
10 Petitioners, other family members and Ms. Jones.

11 26. After causing the expense of vast resources, on May 19, 2020, Kim, through
12 counsel, confirmed an agreement for communication, visits and vacation time ("May
13 Agreement") Notably, however, the confirmation email was riddled with statements such as (1)
14 "Of course, June is still her own person and for some reason if she doesn't want to go with Robyn
15 that is something Maria [Ms. Jones' counsel] can assist with;" and (2) "Again, this isn't a custody
16 battle and I don't want to minimize the fact that June still has a right to control how she spends
17 her days;" and (3) "Again, subject to June wanting to do this"

18 27. Unfortunately, Kim did not adhere to the confirmed May Agreement. Some
19 specific examples of Kim's actions and/or inactions relevant to communication, visits and
20 vacation time are as follows:

- 21 a. Kim did not call Robyn on behalf of Ms. Jones on Tuesdays and/or Fridays at or
22 around 6 p.m. as she agreed. Rather, Kim continued to doggedly insist that Robyn
23 call Ms. Jones herself, thereby removing any possibility of Kim, as guardian,
24 helping Ms. Jones achieve the visits and communication. Presumably, Kim does
25 not dismissively tell other people to "just call June" when they reach out to Kim to
get an appointment with Ms. Jones or to speak with Ms. Jones, including the Court,
medical providers, Ms. Jones' court-appointed attorney, friends, neighbors,
gardeners, dry cleaners, the veterinarian and the dog groomer.

- 1 b. Upon information and belief, because Ms. Jones does not keep her phone with her
2 or return texts to Robyn—presumably because she lacks capacity or does not
3 remember to do so—it is Kim that keeps track of Ms. Jones mobile phone including
4 calls and text messages and then assists Ms. Jones to call or text people back.
- 5 c. Upon information and belief, Kim disabled Facetime on Ms. Jones’ phone. Now,
6 no one can Facetime Ms. Jones except through Kim’s phone. Upon information and
7 belief, Ms. Jones cannot re-enable Facetime on her own phone or initiate Facetime
8 calls.
- 9 d. When Robyn, her husband, and their son visit Ms. Jones at her home, Kim remains
10 at the house, hovering, interrupting the visit, keeping the atmosphere tense, and
11 essentially turning their visit into an uncomfortable, supervised visit. During one
12 visit on July 22, 2020, Robyn, her husband, and their then three-year-old son were
13 visiting with Ms. Jones at Ms. Jones’ home when Kim lost her temper and became
14 verbally aggressive with Ms. Jones. While getting very close physically to Ms.
15 Jones, Kim repeatedly demanded that Ms. Jones answer whether she wanted to go
16 to Palm Springs for a week with Robyn. Ms. Jones replied that she did while
17 shrinking back into the couch.
- 18 e. When Robyn pleaded with Kim to stop her behavior, Kim turned her anger on
19 Robyn, and shouted her, her husband and their son out of Ms. Jones’ home. The
20 incident upset and confused Ms. Jones and Ms. Jones’ three-year-old grandson,
21 who continued to bring up the incident and ask questions about it one week later.
22 The six-year-old stated that Kim’s actions made him feel “not too good,” and that
23 he still wanted to be around grandma but not Kim.
- 24 f. Moreover, the May Agreement set aside the last week of July (July 26-August 1,
25 2020) as a time for Robyn to take Ms. Jones on vacation. During a visit on July
22, 2020, Robyn and Ms. Jones planned to go to Palm Springs the following week
(the last week of July) on vacation. Two days after the visit, at approximately
6:20 p.m. on Friday, July 24, 2020, Kim facilitated a call from Ms. Jones to Robyn
where Robyn learned that Kim and Ms. Jones were actually in Arizona to visit
Ms. Jones’ other daughter, Teri. Robyn later learned that they stayed in Arizona
until Wednesday, July 29, 2020. While it is great that Teri got time with Ms.
Jones, Kim’s sudden trip to Arizona with Ms. Jones destroyed Robyn’s planned
family vacation with Ms. Jones. While Kim may argue that Robyn failed to
communicate with Kim, the reality is that (1) the last week of July was already
allotted to Robyn and Ms. Jones, and (2) Kim did not communicate the Arizona
visit to Robyn until after she and Ms. Jones were already in Arizona. While Ms.
Jones can change her mind, communication is key to let other people know that
her plans have changed.
28. Furthermore, Kim helps Ms. Jones make it to Ms. Jones’ medical appointments,
Court hearings and legal aid attorney appointments and phone calls. Kim also manages

1 appointments, drop-offs, etc. with service providers such as Ms. Jones' gardeners, veterinarian,
2 dog groomer, dry cleaners and people who care for Ms. Jones when Kim is not available. Kim
3 even helps Ms. Jones visit with neighbors. Ms. Jones does not handle any of these things on her
4 own.

5 29. In light of this, it is very hard to understand that Kim and her counsel began
6 insisting that Robyn and Donna "quit treating June like a child" and coordinate directly and
7 exclusively with Ms. Jones regarding visits and communication.

8 30. This "just call mom" plan does not work, and only results in missed visits and
9 vacations because Ms. Jones' does not have the necessary capacity to coordinate visits or reliable
10 communication. Ms. Jones does not initiate any visits and only sparsely calls, upon information
11 and belief, with the help of Kim. When contact is made and Ms. Jones is asked if she would like
12 to meet, she invariably says, "Yes." When asked when and where, Ms. Jones will say, "I'll get
13 back with you," – but she never does. Ms. Jones can't remember to call and/or lacks the
14 wherewithal to deal with Kim on expressing her desires for visits and communication.

15 31. Time with family is becoming ever-more precious as Ms. Jones' memory
16 continues to decline, both for Ms. Jones and for those who care about her.

17 32. It is in Ms. Jones' best interest to have ongoing, consistent telephone calls, video
18 chats, and in-person contact with Robyn, Donna and Ms. Jones' other supportive family
19 members.

20 **F. Kim's Actions Before the May Agreement also Show why the Court's Intervention is**
21 **Necessary.**

22 33. Prior to the May Agreement, Kim took Ms. Jones to Arizona on another occasion
23 that similarly and intentionally interfered with a planned visit with Ms. Jones. On that occasion,
24 Donna, who lives in California, had a long-planned visit with Ms. Jones in Las Vegas that Donna
25 confirmed repeatedly with Kim before Donna traveled from California with her family to Las

1 Vegas. Despite Kim's confirmations, including on the night before the planned visit, Donna and
2 her family arrived in Las Vegas to find that Kim had instead decided to take Ms. Jones to
3 Arizona. Despite the plans and confirmations, Donna and her entire family were prevented from
4 seeing Ms. Jones.

5 34. Another day, Robyn picked up Ms. Jones from her house and they walked from
6 the front door to Robyn's vehicle which was parked at the curb in front of Ms. Jones' home.
7 Robyn asked Ms. Jones if she had eaten. Ms. Jones responded that she did not remember. Ms.
8 Jones' also stated she needed to use the bathroom, whereupon Ms. Jones remained seated in the
9 car, parked at the curb in front of the home and Robyn approached the front door, no more than
10 two minutes after first walking to the curb. Robyn found the door of Ms. Jones' home was locked.
11 Robyn knocked and also texted Kim. Kim did not answer the door and Kim did not respond to
12 Robyn's texts for over two to three hours, even though Kim's vehicle was still at the property.
13 Ms. Jones was locked out of her own house. Robyn was unable to confirm if Ms. Jones had eaten
14 and had to take her elsewhere to use a bathroom. Even after their visit that day concluded, Ms.
15 Jones was still locked out of her house for approximately 30 minutes until Kim responded to
16 Robyn's texts and calls.

17 35. During another timeframe, Robyn texted Kim repeatedly asking if Ms. Jones'
18 physicians answered the question whether the altitude at Brian Head, Utah would cause Ms.
19 Jones health issues. Upon information and belief, Kim attends all of Ms. Jones' medical
20 appointments and is in regular contact with her medical providers and knows how to reach them
21 with questions. Kim would not provide a straight answer for weeks. Again, this incident is
22 memorialized in text messages which could be provided if need arises.

23 ///

24 ///

25 ///

G. Kim's Failure to Communicate Regarding Gerry Yeoman's Death and Her Taking Ms. Jones to California Rather Than Attending Court Hearings Underscore the Necessity for Court Intervention.

36. As discussed at the September 17, 2020 hearing, Kim's poor communication is highlighted by the fact that Ms. Jones' court-appointed counsel was the one who notified Ms. Jones that her husband, Gerry Yeoman, passed away. This is something Kim should have handled, and Kim should have ensured that other family members were advised of the death and present when she notified Ms. Jones of the death, so all could offer support to Ms. Jones in a very difficult and potentially emotional time.

37. Kim knew about Mr. Yeoman's passing on or about September 1, 2020 because Kim's attorney received the Supplemental Program Status Report filed into the A-case that day reporting Mr. Yeoman's death. Even still, neither Robyn, nor Donna knew about Mr. Yeoman's passing until their counsel discovered it the day of the September 17, 2020 hearing while reviewing the real property/A-case associated with this case.

38. More recently stands the fact that neither Kim nor Ms. Jones attended the September 17, 2020 hearing. When Ms. Jones' whereabouts were questioned, Kim's attorney represented that Ms. Jones was in Nevada. As it turns out, that assertion was incorrect. Kim and Ms. Jones were in California for at least six days but had not alerted anyone to their visit until after it was discovered they were there which suddenly precipitated a flurry of activity on Kim's behalf to facilitate a last-minute visit with Donna.

39. That day, Kim and Ms. Jones were in California at an RV Park. They had previously advised Ms. Jones' court-appointed counsel at Legal Aid of the trip in a voicemail on or about September 11, 2020. It appears Kim did not even advise her own counsel of her whereabouts, much less Ms. Jones' 2 children, 5 grandchildren and 2 great-great-grandchildren that live nearby in California. It took lawyer-intervention at and after a court hearing to prompt Kim (not Ms. Jones, oddly, because according to Kim Ms. Jones is fully capable of handling all

1 her own scheduling, travel and visit issues) to communicate with Ms. Jones' daughter Donna,
2 who had not received a call from Ms. Jones in a very long time because Ms. Jones cannot reliably
3 operate or remember to operate her phone. Petitioners have a video showing Ms. Jones' inability
4 to use her phone which can be provided for review.

5 40. Again, Kim's intentional lack of compassionate, orderly and timely
6 communication almost caused Donna to not see Ms. Jones at all while Kim and Ms. Jones were
7 very close to her location in California. Only after the September 17, 2020 hearing, the Court
8 statement to file this Petition, and the discovery that Kim was in California with Ms. Jones did
9 Kim act so that Ms. Jones could have a visit with Donna, who had not seen her mother, Ms.
10 Jones, in a long time. To have a very short visit with Ms. Jones, Donna dropped everything and
11 went to see her mother at 7:00 p.m. at night. Donna did this even though Ms. Jones usually goes
12 to bed around that time, just to have some time with her mother. Donna met Kim and Ms. Jones
13 at a freeway exit. As they decided where to get something to eat, Kim made it clear to Donna
14 that because of Ms. Jones' difficulty making decisions, Donna should only give Ms. Jones two
15 options to consider in order for her to be able to make a choice. The visit, for sure, could have
16 been much better for Ms. Jones and Donna. Furthermore, Kim cost Ms. Jones' the opportunity
17 to see the rest of her family in California, who are very close and often meet together – and who
18 with advanced notice, could have planned to see their mother/grandmother for the first time in a
19 long time. One wonders if this hectic, last minute, visit would have even happened had not Kim's
20 counsel been prompted in front of the Court to check Kim's whereabouts at the hearing that
21 morning. Experience has shown that Kim typically only responds to direct pressure from the
22 Court, and as soon as the spotlight begins to fade, she returns to her old, passive-aggressive ways.
23 Again, Robyn possesses numerous text messages which can be provided for review if need arises
24 illustrating how difficult and untenable it is trying to communicate with Kim, and how her poor
25 communication negatively impacts Ms. Jones.

1 41. All of this has been communicated to the guardian repeatedly as the Court is
2 probably aware because of the many hearings in this case. It is ridiculous that Petitioners are
3 forced to file this lengthy and detailed petition simply to get to see their mother regularly.

4 **H. The Court Heard from Robyn and Donna at the September 17, 2017 Hearing Regarding**
5 **the Devastation Kim's Interference has Caused Petitioners.**

6 42. As stated at the last hearing, when Robyn speaks with Ms. Jones by telephone,
7 Ms. Jones communicates that she wants to see Robyn and her grandson and that she will call
8 Robyn to set it up. Unfortunately, Ms. Jones does not remember to call. Then, more recently,
9 while Robyn was discussing this with Ms. Jones, Robyn suggested they schedule a visit right
10 during that conversation. Robyn then heard a voice in the background state, "hang up, hang up."
11 Ms. Jones then stated to Robyn, "I love you, gotta go," and hung up. Unfortunately, such
12 interference by the person in the background influencing Ms. Jones to end a telephone
13 conversation and not plan an in-person visit smacks of the very behavior prohibited under NRS
14 200.5092(4) that defines "isolation" of an older or vulnerable person as elder abuse.

15 43. Another example of this, as stated on the record at the last hearing, is that Donna
16 has not seen or spoken to Ms. Jones for a very long time. Donna has had the same type of issues
17 as Robyn. Donna would not receive any notifications from Ms. Jones or Kim that Ms. Jones was
18 in California. Additionally, her communications are not returned. The only time Donna speaks
19 with Ms. Jones is when Ms. Jones is with Robyn and Robyn helps Ms. Jones call Donna. Kim is
20 not facilitating Ms. Jones' communication with Donna, a daughter who also loves Ms. Jones,
21 and who Ms. Jones, upon information and belief, also loves. This is simply NOT an issue of Ms.
22 Jones choosing to end her relationship with three-quarters of her family. Rather, this is Ms.
23 Jones' guardian choosing for personal reasons to pick and choose with whom she will help Ms.
24 Jones have a relationship.

1 **I. Since the September 17, 2020 Hearing, Communication and Visits Have Been on Life**
2 **Support.**

3 44. Petitioners waited to file this petition to see if the increased attorney-intervention
4 would help Kim course-correct without a Court order. Unfortunately, events in the last three
5 months solidified the need for Court ordered communications, visits, and vacation.

6 45. In one instance, Kim sent Robyn a last-minute text message offering to allow
7 Robyn to see Ms. Jones that day – causing Robyn to lose thousands of dollars in business as she
8 dropped everything to see her mother. At 11:32 a.m. on Saturday, October 10, 2020, Robyn
9 received a last-minute text from Kim stating, “Mom is available this weekend if you’d like to
10 see her, I’m happy to drop her off and pick her up.” Not only was the weekend half over, but
11 unfortunately, Robyn runs an event company that operates on weekends – and Kim knows this.
12 Accordingly, Robyn already had work events scheduled with at least six employees at work.
13 Again, this has been discussed with Kim ad nauseum. Robyn replied, “Kim! We can’t just get
14 a last minute text like this! Of course I want to see her. I’m working all weekend day and night.
15 When else can we see her? I have Wednesday off. Can you bring her then? Anytime Wednesday
16 between noon and 6 pm?”

17 46. Kim did not respond. Robyn sent a few more text messages even stating that if
18 the weekend was the only time Ms. Jones was available that Robyn would “cancel the 6 people
19 here working and the events at the venue and lose thousands of dollars, but it’s worth it.” Kim
20 responded at 11:34 a.m., “Robyn enough already don’t be dramatic. If you want to see her I’m
21 happy to bring her over and pick her up just let me know.”

22 47. Robyn responded that she had just made it known to Kim that she wanted to see
23 Ms. Jones and asked if there were any days over the next two weeks for Ms. Jones to visit Robyn.
24 She said if there were no other days, then Robyn would gladly lose thousands of dollars in work
25 to see Ms. Jones. At 11:50 a.m., Kim’s only response to Robyn’s desperate pleas to solidify plans

1 was, "I'll contact you early in the week and see if we can't work out a day that will work for
2 you." Robyn asked if they could schedule it now. Kim stopped responding even though Robyn
3 continued sending Kim more texts pleading with Kim to schedule a visit right now or for Kim
4 to allow Ms. Jones to see Robyn's family that weekend.

5 48. Kim did not respond again until 12:26 p.m. when she resorted to her "Just Call
6 Mom" retort, "You can always call mom and ask her if she wants to go do something, she's quite
7 capable of deciding how she wants to spend her social time." Robyn again pleaded with Kim,
8 "Please just answer the question. Can I see her today or tomorrow as you offered? Or can we
9 schedule a day over the next two weeks now?" Finally, around 12:31 p.m., Kim invited Robyn
10 to schedule a time for her to drop Ms. Jones off at Robyn's home. Robyn sent her employees
11 home to make herself available to visit with Ms. Jones that caused Robyn to incur a financial
12 loss equaling thousands of dollars.

13 49. The issue is that Kim again stopped responding to Robyn's text messages. Robyn
14 sent texts at 12:33 p.m. and 1:07 p.m. asking questions for when Ms. Jones was available for a
15 visit – either that weekend or any day during the next two weeks. Finally, at 1:59 p.m., Kim
16 acquiesced to Robyn's pleas stating that she would drop Ms. Jones off at Robyn's home at 5:00
17 p.m. that day and pick Ms. Jones up at 7:00 p.m. Robyn immediately thanked Kim and asked
18 Kim if Ms. Jones will need dinner. Kim did not respond. Again, at 3:05 p.m., Robyn renewed
19 her questions about feeding Ms. Jones because she has "a four year old son that eats at 6 pm and
20 goes to bed at 7 pm. I need to know if Mom will have already eaten dinner before she arrives, if
21 she will be eating here, or if she's eating after . . ." Robyn also asked about whether there were
22 any COVID-19 concerns or things Kim follows when Ms. Jones is out. Kim continued to not
23 respond. At 4:04 p.m., Robyn informed Kim by text that her family was eating "now so we can
24 spend time with her. Please make sure she isn't hungry when you drop her off."

25 50. Finally, at 4:09 p.m., Kim responded only with, "Normal COVID procedures 6

1 feet distance, she doesn't have a fever." Kim and Robyn continued sending a few texts back and
2 forth about what Ms. Jones could do during the pandemic. At 4:55 p.m., Kim texted Robyn that
3 Ms. Jones was at Robyn's home. In short, Kim's last-minute offer and failure to timely organize
4 plans caused Robyn to lose money in her business and kept Robyn from figuring out if she
5 needed to provided dinner for Ms. Jones.

6 51. In a second instance, Kim simply reverted back to the "just call mom" strategy.
7 On October 13, 2020, Robyn asked Kim in a text:

8 When can I see Mom again? Any day of the week, except weekends over the next
9 3 weeks works for me. Anytime between noon and 6 pm. Wednesdays are best. I
10 just need to schedule ahead of time to get work organized so it's not all last minute
11 arranged costing me a bunch of money like Saturday. Please let me know. She
12 said she wants to see me. I can pick her up and drop her off. Although if she's
13 like to stay at her house, we'd need to be there without you.

14 52. Kim responded that Robyn could "see mom whenever you want. Robyn, call and
15 ask her." Kim also said that Ms. Jones just told her that she did not want to see Robyn because
16 she recently saw her. Robyn responded," Ok, she said she went to CA and stayed with Scott last
17 week and that she talked to Gerry [who is dead] on the phone – both things that didn't occur
18 (dementia). So you incorrect (sic) when you purport that she can actually schedule anything."
19 Robyn continued texting Kim to schedule another visit, but Kim stopped responding.

20 53. Around Halloween, Robyn tried the "just call mom" strategy to arrange a time
21 for Ms. Jones to see her grandson in his Halloween costume as she has every year of his life.
22 This time the "just call mom" strategy led to extreme confusion and required Kim's intervention
23 to organize the visit. At 12:36 p.m. on October 30, 2020, Robyn sent Kim the following text
24 message:

25 Please have Mom call me as soon as she can. Something doesn't sound right. She
just said she doesn't want to see Amp in his costume this year. I'd like to talk to
her more and ask why. Every single year of his life she's asked us to bring him
over. I have all of the pictures. Do you know why she doesn't want to see him all
of a sudden? I know she said she didn't feel well because her ankle hurt and she

1 just came back from the doctor, but that wouldn't keep her from seeing him while
2 she lay in bed tomorrow it sounds odd."

3 54. At 12:12 p.m. on Halloween, Robyn asked if 3:00 p.m. was a good time to swing
4 by for twenty minutes so Ms. Jones could see Amp's Halloween costume. At 2:28 pm., Robyn
5 received no response from Kim and sent another text reminding Kim that Kim told Robyn the
6 night before that they could come over at any time and that Robyn and her family were "running
7 around busy and having fun with a 4 year old and we have plans to trick or treat at dusk and we
8 live 35+ minutes from Mom." Finally, at 2:35 p.m., Kim responded that she would have Ms.
9 Jones outside near a bench at 3:00 p.m. Robyn asked if Kim could make it 3:10 p.m. to account
10 for the drive-time from Robyn's home to Ms. Jones' home.

11 55. During a meeting on December 3, 2020 that included Robyn and Petitioners'
12 counsel, Robyn called Ms. Jones to schedule a visit. Ms. Jones struggled to understand the
13 questions asked and could not provide answers to simple questions such as why Ms. Jones ate
14 for Thanksgiving dinner. Robyn asked if they could get together sometime that week. Ms. Jones
15 responded, "Well call me" – even though they were currently on the telephone. After Robyn
16 continued to push to schedule a time, the phone call ended with Ms. Jones saying she would find
17 out Kim's plans, and call Robyn back later that night with a plan for a visit. Later during the
18 same meeting, Robyn called Ms. Jones again to follow up on planning a visit. Robyn asked Ms.
19 Jones to commit to a day such as the upcoming Saturday for a visit, but Ms. Jones only responded
20 that Ms. Jones would get back to Robyn because she was at a store. Ms. Jones never called
21 Robyn back to schedule the visit until the weekend was nearly over to schedule a last-minute
22 visit on Sunday morning. Kim knows that Donna and Robyn cannot manage last minute visits
23 without incurring financial consequences due to their respective jobs, business, children, and
24 other responsibilities. These visits with less than 24-hour notice are, essentially, knowingly
25 isolating Ms. Jones in violation of the guardianship statutes.

1 56. Petitioners have also struggled to schedule a time with Ms. Jones to give her
2 Christmas presents. At 2:17 p.m. on December 14, 2020, Robyn text Kim asking if they could
3 schedule time to spend with Ms. Jones before Christmas. Robyn told Kim, “I try to coordinate
4 with mom but she says she’ll call me next week if we have to coordinate schedules and then she
5 doesn’t.” Robyn offered a long list of availability for the visit including time frames on any
6 Sundays, Saturdays, and weekdays in general, along with a discussion of how Robyn’s son,
7 Amp, was excited when picking out his present to Ms. Jones. Kim did not respond until 8:18
8 a.m. on December 16, 2020 with a short, “Sunday (20th) is good. I will take her to your house at
9 1:00 and pick her up at 4:00.” Robyn responded that it was not possible for her to host the visit
10 because the floors in her home are being refinished and requested that the visit take place at Ms.
11 Jones’ home. Kim has not responded to the latest text message. In fact, Robyn received no phone
12 calls from Ms. Jones or Kim on or about Christmas. Ms. Jones eventually called several days
13 later to thank Robyn for gifts, but Ms. Jones did not remember that she did not call on the
14 Christmas holidays.

15 57. These incidents above are memorialized in numerous text messages which can be
16 provided for review.

17 58. Since September 10, 2020, the following, upon information and belief, is a
18 breakdown on the telephone calls received by Robyn from Ms. Jones or Kim:

- 19 a. Between 9/10/20 – 10/30/20, Robyn received no telephone calls from June.
- 20 b. In September, Robyn received three incoming calls from Kim all on 9/18/20 for
21 a total of five minutes.
- 22 c. In October, Robyn received no telephone calls from Kim.
- 23 d. In November, Robyn received no telephone calls from Kim.
- 24 e. There have been no telephone calls between Robyn and Ms. Jones exceeding two
25 minutes in duration.

1 59. Recently, Kim began to facilitate more frequent communications between Ms.
2 Jones and Donna. This has been a very recent development and likely traced back to the
3 increased attorney involvement. However, Kim still refuses to coordinate frequent
4 communication and visits between Ms. Jones and Robyn. Since Kim became guardian, Robyn
5 has successfully visited Ms. Jones approximately five times even though Robyn lives in the same
6 city as Ms. Jones. Kim refuses to provide sufficient effort to engage and have Ms. Jones visit
7 with Robyn.

8 60. Kim will defend her behavior to Robyn by saying that Kim has never told Robyn
9 that she could not see Ms. Jones. But her behavior described above amounts to behavior falling
10 just short of outright refusal that is demoralizing and exhausting. Kim is attempting to groom
11 her sisters and the Court into understanding that she will not be told what to do.

12 61. Without Court intervention now, Kim will not continue to facilitate
13 communication and visits and yet more litigation will be required for Ms. Jones to have time
14 with family members other than those whom Kim picks and chooses to help Ms. Jones
15 communicate with and visit.

16 62. Under NRS 159.332, a guardian shall not restrict the right of a protected person
17 to communicate, visit or interact with a relative or person of natural affection. NRS 200.5092(4)
18 defines “isolation” as preventing an older or vulnerable person from having contact with another
19 person by intentionally preventing the older or vulnerable person from receiving visitors, mail
20 or telephone calls. All the foregoing examples of actions and inactions on the part of Kim are
21 violations of NRS 159.332 and NRS 200.5092(4).

22 63. Sadly, Petitioners are concerned that given their mother’s forgetfulness and likely
23 dementia her memory of them may be dimming due to a lack of visits resulting from Kim’s
24 interference. Over the last year, the longest phone call Robyn has had with Ms. Jones was only
25 two minutes. This is due to Kim’s interference. Additionally, Kim refuses to leave “her” home

1 during visits which forces Robyn to take Ms. Jones to places whether she wants to go or not and
2 Ms. Jones gets confused about why she's being forced to leave her home. As per her attorney,
3 Ms. Jones would rather have these visits in an easy setting when she is not feeling up to going
4 out. This is important because Ms. Jones is not always physically capable of leaving her home
5 and she is not cognitively capable of orienting herself properly for scheduling and meeting
6 outside of her home.

7 64. Additionally, Petitioners fear that Robyn is being portrayed as the cause of the
8 ongoing communication and visit dispute. Robyn believes that Ms. Jones views her differently
9 because of this portrayal. This ongoing dispute is negatively affecting Ms. Jones' relationship
10 with her daughters.

11 65. In reality, Kim's intervention is required to facilitate communication, visits, and
12 vacation between Ms. Jones and the rest of her family. Even if Robyn coordinates a visit with
13 Ms. Jones, Kim's involvement is still required to ensure there are no conflicts with Ms. Jones'
14 other appointments. In short, there will be absolutely minimal communication and no visits
15 between Ms. Jones and her family if the Court does not intervene.

16 **THIS COURT SHOULD ENTER AN ORDER FOR**
17 **THE PARTIES TO USE TALKING PARENTS**

18 66. Despite a staggering number of meet and confer efforts to resolve this without
19 the Court's intervention – including a large amount of attorney fees incurred in trying to get
20 Kim, as guardian, to cooperate in a way that most people would consider humane and intuitive
21 – Petitioners have been unable to persuade Kim to facilitate communication and visits in a clear,
22 time-sensitive, and effective manner. The foregoing illustrates the dire need Ms. Jones and her
23 family have for this Court to intervene and enter an order governing communication, visits and
24 vacation time with Ms. Jones.

25 67. It is in Ms. Jones' best interest that this Court order Kim and the other parties in

1 this case to use Talking Parents. It is a cost-effective, efficient way for them to communicate
2 regarding every aspect of this case, especially visits and vacation time. Ms. Jones needs this to
3 ensure she has time with her children and grandchildren, not just Kim and those persons Kim
4 prompts Ms. Jones to call or takes Ms. Jones to visit regularly. Again, Kim's improvement since
5 September 17, 2020 in this is only because she knew this Petition was going to be filed and the
6 Court and attorneys were getting more and more involved . . . again. Even so, Kim's current
7 improvement resulted in only three very strained visits – one in a car opening Christmas presents
8 for an hour, one for 10 minutes on Ms. Jones' outside bench on Halloween, and one last minute
9 visit for 2-3 hours at Robyn's home that took all day to coordinate. An Order is needed to ensure
10 she continues to help Ms. Jones with communication, visits and vacation time with all family
11 members.

12 68. Talking Parents is also a good way for this Court to observe the communications
13 and/or non-communications taking place to inform the Court when it comes time to make
14 decisions in this case.

15 69. Despite repeated requests from Robyn during these proceedings, Kim refuses to
16 use Our Family Wizard or Talking Parents which are programs designed to facilitate and verify
17 communication and visits when families are struggling with these activities. Then, oddly, Kim
18 requested to use one of these programs during the January 14, 2020 hearing in this case. *See Tr.*
19 *Re: All Pending Motions Jan. 14, 2020, 12:14-18, 14:19-15:12 (filed Jan. 31, 2020).* This Court
20 agreed it could be helpful. *See Tr. Re: All Pending Motions Jan. 14, 2020, 15:22-16:2 (filed Jan.*
21 *31, 2020).* Unfortunately, Kim failed to setup either program (which all parties seem to agree
22 would help) for the family and continues to refuse to do so.

23 70. Kim's attorney claims Petitioners are causing the expenditure of a lot of money.
24 Petitioners agree that sadly costs are extremely high. But evidence shows the solution is easily
25 within the control of the guardian. She has the legal right an obligation to ensure visits that June

1 wants are coordinated. Ms. Jones wants visitation with both Robyn and Donna and their families
2 – Ms. Jones’ posterity.

3 **THIS COURT SHOULD ORDER AN INTERVIEW AND MEDIATION**
4 **AT THE FAMILY MEDIATION CENTER (“FMC”)**

5 71. Like Talking Parents, the Family Medication Center (“FMC”) is another good
6 tool for this Court to utilize to gain insight to make good decisions in this case.

7 72. It is in Ms. Jones’ best interest that this Court understand what she wants
8 regarding communication, visits and vacation time with her children and grandchildren, and also
9 her limitations in coordinating this area of her life.

10 73. It is also in Ms. Jones’ best interest for this Court to receive a report from a trained
11 interviewer at FMC regarding Ms. Jones’ preferences and cognitive abilities to give informed
12 consent. It is in Ms. Jones’ best interest that the interviewer asks open-ended questions that
13 require more than a yes or no answer. This interview should be done outside the presence of the
14 guardian or in the presence of all involved, perhaps sitting or standing away from Ms. Jones to
15 afford her as much independence as possible in expressing her wishes.

16 74. It is also in Ms. Jones’ best interest that this Court order Kim, Robyn, Donna and
17 any other interested party to participate in mediation at the Family Mediation Center to put
18 together a communication, visit and vacation plan that incorporates the use of Talking Parents.
19 The intricacies of such a plan could be discussed and decided upon given that Robyn lives here,
20 closer to Kim and Ms. Jones, while Donna and other relatives live in California or other more
21 distant locations. Provisions could be tailored accordingly, some for family living close, and
22 some for family living more distantly such that if Ms. Jones were ever to relocate to reside in a
23 different state, the agreed-upon plan could continue uninterrupted in that jurisdiction without
24 further cost to Ms. Jones’ estate to relitigate.

25 75. Even though the Eighth Judicial District Court Website states that the Family

1 Mediation Center “mediates child-contested issues only,” counsel for Robyn and Donna learned
2 from FMC during a phone call that they have and can mediate a guardianship case and they could
3 interview Ms. Jones. All that is needed is a Court Order to access their services.

4 **THIS COURT SHOULD CANVASS THE PROTECTED PERSON**

5 76. This Court should use its expertise to canvass the protected person to gain insight
6 into her preferences and limitations, and into whether or not it would be wise to terminate this
7 guardianship in favor of power of attorney documents in the future, and correspondingly whether
8 it is a sound proposition that things would get better for Ms. Jones if the guardianship were
9 terminated, without the strength of the Court. Such a canvass would become part of the record
10 in this case to guard against any misguided attempt to terminate guardianship and revert to a
11 power of attorney situation in this state, or in California where Kim and Ms. Jones may relocate.
12 Robyn and Donna request that the canvass take place in such a way that Ms. Jones is unassisted
13 and uncoached by her guardian or anyone else. This way, the Court can understand Ms. Jones’
14 limitations clearly and they can be documented. Petitioners also request the opportunity to
15 present, in camera, a list of proposed questions for the Court to consider asking Ms. Jones during
16 the canvass. Petitioners propose that the other parties do the same if they desire. Robyn’s and
17 Donna’s proposed questions will be geared towards their mother’ specific family situation,
18 financial situation, social issues, safety, self-care and legal situation.

19 **THIS COURT SHOULD HEAR ARGUMENT REGARDING A COMMUNICATION,
20 VISITS AND VACATION CALENDAR; AND ENTER AN ORDER**

21 77. It is in Ms. Jones’ best interest that this Court intervene and enter an order
22 governing Ms. Jones’ communication, visits and vacation time with both local and distant
23 family. It is also in the family’s best interest so all that care to visit or communicate with Ms.
24 Jones will get the opportunity.

25 78. To help provide a full understanding of the situation, Robyn and Donna request

1 that Kim, as guardian, and that Ms. Jones' court-appointed counsel, in her capacity, articulate
2 their perspective on Ms. Jones' deficiencies so they can be properly addressed. All interested
3 parties deserve to have insight and understanding into how the persons that impact and influence
4 Ms. Jones the most perceive her capacity and limitations.

5 79. If an FMC Mediation is not successful, Robyn and Donna request the Court's
6 time and effort in holding a hearing to discuss Ms. Jones' preferences, and each parties'
7 availability with the express purpose of organizing and entering a communication, visits and
8 vacation calendar that implements use the of Talking Parents and Ms. Jones' place of residence.

9 80. Petitioners are willing to go down any path as long as the isolating treatment of
10 Ms. Jones ceases, and the family can have regular, consistent communication, visits, and
11 vacation with Ms. Jones. This is a common practice for a guardian to be responsible for
12 coordinating communication and visits with a protect person's family.

13 81. As part of Petitioners' request for an order including a calendar, schedule or
14 procedures for communication, visits and vacation, Petitioners want to point out the following:

- 15 a. When Kim followed parts of the May Agreement for Robyn, it worked well to have
16 allotted time to pick up Ms. Jones from her place of residence every Wednesday
17 from 1 pm to 6 pm and every other Saturday from 12 pm to 6 pm. This also worked
18 better for Donna because Robyn would help Ms. Jones call Donna while Robyn
19 and Ms. Jones were together, something Kim never did.
- 20 b. Petitioners need due regard to be given to their time limitations from running a
21 business and caring for their families, and the distances they must travel to see Ms.
22 Jones when deciding on timeframes for visits and notices.

23 82. Ms. Jones is not cognitively capable of coordinating logistics of visits including
24 planning and providing reasonable notices. Accordingly, Petitioners would like to see a mediated
25 agreement or a Court Order that sets guidelines for reliable ways for family to communicate,
visit and have vacation time with Ms. Jones so attorneys do not need to get involved every few
months. Petitioners are open to anything that provides guidance and includes reliable ways for
family near Ms. Jones and for family that lives out-of-state, based upon what is best for Ms.

1 Jones and that is workable for Kim, Petitioners, and other family members. Even requirements
2 for communication or visits that is worded as simply as “once a month,” or “twice a week” that
3 are easy to understand and enforceable would greatly improve the situation. Such a mediated
4 agreement or order will protect Ms. Jones’ right under NRS 159.328 to receive telephone calls,
5 have visitors, and protect against isolation as defined under NRS 200.5092(4).

6 83. Petitioners do request that any mediated agreement or Court order includes the
7 following provisions:

- 8 a. Kim is responsible for facilitating the scheduled communications, visits, and
vacations;
- 9 b. Kim is to drive Ms. Jones to the local family visits 50% of the time;
- 10 c. Kim is not to refuse to allow these visits to occur at Ms. Jones’ home and Kim must
11 stop refusing to leave the home to allow visiting family members a chance to visit
12 with Ms. Jones in her home where she feels safe, secure, and comfortable;
- 13 d. Kim is to aid Ms. Jones in making telephone calls to her family one to two times a
14 week at set times so as not to be manipulated to times when the family members
are unlikely or unable to answer – ideally these phone calls will be over FaceTime
or Zoom to allow face-to-face communications;
- 15 e. That there be a standing call time to check-in with family once or twice a week or,
16 alternatively, ten minutes set aside every week where Kim calls all of Ms. Jones’
family, including the grandchildren, on Ms. Jones’ behalf;
- 17 f. Anytime Ms. Jones visits another state where her family resides, Kim provides
18 advance notification to the family to reasonably coordinate a realistic and quality
visit;
- 19 g. Kim is mandated to weekly provide updates to Petitioners regarding Ms. Jones’
20 physical travel plans if leaving the state, and general updates regarding her life such
as her health, needs, desires, experience, and lawsuits which these communications
21 being as far in advance as possible;
- 22 h. Any communications between Kim and Petitioners will be confirmed in writing;
- 23 i. The Court directs Kim to provide straightforward answers to questions raised in
24 text messages promptly; rather than only answering one out of a few questions or
providing responses that do not relate to the questions asked.
- 25 j. The Court instructs Kim of her responsibility before making any major decisions

concerning Ms. Jones; and

- k. That the same schedule from the May Agreement be used except that the schedule be in a Court Order and cover all of Ms. Jones' family.

84. Petitioners assert that while none of us likes to be ordered around, this is not ordering Ms. Jones around, though upon information and belief, this is how it is being presented to Ms. Jones by multiple parties. The guardianship Bill of Rights guarantees protection for Ms. Jones and Petitioners want that protection. However, the Bill of Rights also recognizes that people who need guardians also do not always have the capacity to understand or appreciate the planning and judgment needed to facilitate the best decisions for them. That is why help is needed; because protected persons lack some level of capacity to appreciate some of these things. Kim and her attorney, and to some extent, the legal aid attorney, continue to argue as though any effort to schedule is an unconscionable imposition on Ms. Jones' freedom. That is simply wrong, and their arguments are hurting Ms. Jones. All Petitioners seek is reasonable, basic communication and cooperation to facilitate visits that Ms. Jones wants, but is unable to arrange on her own.

85. Petitioners should not be forced to spend thousands of dollars negotiating and putting together an enormous petition full of examples and burdening the court simply to get basic visitation and communication with their mother. This could be a perfect way for Kim to get a break from her caretaking duties.

**THIS COURT SHOULD AWARD PETITIONERS THEIR
ATTORNEY'S FEES AND COSTS PURSUANT TO NRS 159.338.**

86. The amount of time and attorney fees that have been incurred to insure intuitive simple, good faith, humane communication in this matter is ridiculous and has been a topic of discussion at nearly every hearing in this matter, with multiple sides accusing Kim of isolating Ms. Jones and using communication and visits – or the lack thereof – to punish those with whom Kim disagrees.

1 87. NRS 159.338(1)(b), with emphasis added, states that in a proceeding held
2 pursuant to NRS 159.331 to 159.338, inclusive, if the court finds that:

3 (b) A guardian is in contempt of court or has acted frivolously or in bad
4 faith in prohibiting or **restricting communication, visitation or**
5 **interaction between the relative or person of natural affection and the**
6 **protected person, the court may:**

- 7 (1) Award attorney's fees to the prevailing party; and
8 (2) Impose sanctions against the guardian.

9 88. NRS 159.338(2) adds that:

10 Any attorney's fees awarded pursuant to this section must not be paid by
11 the protected person or the estate of the protected person.

12 89. In this case, as demonstrated throughout this petition by specific examples, Kim
13 has acted frivolously and/or in bad faith in prohibiting and restricting communication, visits, and
14 interaction between Ms. Jones and her daughters Robyn and Donna.

15 90. Applying NRS 159.338 to order Kim to pay Petitioner's attorney's fees is perhaps
16 the best deterrent to future violations of NRS 159.332 and/or attempts at isolation as defined in
17 NRS 200.5092(4). Petitioners believe that without some motivation from this Court, Kim will
18 revert to her passive aggression antics at the first opportunity and communication and visits will
19 cease.

20 91. Therefore, pursuant to NRS 159.338, this Court should order Kim to pay
21 Petitioners' attorney's fees and costs incurred in bringing this motion, the total amount to be
22 subsequently decided upon by this Court after Petitioners file and serve their *Brunzell* affidavit
23 and memorandum of fees and costs for review.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, based upon the foregoing, Petitioners request that the Court GRANT
Petitioners Robyn and Donna's Petition in its entirety and ORDER:

1. That the parties use Talking Parents;

1 2. That Kim shall take Ms. Jones to FMC for an interview using open-ended questions,
2 without any other person(s) present, if possible, to get more than just yes or no answers and
3 really ascertain Ms. Jones' preferences concerning communication, visits and vacation with her
4 family members, and her ability to use her phone;

5 3. That Kim, Robyn, Donna and any other interested party who wants to attend, shall attend
6 a mediation at FMC to decide upon a communications, visits, and vacation calendar that
7 incorporates use of Talking Parents and allows for visits and phone calls from persons living
8 closer to Ms. Jones and out-of-state, as well as vacation time;

9 4. That the Court Canvass Ms. Jones to ascertain her preferences and limitations and
10 capabilities including cognitive abilities;

11 5. That if an agreement is not reached through FMC, the Court hold a hearing to receive
12 input from all parties and decide upon and order a communications, visits, and vacation calendar
13 that incorporates the use of Talking Parents and allows for regular visit opportunities and phone
14 calls from persons living closer to Ms. Jones and out-of-state, as well as vacation time;

15 6. That any Court order include the following provisions:

- 16 a. Kim is responsible for facilitating the scheduled communications, visits,
 and vacations;
- 17 b. Kim is to drive Ms. Jones to the local family visits 50% of the time;
- 18 c. Kim is not to refuse to allow these visits to occur at Ms. Jones' home and
19 Kim must stop refusing to leave the home to allow visiting family members
20 a chance to visit with Ms. Jones in her home where she feels safe, secure,
 and comfortable;
- 21 d. Kim is to aid Ms. Jones in making telephone calls to her family one to two
22 times a week at set times so as not to be manipulated to times when the
23 family members are unlikely or unable to answer – ideally these phone calls
 will be over FaceTime or Zoom to allow face-to-face communications;
- 24 e. Anytime Ms. Jones visits another state where her family resides, Kim
25 provides advance notification to the family to reasonably coordinate a
 realistic and quality visit;


- 1 f. Kim is mandated to weekly provide updates to Petitioners regarding Ms.
2 Jones' physical travel plans if leaving the state, and general updates
3 regarding her life such as her health, needs, desires, experience, and lawsuits
4 which these communications being as far in advance as possible;
5
6 g. The Court directs Kim to provide straightforward answers to questions
7 raised in text messages promptly; rather than only answering one out of a
8 few questions or providing responses that do not relate to the questions
9 asked.
10
11 h. Any communications between Kim and Petitioners will be confirmed in
12 writing;
13
14 i. The Court instruct Kim of her responsible before making any major
15 decisions concerning Ms. Jones; and
16
17 j. That the same schedule from the May Agreement be used except that the
18 schedule by in a Court Order and cover all of Ms. Jones' family.

19 7. That Kim pay Petitioners' attorney's fees and costs incurred in bringing this motion, with
20 the total amount of the award to be subsequently decided upon by this Court after Petitioners file
21 and serve their *Brunzell* affidavit and memorandum of fees and costs for review; and

22 8. Such other and further relief as the Court deems appropriate.

23 DATED: December 30, 2020.

24 MICHAELSON & ASSOCIATES, LTD.

25 

John Michaelson, Esq.

Nevada Bar No. 7822

Ammon E. Francom, Esq.

Nevada Bar No. 14196

2200 Paseo Verde Parkway, Ste. 160

Henderson, Nevada 89052

Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, the undersigned hereby certifies a copy of the foregoing Petition was electronically served on the following individual on December 30, 2020. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on December 31, 2020 a copy of the Petition was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester jeff@sylvesterpolednak.com Kelly L. Easton kellye@sylvesterpolednak.com Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacsnsn.org <i>Attorney for Kathleen June Jones</i> Penny Walker walker@lacsnsn.org <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. gtomich@maclaw.com James Beckstrom, Esq. jbeckstrom@maclaw.com Cheryl Becnel cbecnel@maclaw.com <i>Attorneys for Kimberly Jones</i>	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarr@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov

Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
	Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker
Employee of Michaelson & Associates

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VERIFICATION

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

ROBYN FRIEDMAN

VERIFICATION

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

DONNA SIMMONS



SUPP

MICHAELSON & ASSOCIATES, LTD.
John P. Michaelson, Esq.
Nevada Bar No. 7822
john@michaelsonlaw.com
Ammon E. Francom, Esq.
Nevada Bar No. 14196
ammon@michaelsonlaw.com
2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052
Ph: (702) 731-2333
Fax: (702) 731-2337
*Attorneys for Robyn Friedman
and Donna Simmons*

DISTRICT COURT

CLARK COUNTY, NEVADA

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

**SUPPLEMENT TO VERIFIED PETITION FOR COMMUNICATION, VISITS,
AND VACATION TIME WITH PROTECTED PERSON**

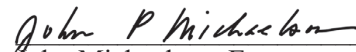
<input type="checkbox"/> TEMPORARY GUARDIANSHIP	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input type="checkbox"/> Person	<input type="checkbox"/> Person
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Person and Estate	<input checked="" type="checkbox"/> Person and Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP	<input type="checkbox"/> NOTICES / SAFEGUARDS
<input type="checkbox"/> Person	<input type="checkbox"/> Blocked Account
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Bond Posted
<input type="checkbox"/> Person and Estate	<input type="checkbox"/> Public Guardian Bond

COME NOW, pursuant to NRS 159.328(1)(d) and NRS 159.332, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and "Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., and hereby supplements their Verified Petition for Communication, Visits, and Vacation Time with

1 Protected Person ("Petition") by attaching hereto the Verifications to the Petition executed by
2 Petitioners.

3 DATED: December 31, 2020.

MICHAELSON & ASSOCIATES, LTD.

4
5 

John Michaelson, Esq.

Nevada Bar No. 7822

6 Ammon E. Francom, Esq.

Nevada Bar No. 14196

7 2200 Paseo Verde Parkway, Ste. 160

8 Henderson, Nevada 89052

Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, the undersigned hereby certifies that on December 31, 2020 a copy of the Supplement to Verified Petition For Communication, Visits, and Vacation Time with the Protected Person was eserved to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester jeff@sylvesterpolednak.com Kelly L. Easton kellye@sylvesterpolednak.com Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacs.nv.gov <i>Attorney for Kathleen June Jones</i> Penny Walker walker@lacs.nv.gov <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. gtomich@maclaw.com James Beckstrom. Esq. jbeckstrom@maclaw.com Cheryl Becnel cbecnel@maclaw.com <i>Attorneys for Kimberly Jones</i>	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarr@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov

In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on January 4, 2021, a copy of the Supplement to Verified Petition For Communication, Visits, and Vacation Time with the Protected Person was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

1 2	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
3 4	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
5 6		Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker
Employee of Michaelson & Associates

VERIFICATION

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


DONNA SIMMONS

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VERIFICATION

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



ROBYN FRIEDMAN

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
1/6/2021 8:00 AM
Steven D. Grierson
CLERK OF THE COURT



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

Case No.: G-19-052263-A

Department B

NOTICE OF HEARING

Please be advised that the Verified Petition for Communication, Visits and Vacation Time with Protected Person in the above-entitled matter is set for hearing as follows:

Date: February 11, 2021

Time: 9:30 AM

Location: RJC Courtroom 10A
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/ Elizabeth Odo
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/ Elizabeth Odo
Deputy Clerk of the Court



CERT

MICHAELSON & ASSOCIATES, LTD.

John P. Michaelson, Esq.

Nevada Bar No. 7822

john@michaelsonlaw.com

Ammon E. Francom, Esq.

Nevada Bar No. 14196

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2200 Paseo Verde Parkway, Ste. 160

Henderson, Nevada 89052

Ph: (702) 731-2333

Fax: (702) 731-2337

Attorneys for Robyn Friedman

and Donna Simmons

DISTRICT COURT

CLARK COUNTY, NEVADA

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

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A

Department: B

Date of Hearing: 02/11/2021

Time of Hearing: 9:30 a.m.

CERTIFICATE OF SERVICE

Pursuant to Nevada Rules of Civil Procedure 5(b), on January 6, 2021, a copy of the Clerk's Notice of Hearing on Verified Petition For Communication, Visits and Vacation Time with Protected Person was mailed by regular US mail postage prepaid, in a sealed envelope in Las Vegas, Nevada to the following individuals and/or entities at the following addresses:

Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

Teri Butler
586 N. Magdalena Street
Dewey, AZ 86327

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962
	Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869	Ampersand Man 2824 High Sail Court Las Vegas, Nevada 89117

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker
An employee of Michaelson & Associates, Ltd.



1 **OPP**

2 Maria L. Parra-Sandoval, Esq.
3 Nevada Bar No. 13736
4 mparra@lacsns.org

5 **LEGAL AID CENTER OF**
6 **SOUTHERN NEVADA, INC.**
7 725 E. Charleston Blvd.
8 Las Vegas, NV 89104
9 Telephone: (702) 386-1526
10 Facsimile: (702) 386-1526

11 *Attorney for Kathleen June Jones, Adult Protected Person*

12 **EIGHTH JUDICIAL DISTRICT COURT**
13 **FAMILY DIVISION**
14 **CLARK COUNTY, NEVADA**

15 In the matter of the Guardianship of the Person
16 and Estate of:

17 KATHLEEN JUNE JONES,
18 Adult Protected Person.

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

21 **KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR**
22 **COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON**

23 Kathleen June Jones ("June"), the protected person herein, by and through her counsel,
24 Maria L. Parra-Sandoval, Esq., hereby files this Opposition to Robyn Friedman and Donna
25 Simmons' Verified Petition for Communication, Visits, and Vacation Time with Protected
26 Person (the "Opposition"). June's Opposition is based upon and supported by the Memorandum
27 of Points and Authorities contained herein, the pleadings and papers on file in this case, and the
28 argument of counsel as allowed by the Court at the time of hearing.

DATED this 25th day of January, 2021.

LEGAL AID CENTER OF SOUTHERN
NEVADA, INC.

/s/ Maria L. Parra-Sandoval

Maria L. Parra-Sandoval, Esq.
Attorney for Kathleen June Jones,
Adult Protected Person

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. Introduction**

3 June requests for this Court to honor her preferences with regards to communications,
4 visits and vacation time with her adult children under both NRS 159.328(h) and (i). Under NRS
5 159.328 (h), a protected person has the right to “Remain as independent as possible, including,
6 without limitation, to have his or her preference honored regarding his or her residence and
7 standard of living, either as expressed or demonstrated before a determination was made relating
8 to capacity or as currently expressed, if the preference is reasonable under the circumstances.”
9 Subsequently, under NRS 159.328 (i), a protected person has the right to “Be granted the greatest
10 degree of freedom possible, consistent with the reasons for a guardianship, and *exercise control*
11 *of all aspects of his or her life* that are not delegated to a guardian specifically by a court order.”
12 (emphasis added). As has been stated multiple times before in these proceedings: The purpose
13 of these rights is to give the protected person the driver’s seat in his or her guardianship case.
14 The law is clear that it is June who gets to control aspects of her life such as communications
15 and visitation with her adult children, including refusing to communicate with or visit with
16 family members she does not want to see.

17 June is clear that she does not want the imposition of anything that looks like a visitation
18 schedule nor does she want her guardian to be bound by a communication protocol to arrange
19 calls or visitation when June is easily accessible. An additional communication tool will only
20 isolate June from her own family. Like any other person not in a guardianship, June wants to be
21 able to call or plan visits when she feels like it. June wants to be treated like “a normal person
22 who can call [whoever she wishes] at any time.” In many ways, June is content with the status
23 quo—without a court order subjecting her to Robyn Friedman and Donna Simmons’
24 (“Petitioners”) demands for a schedule or for mandatory mediation for the purpose of
25 determining a visitation schedule. Finally, June wants her family to listen to her wishes and
26 desires and quit treating her as if she has no say in with whom or how she wants to communicate
27 with members of her own family.
28

1 **II. Argument**

- 2 a. Petitioners' request seeks nothing more than to satisfy their own self-serving
3 interests without the slightest regard for June's oft-repeated wishes.

4 Petitioners are requesting this Court to employ the *same* procedures used in minor
5 custody actions or contested divorce actions involving children to impose a visitation schedule
6 on June, as if she were a child with little to no rights to her own choices regarding with whom
7 she does or does not wish to communicate. Petitioners seek a visitation schedule pursuant to
8 those procedures, not because such a schedule would benefit June or because that is what June
9 wants, but in spite of her wishes. Petitioners demand a visitation schedule solely because it
10 would benefit them. NRS 159, and more specifically the Bill of Rights, does not provide support
11 for the Petitioners' repeated demands. They should not be allowed to continue to manipulate
12 time and resources of this Court simply for their own selfish purposes or because they do not get
13 along with the guardian. June adamantly and consistently opposes such procedures, specifically
14 the proposed interview and mediation at the Family Mediation Center.

15 The current petition once again demonstrates the unsisterly conduct between June's
16 daughters. This Court's role is to protect June, the protected person, by ensuring the guardian
17 abides by her obligations under NRS 159 and by allowing June, pursuant to the Bill of Rights,
18 to have a voice in decisions that affect her. It is not the Court's role to appease the family
19 members. June has made her wishes known to her attorney that she does not want additional
20 procedures and a potential schedule imposed on her. Nor does she wish to attend mediation or
21 be interrogated by anyone regarding visitation with family. June should not have to pay such a
22 high price because of her daughters' never-ending tug-of-war communication battles. This is
23 emotionally draining to June. Instead, it is the guardian and the Petitioners who should be sent
24 to mandatory mediation to work out their communication problems, at no additional cost to
25 June's estate. Unfortunately, the Court cannot fix decades of bad family relationships. June's
26 daughters need to fix it themselves with the help of a mediator, retreat, etc. June is not the
27 problem here and should not be treated as if she is.

1 There are challenges family members will undoubtedly face with protected persons with
2 diminished capacity. The Nevada Statutes grant protected persons many freedoms to the extent
3 that they are able to execute them—which includes scheduling their own communications and
4 visitations and deciding who they want to visit or not. In this instance, June is perfectly capable
5 of expressing, as well as managing, with whom and how she wishes to communicate. She has
6 made those wishes known to counsel. Counsel has relayed June’s wishes to Petitioners’ counsel
7 but neither he nor his clients will accept those wishes and have now sought court intervention.

8 b. June’s wishes have been adequately expressed through her counsel

9 Petitioners argue that June “is cognitively incapable of reliably and accurately
10 transferring visit information to anyone or remembering to act on it herself.”¹ Petitioners have
11 failed to present any evidence to support this rather bold and definitive statement. While June
12 may have been determined to lack capacity such that a guardianship has been ordered, that fact
13 does not equate with a “cognitive[] incapabil[ity]” to express her wishes with regard to who and
14 how she wants to communicate or visit. In fact, NRS 159.331, et.seq. anticipates that any
15 protected person under a guardianship order retains the right to self-determine on the issue of
16 visitation and communication, throughout the guardianship. As long as June is able to direct her
17 court-appointed attorney, this Court should continue to honor what June wants because that it
18 what NRS 159 mandates.

19 Petitioners further argue that it may be time for this Court to appoint a guardian ad litem
20 to act on June’s best interests presumably because a guardian ad litem would determine that
21 forcing a visitation schedule on June that she adamantly opposes is in her best interest.² Thus
22 far, Petitioners and their counsel have failed in their repeated and bullying efforts to force June,
23 through her counsel, into the visitation protocol that they want.³ Their strategy now is to have
24 this Court appoint a guardian ad litem who they believe will simply agree that June should adhere
25 to their visitation protocol, despite any of June’s protestations to the contrary, because what they
26

27
28 ¹ See Verified Petition, p. 5, paragraph 17.

² Id., p. 5, paragraph 17.

³ See emails from John Michaelson, Petitioner’s counsel, attached as Exhibit A.

1 want is in June's best interest. Under the Bill of Rights, June has the right to determine with
2 whom and how she wishes to communicate or visit and she has clearly expressed those wishes
3 to counsel. There is no need for a guardian ad litem and this Court should dismiss the notion out
4 of hand.

5 Further, Petitioners disingenuously argue that June's right to have an attorney represent
6 her wishes in the guardianship is "failing" her because "it is not at all clear that [June] is able to
7 direct the currently pending appeal ..."⁴ First, the logic in this statement is just flat out
8 impossible to follow. Second, how exactly is June's right to an attorney failing her? June's
9 attorney has advocated for June's wishes at every stage of this unnecessarily tortured case,
10 including her wishes with regard to her late husband's visitation demands, and his failed attempt
11 to remove her preferred guardian. As the statute requires, the Court has provided June the
12 opportunity to voice her wishes through appointed counsel and has taken June's wishes into
13 consideration. As noted above, June still retains the right to be involved in decisions affecting
14 her life **while in a guardianship** and her counsel has protected that right throughout the
15 proceedings, including in the pending appeal. June is not ignorant of her legal issues. Her
16 counsel has kept her apprised and involved in every matter heard and pending in her guardianship
17 case. Counsel's role and responsibility is to June and she is not obligated to smooth things out
18 between unreasonably contentious family members, as Petitioners appear to suggest by their
19 demands.⁵

20 Presumably Petitioners and their counsel do not appreciate having to defend against
21 June's appeal of this Court's decision to award their counsel's extremely high fees from her
22 dwindling estate. They likely also do not appreciate that June's counsel continues to insist that
23 June's wishes be considered in every aspect of the guardianship matter when what June wishes
24 does not jive with or is contrary to their wishes. Too bad; it is June's right to appeal just as it is
25 her right to determine with whom and how she wishes to communicate or visit. Petitioners'
26 dissatisfaction and frustration with not having their repeated demands met does not mean that
27

28 ⁴ See Verified Petition, p. 5-p.6, paragraph 17.

⁵ See id., paragraph 19.

1 Nevada's mandate, that all persons in guardianship must have counsel, is failing June. On the
2 contrary, by all accounts, advocacy in guardianship, as mandated by NRS 159, is working quite
3 well for June.

4 June is able to tell her guardian, as well as her attorney, who she wants to talk to and
5 when. According to June, "Kimberly is doing a good job." The only issue here is that grown
6 women refuse to work together with what should be simple logistics for setting up
7 communication when June wishes to see a family member. Petitioners are seeking ways to
8 simplify their lives by imposing additional procedures and a schedule on June and in doing so
9 they are not honoring June's preferences. June's counsel will not assist them in that regard
10 because it is not her role *nor is it June's wish*.

11 While not germane to the ultimate request, Petitioners have nonetheless raised the issue
12 of the pending appeal in their request and June is compelled to respond. There is an additional
13 adversarial component to June and Petitioners' relationship. June has appealed this Court's
14 decision to pay Petitioners' attorney's fees from her estate. When provided with this current
15 request of Petitioner's, June's response was "Robyn needs to stay out of my business and pay
16 for her own damn fees." This is not an unreasonable statement. On September 25, 2020,
17 Petitioner, Robyn Friedman, commenced an action in California as a Judgment Creditor to place
18 a lien on June's home for a total of \$58,304.21,⁶ the amount June must pay of Petitioners'
19 attorneys' fees. This action on Robyn's part caused June further anguish. Now, the same
20 Petitioner wants to enforce a visitation protocol on June that suits her needs rather than June's.
21 Is it any wonder that June is not racing to the phone to communicate with or set up visits with
22 either of the Petitioners under these circumstances? Forcing June to communicate or visit with
23 Petitioners when there is so much tension caused by their continued litigation is not likely in
24 June's best interest. More importantly, it is not what June wants. She feels she is being harassed
25 by her own daughter "who always wants to have her way." It is reasonable for June to want to
26 limit contact with family members who are active parties to a lawsuit, and who are so insistent
27

28 ⁶ See Application for Entry of Judgment on Sister-State Judgment filed on September 25, 2020,
Superior Court of California, County of Orange, attached as Exhibit B.

1 that June pay their attorney's fees that they have placed a lien on her home! June's reasonable
2 and articulately expressed desires regarding communication with family members should be
3 honored.

4 c. Family Mediation is unnecessary and a waste of time and resources.

5 Counsel has explored the use of applications like Family Wizard and Talking Parents
6 with June, at Petitioners' repeated insistence, but June has consistently turned them down.
7 Currently, with the ongoing litigation involving Petitioners, June is adamant that her preference
8 is still "no." This Court should deny Petitioners' request for Mediation June is not a minor or the
9 subject of a custody action; she is an adult whose dysfunctional family caused her to be in a
10 guardianship despite the existence of a Power of Attorney and have continued to disregard her
11 wishes since. June is verbal and can communicate well with her guardian and her attorney. She
12 has the right and ability to make her preferences known to her attorney and the Court with regard
13 to whom and how she wants to communicate or visit. Further, June objects to being subjected to
14 interrogation by Petitioners, or anyone else for that matter, because she has counsel who can
15 speak for her. June is not on trial here to be cross-examined. Petitioners have emotionally and
16 financially drained their own mother already. This latest request is just more of the same
17 unreasonable requests that Petitioners have made throughout the guardianship. June is willing to
18 state her preference to this Court regarding her right to call, talk and visit with whomever she
19 wants, or not, without the need for a schedule or for mandatory mediation, but that is all. Further
20 statements will be made through court appointed counsel.

21
22 **III. Conclusion**

23 For the above-stated reasons, June requests that this Court deny Petitioners' Verified
24 Petition For Communication, Visits, And Vacation Time With Protected Person in its entirety.

25 ///

26 ///

27 ///

1 DATED this 25th day of January 2021.

2
3 **LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

4 /s/ Maria L. Parra-Sandoval, Esq.

5 Maria L. Parra-Sandoval, Esq.

6 Nevada Bar No. 13736

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

8 725 E. Charleston Blvd

9 Las Vegas, NV 89104

10 Telephone: (702) 386-1526

11 Facsimile: (702) 386-1526

12 mparra@lacs.org

13 *Attorney for Adult Protected Person Kathleen
June Jones*

14 **CERTIFICATE OF SERVICE**

15 I HEREBY CERTIFY that on the 25th day of January 2021, I deposited in the United
16 States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **KATHLEEN
17 JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION,
18 VISITS, AND VACATION TIME WITH PROTECTED PERSON** in a sealed envelope,
19 mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the
20 following:

21 N/A

22 AND I FURTHER CERTIFY that on the same date I electronically served the same document
23 to the following via ODYSSEY, the Court's electronic filing system, pursuant to EDCR 8.05:
24

25 James Beckstrom, Esq.

26 jbecstrom@maclaw.com

27 Geraldine Tomich, Esq.

28 Gtomich@maclaw.com

Attorneys for Guardian

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Guardianship Compliance Office

/s/Penny Walker
Employee of Legal Aid Center of Southern Nevada

EXHIBIT A

Maria Parra-Sandoval

From: Maria Parra-Sandoval
Sent: Thursday, August 06, 2020 5:09 PM
To: 'John Michaelson'
Cc: Patrick McDonnell; James A. Beckstrom
Subject: RE: Kathleen June Jones

Follow Up Flag: Follow up
Flag Status: Flagged

AmicusId: 627495
AmicusStatus: Saved
AmicusFileName: Jones, Kathleen J. re: Adults Under Guardianship
AmicusFileIds: 79094
AmicusDealtWith: Yes
AmicusTimeEntry: Yes

John,

What you are implicitly asking me to do is to force June, literally *force* her to agree to a schedule that she doesn't want. My job is to represent her wishes and that's what I have done the entire time since I was appointed to represent her. We have had many conversations over this same issue and her position has not changed. June has been the one client I've had the most contact with from all my past and present guardianship clients. June wants to see all her children, but on her own terms. I'm not going to force her to change her mind. Doing the opposite would be 'hurting' her. The fact that June is aligned with her guardian is out of my control. My job is not to defend Kimberly—she has her own attorney.

You have been practicing guardianship law long enough to know that we treat protected persons with diminished capacity as normal as possible (See the Bill of Rights). If you haven't filed anything thus far regarding forcing a visitation schedule on June is because you know your client will not be successful.

June has some memory issues but Robyn knows June is capable of deciding whether to go on an outing or not. Kimberly assists with putting the events on her calendar. As I've stated before, Kimberly is obligated to schedule medical appointments. But under the Bill of Rights, June should be treated as normal as possible and if she wants to manage her own social calendar, then she should be able to control her own social/visitation calendar.

Please disregard any typos.

Maria



Maria Parra-Sandoval, Esq.
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From: John Michaelson [mailto:john@Michaelsonlaw.com]
Sent: Wednesday, August 05, 2020 6:57 PM
To: Maria Parra-Sandoval <MParra@lacsnsn.org>
Cc: Patrick McDonnell <patrick@Michaelsonlaw.com>; James A. Beckstrom <jbeckstrom@maclaw.com>
Subject: RE: Kathleen June Jones

Maria, please try to be more reasoned in your approach to this case. As we keep telling you, June has been consistent in telling Robyn and Donna that she would like to see them and her grandson. Your ardent desire to support James in this case is hurting your client. We do not want to spend money on this matter and keep trying to respectfully raise issues with you and James but you are blind to any adjustments to the problem in this case – Kimberly. Extremely simple and humane responses from her – the kind I think you and I and James would naturally make for each other to help confirm and support visitation – do not happen. We keep telling you that.

I'm curious, how does June handle her medical appointments and court dates?

John P. Michaelson, Esq. | MICHAELSON & ASSOCIATES, LTD. | john@michaelsonlaw.com | 702.731.2333

From: Maria Parra-Sandoval <MParra@lacsnsn.org>
Sent: Wednesday, August 5, 2020 5:33 PM
To: John Michaelson <john@Michaelsonlaw.com>
Cc: Patrick McDonnell <patrick@Michaelsonlaw.com>; James A. Beckstrom <jbeckstrom@maclaw.com>
Subject: RE: Kathleen June Jones

John,

As I stated in my June 11, 2020 email, June has been consistently clear about her desire to control her visits. James keeps reiterating the same thing in this email chain.

If this is not an acceptable response to Robyn, please raise this issue with the court to put this to rest. It's taking even more time (and expense) outside the courtroom. As I have stated, June has been willing to tell the Judge herself what she wants. Your client needs to put June's wishes first—not her own. June is easily accessible and she's able to return my calls within a couple of hours. James has outlined what your client needs to do to communicate proposed vacation dates, etc. This shouldn't be a hard procedure to follow.

I spoke with June yesterday and she confirmed that she didn't want to go to Palm Springs and feels she is being harassed to go on vacation with Robyn. June doesn't want to be told what to do and doesn't want any kind of visitation schedule with Robyn. Also, if June is invited on a vacation, she only wants to go for two or three days at the most. Please let June control her own social schedule.

Maria Parra-Sandoval



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From: James A. Beckstrom [<mailto:jbeckstrom@maclaw.com>]
Sent: Tuesday, August 04, 2020 3:53 PM
To: 'John Michaelson' <john@Michaelsonlaw.com>; Maria Parra-Sandoval <MParra@lacsnsn.org>
Cc: Patrick McDonnell <patrick@Michaelsonlaw.com>
Subject: RE: Kathleen June Jones

John,
Every week I receive a multi-page letter from your office. It is getting absurd, as the complaints are all about what your client wants, as if they are the center of attention. The problem is, your client has ignored June's desires and attempts to treat this case like a child custody battle. It is not a child custody battle. It is not a case with a dictated "visitation schedule." June has her own attorney and has made this very clear. She doesn't want a set schedule with your client. If you ask the Court to impose one, it will be met with harsh opposition. Your client is becoming overbearing. The point of this is to once again relay that it is not Kimberly making all of these decisions, it is June—who has a strong opinion on these issues.

June has seen all of her children consistently for the past several months. She has also been balancing a juggling act with her husband—who has feigned imminent death over the past two weeks.

I will respond to each of your concerns below. But again, Kimberly has no problem with June leaving at anytime with Robyn. However, June has made it clear she is the person who decides when and where she goes. **My responses are in red below.**



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From: John Michaelson <john@Michaelsonlaw.com>

Sent: Saturday, August 1, 2020 11:40 AM

To: James A. Beckstrom <jbeckstrom@maclaw.com>; Maria Parra-Sandoval <MParra@lacs.org>

Cc: Patrick McDonnell <patrick@Michaelsonlaw.com>

Subject: [External] Kathleen June Jones

James,

As you are aware, our clients have longstanding unresolved complaints about your client and guardian Kim pertaining to communication and visitation with June Jones, their mother. Robyn has attempted to resolve the following disputes directly with Kim, to no avail, and our law firm has communicated with you at length about these things.

Pursuant to your discussions with our firm a couple of months ago as to how impasses between our clients should be handled and also to ensure our compliance with EDCR 5.501, we are once again bringing the most recent issues to your attention in a continuing attempt to resolve these disputes without court intervention. As you recall, you and I discussed that we would work together to resolve these things before they got out of hand.

Kim has made it untenable for Robyn, Perry and their son to visit her mother at her mother's own house. Robyn and Perry's son is 4 year old Ampersand.

The Friedman's have been trying to ensure that the visits to/with June are as beneficial to June as possible making sure the extended familial connections are protected for June to enjoy. As you are aware, part of the May 19, 2020 agreement, was that on every Wednesday from 1 p.m. to 6 p.m. and every other Saturday from noon to 6 p.m., Robyn was free to pick June up from June's home on Kraft Avenue or Robyn and any other family members could come to June's home to visit with June. Robyn and Perry have tried their best for months to make their visits to/with June work on Wednesday afternoons and every other Saturday. June has consistently approved of the Friedman's' visits and said she wants them to continue. Kim knows this; June has said so in front of Kim.

When the Friedman's visit June at her home, however, Kim always remains at the house, hovering, interrupting the visit, keeping the atmosphere tense, and essentially turning it into an uncomfortable supervised visit.

On July 22, 2020, Robyn and Perry, along with their 4-year-old son Amp, were visiting with June at June's home when Kimberly lost her temper, aggressively got up in June's face to repeatedly demand that June answer whether or not she wanted to go to Palm Springs for a week with Robyn (June said she did). When Robyn pleaded with Kim to stop, Kim proceeded to turn her anger on Robyn. Kim's eruption and hostility had June shrinking back into the couch and also thoroughly upset and confused Amp. The result of this instability is that absent changes, the Friedman's cannot continue to visit June at her home and cannot risk subjecting Amp to more outbursts of this type by Kim.

Granted, Robyn could and will continue to pick up June and take her away from June's house for visits. Leaving June's house and going somewhere else is not always possible or practical, however. Moreover, June should not have to always leave her own home to spend quality time with her extended family. . With COVID-19 on the resurgence, June at exceptionally high-risk, there are only a few places outside the home to which they can go and still keep June safe and abide by Kim's instructions in this regard, They have already visited most of those sight-seeing spots as June cannot enter public places safely use public restrooms which she needs approximately every two hours. They've also simply driven around town with June for hours talking and sightseeing - but driving around for hours in a car together does not really make for a good visit for a grandmother and a 4-year-old. June deserves better. If Kimberly could assist June in determining things she'd like to do or places she'd like to drive to during visits it would be very helpful to further June's enjoyment of this time as June's cognitive disabilities preclude her from often times being able to make suggestions when asked what she'd prefer to do. Leaving all planning up to the very last minute of arrival at the home for pick up severely limits options based on the Friedman's ability to arrange their own busy schedules at the last minute multiple times a week. To avoid or at least lessen the dysfunction and hostility at June's home so that June can continue to have visits there from her daughter and grandson, can't Kim just allow the Friedman's to have unsupervised visits at June's home? As Judge Marquis previously stated during a hearing in this case, most caretakers usually need and welcome a break. It would give Kim time to herself, to run errands, shop, or whatever she may want or need to do.

In any event, please inform us as to your client's proposed changes as to visitation so that June can continue to see the Friedman's absent the unhealthy environment both inside June's home and during pick-ups and drop-offs. We are asking that Kim tell us what is workable. The ball is in your client's court, as she is June's guardian, to find a workable solution to keep June connected to people with whom she repeatedly expresses interest in spending time. Without solutions, Kim will otherwise be alienating and isolating June away from visits from her daughter and grandson. For June and Amp's sake, Robyn and Perry will not risk this kind of blow-up again. The current situation is harmful to June in that it pushes people away from her when she wants to stay connected to her family. This is a tactic Kim has been seen to employ with others June has relationships with as well.

First, do not try to mischaracterize my email on May 19, 2020. The agreement was that June is available during those periods as she desires. I have It is not a visitation schedule, it was an attempt to further appease your client—who is making unreasonable demands and demands to be the center of attention in this case. I don't understand why Robyn can't take June to her house and drop her off.

Kim scuttled June and the Friedman's vacation by going to Arizona with June just days before the vacation was to begin and staying in Arizona two days past the vacation start date.

While June may travel when and where she likes, the utter lack of communication regarding how that trip would impact the vacation planned and agreed upon by Kim since last May was abysmal and in consistent fashion, last minute.

Despite agreeing on May 19, 2020, that the Friedman's could take June on vacation for the last week of July, and despite the vacation having been a subject that Robyn discussed with Kim for weeks, immediately after aggressively demanding that June say whether she wanted to go on vacation to Palm Springs with the Friedman's, without warning to the Friedman's, Kim either took June to Arizona or sent June to Arizona. Robyn only learned June was in Arizona on the night of Friday, July 24, 2020, when June informed Robyn during a phone call. The Friedman's had planned to leave for Palm Springs with June on the morning of Monday, July 27. It was not until the afternoon of Sunday, July 26, that Kim informed Robyn that June would not be back in Las Vegas until the night of Wednesday, July 29.

Kim has done this same kind of thing before, having previously taken June to Arizona and preventing June from participating in a long-planned visit that Donna had confirmed with Kim repeatedly before coming to Las

Vegas. Donna and her family arrived in Las Vegas only to find that Kim had taken mom to Arizona despite knowing about and agreeing previously with Donna's plans. So there is a pattern.

In Robyn's case, however, Kim violated her May 19, 2020 agreement as to Robyn's vacation with June in the last week of July – the very first time the vacation time was supposed to happen.

This is incorrect. June made her wishes very clear to Robyn. They communicated and apparently June expressed she didn't want to go to Utah for a vacation, but wanted to go to Palm Springs. Robyn never provided a specific date and time in which this trip was to occur. On 7/24 June called Robyn at 6:21 to tell her that she was going to Arizona and wouldn't be home to see Robyn for their usual Saturday visit. Thereafter, Robyn contacted Kim and told her that she was taking June on vacation from 7/27 to 8/2. This was done with 3 days' notice, which is a problem when they were in a neighboring state visiting June's other daughter. What ruined the plans after that, was the fact that Mr. Yeoman's attorneys called June's attorney informing her that Mr. Yeoman had "one day to live." This prompted rushed cries for bringing June back. Ultimately, It was confirmed that despite Mr. Yeoman claiming an imminent death—he is not on the verge of dying. Notwithstanding, June's desire was to see him, which she did. Again, she made the decision on who she wants to see.

I can't offer any more on this. June is able to decide on what she wants to do. She has independent counsel, she has a guardian who is caring for her, she is not isolated. The purpose of guardianship is accomplished. Guardianship doesn't offer your clients the ability to benefit themselves—it is not about your clients. If your client wants to put June through the stress of a hearing on these issues, they will be very disappointed. June is very stern on these issues. If your client has a specific date for a vacation, those need to be (1) discussed with June; and (2) set in stone with Kimberly. Kimberly has no issue with this. If you have proposed dates for vacations which June wants to attend, send them to me and they will be calendared. I will also note that June communicates extensively via facetime and phone calls with her children. Simply because a different relationship or line of communication may exist between one child vs another, is not a violation of any guardianship rule—it is simply a family dynamic.

As you are aware from our prior discussions, this is at least the second provision of Kim's May 19 agreement that she has violated, with the first being her commitment to call Robyn each Tuesday and Friday at 6 p.m. Kim has never complied with that provision of her agreement.

This too is incorrect. June freely communicates with her children. She talks to Robyn. June refuses to have a set schedule to "call" her daughter. If Robyn wants to talk to her mom, she can communicate with her and call her. Robyn knows well that June is fully able to communicate socially. June is not a child and she refuses to be treated like one. Maybe Maria can chime in on this. June pushed back when Kimberly attempts to set a schedule for her.

Given that months of discussion have not solved the communication and visitation disputes, and given these recent developments outlined above, we believe we need a court order to enforce the May 19 agreement and to also get a communication/visitation/vacation framework in place for Kim's pending removal of June from Nevada to California.

The Court won't have jurisdiction. There has not been a petition to move June and there are no plans to move June. This is getting absurd. A visitation framework wouldn't be needed even if she was moved, your client has the resources to see her mom anytime she wants. Just like any family relationship, if June wants to see her kids, they are free to see her.

- Is your client willing to consider stipulating to her May 19 terms?

The terms remain as is. June is fully capable of discussing her social life. She is fully capable of deciding what she wants to do. Consistent with the entire purpose of guardianship, June is provided the utmost freedom in making these de minimis life decisions. This includes things like vacations, hanging out, and shopping. Kimberly encourages and is always happy when June leaves to visit her other children. However, it is not Kimberly who is pushing back on arranging June's schedule—it is June. She is a tough person and insists that her children talk to her and plan time with her. Kimberly is not going to stomp on June's wishes. Your client is making this case all about her in focusing on visitation—this case is about June and how to protect her. June takes calls and is happy to talk to her children—she doesn't want to be on a schedule for calls. June is not prisoner. Kimberly remains happy to have straight forward communication with Robyn, with identified pick up dates and times. However, she is not Robyn's chauffeur.

- Is she willing to stipulate to the use of either Family Wizard or Talking Parents to improve communication and calendaring of visitations and vacation?

It will not assist anything. Based on the above, June has stated time and time again she is the keeper of her social schedule. Kimberly is a mere driver and confidant who assists June in making appointments and when she can social visits. Imposing additional work on Kimberly, who is already not being compensated, will not help anything. Again, the Court's only focus is whether June is being cared for and socialized—she is. No calendaring app is necessary.

- Is she willing to stipulate to a communication/visitation/vacation framework that would apply if/when she moves June to California? We understand that situations can change, but in this case, it would be very helpful to set expectations so communication doesn't cease upon a move to CA further isolating June.

No. Consistent with the above. This is a guardianship action to protect June, not establish a visitation schedule for the children. Each child is fully capable of calling and visiting June—regardless of what state. Moving is the last thing on the radar right now. As it stands, because your client pulled funding from litigating the A-Case, everyone's focus is on obtaining her house back and dealing with the fact June's husband is apparently dying. At the same time, as you have seen we are dealing with (1) a house in which is frozen due to a fraudulent claim of ownership by June's husband; and (2) an appeal. As you can imagine, it is a fairly difficult time for June.

- Is Kim willing to stipulate to dropping her mother off at Robyn's house maybe once per month – just as she takes June to doctors' appointments, or to Arizona for visits with Gerry and Teri - so that June can enjoy time with Robyn's family ?

Kim has no problem with Robyn picking June up to visit Robyn. I am sure these children can communicate if dropping June off is convenient. The process of June leaving the house is very simple and has not changed. The process is as follows: (1) June gets invited somewhere after talking with whoever is asking her to go somewhere; (2) June confirms if she wants to go and she asks Kimberly for a ride or arranges transportation with the person who wants to see her; (3) Kimberly is advised of the time and date for any such event, so she can make sure she is available. If Robyn wants to see June, the default option is she should have to drive to pick June up. That makes the most logical sense.

Absent obtaining stipulations, we will be petitioning the Court for such orders.

I don't know what your petition will state. Your client is complaining about non-existent issues. While I don't fault you for having to relay your client's position—the Court has made clear that June is free to make these basic social decisions. June has been out with her family extensively, including Robyn. June has her own attorney – who as I understand has consulted with June on these very issues. Do what you need to, but any petition will be opposed and June will not be happy Robyn is forcing her estate to spend more money to enforce her wishes.

As always, feel free to call me at any time to discuss any aspect of this matter.

I too am always free for a call. However, I want to stress that the estate is burning through money to advance the real claims at issue here. These claims should be the focus, because June continues to suffer financially and mentally from all of this litigation. To add fuel to the fire, her husband is dying, has ignored her, and continues to play mind games with her.

John P. Michaelson, Esq. | MICHAELSON & ASSOCIATES, LTD. | john@michaelsonlaw.com | 702.731.2333

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Maria Parra-Sandoval

From: Maria Parra-Sandoval
Sent: Friday, September 18, 2020 5:17 PM
To: 'John Michaelson'
Cc: 'Patrick McDonnell'
Subject: RE: Kathleen June Jones

Follow Up Flag: Follow up
Flag Status: Flagged

Hi John,

Right now we/Legal Aid Staff has been instructed to avoid in-person communications. I had to get special permission for the upcoming mediation on 9/30 to attend in person. Furthermore, I have spoken to June today, and she is adamant that she doesn't want anything that looks like a "visitation schedule" or "communication schedule." Also, does Robyn videotape June while asking her questions? It makes June uncomfortable.

You mentioned in court yesterday how I'm not "interested" in engaging with you about "visitation issues." Judge Marquis made it very clear she is not inclined to issue visitation orders in adult guardianship cases. I just want to let you know that Legal Aid employs a client-centered model of representation with protected persons. We are to treat them as normal as possible and honor their preferences. June directs me. If you don't think I'm representing my client the way you think I should, I encourage you to bring this up to my supervisors, Jim Berchtold jberchtold@lacsns.org and Debra Bookout dbookout@lacsns.org.

I would be able to talk to you on the phone for about one hour max on 09/22 at noon. I don't know how fruitful that will be but I am available. My duty is to my client and I will continue to advocate for what she wants. I'm happy to listen to any communication suggestions you may have, but if you're going to suggest protocols that you want the guardian to employ, then this is why you need to file a pleading. Even if I think your suggestions are fantastic ideas, if my client turns them down, I can counsel her but I can't force her to agree to them.

Patrick, I've read your long email. If you wish to discuss the issues you brought up, you can bring those topics up during the conversation too. I do want to add though that relocation of a protected person is very common in many of my cases. As long as a Petition for Relocation is filed and my client consents to the move, I do not object to the move. As I said, Legal Aid attorneys follow a client-centered model.

Maria



Maria Parra-Sandoval, Esq.
Attorney, Consumer Rights Project
Legal Aid Center of Southern Nevada, Inc.
725 E. Charleston Blvd.
Las Vegas, NV 89104
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[Legal Aid Center E-Newsletter](#)

Please remember Legal Aid Center of Southern Nevada in your estate plan.

From: John Michaelson [mailto:john@Michaelsonlaw.com]

Sent: Thursday, September 17, 2020 5:09 PM

To: Maria Parra-Sandoval <MParra@lacsn.org>

Subject: Kathleen June Jones

Maria, I just left you a vm re this. Would you be willing to have a brief in person meeting with me and my clients perhaps this coming Tuesday? We will of course maintain safety protocols and we want to respect your time – we could even agree to a time limit. We are willing to meet you wherever is convenient for you. We would like to have a face to face brief conversation re visitation and communication to see if we can come up with some solutions to make the situation better. Thank you for your consideration.

John P. Michaelson, Esq.

MICHAELSON & ASSOCIATES, LTD.

john@michaelsonlaw.com

www.michaelsonlaw.com

Tel. (702) 731-2333

Fax. (702) 731-2337

The District

2200 Paseo Verde Parkway, Suite 160

Henderson, Nevada 89052

*Please send correspondence to Henderson address

Downtown Summerlin

1980 Festival Plaza Drive, Suite 300

Las Vegas, Nevada, 89135

Reno

5470 Kietzke Lane, Suite 300

Reno, Nevada 89511

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

EXHIBIT B

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Michael S. Zar, Esq. (SBN 265991) SUNDSTEDT & GOODMAN LAW OFFICES 7755 Center Avenue, 11th Floor Huntington Beach, CA 92647		TELEPHONE NO.: 714-960-9999	FOR COURT USE ONLY
ATTORNEY FOR (Name): Judgment Creditor Robyn Friedman			
NAME OF COURT: Superior Court of California - County of Orange STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: Central Justice Center			
PLAINTIFF: In The Matter of the Guardianship of the Person and Estate of Kathleen June Jones, an Adult Protected Person DEFENDANT:			
APPLICATION FOR ENTRY OF JUDGMENT ON SISTER-STATE JUDGMENT <input type="checkbox"/> AND ISSUANCE OF WRIT OF EXECUTION OR OTHER ENFORCEMENT <input type="checkbox"/> AND ORDER FOR ISSUANCE OF WRIT OR OTHER ENFORCEMENT			CASE NUMBER: 30-2020-01163122-CU-EN-CJC

Judgment creditor applies for entry of a judgment based upon a sister-state judgment as follows:

1. Judgment creditor (name and address):
Robyn Friedman
2824 High Sail Court
Las Vegas, NV 89117
2. a. Judgment debtor (name): **Guardianship Estate of Kathleen June Jones**
 - b. ☒ An individual (last known residence address): **6277 Kraft Avenue, Las Vegas, NV 89130**
 - c. ☐ A corporation of (specify place of incorporation):
 - (1) ☐ Foreign corporation
☐ qualified to do business in California
☐ not qualified to do business in California
 - d. ☐ A partnership (specify principal place of business):
 - (1) ☐ Foreign partnership which
☐ has filed a statement under Corp C 15700
☐ has not filed a statement under Corp C 15700
3. a. Sister state (name): **Nevada**
 - b. Sister-state court (name and location): **District Court Clark County, Nevada**
 - c. Judgment entered in sister state on (date): **8/12/2020**
4. **An authenticated copy of the sister-state judgment is attached to this application. Include accrued interest on the sister-state judgment in the California judgment (item 5c).**
 - a. Annual interest rate allowed by sister state (specify): **7.5%**
 - b. Law of sister state establishing interest rate (specify): **NRS 17.130, et seq.**
5. a. Amount remaining unpaid on sister-state judgment: \$ **57,742.16**
 - b. Amount of filing fee for the application: \$ **40.00**
 - c. Accrued interest on sister-state judgment: \$ **522.05**
 - d. Amount of judgment to be entered (total of 5a, b, and c): \$ **58,304.21**

(Continued on reverse)



1 **NNOP**
2 MICHAELSON & ASSOCIATES, LTD.
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13 *Attorneys for Robyn Friedman*
14 *and Donna Simmons*

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 IN THE MATTER OF THE GUARDIANSHIP)	Case Number: G-19-052263-A
12 OF THE PERSON AND ESTATE OF:)	Department: B
13)	
14 Kathleen June Jones,)	
15)	Date of Hearing: 02/11/2021
16 An Adult Protected Person.)	Time of Hearing: 9:30 a.m.
17)	

15 **NOTICE OF NON-OPPOSITION TO VERIFIED**
16 **PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH**
17 **PROTECTED PERSON**

18 Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and "Donna"), by and
19 through their counsel John P. Michaelson, Esq., of Michaelson & Associates, Ltd., hereby files
20 notice to the Court that no opposition had been timely filed to Robyn Friedman's and Donna
21 Simmons' Verified Petition for Communication, Visits, and Vacation Time With Protected
22 Person filed December 30, 2020, in the above-captioned matter.

23 Pursuant to EDCR 5.502(c) any opposition thereto had to be filed "[w]ithin 14 days after
24 service of the motion, . . . together with a memorandume of points and authorities . . ."

25 ///

///

1 Accordingly, any opposition was due by January 13, 2021.

2 DATED: January 25, 2021.

3 MICHAELSON & ASSOCIATES, LTD.

4 By:  (for) #13281

5 John P. Michaelson, Esq.
6 Nevada Bar No. 7822
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) and NEFCR 9, the undersigned hereby certifies that on the 25th day of January, 2021, a copy of the foregoing Notice of Non-Opposition to Objection to Verified Petition for Communication, Visits and Vacation Time with Protected Person was mailed and/or eserved by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester jeff@sylvesterpolednak.com Kelly L. Easton kellye@sylvesterpolednak.com Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacsnsn.org <i>Attorney for Kathleen June Jones</i> Penny Walker walker@lacsnsn.org <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. gtomich@maclaw.com James Beckstrom, Esq. jbeckstrom@maclaw.com Cheryl Becnel cbecnel@maclaw.com <i>Attorneys for Kimberly Jones</i>	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarrol@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov

1 2	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
3 4	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
5 6		Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832

MICHAELSON & ASSOCIATES, LTD.

/s/ Lenda L. Murnane
Employee of Michaelson & Associates



1 **Marquis Aurbach Coffing**
2 Geraldine Tomich, Esq.
3 Nevada Bar No. 8369
4 James A. Beckstrom, Esq.
5 Nevada Bar No. 14032
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 gtomich@maclaw.com
11 jbeckstrom@maclaw.com
12 Attorneys for Kimberly Jones

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 In the Matter of the Guardianship of the Person
10 and Estate of:

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

11 KATHLEEN JUNE JONES,

12 An Adult Protected Person.

13
14 **OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND**
15 **VACATION TIME WITH PROTECTED PERSON**

16 COMES NOW, Kimberly Jones, as Guardian of the Person and Estate of Kathleen June
17 Jones ("Ms. Jones"), through the law firm of Marquis Aurbach Coffing, hereby files the following
18 Opposition to Petitioners Robyn Friedman and Donna Simmons' Verified Petition for
19 Communication, Visits, and Vacation Time with Protected Person. This Opposition is based upon
20 papers and pleadings on file herein, the attached Memorandum of Points and Authorities, and any
21 oral argument permitted at the time of the hearing on this matter.

22 Dated this 25th day of January, 2021.

23 MARQUIS AURBACH COFFING

24 By /s/ James A. Beckstrom
25 Geraldine Tomich, Esq.
26 Nevada Bar No. 8369
27 James A. Beckstrom, Esq.
28 Nevada Bar No. 14032
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Kimberly Jones

MEMORANDUM OF POINTS AND AUTHORITIES**I. INTRODUCTION AND STATEMENT OF FACTS**

The Petition continues to be the most recent filing wherein June's clearly stated desires are challenged through a collateral attack against the Guardian, Kimberly Jones. There is no dispute June has voiced her opinion on these issues time and time again. Through June's Court appointed counsel, this Court has been informed on a number of occasions that June does not want the Court controlling who, when, and how she talks to her family. This includes Petitioners, Robyn and Donna. Nonetheless, Kimberly is forced to defend her mother's desires through yet additional costly motion practice.¹

Petitioners now seek to subvert June's clearly stated desires and impose a series of absurd conditions on June and her Guardian. The crux of Petitioner's request has nothing to do with June and everything to do with their own well-being—something this Court has no authority to entertain. This Court is limited by the confines of NRS 159, which were solely designed to protect June. NRS 159 does not confer any rights of "visitation" or "preferential communication" upon a third-party. NRS 159 is intended to advance the health, well-being, and desires of the protected person—no one else.

While Kimberly remains flexible and willing to assist June with seeing her family, Kimberly is required to acknowledge and protect June's personal wishes. June has made clear she (1) doesn't want a "schedule" for calls or in-person visits with Robyn or Donna; (2) wants to make the decision about who she talks to or visits with; and (3) doesn't want her estate incurring yet additional expense to handle sibling rivalry.

Notwithstanding June's wishes, it is unreasonable to suggest that two of June's daughters are entitled to some specialized course of treatment. Even a cursory review of the relief sought reveals that Robyn and Donna want to impose burdensome conditions on Kimberly. This includes the following demands, highlighted for the Court.

///

¹ To preserve costs, Kimberly addresses the material arguments advanced by Petitioners.

MARQUIS AURBACH COFFING

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Petitioner's Request	Response
"Kim is responsible for facilitating scheduled communications, visits, and vacations" (Pet. at ¶ 83(a))	Kimberly is not the family travel agent. Kimberly is only required to confer with June as to what she wants to do and act in June's interest to facilitate her wishes. Kimberly has no duty or obligation to be "responsible" for facilitating communications, visits, or vacations. Moreover, such a restriction directly contradicts with June's desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).
"Kim is to drive Ms. Jones to the local family visits 50% of the time." (Pet. at ¶ 83(b))	Kimberly is not public transportation and if June's family wants to see her, they should be responsible for driving to see or pick-up June.
". . . Kim must leave the home when family visitors come to see June . . ." (Pet. at ¶ 83(c))	No authorization for such a request exists. Kimberly is the live-in guardian for June. She is responsible for her health, well-being, and daily care. Moreover, such a restriction directly contradicts with June's desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).
Kim is to make June call her family "one to two times a week at set times when the family members are likely to answer" (Pet. at ¶ 83(d))	Petitioners do not unilaterally decide that June is required to check in with every member of her family at preset dates and times. Moreover, it is the epitome of irony for Petitioners to demand such calls be made when it is convenient to them. Moreover, such a restriction directly contradicts with June's desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).
There will be a "standing call time to check-in with family once or twice a week, or ten minutes set aside each week where <i>"Kim calls all of Ms. Jones' family, including the grandchildren."</i> (Pet. at ¶ 83(e))	Absurd. Micromanaging like this is not authorized in NRS 159 and such a schedule is unrealistic and burdensome. If June's family wants to talk to her, they can pick-up the phone or come to see her. Moreover, such a restriction directly contradicts with June's desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).
"Kim is 'mandated' to provide weekly updated to Petitioners regarding Ms. Jones' physical travel plans . . ." (Pet. at ¶ 83(g))	The world does not revolve around Petitioners. No such "mandated" reports are implicated in NRS 159 and this request does nothing to advance the health and wellbeing of June. Moreover, such a restriction directly contradicts with June's desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).

1 2 3 4	“Any communications between Kim and Petitioners will be confirmed in writing.” (Pet. at ¶ 83(h))	Barring Kimberly and Petitioners from speaking orally is senseless. Kimberly is already busy enough managing June’s declining physical and mental condition, Petitioners’ demands are burdensome and unjustified.
5 6 7	“The Court directs Kim to provide ‘straightforward answers’ to questions raised in text messages ‘promptly.’” (Pet. at ¶ 83(i))	Petitioners are not empowered to get what they want. This Court has ordered good faith communication, which is exactly what has occurred. Burdening the Guardian with additional tasks is abusive.
8 9 10 11	That this Court adopt a visitation schedule and apply it to “all Ms. Jones’ family.” (Pet. at ¶ 83(k))	The only parties who seek absurd visitation schedules are Petitioners. The remainder of June’s family has never voiced any of the concerns raised by Petitioners. Moreover, such a restriction directly contradicts with June’s desires and her rights under the Guardianship Bill of Rights. NRS 159.328(1)(i).
12 13 14	Order vacation time for June with her local and distant family.	June is capable of expressing whether she wants to vacation with family and where. Kimberly has always assisted vacation planning.

15 None of these demands are appropriate and none of the demands are realistic. There is also
16 no reason to force June or Kimberly to mediation that is used for child-custody cases. June is not
17 a child and her interests are extremely guarded by this Court. June already has a court appointed
18 attorney who is highly competent in Guardianship proceedings and has been extensively involved
19 in this case. Further oversight would unnecessarily complicate these proceedings. The same
20 applies to imposing the use of a third-party communication system. It is only Petitioners who claim
21 they need this system of communication. June regularly communicates with her family and forcing
22 Kimberly to document this in a third-party application would not only be highly burdensome, but
23 would further restrict June’s social interaction. June is unable to access an online application to
24 communicate with her family, but is capable of using her phone. Restricting June from using her
25 phone to speak to her family would further isolate her, not help her.

26 Separate and apart from these demands, Petitioners seek attorney fees and costs incurred
27 for bringing their petition before this Court. Petitioners’ have already obtained a judgment of
28 \$57,742.16 for legal expenses billed by Mr. Michelson. It would be absurd to award a dollar more

1 of attorney fees. None of the relief sought advanced any interests of June and Kimberly has never
2 “restricted” June from seeing or communicating with any of her family members.

3 **II. LEGAL ARGUMENT**

4 **A. PETITIONERS’ ADVANCE TO ACTIONABLE CLAIM SUPPORTING**
5 **THE RELIEF SOUGHT.**

6 Petitioners’ brief is a list of demands that blames the Guardian for every conceivable action
7 imaginable. NRS 159.332(1)(a) requires the showing that Kimberly has restricted June’s access to
8 her family against her will. Conveniently, the Petition references this authority with nothing more
9 than a cursory citation. Lacking is any plausible allegation that June has ever been restricted from
10 communicating with her family. The only argument advanced by Petitioners are examples of
11 “Robyn receiving no telephone calls from June.” (Pet. at ¶ 58(a)-(e)). Lacking is any authority
12 requiring June to call Robyn. While it is unfortunate Robyn doesn’t feel she is speaking to her
13 mother enough, such a situation doesn’t fall on the shoulders of Kimberly, nor does it rise to the
14 level of conduct described in NRS 159.332(1)(a). Robyn and Donna have failed to provide the
15 Court with evidence that their attempts to speak with June have gone unanswered. Such evidence
16 would include (1) records indicating June and/or Kimberly constantly ignore telephone calls; or
17 (2) records indicating June has not seen or communicated with her family.

18 Moreover, while Kimberly avoids responding to every conceivable position of opinion
19 advanced by Petitioners, Kimberly notes that Donna’s representations to this Court are nothing
20 short of misleading. (Pet. at ¶ 43 stating “Donna has not seen or spoke to Ms. Jones for a very long
21 time.”). Donna has had extensive communication and in-person visits with June. A sampling of
22 those visits and communications are as follows:^{2 3}

- 23 • December 30, 2019: Donna was staying at Green Valley Ranch Hotel, she asked if
24 she could see June, picked up June from her house, and later that evening Kimberly
25 drove to Green Valley Ranch and pick June up. Donna was supposed to see June
again the next day, December 30, but Donna canceled.

26 _____
27 ² Kimberly verifies each of these facts pursuant to NRS 53.045, see *infra*.

28 ³ See Text Messages between Kimberly and Donna, attached as **Exhibit 1**.

- 1 • January 13, 2020: Kimberly texted Donna letting her know she was in California
2 and asked if she wanted to see June. The three of them spend considerable in-person
time together from January 15 to January 16.
- 3 • February 22, 2019: Kimberly offered to bring June to California on the February
4 26 for a few days. Donna would not commit to seeing June on any particular day.
Thereafter, on February 23, 2020, after she was asked again, Donna responded that
5 she couldn't see June anytime soon, because life was too chaotic.
- 6 • February 25, 2020: June and Kimberly contacted Donna to get dinner, but Donna
refused.
- 7 • February 26, 2020: June called and texted Donna, but Donna would not agree to
8 see June or answer the phone. Donna's only concern was where June's phone was.
- 9 • April 12, 2020: Kimberly texted Donna to let her know June was calling her, Donna
didn't answer.
- 10 • May 11, 2020: Kimberly texted Donna to let her know June was calling. Donna
didn't answer.
- 11 • September 17, 2020: Kimberly called and texted Donna regarding dinner.
12 Kimberly, June, and Donna all had dinner together.
- 13 • September 18, 2020: Kimberly asked Donna if she wanted to see June between
14 October 19, 2020 through October 21, 2020. On or about September 19, 2020,
Donna and Kimberly agreed that they both would communicate with one another
15 when they were coming to Las Vegas or going to Orange County, CA.
- 16 • October 19, 2020 through the October 21, 2020: Kimberly dropped June off at
17 Donna's house California. June, Donna, and some of Donna's family went on a
boat ride on the lake. Kimberly talked to Donna and said she didn't want any
visitation or schedule; she didn't want to be involved with texting either and we
18 agreed to just call each to coordinate visits with June.
- 19 • November 30, 2020: Kimberly took June over to Donna's house in California.
- 20 • December 24, 2020: June called Donna on Christmas Eve. Donna didn't answer so
Kimberly made a video of June singing a Christmas Carol and sent it. Donna and
her son sent one back in return.

21
22 As for June communicating with the rest of her family and friends, June has extensive and
23 regular communication via Facetime and telephone calls. Kimberly has never refused contact with
24 June when her family calls or comes to visit. This includes, but is not limited to, June's brother
25 Dawn, his wife Judy, and granddaughter Jennifer, daughter Teri, son-in law Jack, Donna,
26 granddaughter Tiffany, former co-worker and friend Marilyn, and anybody else who calls her.⁴ It

27
28 ⁴ See e.g., Declaration of Teri Butler, attached as **Exhibit 2**.

1 is unnecessary to canvas June on these issues. June's attorney can request this information and
2 make a diligent investigation into the allegations raised by Petitioners address any such concerns
3 with the Court as she feels necessary.

4 To the extent Petitioners assert that NRS 200.5092(4) provides them any authority for the
5 relief sought, that too is incorrect. NRS 200.5092 is a criminal statute governing exploitation and
6 isolation, where a person is restricted from having contact with another person. Again, no such
7 action has ever occurred in the case of June. Kimberly equally assists June is speaking to her entire
8 family, which includes Petitioners. June has been persistent that Petitioners should have the same
9 access June's other family members have—the unobstructed ability to call, visit, and ask her to
10 see them. This is exactly what has happened. Separately, no private right of action rests in NRS
11 200.5092.

12 To the extent Petitioner asserts that June is being "isolated" to such an extent that June's
13 health and safety cannot be confirmed, such claims are serious allegations, unfounded, and not
14 cured through a visitation schedule. Should this Court feel June is not safe with Kimberly, the
15 Court must employ other measures to ensure June is properly cared for. As stated, June has
16 extensive communication with her court appointed counsel, family members, and regularly travels
17 to see her family. If the concern is "isolation" and "danger" a visitation schedule for two of June's
18 daughters doesn't change that.

19 The crux of this dispute is that June's wishes must be followed to the greatest extent
20 possible. Pursuant to NRS 159.328(1)(i), June is entitled to make decisions regarding her social
21 life and interaction to the greatest extent possible. Petitioners' personal preference, opinion, and
22 desires do not limit these protections afforded to June.

23 **B. THE COURT SHOULD DEFER TO JUNE AND HER COUNSEL AS TO**
24 **WHAT METHOD OF COMMUNICATION SHE PREFERS.**

25 Petitioners seek the use of Talking Parents. As stated, Kimberly defers to the Court's
26 decision on this issue, but has extensive concerns. First, Kimberly should not be required to take
27 any special action as it applies to communication between Petitioners and June. Rather, Petitioners
28 should have the same access to June as the rest of her family has. Neither June, nor Kimberly want

1 to be burdened with set schedules or unilateral visitation demands. Second, this Court must realize
2 that Kimberly is already subject to an immense task in caring for June. June requires constant
3 supervision and support and is involved in extensive adversarial litigation. It is inappropriate to
4 also place the burden of coordinating every visit with Petitioners on the shoulders of Kimberly.
5 Moreover, the very antidote proposed by Petitioner to solve the non-existent problem of visitation
6 would not help June, it would further harm her. June has asked to participate in her social life,
7 enjoys communicating with her children, and she benefits from having this limited ability to
8 control her life. Petitioner's request to take the remaining independence from June is exactly
9 opposite of what is in her best interest and what she desires.

10 Finally, to the extent a third-party application is assigned to the parties in this case,
11 Kimberly requests that no specific time-frame or "check-in" be required and asks the Court to
12 clarify what information would have to be transmitted on the application. Petitioners have no
13 heightened right to information as it applies to June. Kimberly reports to this Court, not every
14 individual family member affiliated with June. It would be highly burdensome for Kimberly to
15 have to provide detailed updates at the tip of a hat to any family member affiliated with June. To
16 the extent the Court wants a third-party application to serve as an overview of Kimberly providing
17 general updates on June, fine. However, Kimberly should not be inundated with requests for
18 information and demands for immediate responses from Petitioners.

19 As for the request for mediation, Kimberly defers to June's desire on this issue. Kimberly
20 believes that mediation would not be helpful. The parties' positions are clearly stated to this Court,
21 and the Court is fully capable of handling the issues raised by Petitioners.

22 **C. PETITIONER'S REQUEST FOR FEES MUST BE DENIED AND THE**
23 **GUARDIAN'S FEES SHOULD BE AWARDED.**

24 Petitioners' seek fees pursuant to NRS 159.338. For fees to issue, this Court must find that
25 Kimberly "acted frivolously and in bad faith in prohibiting and restricting communication,
26 visitation or interaction between the relative or person of natural affection and the protected
27 person." NRS 159.338(1)(b). No such finding can issue, because none of the asserted claims of
28 restricting visitation or communication are true. What is true, is that this issue of visitation has

1 been dealt with time and time again, wherein June has made clear that her desires are contrary to
2 Petitioners. Despite this, June, through her estate and her Guardian have been required to expend
3 considerable resources opposing the Petition. Thus, should any fees be awarded, it is fees in favor
4 of June, to her Guardian, based on bad faith failing by Petitioners. *See* NRS 159.338(1)(a)(1).

5 **III. CONCLUSION**

6 Based on the foregoing, the Petition should be denied.

7
8 Dated this 25th day of January, 2021.

MARQUIS AURBACH COFFING

9
10 By /s/ James A. Beckstrom
11 Geraldine Tomich, Esq.
12 Nevada Bar No. 8369
13 James A. Beckstrom, Esq.
14 Nevada Bar No. 14032
15 10001 Park Run Drive
16 Las Vegas, Nevada 89145
17 *Attorneys for Kimberly Jones, as*
18 *Guardian of the Person and*
19 *Estate of Kathleen June Jones*
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VERIFICATION OF KIMBERLY JONES IN SUPPORT OF OPPOSITION

Pursuant to NRS § 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing content within this Opposition is true and correct.

/s/ Kimberly Jones

Kimberly Jones

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **OPPOSITION TO VERIFIED PETITION FOR
COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON**

was submitted electronically for filing and/or service with the Eighth Judicial District Court on the
25th day of January, 2021. Electronic service of the foregoing document shall be made in
accordance with the E-Service List as follows:⁵

Ty E. Kehoe, Esq.
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Attorneys for Rodney Gerald Yeoman

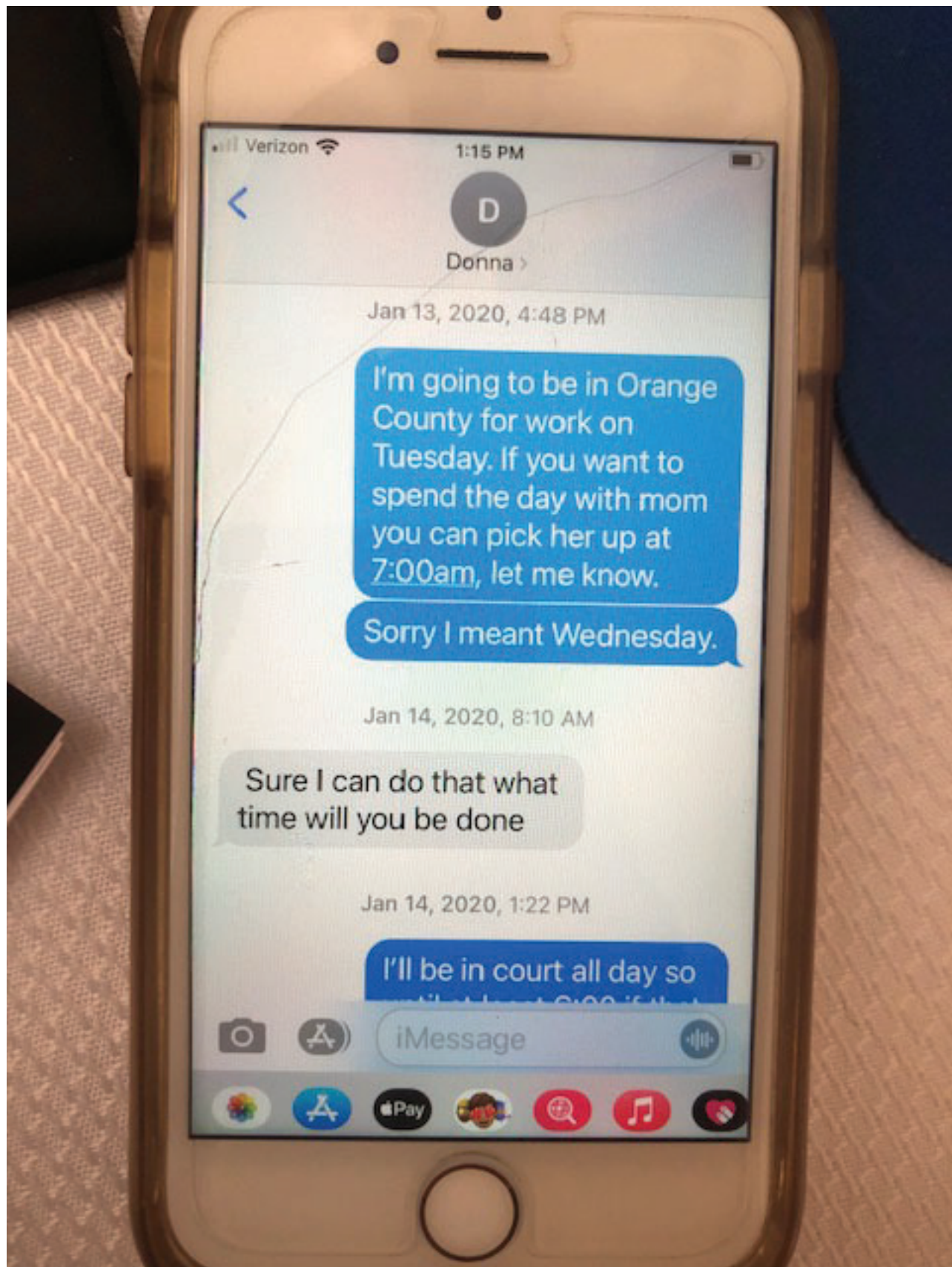
Maria L. Parra-Sandoval, Esq.
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Attorneys for Protected Person

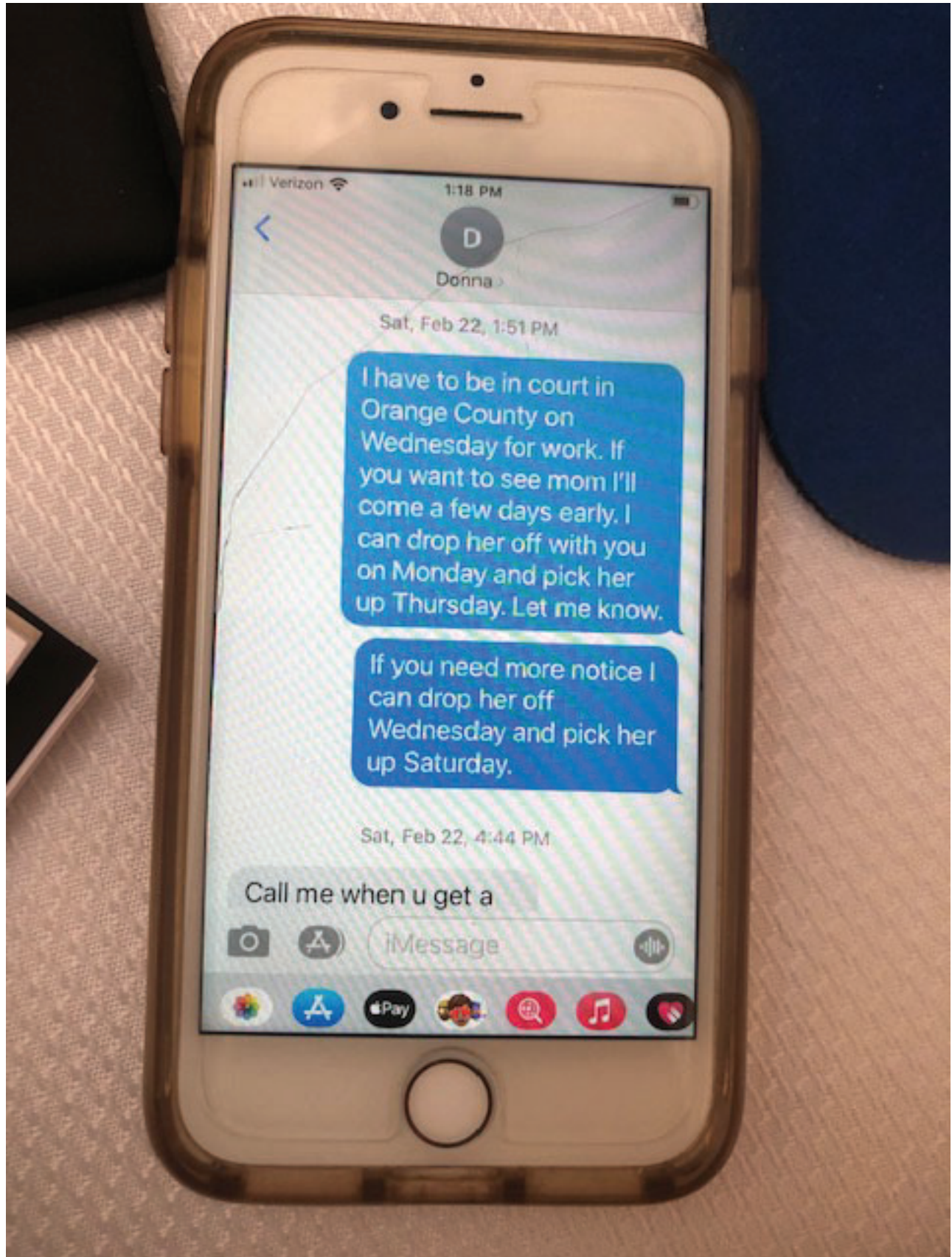
John P. Michaelson, Esq.
MICHAELSON & ASSOCIATES, LTD.
2200 Paseo Verde Parkway, Ste. 160
Henderson, NV 89052
Attorneys for Robyn Friedman and Donna Simmons

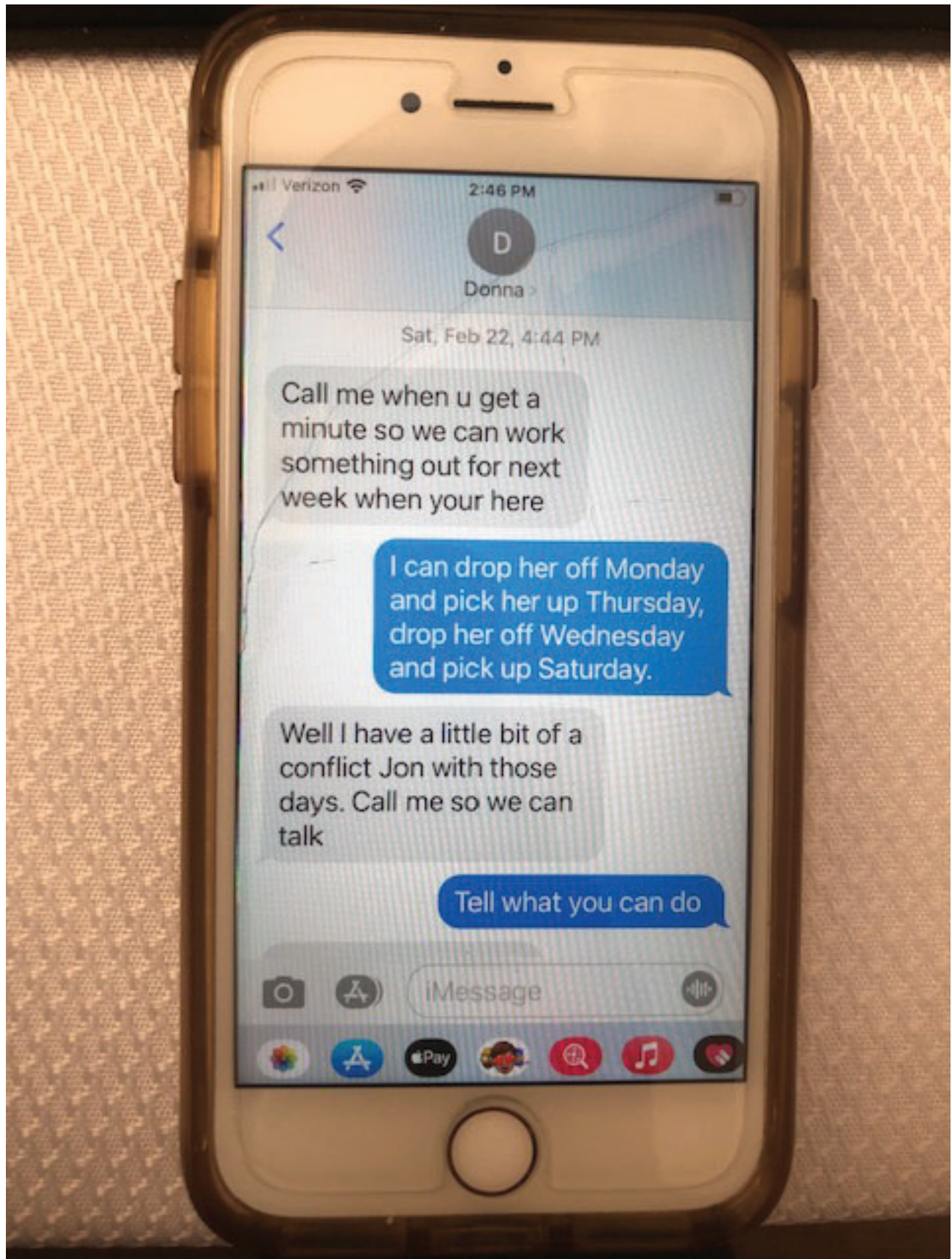
/s/ Cheryl Becnel
An employee of Marquis Aurbach Coffing

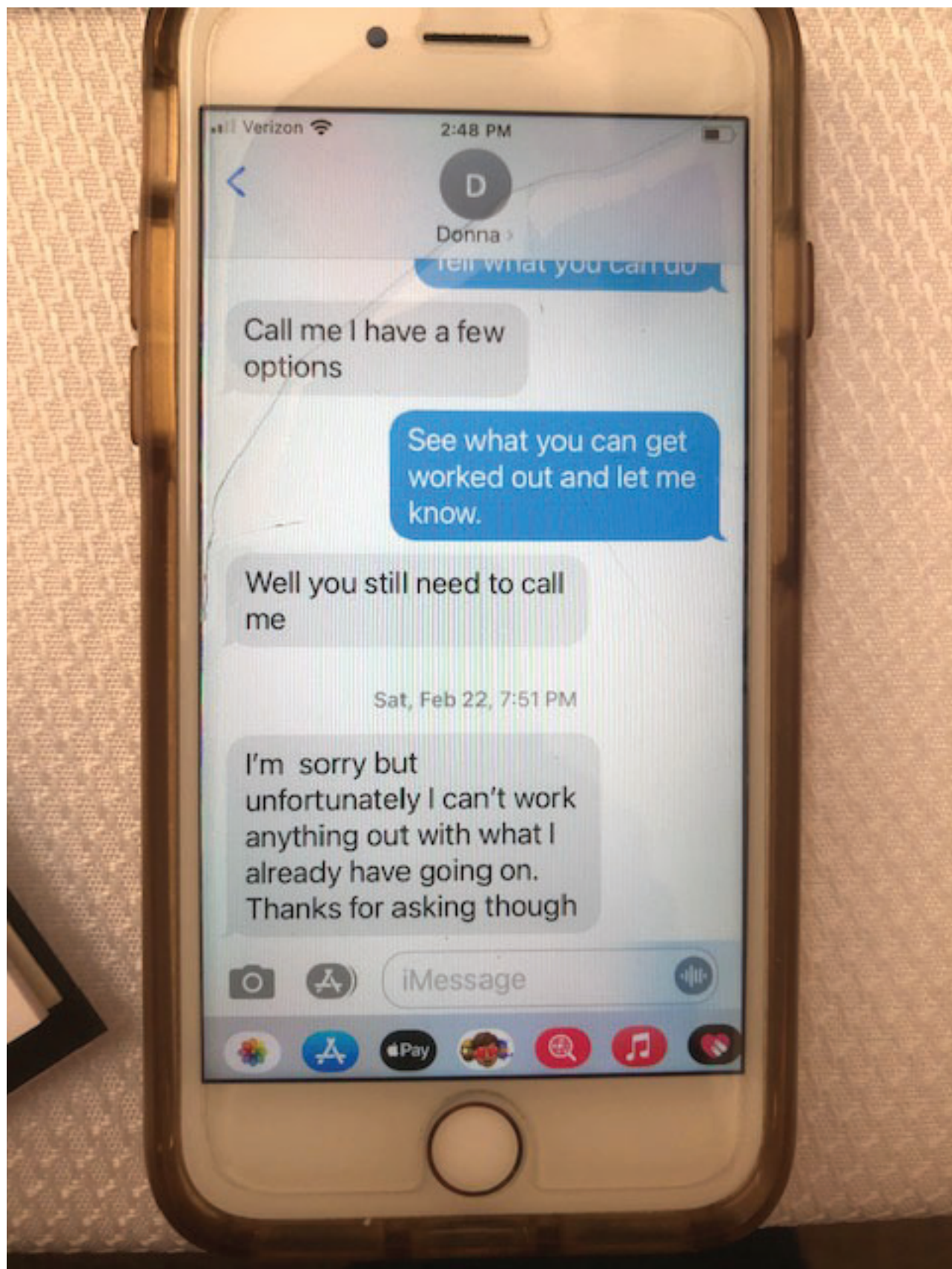
⁵ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

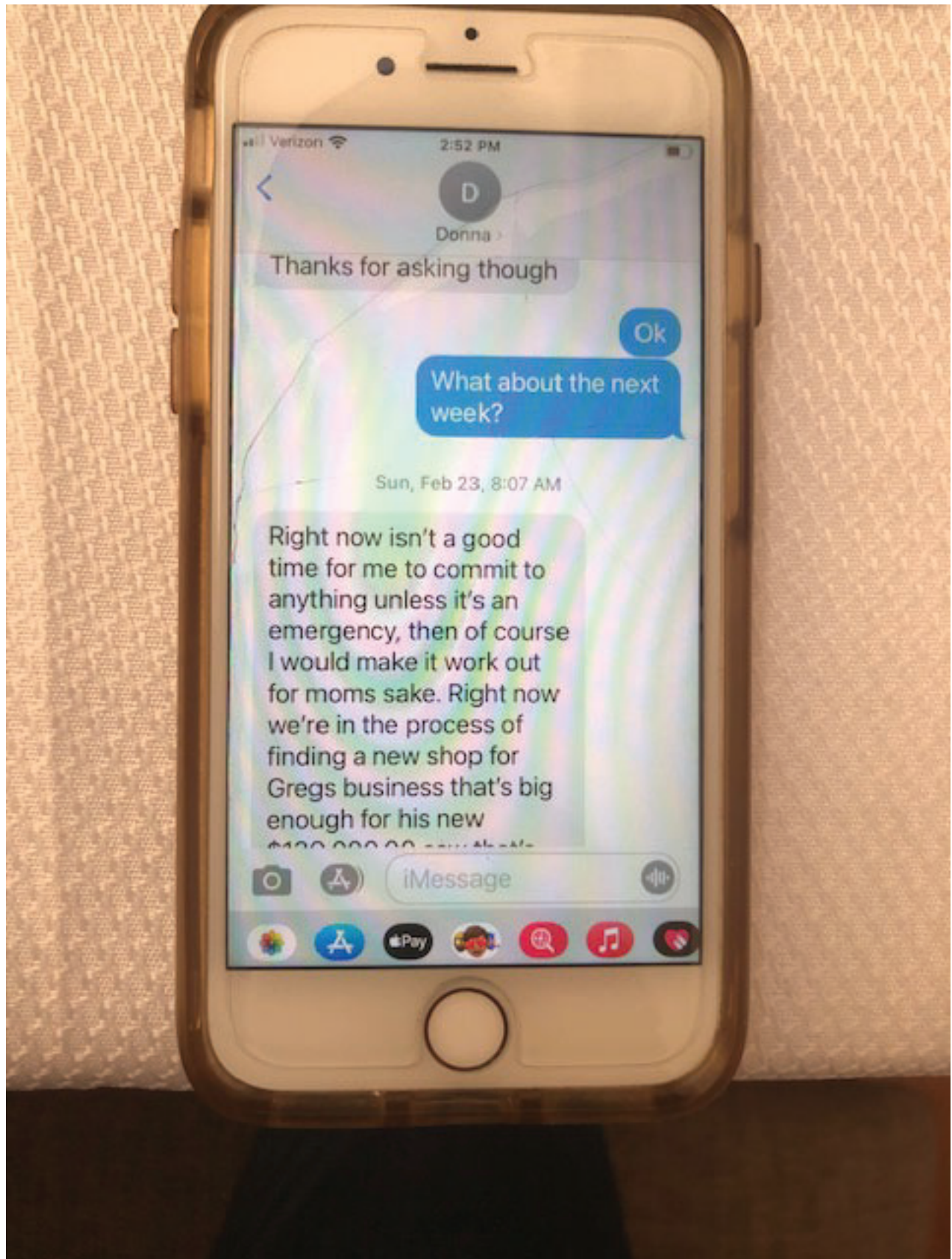
Exhibit 1

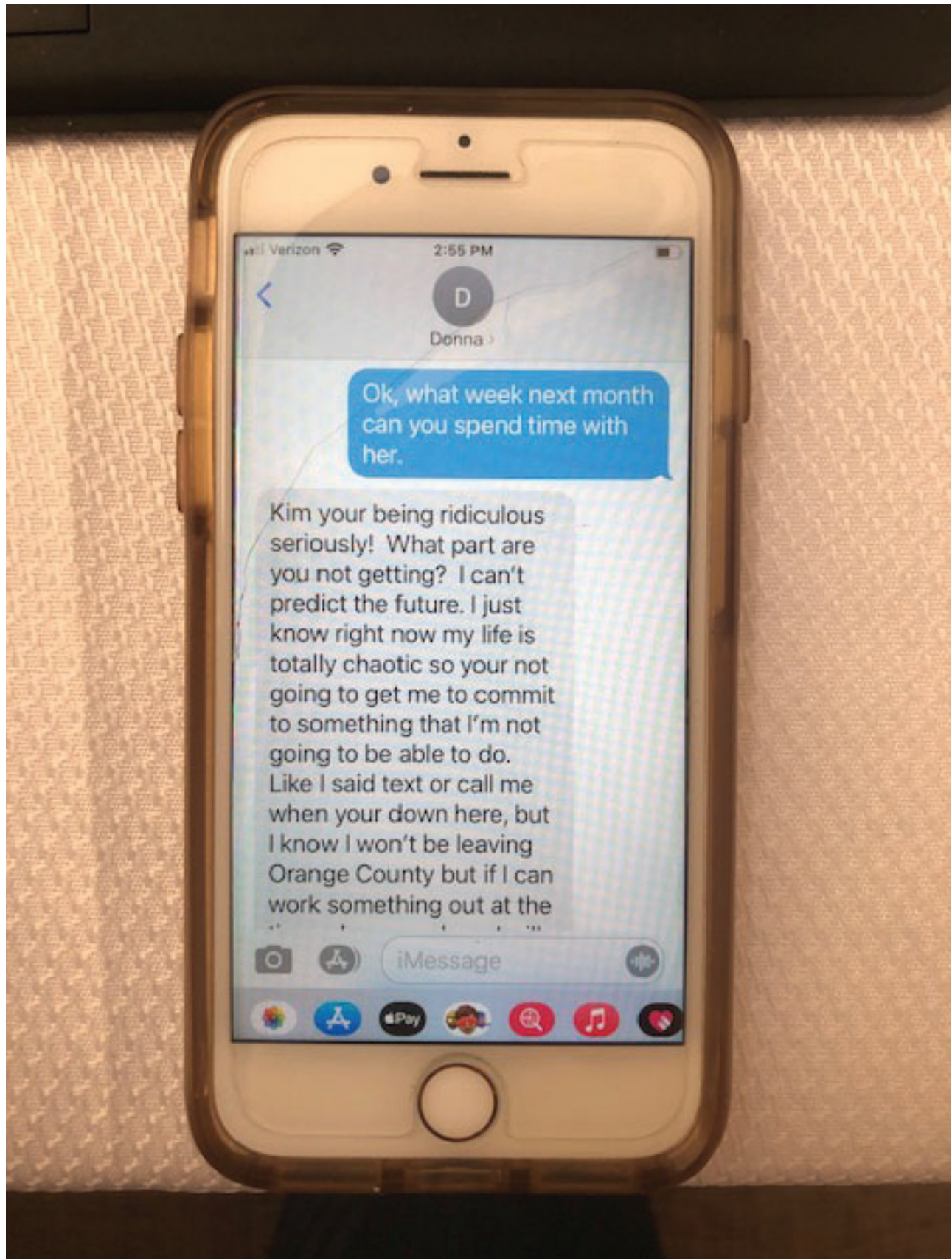








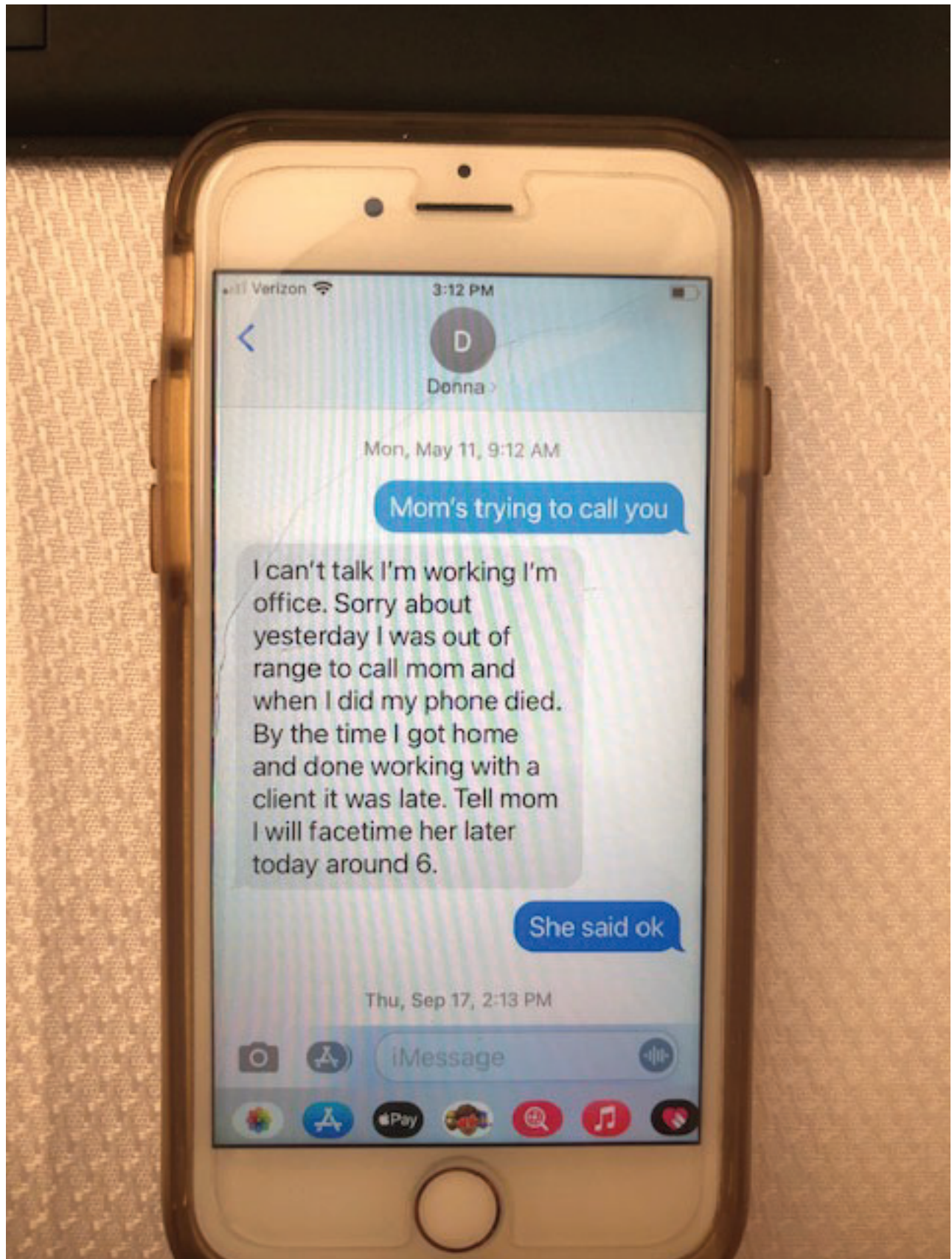


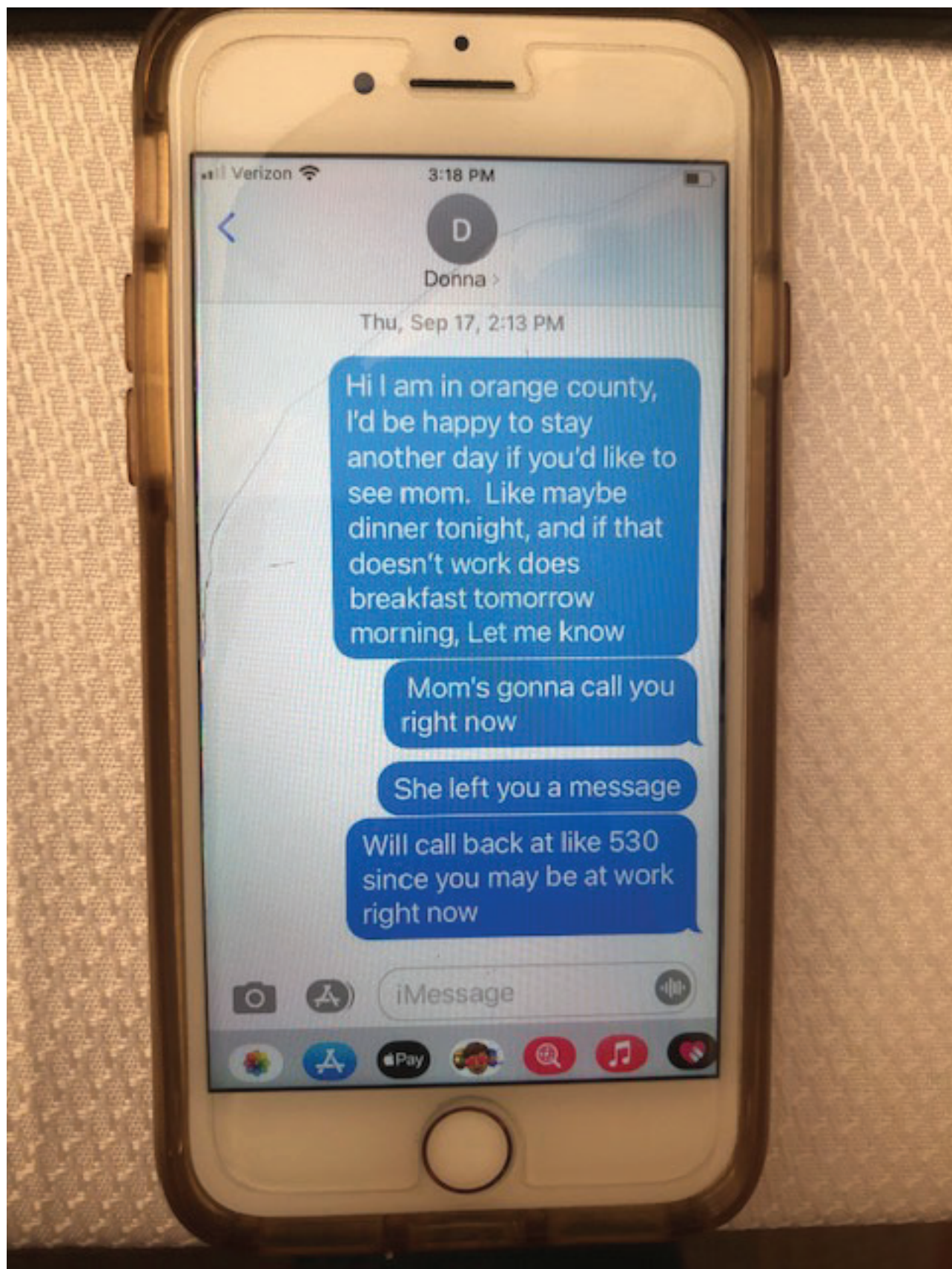


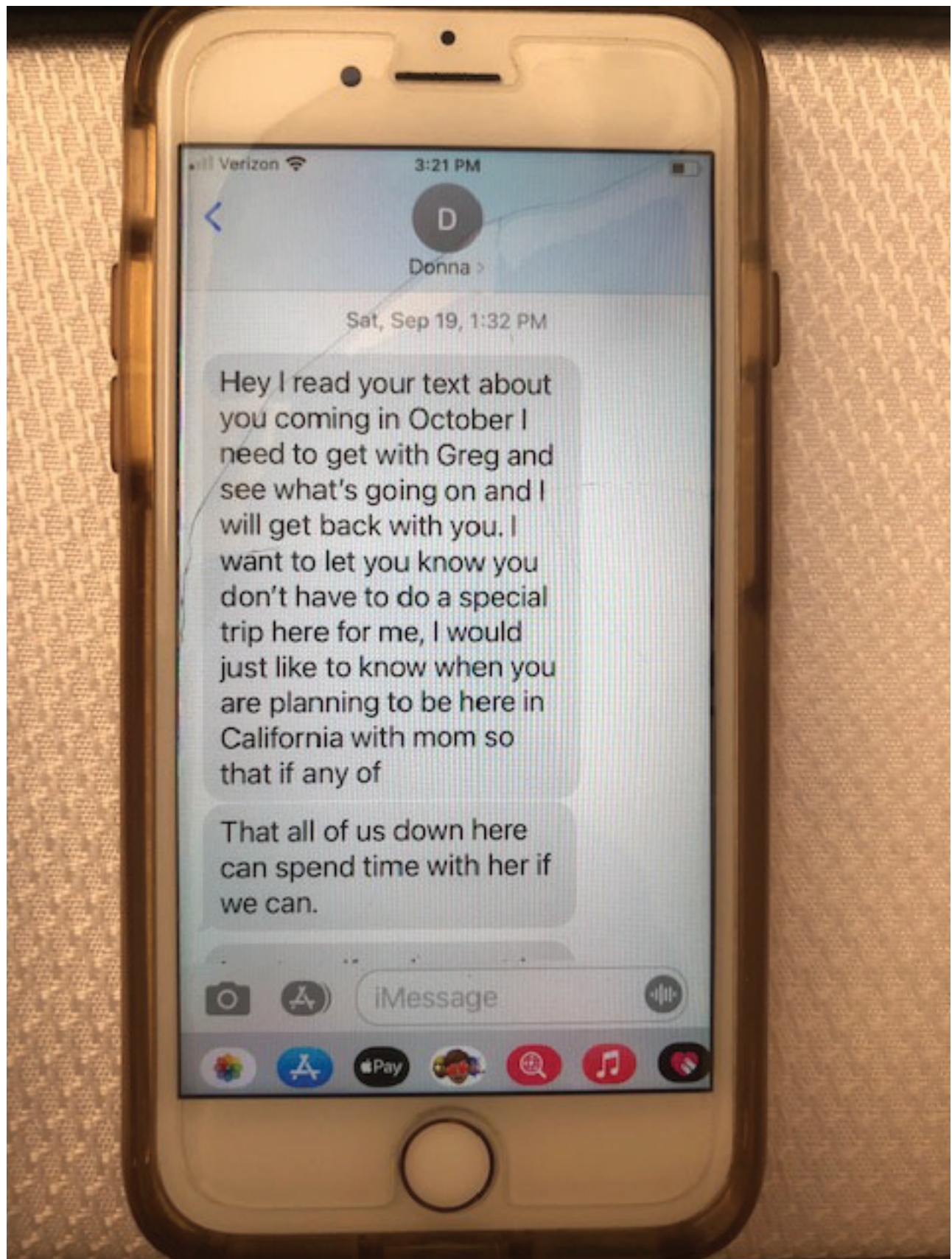












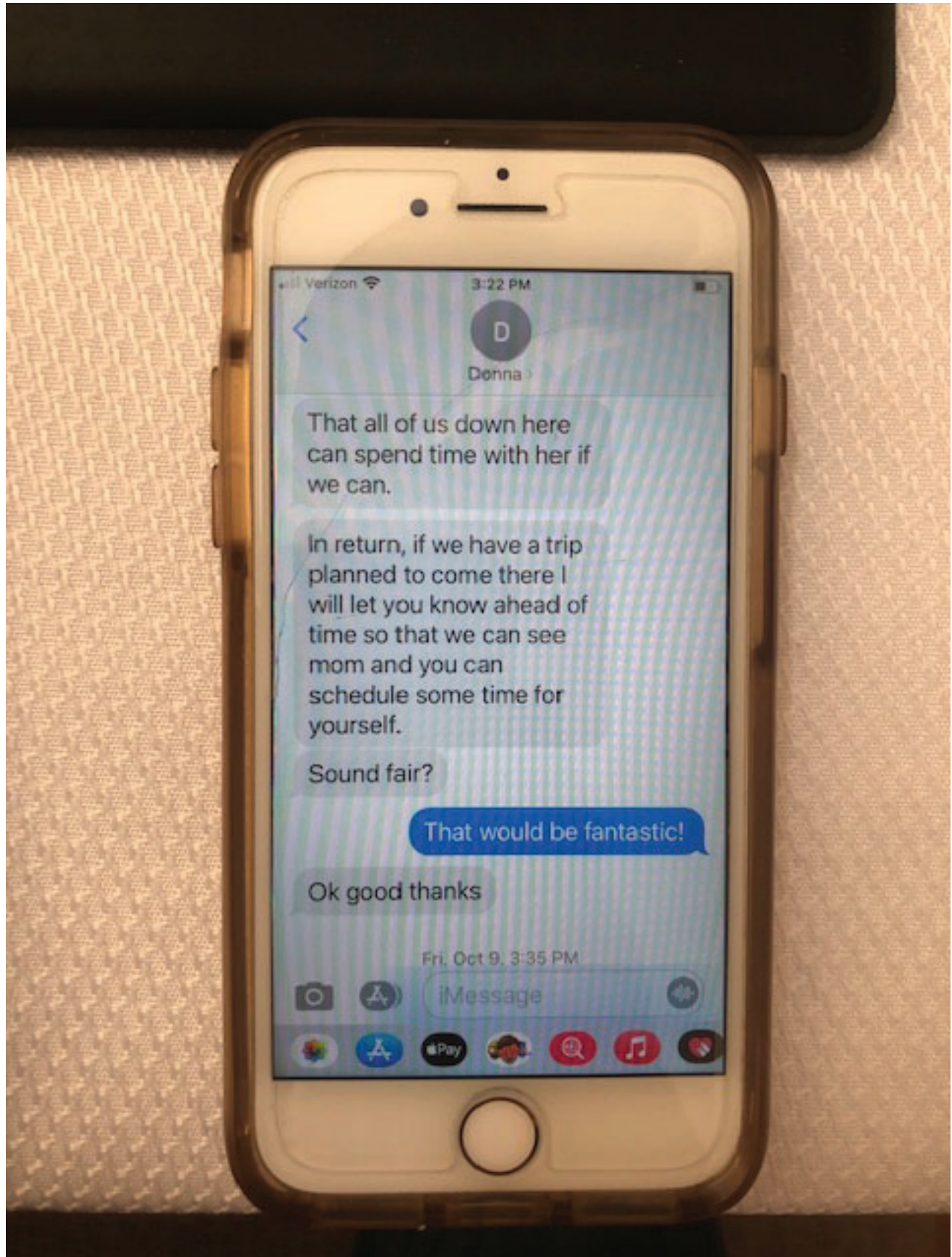


Exhibit 2

DECLARATION OF TERI BUTLER

Teri Butler, declares as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true. I am competent to testify as to the facts stated herein in a court of law and will so testify if called upon.

2. I have reviewed Robyn Friedman and Donna Simmons' Verified Petition for Communication, Visits, and Vacation Time with Protected Person.

3. I am the daughter of June Jones.

4. I live in Arizona, but regularly Facetime with my mother, speak with her on the phone, and visit her.

5. My husband and two kids also regularly communicate with June through these methods of communication.

6. I regularly speak to Kimberly regarding my mom's health, social life, and the status of the Guardianship proceedings.

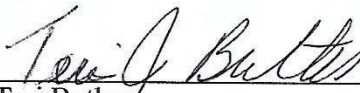
7. I have seen my mom in person approximately ten times in the last year.

8. When I have seen my mom, she has never expressed concerns of being isolated or not seeing her other children.

9. I do not feel my mother is being isolated by Kimberly and I believe Kimberly has and continues to do a wonderful job in ensuring my mother has had access to her entire family.

Pursuant to NRS § 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this 24 day of January, 2020.


Teri Butler



ROPP

John P. Michaelson, Esq.
Nevada Bar No. 7822
Email: john@michaelsonlaw.com
Ammon E. Francom, Esq.
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Fax: (702) 731-2337
Counsel for Robyn Friedman and Donna Simmons

DISTRICT COURT

CLARK COUNTY, NEVADA

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

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A

Department: B

Date of Hearing: February 11, 2021

Time of Hearing: 9:30 a.m.

PETITIONERS' OMNIBUS REPLY TO:

**(1) KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR
COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON;**

AND

**(2) KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR
COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON**

☐ TEMPORARY GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☒ GENERAL GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☒ Person and Estate

☐ SPECIAL GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☐ NOTICES / SAFEGUARDS

☐ Blocked Account

☐ Bond Posted

☐ Public Guardian Bond

COMES NOW Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and
"Donna"), as family members and interested parties in this matter, by and through the law firm,

1 Michaelson & Associates, Ltd., who respectfully submit to this Honorable Court this Omnibus
2 Reply to: (1) Kimberly Jones' Opposition to Verified Petition for Communication, Visits, and
3 Vacation Time with Protected Person ("Kim's Opposition"); and (2) Kathleen June Jones'
4 Opposition to Verified Petition for Communication, Visits, and Vacation Time with Protected
5 Person (LACSN's Opposition"), and hereby represent the following:

6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **I. Introduction**

8 1. This matter is caught in an endless loop that requires Court intervention to break the cycle
9 so all parties can move on. All parties agree that there is a guardianship for a reason. Counsel for
10 the protected person agrees that Ms. Jones has a diminished capacity and even lacks capacity for
11 certain activities. Counsel for the protected person also attached an email as Exhibit A where the
12 same counsel admits that Ms. Jones has memory issues. Counsel for the guardian admits that Ms.
13 Jones "requires constant supervision and support." See Kim's Opposition at 8:2-3. As Counsel
14 for the protected person states, the issue before the Court is one of "grown women refus[ing] to
15 work together with what should be simple logistics for setting up communication when June
16 wishes to see a family member." See LACSN's Opposition at 6:5-7. With these admissions, it is
17 astonishing that both attorneys stubbornly advance a broken, false, and repackaged narrative with
18 the request that Court should not order the guardian to follow "simple logistics." In fact, counsel
19 for both parties continue to talk past Petitioners' concerns and skip over the large majority of the
20 points, facts, stories, and evidence presented by Petitioners in favor of a fabricated narrative.

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22 2. Petitioners only request that the Court order these "simple logistics" to ensure Ms. Jones'
23 rights are protected. Contrary to LACSN's Opposition, Ms. Jones has repeatedly told Robyn that
24 she wants to see and spend time with Robyn. When the stars align and Robyn gets time with her
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1 mother, Ms. Jones has a lot of fun with Robyn's family. LACSN's narrative to the contrary – that
2 Ms. Jones hates Robyn, and no one should be surprised that Ms. Jones doesn't want to spend
3 time with Robyn – underlines and emphasizes the extreme disconnect between what counsel is
4 representing to the Court and what Petitioners are experiencing in reality. All Petitioners want is
5 for the Court to see the disconnect and to implement "simple logistics" for how situations will be
6 handled when Ms. Jones tells Petitioners that she wants to see them. Accordingly, Petitioners
7 simply request that the Court intervene, utilize specific tools available to the Court and within the
8 Court's discretion, and resolve the endless loop.

9 **II. Legal Argument**

10 **A. There is a Strong Disconnect Between Reality and What Counsel Represents to this** 11 **Court**

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13 3. As stated above, there is an extreme disconnect between what Counsel for the Protected
14 Person is representing to the Court and what Petitioners are experiencing in reality. Counsel for
15 the Protected Person states that Ms. Jones hates Robyn for what she is doing in this case and no
16 one should be surprised that Ms. Jones does not want to see Robyn. *See* LACSN's Opposition at
17 6:11-7:3. That is the exact opposite of what is playing out in reality.

18 4. Ms. Jones enjoys spending time with Robyn and her family. At times, Kim will assist in
19 planning and carrying out these visits between Robyn and Ms. Jones. When this happens, Ms.
20 Jones has a lot of fun with Robyn's family. For example, Robyn and her family rented a slingshot
21 car for a recent visit with Ms. Jones. Riding in one of those vehicles is something Ms. Jones has
22 mentioned she would like to try. Attached as Exhibit A to this Reply is a video from that recent
23 visit showing Ms. Jones having a lot of fun as she drives around town with Robyn's family.
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1 5. The problem is that Ms. Jones lacks the capacity to plan and follow through with visits on
2 her own. Ms. Jones repeatedly informs Robyn that she would like to see Robyn. In fact, Ms. Jones
3 has never informed Robyn that she does not want to see Robyn. The Petition is replete with recent
4 example after example of Ms. Jones telling Robyn that she wants to visit. When this happens,
5 Robyn tries to get Ms. Jones to plan a visit. The problem is that Ms. Jones lacks the capacity to do
6 so. She lacks capacity to take her desire to the next level and do something about it. Without the
7 guardian's assistance, Ms. Jones reverts to telling Robyn to call back later to plan the visit. Without
8 "simple logistics," fulfilling Ms. Jones' stated desire to see her daughter cannot and will not happen
9 because Ms. Jones cannot handle planning and carrying out visits.

10 6. Regardless of what the Oppositions say, the Petition is not about treating Ms. Jones like a
11 child. The Petition is not about forcing Ms. Jones to do things that she does not want to do. The
12 Petition is not about disregarding Ms. Jones' wishes. The Petition is about how to handle the
13 "simple logistics" of helping Ms. Jones when she expresses her desire to her daughters that she
14 wants to see them.

15 7. Indeed, LACSN's and Kim's own statements are an example of this disconnect. For
16 example, Ms. Parra-Sandoval repeatedly states to the Court that Ms. Jones continues to forget that
17 she lost the home located at 277 Kraft Avenue, Las Vegas, Nevada 89130 (the "Kraft Property")
18 and that Ms. Parra-Sandoval has to constantly re-explain the situation to Ms. Jones every time it
19 comes up. Ms. Parra-Sandoval informed this Court that she is the one that informed Ms. Jones that
20 her husband died. LACSN's Opposition Exhibit A confirmed Ms. Parra-Sandoval's belief that Ms.
21 Jones suffers from memory issues. Kim's Opposition concedes that Ms. Jones requires constant
22 care and supervision. Yet, Ms. Parra-Sandoval now asks the Court to believe that Ms. Jones is
23 capable of reading and comprehending all of the pleadings and papers filed in this matter on her
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1 own without assistance. The reality is likely that Ms. Jones is getting her opinion from what she is
2 being told by LACSN and Kim. Ms. Jones is mirroring and echoing what she is explained while
3 being used by Kim and LACSN to push their own agendas. It is entirely irresponsible for Kim and
4 LACSN to push this false reality that Ms. Jones is fully capable of providing for herself even after
5 admitting that Ms. Jones suffers from memory issues, lacks capacity for certain activities, requires
6 assistance to attend medical and legal appointments, and requires constant care and supervision.

7 8. Because of the extreme disconnect between reality and what is being represented to this
8 Court by counsel for the guardian and the LACSN attorney, Petitioners strongly urge this Court to
9 utilize tools available to the Court to make a finding as to what is really going on. This is in the
10 best interest of everyone involved – especially Ms. Jones.

11 **B. Petitioners' Requests Are a Protection and Enforcement of the Protected Person's**
12 **Bill of Rights**

13 9. This Court has authority to enforce the Protected Person's Bill of Rights on behalf of Ms.
14 Jones. *See* NRS 159.327 through NRS 159.329.

15 10. Under NRS 159.328(d), Ms. Jones has the right for Robyn and Donna, as family members
16 and interested parties, to raise issues of concern, including issues relating to a conflict with a
17 guardian. Robyn and Donna are doing just that- raising concerns that Ms. Jones is unable to
18 schedule visits with family on her own and follow through with those visits. This is simply
19 something Ms. Jones cannot do for herself and that Kim Jones needs to do for her, as Ms. Jones'
20 guardian, to comply with the Protected Persons Bill of Rights.

21 11. As has been stated repeatedly, upon information and belief, the guardian facilitates Ms.
22 Jones' visits and other dealings with medical professionals and the court, among many others. Ms.
23 Jones does not remember court hearing dates, get herself ready, and get to court or log in to
24 BlueJeans on her own.
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1 12. The Petition shows that Petitioners are trying to have meaningful communication and visits
2 with their mother, Ms. Jones, during Ms. Jones' last years on this earth, and that Petitioners are
3 having to fight against Kimberly's refusal to assist Ms. Jones with these contacts, along with
4 Kimberly's undermining and interference with their communications and visits with Ms. Jones.

5 13. Under NRS 159.328(g), Ms. Jones has the right to have due consideration given to her
6 current and previously stated desires regarding communication, visits and vacation time with
7 family members other than those preferred by Kimberly. As stated above, though communications
8 between Robyn and Donna and their mother are few, in each and every instance Ms. Jones
9 continues to express her desire to see Petitioners, and Petitioners believe Ms. Jones thoroughly
10 enjoys her time with them. This reality is in stark contrast to the picture painted in the LACSN
11 Opposition – that Ms. Jones hates Robyn and should not be forced to spend time with her.
12 Accordingly, it is appropriate that the Court intervene and utilize available tools to determine what
13 Ms. Jones wants and what logistics should be utilized to assist her in having her desires met.

14 14. Under NRS 159.328(h), Ms. Jones has the right to remain as independent as possible and
15 have her preference honored if it is reasonable. What is reasonable in this case is for Ms. Jones to
16 have consistent communication and visits with Robyn and Donna that is not undermined,
17 interrupted or ignored by Kimberly. What is reasonable is for Ms. Jones to receive assistance from
18 her guardian to plan and carry out visits and communication when she expresses a desire to
19 Petitioners to do so. This is exactly what the guardian does for many others – the Court, doctors
20 and other family members. And for some reason, in the context of facilitating visits with many,
21 many other individuals and organizations, neither the guardian nor the LACSN attorney feel that
22 doing so is treating Ms. Jones "like a child". Upon information and belief, they do not tersely say
23 to a doctor's office that inquiries about an appointment "quit treating her like a child! Why don't
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1 you just call her?" Yes, Ms. Jones has the right to determine whether she wants to visit Petitioners.
2 But when she states that she does want to visit, then she equally has a right for assistance. The
3 issue here is that there is no agreed upon mechanism – no agreed upon “simple logistics” – to assist
4 Ms. Jones in these situations. Kim is given far too much leeway to unilaterally impede, block, and
5 stop these visits from occurring. And when Kim randomly decides to provide visits and
6 communication between Ms. Jones and Petitioners, Kim’s randomness and incompleteness in
7 planning makes each visit and communication a fight and deprives Ms. Jones of meaningful visits
8 and communications.

9 15. Ms. Jones does not have capacity to follow through with scheduling visits and attending
10 them without Kimberly’ assistance and oversight. Ms. Jones needs to be able to express her wishes
11 to this Court so this Court can observe for itself Ms. Jones capabilities and limitations. Even
12 LACSN and Kimberly agree that Ms. Jones lacks some capacity, requires constant supervision and
13 care, cannot work online applications, and suffers from memory issues. Moreover, Petitioners
14 submit that Ms. Jones struggles to use her cell phone on her own (supported by a video of her
15 struggles) and suffers from dementia-type behavior (such as stating that she spoke to her dead
16 husband months after he died). Yet, LACSN and Kimberly demand that this Court believe that
17 Ms. Jones can handle planning visits and communication on her own simply because she says she
18 can. This is why a Court canvass of Ms. Jones and an interview at FMC are critical.

19 20 16. Under NRS 159.328(l), Ms. Jones has the right to be treated fairly by Kimberly, including
21 having Kimberly follow through with a needed Court order governing Ms. Jones’ communication
22 and visits from family members Kimberly may dislike.

23 24 17. Under NRS 159.328(n), Ms. Jones has the right to receive telephone calls and personal
25 mail and have visitors, UNLESS Kimberly AND this Court determine that particular

1 correspondence or a particular visitor will cause harm to Ms. Jones. There is no evidence that
2 Robyn and/or Donna will cause harm to Ms. Jones, and there is no judicial determination of this.
3 Thus, Kimberly' ongoing undermining and interfering with Ms. Jones' communication and visits
4 from Robyn and Donna shown in the Petition for Communication and Visits is a violation of Ms.
5 Jones' rights. Kimberly's refusal to assist Ms. Jones' with scheduling and following through with
6 consistent communication and visits from Robyn and Donna is also a violation of Ms. Jones' right
7 to receive telephone calls and receive visitors under NRS 159.328(n).

8 18. The Declaration of Teri Butler attached as Exhibit 2 to Kimberly's Opposition shows
9 Kimberly is helping Ms. Jones to have Facetime visits, phone calls, and ten in-person visits with
10 Ms. Jones daughter, Teri Butler and her family in Arizona, despite the long distance involved. It
11 is unfortunate that Kimberly is not providing the same opportunity for Ms. Jones to communicate
12 and visit with Robyn and Donna. Rather, Petitioners are having to file a necessary Petition and get
13 a necessary Court Order for Kimberly Jones to provide equivalent facilitation for Ms. Jones to
14 have communication and visits with Petitioners and their families as Kimberly is already providing
15 for Teri Butler and her family.
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17 19. In fact, Kim's Opposition highlights and concedes the central issues presented to the Court.
18 Kim plays favorites in deciding when to assist Ms. Jones in communicating and visiting with
19 certain family members. She cherry picks who to coordinate with. Out of over fifteen family
20 members, Kim assists Ms. Jones with seeing and talking to only those who support Kim in
21 terminating the guardianship and reverting back to a power of attorney which has proven
22 ineffective to protect Ms. Jones and in getting Kim to be transparent. If you agree with Kim's
23 position, then you get visits. If you disagree, then you get left out. These other family members do
24 not even try to reach out to Kim and Ms. Jones anymore because they have been burned by Kim
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1 in the past. Kim made is so difficult for these other family members that they gave up. Kim helps
2 Ms. Jones visit and communicate with a handful of family members: Teri Butler, Teri's daughter
3 Jen, Teri's son Jon, and Donna's daughter Tiffany. On the other hand, Kim deprives a much longer
4 list of family members from communicating and visiting Ms. Jones including: Donna, Scott,
5 Cameron, Cortney, Aria, Ryan, Sadie, Eastyn, Samantha, and Ampersand. All of this highlights
6 an underlying issue which is that the Kim hates Robyn. The two did not speak for the immediate
7 five years before this guardianship matter began. Kim's preexisting issues with Robyn are the
8 cause of Kim's isolation of Ms. Jones from those who disagree with Kim. Kim should not be
9 allowed to weaponize her position as guardian against her own family.

10 20. As stated in great detail in the Petition, Ms. Jones no longer regularly communicates with
11 her family on her own. As stated in the Petition, Ms. Jones does not make any phone calls to
12 Petitioners on her own, even when Petitioners and Ms. Jones agree that the phone calls will occur.
13 The calls are non-existent. She requires assistance. Kim knows this which is why Kim will push
14 to coordinate family visits and communications when she feels like she is under Court scrutiny.
15 Then, when she does communicate, Kim will not answer basic questions. As stated in the Petition,
16 Kim will do the minimum when assisting Ms. Jones including failing to answer Petitioners'
17 questions about whether certain trips (such as going to Brian Head, UT) is safe for Ms. Jones.

18 21. The communication is so awful that Ms. Jones is being forced to abandon family traditions
19 that have lasted for 40 years. Over the last 40 years, Ms. Jones regularly contacted all of her
20 children and grandchildren on every holiday and birthday every year. With this guardianship in
21 place, those traditions have ceased or, even worse, Kim is outright rejecting or discouraging Ms.
22 Jones from making that contact. Ms. Jones is not capable of keeping these traditions on her own.
23 She needs help. She cannot operate her phone on her own. *See* Transcript of Petitioners' June 13,
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1 2020, Audio Recording of Ms. Jones wherein she confirms she does not know how to operate her
2 phone attached as Exhibit B. She cannot coordinate visits on her own. Her desire to keep these
3 traditions did not suddenly disappear. This is a prime example of where Kim should continue to
4 facilitate communication for Ms. Jones to avoid isolation. Yet, as discussed in the Petition, Robyn
5 struggled to schedule and talk to Ms. Jones on Halloween and Christmas. In fact, Robyn did not
6 get a Christmas call. It is entirely disingenuous for LACSN and Kim to insist that Ms. Jones can
7 handle these things on her own, or that suddenly she hates Robyn and Donna.

8 22. Kim previously agreed with this position. Kim previously emailed all of Ms. Jones' family
9 at the beginning informing everyone that Ms. Jones loves phone calls. Now, Kim deprives Ms.
10 Jones of what Kim knows Ms. Jones loves. The course correction is simple. Kim needs to assist
11 Ms. Jones in dialing phone numbers for Ms. Jones regularly.

12 23. Petitioners wish to aid Ms. Jones with finances, money, groceries, and clothes. To do this,
13 Petitioners need Kim to communicate to them what Ms. Jones needs. Petitioners have no idea if
14 she needs help with bills, groceries, or clothing. At one point, Robyn was sending groceries on a
15 regular basis to Ms. Jones, but Kim shut that down. At another time, Robyn tried to help Ms. Jones
16 buy some clothes, but Kim made the experience a nightmare. Petitioners are not even sure if Ms.
17 Jones needs help getting the Covid-19 vaccination. Petitioners ask Ms. Jones for updates, but Ms.
18 Jones' answers are often not true because of her dementia. If Kim could not be bothered to inform
19 Ms. Jones when her husband died, Petitioners do not believe Kim would be forthcoming with
20 letting Petitioners know when Ms. Jones wants to visit.

21 24. Additionally, Petitioners reiterate that Petitioners are concerned what will happen if Kim
22 moves Ms. Jones to California. Petitioners have not brought this Petition lightly. Petitioners have
23 exhausted a year trying to make visits and communication happen without court intervention.
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1 Petitioners want to ensure that if Kim moves to California, then Petitioners will not be out in the
2 cold completely and have to do this all over again in California. Accordingly, the Court's
3 intervention is warranted to ensure that an appropriate system for "simple logistics" is in place
4 even should Ms. Jones' residence change.

5 **C. The Oppositions Misconstrue and Misapply NRS Chapter 159 Behind a False**
6 **Narrative**

7 25. Both oppositions contend that Petitioners are seeking to simplify their own lives at the
8 expense of forcing Ms. Jones to do things she does not want to do. These arguments are meritless
9 and ignore the multiple examples provided in the Petition. At issue in the Petition are three
10 situations that Petitioners seek to correct: 1) situations where Ms. Jones expresses a desire to Robyn
11 or Donna that she wants to visit either of them or their families, but then struggles and fails to
12 actually plan and carry out the visit; 2) situations where Kim interferes, interrupts, stops, or
13 precludes visits between Ms. Jones and Petitioners from occurring; and 3) Kim's last minute
14 invitations to Petitioners to see their mother which deprives Ms. Jones of meaningful visits and
15 forces Petitioners to literally drop everything at a moment's notice if they want to see Ms. Jones.
16 Petitioners are in no way trying to force Ms. Jones to visit them when she does not want to – even
17 though this is the only scenario that either opposition discusses.

18 26. To further confuse this Court, Kimberly includes a misleading list, on page 6 of Kimberly's
19 Opposition regarding communication and visits with Donna, because many of the items listed
20 coincide with when Kimberly knew she was under scrutiny following the September hearing when
21 her reluctance and refusal to allow for visits with Robyn and Donna were brought to this Court's
22 attention. In fact, Petitioners believe most of the relatively few instances of Kim randomly reaching
23 out coincide with discussions between attorneys and Petitioners' complaints about the lack of visits
24 and clear communication. Her list reinforces Petitioners' argument that she behaves better and
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1 follows through with communication when the Court and attorneys are involved, but will return to
2 wallowing in ignoring, undermining and interrupting once she is no longer under scrutiny.

3 27. The arguments in LACSN's Opposition under NRS 159.328(h) are misguided. Ms. Jones'
4 preferences are not really known to this Court, just other persons' interpretation of them, and Ms.
5 Jones does not have capacity to be fully in the driver's seat in this case. There is a guardianship
6 for a reason, and it is not because Ms. Jones has the capacity to fully drive the vehicle. Ms. Jones
7 has never communicated to either Robyn or Donna that she does not want to speak with them or
8 that she does not want a Court order governing her communication with them, even though because
9 of Kimberly's intransigence they ask their mother about this regularly. On the contrary, Ms. Jones
10 has only ever expressed a desire to Petitioners that she wants to see and talk to them. It is extremely
11 frustrating to Petitioners that they are constantly told by Ms. Parra-Sandoval and Mr. Beckstrom
12 that what they are hearing directly from Ms. Jones is a lie and fabrication of their imagination, that
13 Ms. Jones really does not want to see them, that Ms. Jones may even hate them for their actions in
14 this case, and that their protests and evidence to the contrary should be silenced and labeled as
15 selfish. For these reasons, it is incumbent upon the Court to use available tools to figure out which
16 side of the coin is correct – to refuse to act would be an infringement on Ms. Jones' Bill of Rights
17 guarantees.
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19 28. The arguments in LACSN's Opposition under NRS 159.328(i) are also misguided. Under
20 NRS 159.328(i), Ms. Jones has the right to be granted the greatest degree of freedom possible and
21 exercise control of the aspects of her life that are not delegated to a guardian by a Court order.
22 Unfortunately, as shown in the Petition, Ms. Jones cannot schedule and follow through with visits,
23 so this aspect of her life must be delegated to Kimberly by Court Order. What the Oppositions fail
24 to state is that the only successful visits and communication occurring between Ms. Jones and her
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1 family comes from Kim's involvement. Kim's Opposition states that Donna has been getting
2 recent visits and communication with Ms. Jones. The supporting text messages show that those
3 visits and communications only occurred with Kim's condescending assistance. In short, Ms. Jones
4 will never see or communicate with any of her family members unless Kim assists Ms. Jones in
5 planning those visits even when Ms. Jones tells those other family members that she wants to visit.

6 29. Furthermore, the arguments in Kimberly's Opposition are overly specific and self-serving
7 in claiming that Petitioners are making demands for schedules and requirements on Kimberly when
8 Petitioners are simply letting the Court know what may work for all involved in these
9 circumstances. These suggestions are basically methodologies the Court may order to get
10 Kimberly to facilitate access and communication for Ms. Jones in like manner as she is apparently
11 already providing for Teri Butler. If not a schedule, then there should be some "simple logistics"
12 to ensure meaningful visits and communication between Ms. Jones and Petitioners.

13 30. Interestingly, the arguments in both LACSN's Opposition and Kim's Opposition are overly
14 generalized in that they lack any specificity in responding to the detailed accounts of Kimberly's
15 ignoring, undermining, and interrupting Robyn's and Donna's communication and visits with Ms.
16 Jones shown in the Petition. Kim does not deny that she makes last minute changes to Ms. Jones'
17 plans to deprive Kim's sisters of vacations and visits with June. Kim does not deny that Kim yelled
18 Robyn and her family out of Ms. Jones' home. Kim does not allege that any of the specific
19 examples in the Petition are false or did not happen. Likewise, LACSN's Opposition is devoid of
20 any similar denials from Ms. Jones. This lack of response shows the accounts provided in the
21 Petition are accurate, confirms Kimberly's tendency to isolate Ms. Jones from Robyn and from
22 Donna particularly when Kimberly is not under scrutiny, and supports allegations that NRS
23 200.5092(4) is being violated.
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1 31. LACSN's self-serving approach to this case is most readily visible in LACSN's Opposition
2 argument regarding the attorney fee appeal and the lien for fees. LACSN does not want this Court
3 to canvass Ms. Jones or for Ms. Jones to have an FMC interview, which LACSN terms to be an
4 "interrogation," because these are the very tools that would show this Court Ms. Jones' inability
5 to follow through in scheduling and attending visits, and by extension, Ms. Jones' inability to
6 direct her court-appointed counsel regarding an appeal. Petitioners firmly believe the push for the
7 appeal came from LACSN's upper management, utilizing and manipulating Ms. Jones' diminished
8 capacity for its own gain. In other words, LACSN is pushing its own political agenda at the expense
9 of a mother getting quality time with her daughters – doing so regardless of what kind of false
10 story it has to tell.

11 32. It is also important to note that the statements in LACSN's Opposition very conveniently
12 leave out the fact that the judgment for attorney's fees this Court ordered are simply filed as a lien
13 against the property in California, as requested of this Court and fully litigated. No proceeding was
14 started in California to enforce the lien, and the lien will only be paid when the home is sold, and
15 Ms. Jones is not in need of the proceeds, which makes the prospects of any recovery of Petitioners'
16 fees highly unlikely. Again, the fact that all of this is left out of the Opposition likely indicates it
17 was also left out of any explanation provided to Ms. Jones for her consideration and direction.

18 33. Accordingly, the Oppositions advocate for the Court to adhere to NRS 159 and protect Ms.
19 Jones' guarantees under the Bill of Rights. Petitioners agree. NRS 159 should be followed. But
20 LACSN and Kimberly misinterpret and misapply those statutes to tell a convenient story that
21 ignores reality and the actual issues raised by Petitioners. Ms. Jones has diminished capacity and
22 memory issues, and it is past time for LACSN and Kimberly to quit the charade that she somehow
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1 has the ability to work a phone on her own – let alone plan, coordinate, schedule, and follow
2 through with visits and communication without Kim’s – her guardian’s - assistance.

3 34. Any and all fees incurred in getting a fair Order in place to protect Ms. Jones’ right to
4 communicate and visit with all her family are being incurred because of Kimberly’s ignoring,
5 undermining and interrupting of Ms. Jones’ visits with Robyn and Donna as supported in this
6 matter by the LACSN attorney. This Petition is preceded by literally a year of expensive and
7 exhausting good faith meet and confer efforts that have been met with blatant ignoring of realities
8 and pressing of false narratives that Ms. Jones can facilitate all these things without her guardian’s
9 help and that Robyn and Donna are trying to shackle their mother. Kimberly and LACSN should
10 be ordered to pay Robyn and Donna’s attorney’s fees for being forced to file this Petition.

11 35. It is literally shocking that Ms. Jones has been to visit her daughter Teri (who supports
12 Kim) 10 times! We are asked by Kim and the LACSN attorney to believe these were all facilitated
13 by Ms. Jones with no input or help from Kim.

14 36. This Court should consider asking the guardian to produce phone and text logs to confirm
15 how many times she contacts Teri versus Robyn or Donna. Petitioners hereby submit records
16 attached hereto as Exhibit *** to further demonstrate the almost complete lack of communication
17 between the guardian and Robyn and between Robyn and June. Most of the calls are Robyn
18 attempting to contact June and getting no answer or after being greeted by Ms. Jones, having Ms.
19 Jones say suddenly that she has to hang up and asking Robyn to call later. There were more
20 contacts before June 2020 and then almost nothing from Kim. The calls with June are all two
21 minutes or less the entire time. Many of the one-minute calls with Kim or June from Robyn were
22 no answer with the call just going to voicemail. There was one call with Kim in June for one
23 minute. Two calls in July. None in August. Three in September for a total of five minutes. Since
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1 Kim has been guardian, contact between Ms. Jones and her daughters Robyn and Donna has
2 declined to almost nothing.

3 37. Petitioners respectfully plead for the Court to canvas Ms. Jones for itself to determine her
4 understanding as is done with many other protected persons in various guardianship hearings.

5 38. Further, petitioners request that they be allowed to submit *in camera* a list of questions that
6 could help the Court better understand Ms. Jones' lack of capacity and understanding of her
7 situation. Indeed, Ms. Jones' LACSN attorney has stated repeatedly in these proceedings that she
8 has to remind Ms. Jones every time it comes up that her home was taken by her husband's son-in-
9 law. Petitioners are concerned that if these simple questions were provided to the guardian or Ms.
10 Jones' LACSN attorney, Ms. Jones would be coached in her answers to protect the interests and
11 arguments of LACSN and the guardian. For example, the LACSN attorney has a vested interest
12 in showing her client understands that she has initiated an extremely expensive appeal of a fee
13 award specially designed to not impact Ms. Jones during her life. Petitioners opted for a lien
14 against a property and advised everyone they would cooperate in selling that property and allowing
15 the proceeds to be used to benefit Ms. Jones during her life. Specifically, petitioners agreed they
16 might receive nothing due to the property and other assets of Ms. Jones being entirely used for her
17 welfare.
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19 39. To confirm, petitioners believe Ms. Jones is able to form an opinion in a given moment.
20 However, those opinions are rarely coupled with sequential logic. Meaning that they lack the depth
21 and breadth needed to logically form an opinion that has merit beyond the words repeated or
22 chosen - for that moment. How can Ms. Jones form an opinion about how and when to see Robyn
23 or Donna when she is likely unable to give an accurate answer as to how long ago she last saw
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1 Robyn or Donna? Since the LACSN attorney is unable or unwilling to see this and help, and the
2 guardian will not help, petitioners plead for the Court's intervention.

3 **WHEREFORE**, Petitioners pray:

4 1. The Court grant the relief requested in Petitioners' Verified Petition for Communication,
5 Visits, and Vacation Time with Protected Person including the implementation of Talking Parents,
6 a program designed for families who can't otherwise agree on visitation and communication, and
7 ordering an independent interview of Ms. Jones by the trained professionals at the Family
8 Mediation Center;

9 2. The Court denies the relief requested in the Kimberly's Opposition to Verified Petition for
10 Communication, Visits, and Vacation Time with Protected Person – including the request for
11 attorney's fees;

12 3. The Court denies the relief requested in Kathleen June Jones' Opposition to Verified
13 Petition for Communication, Visits, and Vacation Time with Protected Person;

14 4. The Court order LACSN and Kimberly to pay the attorneys fees and costs of petitioners in
15 bringing this Petition;

16 5. The Court canvas Ms. Jones to enable the Court to obtain its own impressions of her
17 capacity; and

18 6. The Court allow a list of questions to be submitted in camera by petitioners from which the
19 Court could select questions to ask Ms. Jones to determine if she really can handle her affairs as
20 argued by the guardian and LACSN and allow an opportunity for such questioning where neither
21 the LACSN attorney nor the guardian nor the guardian's attorney can coach or groom Ms. Jones
22 in her answers.

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1 7. The Court order such other and further relief as it deems appropriate.

2 DATED: February 1, 2021.

3 MICHAELSON & ASSOCIATES, LTD.

4 /s/ John P. Michaelson
5 John P. Michaelson, Esq.
6 Nevada Bar No. 7822
7 Ammon E. Francom, Esq.
8 Nevada Bar No. 14196
9 2200 Paseo Verde Parkway, Ste. 160
10 Henderson, Nevada 89052
11 Counsel for Petitioners
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CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, the undersigned hereby certifies a copy of the PETITIONERS' OMNIBUS REPLY TO: KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON; AND KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON was served on the following individual on February 1, 2021, to the following individuals:

Geraldine Tomich, Esq. gtomich@maclaw.com James Beckstrom, Esq. jbeckstrom@maclaw.com Cheryl Becnel cbecnel@maclaw.com <i>Attorneys for Kimberly Jones</i>	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacsns.org Alexa Reanos areanos@lacsns.org
Jeffrey R. Sylvester jeff@sylvesterpolednak.com Kelly L. Easton kellye@sylvesterpolednak.com Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarrrol@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov

Pursuant to NRCP 5, the undersigned hereby certifies a copy of the PETITIONERS' OMNIBUS REPLY TO: KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON; AND KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON was

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1 mailed by US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada on the
2 following individual on February 2, 2021, to the following individuals and/or entities at the
3 following addresses:

4 Jen Adamo 14 Edgewater Drive 5 Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
6 Courtney Simmons 765 Kimbark Avenue 7 San Bernardino, CA 92407	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
8 Ampersand Man 2824 High Sail Court 9 Las Vegas, Nevada 89117	Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869

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11 MICHAELSON & ASSOCIATES, LTD.

12 /s/ Lenda Murnane
13 Employee of Michaelson & Associates
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EXHIBIT A

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EXHIBIT B

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Robyn Friedman's June 13, 2020 Audio Recording of June Jones Outside the Kraft House

Robyn Friedman: Well, Mom.

June Jones: We can't get in?

Robyn Friedman: Doesn't sound like it. There's no one there. And you don't have keys, right? No?

Robyn Friedman: So sit down. Let Grandma sit down baby. No, that's Grandma's seat. So what do we do? Here, call Kim, Mom.

June Jones: Can we go around the back?

Robyn Friedman: I - I don't - I can't climb over that fence but here, let me give you your phone and you can call Kim.

Robyn Friedman: Here's your phone, go ahead and call Kim.

June Jones: (mumbled) How do I call her?

Robyn Friedman: What?

June Jones: How do I call her?

Robyn Friedman: Do you know how to use your phone?

June Jones: No.

Robyn Friedman: You don't know how to use your phone, Mom?

June Jones: No. How do I call her?

Robyn Friedman: Okay. So that green one right there. And then, let's put...type K-I-M, okay...“Kim Daughter”, right there. Oh that's “Kimberly Daughter”. Yeah, push that one and see what happens. I don't think that's her right one. Try the other one that says “Kim”, the second one up.

June Jones: Where, here?

Robyn Friedman: Yeah. Try that one and see what happens.

June Jones: (mumbled) What do I hit?

Robyn Friedman: What?

June Jones: What do I hit?

Robyn Friedman: See where it says “phone”? Right there. Okay, put it up to your ear so you can hear.

End of Recording



ROPP

John P. Michaelson, Esq.
Nevada Bar No. 7822
Email: john@michaelsonlaw.com
Ammon E. Francom, Esq.
Nevada Bar No. 14196
Email: ammon@michaelsonlaw.com
MICHAELSON & ASSOCIATES, LTD.
2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052
Ph: (702) 731-2333
Fax: (702) 731-2337
Counsel for Robyn Friedman and Donna Simmons

DISTRICT COURT

CLARK COUNTY, NEVADA

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

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A

Department: B

Date of Hearing: February 11, 2021

Time of Hearing: 9:30 a.m.

SUPPLEMENT TO PETITIONERS' OMNIBUS REPLY TO:

**(1) KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR
COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON;**

AND

**(2) KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR
COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON**

☐ TEMPORARY GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☒ GENERAL GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☒ Person and Estate

☐ SPECIAL GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☐ NOTICES / SAFEGUARDS

☐ Blocked Account

☐ Bond Posted

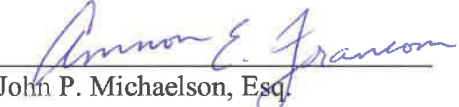
☐ Public Guardian Bond

COMES NOW Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and
"Donna"), as family members and interested parties in this matter, by and through the law firm,

1 Michaelson & Associates, Ltd., who hereby submits to this Honorable Court their Supplement to
2 Omnibus Reply to: (1) Kimberly Jones' Opposition to Verified Petition for Communication,
3 Visits, and Vacation Time with Protected Person ("Kim's Opposition"); and (2) Kathleen June
4 Jones' Opposition to Verified Petition for Communication, Visits, and Vacation Time with
5 Protected Person (LACSN's Opposition"), by attaching hereto Exhibit A, Exhibits C¹ and D and
6 the Verification signed by Donna Simmons which were not included with their original Omnibus
7 Reply.

8 DATED: February 3, 2021.

9 MICHAELSON & ASSOCIATES, LTD.

10 
11 John P. Michaelson, Esq.
12 Nevada Bar No. 7822
13 Ammon E. Francom, Esq.
14 Nevada Bar No. 14196
15 2200 Paseo Verde Parkway, Ste. 160
16 Henderson, Nevada 89052
17 Counsel for Petitioners
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25 ¹ Exhibits C and D are summaries of the phone logs to confirm how little communication can be
had calling Mr. Jones directly, and how much Robyn has attempted to communicate with June
and Kimberly.

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DONNA SIMMONS

CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, the undersigned hereby certifies a copy of the SUPPLEMENT TO PETITIONERS' OMNIBUS REPLY TO: KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON; AND KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON was served on the following individual on February 3, 2021, to the following individuals:

Geraldine Tomich, Esq. gtomich@maclaw.com	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacsns.org
James Beckstrom, Esq. jbeckstrom@maclaw.com	Alexa Reanos areanos@lacsns.org
Cheryl Becnel cbecnel@maclaw.com	
<i>Attorneys for Kimberly Jones</i>	
Jeffrey R. Sylvester jeff@sylvesterpolednak.com	Kate McCloskey NVGCO@nvcourts.nv.gov
Kelly L. Easton kellye@sylvesterpolednak.com	LaChasity Carroll lcarrol@nvcourts.nv.gov
Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Sonja Jones sjones@nvcourts.nv.gov

Pursuant to NRCP 5, the undersigned hereby certifies a copy of the SUPPLEMENT TO PETITIONERS' OMNIBUS REPLY TO: KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON; AND KATHLEEN JUNE JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS, AND VACATION TIME WITH PROTECTED PERSON was

///

1 mailed by US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada on the
2 following individual on February 3, 2021, to the following individuals and/or entities at the
3 following addresses:
4

5 Jen Adamo 14 Edgewater Drive 6 Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
7 Courtney Simmons 765 Kimbark Avenue 8 San Bernardino, CA 92407	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
9 Ampersand Man 2824 High Sail Court 10 Las Vegas, Nevada 89117	Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869

11
12 MICHAELSON & ASSOCIATES, LTD.

13 /s/ Lenda Murnane
14 Employee of Michaelson & Associates
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EXHIBIT A











EXHIBIT C

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Calls with June

09/03/2020 07:13PM	702.553.6060	Las Vegas, NV	SDDV	2	0.00
09/07/2020 07:19PM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
09/17/2020 08:53AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
09/28/2020 01:09PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		4 calls	5 minutes \$0.00
08/04/2020 08:45PM	702.553.6060	Las Vegas, NV	SDDV	2	0.00
08/11/2020 12:17PM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
08/26/2020 06:21PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		3 calls	5 minutes \$0.00
07/08/2020 10:24AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
07/11/2020 10:27AM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
07/11/2020 10:27AM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
07/15/2020 12:06PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		4 calls	5 minutes \$0.00
06/10/2020 12:32PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
06/24/2020 09:18AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
06/27/2020 12:45PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		3 calls	3 minutes \$0.00
05/29/2020 06:05PM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
		Total for 702-553-6060		1 calls	2 minutes \$0.00
01/01/2020 03:18PM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
		Total for 702-553-6060		1 calls	1 minutes \$0.00
11/28/2019 05:30PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		1 calls	1 minutes \$0.00

EXHIBIT D

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Calls with June or Kim

09/03/2020 07:13PM	702.553.6060	Las Vegas, NV	SDDV	2	0.00
09/07/2020 07:19PM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
09/17/2020 08:53AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
09/28/2020 01:09PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		4 calls	5 minutes \$0.00
09/18/2020 06:20PM	714.336.8071	Incoming, CL	WIFI	3	0.00
09/18/2020 06:24PM	714.336.8071	Incoming, CL	WIFI	1	0.00
09/18/2020 07:37PM	714.336.8071	Incoming, CL	WIFI	1	0.00
		Total for 714-336-8071		3 calls	5 minutes \$0.00
08/04/2020 08:45PM	702.553.6060	Las Vegas, NV	SDDV	2	0.00
08/11/2020 12:17PM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
08/26/2020 06:21PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		3 calls	5 minutes \$0.00
07/08/2020 10:24AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
07/11/2020 10:27AM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
07/11/2020 10:27AM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
07/15/2020 12:06PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		4 calls	5 minutes \$0.00
07/08/2020 10:26AM	714.336.8071	Incoming, CL	SDDV	2	0.00
07/10/2020 06:25PM	714.336.8071	Incoming, CL	WIFI	10	0.00
		Total for 714-336-8071		12	
				2 calls	minutes \$0.00
06/10/2020 12:32PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
06/24/2020 09:18AM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
06/27/2020 12:45PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060		3 calls	3 minutes \$0.00
06/24/2020 02:40PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
		Total for 714-336-8071		1 calls	1 minutes \$0.00
05/29/2020 06:05PM	702.553.6060	Las Vegas, NV	WIFI	2	0.00
		Total for 702-553-6060		1 calls	2 minutes \$0.00

05/10/2020 12:02PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
05/10/2020 12:04PM	714.336.8071	Incoming, CL	SDDV	1	0.00
05/10/2020 01:46PM	714.336.8071	Incoming, CL	WIFI	1	0.00
05/14/2020 05:29PM	714.336.8071	Anaheim, CA	WIFI	15	0.00
05/14/2020 05:45PM	714.336.8071	Anaheim, CA	WIFI	5	0.00
05/18/2020 01:29PM	714.336.8071	Incoming, CL	SDDV	1	0.00
05/18/2020 01:30PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
05/31/2020 07:34PM	714.336.8071	Anaheim, CA	SDDV	5	0.00
		Total for 714-336-8071	8 calls	32 minutes	\$0.00
04/03/2020 11:17AM	714.336.8071	Anaheim, CA	SDDV	13	0.00
04/04/2020 03:21PM	714.336.8071	Incoming, CL	SDDV	4	0.00
04/04/2020 03:25PM	714.336.8071	Incoming, CL	SDDV	6	0.00
04/04/2020 03:35PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
04/06/2020 07:28PM	714.336.8071	Incoming, CL	WIFI	26	0.00
04/09/2020 06:51PM	714.336.8071	Incoming, CL	WIFI	3	0.00
04/09/2020 06:56PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
04/10/2020 02:19PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
04/10/2020 04:34PM	714.336.8071	Incoming, CL	SDDV	2	0.00
04/11/2020 02:27PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
04/11/2020 02:30PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
04/11/2020 02:35PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
04/12/2020 04:13PM	714.336.8071	Incoming, CL	SDDV	2	0.00
		Total for 714-336-8071	13 calls	65 minutes	\$0.00
03/03/2020 04:03PM	714.336.8071	Anaheim, CA	SDDV	6	0.00
03/03/2020 04:08PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
03/05/2020 06:51PM	714.336.8071	Incoming, CL	SDDV	3	0.00
03/07/2020 04:32PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
		Total for 714-336-8071	4 calls	14 minutes	\$0.00
03/08/2020 12:30PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/08/2020 12:30PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/08/2020 12:38PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/10/2020 01:44PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
03/11/2020 06:07PM	714.336.8071	Incoming, CL	WIFI	3	0.00
03/15/2020 03:38PM	714.336.8071	Anaheim, CA	WIFI	6	0.00
03/16/2020 07:21AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
03/16/2020 08:23AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
03/16/2020 08:35AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/16/2020 08:45AM	714.336.8071	Anaheim, CA	SDDV	3	0.00
03/16/2020 08:53AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
03/16/2020 09:00AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/16/2020 09:21AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
03/16/2020 09:29AM	714.336.8071	Incoming, CL	SDDV	2	0.00
03/16/2020 01:23PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
03/18/2020 06:57PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
03/18/2020 07:06PM	714.336.8071	Incoming, CL	WIFI	3	0.00
03/18/2020 07:09PM	714.336.8071	Incoming, CL	WIFI	3	0.00

03/24/2020 03:23PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
03/25/2020 01:01PM	714.336.8071	Incoming, CL	SDDV	1	0.00
03/27/2020 04:33PM	714.336.8071	Anaheim, CA	WIFI	6	0.00
03/30/2020 08:21PM	714.336.8071	Anaheim, CA	SDDV	16	0.00
Total for 714-336-8071				60	
				22 calls	minutes \$0.00
02/03/2020 11:37AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/03/2020 11:37AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/04/2020 05:03PM	714.336.8071	Incoming, CL	SDDV	3	0.00
02/04/2020 05:08PM	714.336.8071	Incoming, CL	SDDV	2	0.00
02/04/2020 05:10PM	714.336.8071	Incoming, CL	SDDV	4	0.00
02/05/2020 12:35PM	714.336.8071	Anaheim, CA	SDDV	9	0.00
02/05/2020 12:56PM	714.336.8071	Anaheim, CA	SDDV	6	0.00
02/05/2020 01:08PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
02/05/2020 02:06PM	714.336.8071	Call Wait	SDDV	18	0.00
02/05/2020 03:53PM	714.336.8071	Anaheim, CA	SDDV	12	0.00
02/05/2020 04:38PM	714.336.8071	Incoming, CL	SDDV	1	0.00
02/05/2020 04:40PM	714.336.8071	Incoming, CL	SDDV	1	0.00
02/05/2020 04:40PM	714.336.8071	Call Wait	SDDV	1	0.00
02/05/2020 04:41PM	714.336.8071	Anaheim, CA	SDDV	8	0.00
02/05/2020 06:04PM	714.336.8071	Anaheim, CA	WIFI	12	0.00
02/05/2020 09:36PM	714.336.8071	Incoming, CL	SDDV	14	0.00
02/06/2020 12:23PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
02/06/2020 06:31PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/06/2020 06:39PM	714.336.8071	Incoming, CL	SDDV	13	0.00
02/06/2020 06:52PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
02/06/2020 07:38PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
02/06/2020 07:52PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/06/2020 07:59PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/08/2020 05:15PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
02/09/2020 11:30AM	714.336.8071	Anaheim, CA	WIFI	1	0.00
02/09/2020 12:02PM	714.336.8071	Incoming, CL	WIFI	2	0.00
02/10/2020 12:08AM	714.336.8071	Anaheim, CA	WIFI	1	0.00
02/10/2020 12:08AM	714.336.8071	Anaheim, CA	WIFI	1	0.00
02/10/2020 12:09AM	714.336.8071	Anaheim, CA	WIFI	1	0.00
02/10/2020 12:19PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
Total for 714-336-8071				131	
				30 calls	minutes \$0.00
01/06/2020 11:15AM	714.336.8071	Incoming, CL	SDDV	14	0.00
01/06/2020 12:24PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/06/2020 12:41PM	714.336.8071	Call Wait	SDDV	1	0.00
01/06/2020 05:30PM	714.336.8071	Call Wait	WIFI	5	0.00
01/06/2020 07:42PM	714.336.8071	Incoming, CL	SDDV	3	0.00
01/06/2020 08:02PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/06/2020 08:32PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/06/2020 08:33PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
01/06/2020 08:40PM	714.336.8071	Incoming, CL	SDDV	7	0.00
01/07/2020 11:26AM	714.336.8071	Incoming, CL	WIFI	1	0.00
01/08/2020 06:07PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/09/2020 01:57PM	714.336.8071	Incoming, CL	SDDV	11	0.00
01/09/2020 02:10PM	714.336.8071	Anaheim, CA	SDDV	2	0.00

01/09/2020 02:12PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/09/2020 02:12PM	714.336.8071	Anaheim, CA	SDDV	5	0.00
01/09/2020 02:17PM	714.336.8071	Incoming, CL	SDDV	4	0.00
01/11/2020 10:47AM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/11/2020 04:22PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/13/2020 08:18PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/13/2020 08:19PM	714.336.8071	Incoming, CL	WIFI	1	0.00
01/14/2020 02:31PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/14/2020 02:33PM	714.336.8071	Call Wait	SDDV	11	0.00
01/14/2020 02:57PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/15/2020 08:24AM	714.336.8071	Incoming, CL	SDDV	7	0.00
01/15/2020 08:49AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
01/15/2020 08:57AM	714.336.8071	Anaheim, CA	SDDV	13	0.00
01/15/2020 09:49AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/15/2020 09:55AM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/15/2020 10:49AM	714.336.8071	Anaheim, CA	SDDV	3	0.00
01/15/2020 10:58AM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/15/2020 11:27AM	714.336.8071	Anaheim, CA	SDDV	5	0.00
01/15/2020 11:47AM	714.336.8071	Anaheim, CA	SDDV	10	0.00
01/16/2020 11:39AM	714.336.8071	Call Wait	SDDV	1	0.00
01/18/2020 12:18PM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/18/2020 02:49PM	714.336.8071	Anaheim, CA	WIFI	6	0.00
01/18/2020 03:10PM	714.336.8071	Anaheim, CA	WIFI	10	0.00
01/18/2020 03:20PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/18/2020 03:20PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/18/2020 03:24PM	714.336.8071	Incoming, CL	WIFI	10	0.00
01/19/2020 12:07PM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/19/2020 12:10PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/19/2020 03:43PM	714.336.8071	Anaheim, CA	WIFI	3	0.00
01/19/2020 03:50PM	714.336.8071	Incoming, CL	WIFI	13	0.00
01/19/2020 09:02PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
01/20/2020 11:24AM	714.336.8071	Incoming, CL	SDDV	29	0.00
01/20/2020 12:41PM	714.336.8071	Anaheim, CA	WIFI	3	0.00
01/20/2020 01:00PM	714.336.8071	Incoming, CL	WIFI	4	0.00
01/20/2020 02:26PM	714.336.8071	Anaheim, CA	WIFI	5	0.00
01/20/2020 02:31PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/20/2020 02:32PM	714.336.8071	Call Wait	WIFI	9	0.00
Total for 714-336-8071			50 calls	228 minutes	\$0.00

01/21/2020 11:29AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/21/2020 03:46PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/22/2020 11:55AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/22/2020 12:07PM	714.336.8071	Anaheim, CA	SDDV	58	0.00
01/22/2020 06:54PM	714.336.8071	Incoming, CL	SDDV	30	0.00
01/23/2020 12:01PM	714.336.8071	Incoming, CL	SDDV	2	0.00
01/23/2020 12:13PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
01/23/2020 12:54PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/23/2020 12:55PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
01/23/2020 01:04PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/23/2020 01:19PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/23/2020 02:34PM	714.336.8071	Anaheim, CA	SDDV	2	0.00

01/23/2020 04:00PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/23/2020 04:03PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/23/2020 04:29PM	714.336.8071	Incoming, CL	SDDV	1	0.00
01/23/2020 04:54PM	714.336.8071	Anaheim, CA	WIFI	2	0.00
01/23/2020 07:25PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
01/23/2020 08:08PM	714.336.8071	Anaheim, CA	WIFI	4	0.00
01/24/2020 04:21PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
01/25/2020 10:12AM	714.336.8071	Incoming, CL	SDDV	5	0.00
01/25/2020 01:45PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/25/2020 01:54PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
01/25/2020 06:18PM	714.336.8071	Incoming, CL	SDDV	33	0.00
01/26/2020 05:04PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
02/01/2020 02:04PM	714.336.8071	Anaheim, CA	WIFI	25	0.00
02/01/2020 02:59PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
		Total for 714-336-8071		185	
			26 calls	minutes	\$0.00
01/01/2020 03:18PM	702.553.6060	Las Vegas, NV	WIFI	1	0.00
		Total for 702-553-6060			
			1 calls	1 minutes	\$0.00
12/04/2019 01:15PM	714.336.8071	Incoming, CL	SDDV	7	0.00
12/04/2019 01:25PM	714.336.8071	Anaheim, CA	WIFI	5	0.00
12/04/2019 02:44PM	714.336.8071	Anaheim, CA	WIFI	4	0.00
12/04/2019 03:12PM	714.336.8071	Incoming, CL	WIFI	5	0.00
12/06/2019 10:55AM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/07/2019 12:17AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/07/2019 08:18AM	714.336.8071	Anaheim, CA	SDDV	9	0.00
12/08/2019 11:47AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/08/2019 08:55PM	714.336.8071	Anaheim, CA	WIFI	7	0.00
12/08/2019 09:08PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
12/11/2019 02:32PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/11/2019 05:19PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/14/2019 10:00AM	714.336.8071	Incoming, CL	SDDV	2	0.00
12/14/2019 10:42AM	714.336.8071	Anaheim, CA	SDDV	3	0.00
12/14/2019 10:44AM	714.336.8071	Anaheim, CA	SDDV	10	0.00
12/14/2019 10:54AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
12/14/2019 10:56AM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/14/2019 11:01AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/14/2019 11:02AM	714.336.8071	Anaheim, CA	SDDV	2	0.00
12/14/2019 11:57AM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/14/2019 04:28PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/16/2019 04:57PM	714.336.8071	Incoming, CL	WIFI	3	0.00
12/16/2019 05:40PM	714.336.8071	Incoming, CL	WIFI	1	0.00
12/17/2019 06:21PM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/17/2019 06:25PM	714.336.8071	Incoming, CL	SDDV	8	0.00
12/18/2019 02:19PM	714.336.8071	Anaheim, CA	SDDV	5	0.00
12/18/2019 06:26PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/18/2019 07:35PM	714.336.8071	Anaheim, CA	SDDV	2	0.00
12/20/2019 06:12PM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/21/2019 04:09PM	714.336.8071	Incoming, CL	SDDV	1	0.00
12/23/2019 02:19PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
12/23/2019 02:21PM	714.336.8071	Incoming, CL	WIFI	1	0.00

12/23/2019 02:32PM	714.336.8071	Incoming, CL	WIFI	1	0.00
12/24/2019 07:33PM	714.336.8071	Anaheim, CA	WIFI	3	0.00
12/25/2019 12:36PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
12/25/2019 01:01PM	714.336.8071	Incoming, CL	WIFI	1	0.00
12/25/2019 02:30PM	714.336.8071	Incoming, CL	WIFI	2	0.00
12/27/2019 02:10PM	714.336.8071	Incoming, CL	WIFI	1	0.00
		Total for 714-336-8071	38 calls	103 minutes	\$0.00
12/28/2019 04:37PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
12/28/2019 05:14PM	714.336.8071	Incoming, CL	SDDV	3	0.00
12/29/2019 03:32PM	714.336.8071	Incoming, CL	WIFI	1	0.00
12/29/2019 03:37PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
12/29/2019 03:40PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
12/29/2019 03:52PM	714.336.8071	Incoming, CL	WIFI	3	0.00
12/29/2019 04:10PM	714.336.8071	Anaheim, CA	WIFI	9	0.00
12/30/2019 04:10PM	714.336.8071	Incoming, CL	WIFI	4	0.00
12/31/2019 02:37PM	714.336.8071	Incoming, CL	SDDV	14	0.00
01/01/2020 03:19PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
		Total for 714-336-8071	10 calls	38 minutes	\$0.00
11/28/2019 05:30PM	702.553.6060	Las Vegas, NV	SDDV	1	0.00
		Total for 702-553-6060	1 calls	1 minutes	\$0.00
11/12/2019 05:03PM	714.336.8071	Anaheim, CA	SDDV	36	0.00
11/12/2019 05:39PM	714.336.8071	Incoming, CL	SDDV	1	0.00
11/13/2019 03:10PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/14/2019 10:47AM	714.336.8071	Incoming, CL	SDDV	3	0.00
11/14/2019 10:53AM	714.336.8071	Anaheim, CA	SDDV	20	0.00
11/14/2019 12:58PM	714.336.8071	Anaheim, CA	WIFI	6	0.00
11/14/2019 01:48PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
11/14/2019 01:54PM	714.336.8071	Anaheim, CA	WIFI	1	0.00
11/14/2019 02:03PM	714.336.8071	Incoming, CL	WIFI	1	0.00
11/14/2019 02:18PM	714.336.8071	Incoming, CL	WIFI	5	0.00
11/16/2019 04:04PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
		Total for 714-336-8071	11 calls	76 minutes	\$0.00
11/16/2019 04:11PM	714.336.8071	Anaheim, CA	SDDV	3	0.00
11/18/2019 11:04AM	714.336.8071	Incoming, CL	SDDV	1	0.00
11/18/2019 11:09AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/18/2019 11:19AM	714.336.8071	Incoming, CL	WIFI	1	0.00
11/18/2019 01:00PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/18/2019 01:01PM	714.336.8071	Incoming, CL	SDDV	1	0.00
11/18/2019 05:19PM	714.336.8071	Anaheim, CA	SDDV	4	0.00
11/19/2019 03:36PM	714.336.8071	Anaheim, CA	SDDV	5	0.00
11/20/2019 06:00PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/20/2019 06:36PM	714.336.8071	Incoming, CL	SDDV	10	0.00

11/20/2019 06:53PM	714.336.8071	Incoming, CL	SDDV	5	0.00
11/21/2019 06:08PM	714.336.8071	Anaheim, CA	SDDV	5	0.00
11/22/2019 05:08PM	714.336.8071	Incoming, CL	WIFI	6	0.00
11/22/2019 06:16PM	714.336.8071	Incoming, CL	WIFI	1	0.00
11/25/2019 04:35PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 10:02AM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 08:26PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 08:27PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 08:28PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 08:29PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
11/27/2019 08:29PM	714.336.8071	Incoming, CL	SDDV	7	0.00
11/27/2019 08:43PM	714.336.8071	Incoming, CL	WIFI	1	0.00
Total for 714-336-8071				59 22 calls minutes	\$0.00
10/03/2019 03:10PM	714.336.8071	Incoming, CL	WIFI	2	0.00
10/13/2019 10:53AM	714.336.8071	Incoming, CL	SDDV	3	0.00
10/16/2019 05:52PM	714.336.8071	Incoming, CL	WIFI	1	0.00
10/18/2019 01:55PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
10/18/2019 01:57PM	714.336.8071	Incoming, CL	SDDV	2	0.00
10/18/2019 01:59PM	714.336.8071	Incoming, CL	SDDV	1	0.00
10/18/2019 02:03PM	714.336.8071	Anaheim, CA	SDDV	1	0.00
10/21/2019 03:40PM	714.336.8071	Incoming, CL	WIFI	8	0.00
10/21/2019 03:52PM	714.336.8071	Anaheim, CA	WIFI	3	0.00
10/29/2019 03:05PM	714.336.8071	Incoming, CL	SDDV	2	0.00
Total for 714-336-8071				24 10 calls minutes	\$0.00

Location : Family Courts Images Help

CASE No. G-19-052263-A

www.pearsoned.com

Cross-Reference Case Number:
Supreme Court No.:

Guardian of Person and Estate	Friedman, Robyn 2824 High Sail Court Las Vegas,, NV 89117	Lead Attorneys John P. Michaelson <i>Retained</i> 7027312333(W)
Objector	Jones, Kimberly 18543 Yorba Linda Blvd #146 Yorba Linda, CA 92886	Pro Se
Petitioner	Friedman, Robyn 2824 High Sail Court Las Vegas,, NV 89117	John P. Michaelson <i>Retained</i> 7027312333(W)
Petitioner	Simmons, Donna 1441 N. Redgum, Unit G Anaheim, CA 92806	John P. Michaelson <i>Retained</i> 7027312333(W)
Protected Person	Jones, Kathleen June 1315 Enchanted River DR Henderson, NV 89012	Elizabeth R. Mikesell <i>Retained</i> 702-386-1533(W)

02/11/2021 | [All Pending Motions](#) (9:30 AM) (Judicial Officer Marquis, Linda)

02/11/2021 9:30 AM

- HEARING: GUARDIAN OF THE PROTECTED PERSON'S PETITION TO COMPROMISE PROPERTY OF PROTECTED PERSON AND SEAL HEARING... HEARING: VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KATHLEEN June JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... PETITIONERS OMNIBUS REPLY TO: (1) KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON; AND (2) KATHLEEN June JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON in accordance with Administrative Order 20-01, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) James Beckstrom, Nevada Bar #14032, appeared on behalf of Kimberly Jones. Teri Butler, Protected Person's Daughter, appeared. Perry Friedman, Protected Person's Son-in-law, appeared. Legal Aid Observer: Jeffery Sheehan, Esq. The Court reviewed the case history and pleadings on file. Attorney Parra-Sandoval stated she has spoken

to Protected Person about the settlement offer and she is agreeable to the terms. Upon inquiry from the Court, Attorney Parra-Sandoval stated she supports the Guardian's request to seal and believes the request to seal for 120 days is the most appropriate. Attorney Beckstrom made statements regarding Attorney Kehoe and Mr. Powell being present at the hearing and stated it prohibits parties from openly discussing the settlement. Attorney Michaelson made statements and requested the entire proceeding be sealed. Court and Counsel engaged in discussion regarding the Petition to Seal; in what manner the case should be sealed, and what parties should be allowed to participate in the sealed hearing. Court stated it reviewed the Petition for Communication, Visits and Vacation Time with Protected Person and inquired if there were any objections or concerns. Ms. Butler made statements opposing the Petition and stated Robyn has a need to control everything. Court and Ms. Butler engaged in discussion regarding her concerns. Arguments by Counsel. Court stated it would not be Ordering FMC (Family Mediation Center) because the Court is unsure if they are well-prepared and/or well-suited to resolve this issue. Court further stated it would also not be Ordering Guardianship mediation or Talking Parents. Attorney Michaelson stated if the settlement is approved, it would leave Protected Person in a possible homeless situation and there are concerns about Protected Person being moved out of state because of that situation. Attorney Michaelson stated he does not believe that should be allowed to happen without permission from the Court. Court stated that issue would be addressed at the sealed hearing; however, the Court advised ALL Counsel that before Protected Person is relocated a Petition would be required to be filed with the Court. COURT ORDERED, the following: Petition to Seal the hearing relative to the Petition to Compromise Property shall be APPROVED and GRANTED. The HEARING shall be SEALED for ONE HUNDRED AND TWENTY (120) DAYS. Attorney Beckstrom shall prepare and submit an Order. Matter set for HEARING 2/12/21 at 9:00 am for Approval of Settlement Agreement. THIS HEARING SHALL BE SEALED. Matter set for STATUS CHECK 6/3/21 at 1:00 pm to determine if the hearing should be UNSEALED. Guardian Ad Litem, Elizabeth Brickfield, shall be appointed to represent the Protected Person. A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall review current medical records and current suggestions and/or recommendations by Protected Person's Physician about her level of care; speak with all Protected Person's daughters, Robyn, Donna, and Teri, (their counsel may be present) to discuss visitation, time together, communications, and their needs, requests, and concerns with regard to Protected Person; review all records relative to conversations with the siblings as well as phone call and text message records supplied to Investigator by family members to assist Court in applying statutes as to whether or not Guardian has been acting unreasonably. Matter shall be CONTINUED to 5/13/21 at 1:00 pm for INVESTIGATOR'S REPORT, Petition for Communication, Visits and Vacation Time with Protected Person, and Oppositions.

[Parties Present](#)[Return to Register of Actions](#)

1 **OGAL**

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

5
6 In the Matter of the Guardianship of:

7 Kathleen Jones,

8 Protected Person.

Case Number: G-19-052263-A

Department: B

Hearing: May 13, 2021
1:00 PM

10
11 **ORDER APPOINTING GUARDIAN AD LITEM**

12
13 This matter has been reviewed by the Court. The Court, having
14 jurisdiction of the subject matter, finds a guardian ad litem is required in this
15 matter.

16 **THE COURT FINDS** that the Protected Person or Proposed Protected
17 Person will benefit from the appointment and services of a guardian ad litem and
18 that a guardian ad litem will be beneficial in determining the best interest of the
19 Protected Person pursuant to NRS 159.0455 and Nevada Guardianship Rule 8.

20
21 **IT IS HEREBY ORDERED** that the following person, an attorney with
22 appropriate training and experience, shall be appointed the guardian ad litem:

23 Elizabeth Brickfield, Esq.
24 Dawson & Lordahl PLLC
25 8925 West Post Road Suite 210
26 Las Vegas, Nevada 89148

IT IS FURTHER ORDERED that the guardian ad litem is directed to address the following issues:

Scheduled opportunities for Protected Person to elect to speak with and/or visit in person with her adult daughters and whether the Guardian has an obligation to facilitate, prompt, encourage, plan, schedule, and/or create an environment that promotes an opportunity for continued communication between Protected Person and her adult daughters based upon the current level of care and needs of the Protected Person. See Verified Petition for Communication, Visits, and Vacation Time with Protected Person, filed December 30, 2020, Oppositions filed January 25, 2021; and hearing held on February 11, 2021.

IT IS FURTHER ORDERED that the guardian ad litem shall not offer legal advice to the Protected Person or Proposed Protected Person, but shall advocate for the best interest of the Protected Person in a manner that will enable the court to determine the action that will be the least restrictive and in the best interests of the Protected Person and provide any information required by the court pursuant to NRS 159.0455 until relieved by order of the court.

IT IS FURTHER ORDERED that the guardian ad litem shall zealously advocate for the best interest of the Protected Person in a manner that will enable the court to determine the action that will be the least restrictive and in the best interest of the Protected Person or Proposed Protected Person.

IT IS FURTHER ORDERED that the guardian ad litem is an officer of the court and a representative of the Protected Persons or Proposed Protected Persons and is not a party to the case.

IT IS FURTHER ORDERED that the guardian ad litem is an officer of the court and a representative of the protected person or proposed protected person and is not a party to the case.

IT IS FURTHER ORDERED that the guardian ad litem shall not have authority to waive any of the protected person's or proposed protected person's due process rights or protections, including, without limitation, the protected person's or proposed protected person's right to counsel, right to oppose the guardianship, right to oppose the choice of guardian, right to attend hearings, and right to object to any action or proposed action by the guardian.

IT IS FURTHER ORDERED that the guardian ad litem shall advocate for the best interest of the Protected Persons or Proposed Protected Persons based on admissible evidence available to the guardian ad litem. The guardian ad litem shall conduct independent investigation and assessment of the facts to carry out the directives of the appointing order and may submit recommendations to the court that are based on admissible evidence.

IT IS FURTHER ORDERED that the guardian ad litem shall not be a witness and shall not testify or be cross-examined. The guardian ad litem shall not be subject to a subpoena, except to the extent an attorney representing the Protected Persons or Proposed Protected Persons would be subject to a subpoena.

IT IS FURTHER ORDERED that a guardian ad litem that seeks compensation for the services provided is only entitled to compensation upon compliance with NRS 159.344 et al., and the request for payment, whether or not payment is to be from the guardianship estate or from any third party, shall be

1 subject to the requirements and analysis as set forth in NRS 159.344. The
2 guardian ad litem may request fees from the guardianship estate or a third party.

3
4 **IT IS FURTHER ORDERED** that an attorney that serves as a guardian ad
5 litem is bound by the Nevada Rules of Professional Conduct to the extent those
6 rules are applicable.

7 **IT IS FURTHER ORDERED** that the guardian ad litem shall not
8 communicate with any party represented by counsel outside the presence of the
9 party's attorney without first obtaining the attorney's consent.

10
11 **IT IS FURTHER ORDERED** that the guardian ad litem shall provide a
12 copy to all parties of any written report of the guardian ad litem that is filed with
13 the court.

14 **IT IS FURTHER ORDERED** that the role of the guardian ad litem is
15 separate and distinct from the role of an attorney for a protected person or
16 proposed protected person appointed pursuant to NRS 159.0485 and separate and
17 distinct from an investigator appointed pursuant to NRS 159.046. A guardian ad
18 litem for a protected person or proposed protected person shall not serve as an
19 attorney for a protected person or proposed protected person, as an attorney for a
20 guardian(s) or as an investigator in the same case or in a related matter.

21
22 **IT IS FURTHER ORDERED** that the guardian ad litem shall ensure the
23 rights set forth in the Protected Persons Bill of Rights are upheld and the guardian
24 ad litem shall immediately report to the court any transgressions of said rights.

IT IS FURTHER ORDERED that the guardian ad litem who represents siblings or spouses in a guardianship shall be alert to potential conflicts and request that the court appoint a separate guardian ad litem in the event that a conflict or potential conflict should arise.

IT IS SO ORDERED.

Dated this ____ day of _____, 2021.

Dated this 16th day of February, 2021

Juda Marguís

DISTRICT COURT JUDGE

F58 915 7598 0A23
Linda Marquis
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 In the Matter of the Guardianship
7 of:

8 Kathleen Jones, Protected
9 Person(s)

CASE NO: G-19-052263-A

DEPT. NO. Department B

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 2/16/2021

16 Kelly Easton	kellye@sylvesterpolednak.com
17 Cheryl Becnel	cbecnel@maclaw.com
18 Laura Deeter, Esq.	laura@ghandilaw.com
19 Faydra Ross	fr@ghandilaw.com
20 Lenda Murnane	lenda@michaelsonlaw.com
21 James Beckstrom	jbeckstrom@maclaw.com
22 Ty Kehoe	TyKehoeLaw@gmail.com
23 Jeffrey Sylvester	jeff@sylvesterpolednak.com
24 Maria Parra-Sandoval, Esq.	mparra@lacs.org
25 Kate McCloskey	NVGCO@nvcourts.nv.gov
26 Sonja Jones	sjones@nvcourts.nv.gov
27	
28	

1	LaChasity Carroll	lcarroll@nvcourts.nv.gov
2		
3	Matthew Piccolo	matt@piccololawoffices.com
4	Penny Walker	pwalker@lacs.n.org
5	John Michaelson	john@michaelsonlaw.com
6	John Michaelson	john@michaelsonlaw.com
7	David Johnson	dcj@johnsonlegal.com
8	Geraldine Tomich	gtomich@maclaw.com
9	Matthew Whittaker	matthew@michaelsonlaw.com
10		
11	Ammon Francom	ammon@michaelsonlaw.com
12	Matthew Whittaker	matthew@michaelsonlaw.com
13	Ammon Francom	ammon@michaelsonlaw.com
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1 **NOA**

2 Elizabeth Brickfield, Esq. NSB #6236
3 DAWSON & LORDAHL PLLC
4 8925 West Post Road, Suite 210
5 Las Vegas, Nevada 89148
6 Telephone: (702) 476-6440
7 Facsimile: (702) 476-6442
8 ebrickfield@dlnevadalaw.com
9 *Guardian ad Litem for Kathleen Jones*

6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**

8 In the Matter of the Guardianship of:

9 KATHLEEN JONES

10 Protected Person.

Case No.: G-19-052263-A

Dept. No.: B

Hearing Date: May 13, 2021

Hearing Time: 1:00 p.m.

12 **NOTICE OF APPEARANCE**

13
14 PLEASE TAKE NOTICE that Elizabeth Brickfield, Esq., of the law firm of DAWSON &
15 LORDAHL PLLC, has been appointed as GUARDIAN AD LITEM for KATHLEEN JONES,
16 protected person.

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1 Please direct all further communication, filings or correspondence to the undersigned at the
2 foregoing address and phone number.

3 DATED this 22 day of February 2021.
4

5 DAWSON & LORDHAL PLLC

6
7 
8 Elizabeth Brickfield, Esq. NSB #6236
9 8925 West Post Road, Suite 210
10 Las Vegas, Nevada 89148
11 Telephone: (702) 476-6440
12 Facsimile: (702) 476-6442
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Guardian ad Litem for Kathleen Jones

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1 **NOTC**

2 **DAWSON & LORDAHL PLLC**

3 Elizabeth Brickfield, Esq. NSB #6236

4 8925 West Post Road, Suite 210

5 Las Vegas, Nevada 89148

6 Telephone: (702) 476-6440

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8 ebrickfield@dlnevadalaw.com

9 *Guardian ad Litem for Kathleen Jones*

10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 In the Matter of the Guardianship of:

13 KATHLEEN JONES

14 Protected

15 Person.

Case No.: G-19-052263-A

Dept. No.: B

Hearing Date: May 13, 2021

Hearing Time: 1:00 p.m.

16 **NOTICE OF INTENTION TO SEEK ATTORNEY'S FEES AND COSTS FROM**

17 **GUARDIANSHIP ESTATE PURSUANT TO NRS 159.344(3)**

<input type="checkbox"/> TEMPORARY GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. <input type="checkbox"/> Person and Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. <input type="checkbox"/> Person and Estate	<input type="checkbox"/> NOTICES/SAFEGUARDS <input type="checkbox"/> Blocked Account Required <input type="checkbox"/> Bond Required

18
19
20 PLEASE TAKE NOTICE that pursuant to NRS 159.344.(3), DAWSON & LORDAHL
21 PLLC, intends to petition the Court for an order authorizing attorney's fees and costs incurred by,
22 Guardian ad Litem of the Protected Person, Kathleen Jones, on a future date. The terms of the
23 engagement are as follows:

24 1. **Compensation Arrangement.** As Court appointed Guardian ad Litem, Elizabeth
25 Brickfield of Dawson & Lordahl PLLC on an hourly basis, plus actual costs and takes personal
26 responsibility for the legal fees and costs incurred under this appointment. Compensation will be
27 calculated by multiplying the number of hours spend (using one-tenth of an hour increments) by the
28 hourly rate of the timekeeper providing services. Billing detail shall be itemized by task and date.

1 Periodically, and in compliance with NRS 159.344(3), Dawson & Lordahl PLLC may petition the
2 Court for payment of fees and costs and shall not be paid from the guardianship estate until and unless
3 the Court authorizes such payment.

4 **2. Timekeepers.** The following timekeeper are expected to bill this matter:

- 5 a. Elizabeth Brickfield, at \$400.00 per hour.
- 6 b. Melissa R. Douglas, at \$350.00 per hour.
- 7 c. Barbara Morelli, at \$225.00 per hour.
- 8 d. Karen Friedrich at \$75.00 per hour.

9 See Dawson & Lordahl PLLC's Standard Hourly Rates Schedule attached hereto and
10 incorporated herein as "Exhibit 1".

11 **3. Services of any attorney are necessary to advance the best interests of the**
12 **protected person.**

13 DATED this 22 day of February 2020.

14
15 DAWSON & LORDAHL, PLLC

16 
17 Elizabeth Brickfield, Esq.
Guardian ad Litem

18 **SUBMITTED BY:**
19 **DAWSON & LORDAHL PLLC**


20 
21 Elizabeth Brickfield, Esq. NSB #6236
22 8925 West Post Road, Suite 210
23 Las Vegas, Nevada 89148
24 Telephone: (702) 476-6440,
Facsimile: (702) 476-6442
ebrickfield@dlnevadalaw.com
Guardian ad Litem for Kathleen Jones

Exhibit "1"

Dawson & Lordahl PLLC's Standard Hourly Rates Schedule

Standard Hourly Rates Schedule

Attorney Name	Standard Hourly Rate
John E. Dawson	\$500.00
Elizabeth Brickfield	\$400.00
Var E. Lordahl	\$360.00
Michelle Hauser	\$400.00
Melissa Douglas	\$350.00

Staff Name	Standard Hourly Rate
Tracey E. Fiedler	\$225.00
Barbara Morelli	\$225.00
Susan Pinjuv	\$175.00
Natalie Spencer	\$160.00
Hannah Bock	\$75.00
Alison Schwertfeger	\$75.00
Karen Friedrich	\$75.00

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the day of 22nd day of February 2021, I caused a true and
3 correct copy of the *NOTICE INTENTION TO SEEK ATTORNEY'S FEES AND COSTS FROM*
4 *GUARDIANSHIP ESTATE PURSUANT TO NRS 159.344(3)* filed on February 22, 2021, to be
5 served through the Court's electronic filing system or by depositing the same in the United
6 States mail in Las Vegas, Nevada, first class postage prepaid, address to the following parties:
7

8
9 Maria L. Parra-Sandoval, Esq.
10 LEGAL AID OF SOUTHERN NEVADA
11 725 E. Charleston Blvd.
12 Las Vegas, NV 89104
mparra@lasn.org
Attorney for Protected Person

Tiffany O'Neal
177 N. Singingwood Street, Unit 13
Orange, CA 92869

13 Jen Adamo
14 14 Edgewater Drive
15 Magnolia, DE 19962

Ampersand Man
2824 High Sail Court
Las Vegas, Nevada 89117

16 Courtney Simmons
17 765 Kimbark Avenue
18 San Bernardino, CA 92407

Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

19
20
21
22 
23 An Employee of Dawson & Lordahl PLLC
24
25
26
27
28



1 **NOTC**

2 Maria L. Parra-Sandoval, Esq.

3 Nevada Bar No. 13736

4 mparra@lacsns.org

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

7 725 E. Charleston Blvd

8 Las Vegas, NV 89104

9 Telephone: (702) 386-1526

10 Facsimile: (702) 386-1526

11 *Attorney for Kathleen June Jones, Adult Protected Person*

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

14 In the Matter of the Guardianship of the Person
15 and Estate of:

16 KATHLEEN JUNE JONES,

17 Adult Protected Person.

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

20 **KATHLEEN JUNE JONES' NOTICE OF OBJECTION TO**
21 **GUARDIAN AD LITEM'S WRITTEN NOTICE OF INTENTION TO SEEK**
22 **ATTORNEY'S FEES AND COSTS FROM GUARDIANSHIP ESTATE PURSUANT TO**
23 **NRS 159.344(3)**

24 Kathleen June Jones, the protected person herein, ("June"), by and through her counsel,
25 Maria Parra-Sandoval, Esq., of Legal Aid Center of Southern Nevada, Inc., hereby submits her
26 notice of objection to the written Notice of Intention to Seek Attorney's Fees and Costs From
27 the Guardianship Estate Pursuant to NRS 159.344(3) filed by Elizabeth Brickfield, Esq, the
28 court-appointed guardian ad litem (GAL). June files this Notice of Objection to preserve her
right to raise these and any other objections she may have when/if the GAL files a petition for
fees.

1. June Objects to the GAL's Rate For Her Services.

Nowhere in Chapter 159 of the Nevada Revised Guardianship Statutes or Statewide
Guardianship Rules does it state that a guardian ad litem must have a legal background to serve

1 as a guardian ad litem. Under Rule 8 (H): “A guardian ad litem *may be* a trained volunteer from
2 a court-approved advocate program, an attorney, or *any other person* that the court finds has
3 appropriate training and experience (emphasis added).¹ This Rule allows any person in the
4 community to serve as a guardian ad litem without the need to have legal experience.
5 Additionally, NRS 159.0455(4) provides that a guardian ad litem “shall not” provide legal
6 services.² Therefore, the appointed GAL is not entitled to the hourly attorney rate that she
7 typically charges for her attorney services.
8

9 Under the Order of Appointment, the guardian ad litem is directed to address the
10 following issues. These issues do not require legal expertise to fulfill:

11 Scheduled opportunities for Protected Person to elect to speak with
12 and/or visit in person with her adult daughters and whether the Guardian
13 has an obligation to facilitate, prompt, encourage, plan, schedule, and/or
14 create an environment that promotes an opportunity for continued
15 communication between Protected Person and her adult daughters based
16 upon the current level of care and needs of the Protected Person. See
Verified Petition for Communication, Visits, and Vacation Time with
Protected Person, filed December 30, 2020, Oppositions filed January 25,
2021; and hearing held on February 11, 2021.³

17 The Court further ordered that the guardian ad litem:

18 *shall not offer legal advice* to the Protected Person or Proposed Protected Person,
19 but shall advocate for the **best interest** of the Protected Person in a manner that will
20 enable the court to determine the action that will be the **least restrictive** and in
21 the best interests of the Protected Person and provide any information required
by the court pursuant to NRS 159.0455 until relieved by order of the court
(emphasis added).⁴

22
23 While the court-appointed GAL may be entitled to fees for her services regarding the
24 issues she has been specifically appointed to address, she is not entitled to fees at the attorney
25 rate (for herself and others at her firm) that she is proposing in her Notice of Intent. In her Notice
26

27 ¹ See Statewide Rules for Guardianship, Rule 8.

28 ² See NRS 159.0455(4).

³ See Order Appointing Guardian ad Litem, p. 2

⁴ Id.

1 of Intent, the GAL states her intention to seek fees at the rate of \$400 per hour for herself; \$350
2 per hour for other associates; \$225 per hour and \$75 per hour for possible paralegals or other
3 administrative staff assistance, without labeling any such positions.⁵ Clearly, the \$400 per hour
4 rate is the GAL's attorney rate.⁶ In light of the specific duties the GAL has been ordered to
5 address while "not offer[ing] legal advice to the Protected Person," the GAL is not entitled to an
6 attorney rate for performing her duties which do not require her legal skills and legal expertise.
7 Furthermore, June puts the GAL on notice that she will object to fees incurred as a result of the
8 GAL involving herself in any other matters outside the scope of the limited duties outlined in
9 the Court's Order Appointing Guardian ad Litem.
10

11 The GAL should be compensated based on what other comparable GAL's charge on an
12 hourly basis. According to a search of compensation websites, the national average GAL hourly
13 rates range from approximately \$22.00 per hour to \$48.00 per hour.⁷ Accordingly, the rate
14 which the GAL is seeking for her services in this matter is clearly outside the norm.
15

16 2. June Objects to Paying the GAL's Fees.

17 Finally, June should not have to pay for the court-appointed GAL when she objected to
18 the appointment of the GAL in the first instance. The petitioners, Robyn Friedman and Donna
19 Simmons, requested that a GAL should be appointed.⁸ Since it was their request, they should be
20 the ones paying for the GAL's fees.
21

22 3. June Objects to the GAL's Associates' Rates and Their Involvement in Her Case.
23
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25

26 ⁵ See Notice of Intention to Seek Attorney's Fees and Costs from the Guardianship Estate
Pursuant to NRS 159.344(3), Section 2 "Timekeepers", p. 2.

27 ⁶ Id., at p. 3, Exhibit 1, Dawson & Lordahl PLLC's Standard Hourly Rates Schedule.

28 ⁷ See zippia.com/guardian-ad-litem-jobs/; glassdoor.com/Salaries/guardian-ad-litem-salary;
ziprecruiter.com/Salaries/Guardian-Ad-Litem-Attorney-Salary.

⁸ See Verified Petition for Communication, Visits, and Vacation Time with Protected Person, filed
December 30, 2020, p. 5, para. 17.

1 The Court appointed the GAL on February 16, 2021.⁹ Subsequently, on February 22, 2021, the
2 GAL filed both a Notice of Appearance¹⁰ and a written Notice of Intention to Seek Attorney's
3 Fees and Costs From Guardianship Estate Pursuant to NRS 159.344(3).¹¹ As noted, it is
4 inappropriate for the GAL to seek "attorney" fees when she will not be acting in a legal capacity
5 in this matter. The GAL's written notice of intent to seek fees states that the principal attorney
6 bills at an hourly rate of \$400.00 and that other attorneys (without labeling their position such as
7 associate or senior) bill at hourly rates of \$350.00 to \$500 per hour.¹² There should be no cause
8 for an associate or other attorney working with the GAL to be involved in this matter and June
9 objects to the notice on this basis. The GAL was appointed to address one issue for the Court
10 and it is straight-forward and will only require interviewing with June and family members.¹³
11 Thus, this case will simply not require any lawyer working with the GAL to be involved or to
12 have reason to charge fees.
13

14 4. June Objects to Other Staff Rates Identified in the Notice.
15

16 Further, the GAL's notice includes hourly rates of other "staff" members in her firm
17 without labeling their positions (paralegal, etc.). Assuming the list includes paralegals, the
18 paralegals at the firm bill at the following rates: \$75, \$160, \$175, and \$225 per hour.¹⁴
19 According to the GAL, the "expected timekeepers" on this matter bill at \$75 and \$225 per hour.¹⁵
20 At the outset, June objects to any other person, other than the appointed GAL to carry out the
21 specific duties of the GAL. Furthermore, according to a 2016 report issued by the National
22

23 ⁹ See Order Appointing Guardian Ad Litem, February 16, 2021.

24 ¹⁰ See Notice of Appearance

25 ¹¹ See Notice of Intention to Seek Attorney's Fees and Costs from Guardianship Estate
Pursuant to NRS 159.344(3), filed February 22, 2021.

26 ¹² Id. at p. 3.

27 ¹³ See Order Appointing Guardian ad Litem.

28 ¹⁴ See Notice of Intention to Seek Attorney's Fees and Costs from the Guardianship
Estate Pursuant to NRS 159.344(3), p. 3.

¹⁵ Id. at p. 2.

1 Association of Legal Assistants, the leading paralegal association in the U.S., “the Far West
2 region continues to report the highest hourly billing rate [for paralegals] averaging \$136.00 an
3 hour, which includes states like California, Oregon, and Nevada.”¹⁶ Indeed, even paralegals with
4 over twenty-five years of experience bill at a rate of only \$145.00 per hour on average.¹⁷
5 Assuming the list of “staff” members are paralegals, guardian ad litem’s stated hourly rates of
6 \$160, \$175, and \$225 per hour, for whom no information regarding education or experience has
7 been provided, is much higher than the average rate for very experienced paralegals in Nevada.
8

9 Finally, if any administrative assistants have been included under the “staff” list and as
10 “expected timekeepers”, undersigned objects to their hourly rates as any clerical/administrative
11 tasks are not billable under NRS 159.344.

12 5. The GAL Failed to Properly Serve Those Entitled to Service.

13 NRS 159.344 requires that the Notice of Intent be served on all person entitled to notice
14 pursuant to NRS 1529.034 and 159.047. This requirement has not been satisfied. Teri Butler
15 (586 N Magdalena St., Dewey, AZ 86327), June’s daughter, who is not represented by any
16 attorney, is not listed on the Certificate of Service. Other grandchildren seem to be missing as
17 well from the service list. Undersigned also requests that an amended Certificate of Service
18 include all attorneys who were electronically served so as to ensure that all of June’s family
19 members were properly served.
20

21 ///

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26 ¹⁶ See National Association of Legal Assistants, *2016 National Utilization &*
27 *Compensation Survey Report*, at 3, available at
28 <https://www.nala.org/sites/default/files/files/banner/2016%20NALA%20Utilization%20Compensation%20Survey%20Report.pdf>.

¹⁷ Id. at 22 (Hourly Billing Rates by Total Years Legal Experience).
Case No.: G-19-052263-A

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DATED this 26th day of February, 2021.

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

/s/ Maria Parra-Sandoval
Maria Parra-Sandoval, Esq.
Nevada Bar No. 13736
**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**
725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1526
Facsimile: (702) 386-1526
mparra@lacsnsn.org
*Attorney for Adult Protected Person
Kathleen June Jones*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of February, 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **KATHLEEN JUNE JONES' NOTICE OF OBJECTION TO GUARDIAN AD LITEM'S WRITTEN NOTICE OF INTENTION TO SEEK ATTORNEY'S FEES AND COSTS FROM GUARDIANSHIP ESTATE PURSUANT TO NRS 159.344(3)** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Teri Butler
586 N Magdalena St.
Dewey, AZ 86327

Jen Adamo
14 Edgewater Dr.
Magnolia, DE 19962

Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

Jon Criss
804 Harkness Lane, Unit 3
Redondo Beach, CA 90278

Ryan O'Neal
112 Malvern Avenue, Apt. E
Fullerton, CA 92832

Tiffany O'Neal
177 N. Singingwood Street, Unit 13
Orange, CA 92869

Ampersand Man
2824 High Sail Court
Las Vegas, NV 89117

Courtney Simmons
765 Kimbark Avenue
San Bernardino, CA 92407

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to EDCR 8.05:

John P. Michaelson
john@michaelsonlaw.com
Jeffrey R. Sylvester, Esq.
jeff@SylvesterPolednak.com
Attorneys for Robyn Friedman and Donna Simmons
Geraldine Tomich, Esq.
gtomich@maclaw.com
James Beckstrom, Esq.
jbeckstrom@maclaw.com
Attorneys for Guardian Kimberly Jones

/s/ Penny Walker

Employee of Legal Aid Center of Southern Nevada, Inc.



1 **Marquis Aurbach Coffing**
2 Geraldine Tomich, Esq.
3 Nevada Bar No. 8369
4 James A. Beckstrom, Esq.
5 Nevada Bar No. 14032
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 gtomich@maclaw.com
11 jbeckstrom@maclaw.com
12 *Attorneys for Kimberly Jones, Guardian*
13 *of the Protected Person June Jones*

8
9
10 **DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 In the Matter of the Guardianship of the Person
13 and Estate of,

14
15 KATHLEEN JUNE JONES,
16 Protected Person.

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

17
18 **KIMBERLY JONES' JOINDER TO KATHLEEN JUNE JONES' NOTICE OF**
19 **OBJECTION TO GUARDIAN AD LITEM'S WRITTEN NOTICE OF INTENTION TO**
20 **SEEK ATTORNEY'S FEES AND COSTS FROM GUARDIANSHIP ESTATE**
21 **PURSUANT TO NRS 159.344(3)**

22 Kimberly Jones, Guardian of the Protected Person June Jones, by and through the law
23 firm of Marquis Aurbach Coffing, hereby fully joins Kathleen June Jones' Notice of Objection to
24 Guardian Ad Litem's Written Notice of Intention to Seek Attorney's Fees and Costs from
25 Guardianship Estate Pursuant to NRS 159.344(3) in all material respects.

26 Dated this 1st day of March, 2021.

27 MARQUIS AURBACH COFFING

28 By /s/ James A. Beckstrom
Geraldine Tomich, Esq.
Nevada Bar No. 8369
James A. Beckstrom, Esq.
Nevada Bar No. 14032
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorney(s) for Kimberly Jones

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **KIMBERLY JONES' JOINDER TO KATHLEEN JUNE JONES' NOTICE OF OBJECTION TO GUARDIAN AD LITEM'S WRITTEN NOTICE OF INTENTION TO SEEK ATTORNEY'S FEES AND COSTS FROM GUARDIANSHIP ESTATE PURSUANT TO NRS 159.344(3)** was submitted electronically

for filing and/or service with the Eighth Judicial District Court on the 1st day of March, 2021.

Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Ty E. Kehoe, Esq.
KEHOE & ASSOCIATES
871 Coronado Center Drive, Ste. 200
Henderson, NV 89052
Attorneys for Rodney Gerald Yeoman

Matthew C. Piccolo, Esq.
PICCOLO LAW OFFICES
2450 St. Rose Pkwy., Ste. 210
Henderson, NV 89074
Attorneys for Rodney Gerald Yeoman

Laura A. Deeter, Esq.
GHANDI DEETER BLACKHAM
725 S. 8th Street, Ste. 100
Las Vegas, NV 89101
Attorneys for Rodney Gerald Yeoman

Maria L. Parra-Sandoval, Esq.
LEGAL AID OF SOUTHERN NEVADA
725 E. Charleston Blvd.
Las Vegas, NV 89104
Attorney for Kathleen June Jones Protected Person

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

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Ampersand Man
2824 High Sail Court
Las Vegas, Nevada 89117

Tiffany O'Neal
177 N. Singingwood Street, Unit 13
Orange, CA 92869

/s/ Cheryl Becnel
An employee of Marquis Aurbach Coffing

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



RSPN
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ebrickfield@dlnevadalaw.com
Guardian ad Litem for Kathleen Jones

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of:

KATHLEEN JONES,

Protected Person.

Case No.: G-19-052263-A

Dept. No.: B

Hearing Date: March 11, 2021

Hearing Time: 2:00 p.m.

RESPONSE TO OBJECTION TO FEES AS GUARDIAN AD LITEM

I, ELIZABETH BRICKFIELD, declare and state under penalties of perjury:

1. I am the duly appointed Guardian ad Litem for Kathleen June Jones in Case No. G-19-052263-A, *In the Matter of the Guardianship of Kathleen June Jones*, pending before Department B of the District Court, Family Division, Clark County, Nevada.

2. I submit this Declaration in response to the Objections to the Guardian Ad Litem's Written Notice of Intent to Seek Attorney's Fees and Costs Pursuant to NRS 159.344.

3. I have been licensed to practice law in the State of Nevada since 1997.

4. Currently, I am a Partner with the law firm of Dawson & Lordahl, PLLC, where I practice primarily in the Estate Planning & Administration Department; previously, I was a Member of the law firm of Dickinson Wright PLLC and a shareholder with the law firm of Lionel Sawyer & Collins, where I practiced primarily in the Business Law Department, which include the trust administration, estate administration and guardianship administration portion of the practice of law.

5. My practice consists of tax law, family law, trusts and estate, guardianship matters and trust and probate litigation.

6. I received my LL.M. in Taxation from the New York University School of Law, which has been ranked as the #1 Taxation LL.M program in the country by U.S. News & World Reports since 1992.

7. I am a member of the Southern Nevada Counsel of Estate Planners, the State Bar of Nevada's Elder Law Section and the State Bar of Nevada's Trust and Probate Law Section.

8. I am the former Chair of the State Bar of Nevada's Trust and Probate Section.

9. I am Martindale Hubble Preeminent AV-Rated and was named one of Nevada's Top Lawyers by *Desert Companion* magazine. I am also listed as a 2015-2019 Mountain State Super Lawyer.

10. I was formerly a member of NAELA (National Association of Elder Law Attorneys).

11. I have taught seminars on matters including guardianship law, probate law, trust and estate administration and elder law.

12. I have represented individuals in more than twenty contested guardianship matters, as well as serving as guardian ad litem in contested matters.

13. My rates as counsel and my rates as guardian ad litem are comparable to those charged by other attorneys in Clark County Nevada with similar levels of experience and expertise acting as counsel and as guardian ad litem.

14. I delegate whenever necessary to minimize charges for the estate of the protected person while achieving the best work product possible. I do not delegate the necessary functions of a guardian ad litem.

15. I make this declaration under penalties of perjury.

Dated: March 9, 2021.

DAWSON & LORDHAL PLLC

Elizabeth Brickfield, Esq. NSB #6236
ebrickfield@dlnevadalaw.com
Guardian ad Litem for Kathleen Jones

CERTIFICATE OF SERVICE

I hereby certify that on the day of 9th day of March 2021, I caused a true and correct copy of the RESPONSE TO OBJECTION TO FEES AS GUARDIAN AD LITEM filed on March 9, 2021, to be served through the Court's electronic filing system or by depositing the same in the United States mail in Las Vegas, Nevada, first class postage prepaid, address to the following parties:

Maria L. Parra-Sandoval, Esq.
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Attorney for Protected Person

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An Employee of Dawson & Lordahl PLLC

Steven D. Grierson

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Ph: (702) 731-2333
Fax: (702) 731-2337
Counsel for Robyn Friedman and Donna Simmons

DISTRICT COURT

CLARK COUNTY, NEVADA

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

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A
Department: B

**ROBYN FRIEDMAN and DONNA SIMMONS' JOINDER TO RESPONSE TO
OBJECTION TO FEES AS GUARDIAN AD LITEM**

☐ TEMPORARY GUARDIANSHIP

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

☒ GENERAL GUARDIANSHIP

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

☐ SPECIAL GUARDIANSHIP

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

☐ NOTICES / SAFEGUARDS

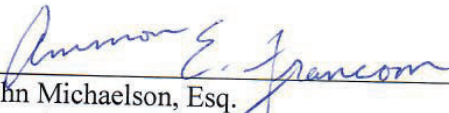
- ☐ Blocked Account
☐ Bond Posted
☐ Public Guardian Bond

COMES NOW, Robyn Friedman ("Robyn") and Donna Simmons ("Donna") ("Robyn"
and "Donna"), by and through the law firm Michaelson & Associates, Ltd., and hereby submit this
Joinder to the Guardian ad Litem's Response to Objection to Fees as Guardian ad Litem.

1 This Joinder is based upon the following Memorandum of Points and Authorities, all
2 pleadings and papers on file in this case and any oral argument of counsel at the hearing on this
3 matter.

4 DATED: this 10th day of March, 2021.

5 MICHAELSON & ASSOCIATES, LTD.

6
7 

8 John Michaelson, Esq.

9 Nevada Bar No. 7822

10 Ammon E. Francom, Esq.

11 Nevada Bar No. 14196

12 2200 Paseo Verde Parkway, Ste. 160

13 Henderson, Nevada 89052

14 Attorney for Robyn Friedman and

15 Donna Simmons
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MEMORANDUM OF POINTS AND AUTHORITIES

1
2 1. On February 22, 2021, the Protected Person's Guardian ad Litem Elizabeth Brickfield filed
3 a Notice of Intention to Seek Attorney's Fees and Costs from Guardianship Estate Pursuant to
4 NRS 159.344(3) (the "Notice").

5 2. On February 26, 2021, the Legal Aid Center of Southern Nevada filed a Notice of
6 Objection to the Notice (the "LACSN Objection"). The LACSN Objection makes the following
7 limited contentions: 1) the Guardian ad Litem should not be paid attorney rates because the tasks
8 in the Court's Order do not require a law degree to complete; 2) instead, LACSN asks that the
9 Guardian ad Litem be paid based on a "national average;" 3) Petitioners should have to pay the
10 Guardian ad Litem's fees; 4) no one else at the Guardian ad Litem's law firm should be able to bill
11 their time; 5) if support staff are allowed to bill their time, then they should only be allowed to bill
12 at a near zero rate.

13
14 3. On March 1, 2021, Guardian Kimberly Jones filed a joinder to the LACSN Objection (the
15 "Guardian Joinder") that added no material points or authorities.

16 4. On March 9, 2021, the Guardian ad Litem filed a Response (the "Response") describing
17 the Guardian ad Litem's extensive and impressive experience that more than justifies her hourly
18 rate and explains that she delegates work to others in her firm with lower hourly rates to save costs
19 to the estate.

20 5. Robyn and Donna join the Response in all material respects. Additionally, Robyn and
21 Donna add the following arguments:

22 6. The Court appointed a highly experienced attorney as guardian ad litem for a reason. This
23 is a complicated guardianship case with deep issues that must be untangled for the Court to issue
24 appropriate, effective relief. While Robyn and Donna suggested the appointment of a guardian ad
25

1 item to assist the Court in analyzing the many competing claims in this matter, Robyn and Donna
2 did not request specifically that attorney Elizabeth Brickfield be appointed. It was the Court who,
3 in its wisdom and experience, specifically chose Ms. Brickfield for her extensive expertise.
4 Moreover, this Court appointed an attorney with Ms. Brickfield's expertise to investigate and
5 report on the Protected Person's interests at an attorney level because that is what is needed. In
6 fact, Ms. Brickfield served on the guardianship commission and therefore has extensive knowledge
7 and understanding of the guardianship bill of rights as well as many other relevant matters such as
8 the guardianship rules which she helped formulate. An attorney is needed as guardian ad litem in
9 this case to effectively understand and argue for Ms. Jones' best interest due to the intricate nature
10 of the issues before the Court. Indeed, most non-attorneys would struggle to grasp and apply the
11 required analyses to provide the information the Court requests in this case. Further, the Court
12 appointed Ms. Brickfield at her going rate (along with her support staff) to assist the Court in
13 obtaining information the Court needs to decide on the Protected Person's best interests.
14 Accordingly, it is not reasonable for LACSN to ask that the guardian ad litem apply her extensive
15 knowledge and expertise at a rate that is more than eighteen times lower than her normal hourly
16 rate.
17

18 7. The relief requested by the LACSN Objection is belied by the plain language of the rule it
19 relies on. The LACSN Objection quotes and relies on Rule 8 of Nevada's Statewide Rules for
20 Guardianship. Rule 8 concerns who the Court can contemplate to appoint as a guardian ad litem.
21 It has nothing to do with compensation of a guardian ad litem. Different guardianship matters
22 require varying degrees of knowledge, experience, and expertise. Nothing in Rule 8 precludes the
23 Court from exercising appropriate discretion to determine that this particular extremely contested
24 matter requires an extensively experienced attorney to be the Protected Person's guardian ad litem.
25

1 8. Moreover, if LACSN is truly concerned with costs to the guardianship estate, then LACSN
2 should not object to Ms. Brickfield's ability to delegate work that does not require her extensive
3 experience and knowledge to associate attorneys and support staff with lower hourly rates.

4 9. The hourly rates requested in the Notice are on par with the prevailing market rates in the
5 8th Judicial District for individuals with equal experience and expertise. It makes no sense to apply
6 a "national average" to hourly rates. Hourly rates are a localized, market-driven analysis. The
7 LACSN Objection and the Guardian's Joinder do not provide any data that shows the Guardian ad
8 Litem's requested rates are excessive or unreasonable for the 8th Judicial District. Accordingly, the
9 LACSN Objection and the Guardian's Joinder fail to provide evidence sufficient for the Court to
10 reject the Notice's rates.

11 10. The LACSN Objection asks the Court to lower the guardian ad litem's hourly rates based
12 on a mischaracterization of data. The LACSN Objection cites to zippia.com, glassdoor.com, and
13 ziprecruiter.com for national average salaries for attorney guardian ad litem. The issue before the
14 Court is not whether Ms. Brickfield's law firm is paying her a reasonable salary. Moreover, the
15 LACSN Objection does not cite to any data on what courts have found as reasonable compensation
16 for fees and costs in guardianship matters for attorney guardian ad litem. Accordingly, LACSN's
17 provided data is irrelevant.

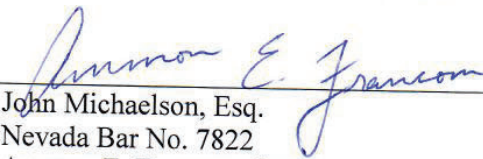
18 11. Finally, the LACSN's requested relief that Robyn and Donna pay the Guardian ad Litem's
19 fees and costs are rejected by the plain language of the statute. The Notice states an intention for
20 the guardian ad litem to be paid fees and costs pursuant to NRS 159.344. There is no reference in
21 that statute for the Court to order an interested party to the guardianship proceeding to pay
22 attorney's fees and costs for another. In fact, the statute only contemplates awarding fees from the
23 "guardianship estate." Robyn and Donna are not the guardianship estate. Moreover, the LACSN
24
25

1 Objection and the Guardian's Joinder do not provide any other statutory authority on this issue.
2 Therefore, the Court lacks statutory authority to order Robyn and Donna to pay the guardian ad
3 litem's fees.

4 12. Therefore, Robyn and Donna hereby request that the Court overrule the LACSN Objection
5 and the Guardian Joinder and allow Ms. Brickfield to proceed with her intention to seek attorney's
6 fees and costs from the guardianship estate pursuant to NRS 159.344(3).

7 DATED: this 10th day of March, 2021.
8
9

10 MICHAELSON & ASSOCIATES, LTD.

11 
12 John Michaelson, Esq.
13 Nevada Bar No. 7822
14 Ammon E. Francom, Esq.
15 Nevada Bar No. 14196
16 2200 Paseo Verde Parkway, Ste. 160
17 Henderson, Nevada 89052
18 Attorney for Robyn Friedman and
19 Donna Simmons
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CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, the undersigned hereby certifies a copy of the ROBYN FRIEDMAN and DONNA SIMMONS' JOINDER TO RESPONSE TO OBJECTION TO FEES AS GUARDIAN AD LITEM was served on the following individual on March 10, 2021, to the following individuals:

Geraldine Tomich, Esq. gtomich@maclaw.com James Beckstrom, Esq. jbeckstrom@maclaw.com Cheryl Becnel cbecnel@maclaw.com <i>Attorneys for Kimberly Jones</i>	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada mparra@lacsns.org Alexa Reanos areanos@lacsns.org
Jeffrey R. Sylvester jeff@sylvesterpolednak.com Kelly L. Easton kellye@sylvesterpolednak.com Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarrol@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov
Elizabeth Brickfield, Esq. ebrickfield@dlnevadlaw.com	

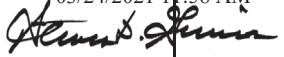
Pursuant to NRCP 5, the undersigned hereby certifies a copy of the ROBYN FRIEDMAN and DONNA SIMMONS' JOINDER TO RESPONSE TO OBJECTION TO FEES AS GUARDIAN AD LITEM was mailed by US first class mail, postage prepaid, in a sealed envelope

1
2 in Henderson, Nevada on the following individual on March 10, 2021, to the following
3 individuals and/or entities at the following addresses:

4 Jen Adamo 5 14 Edgewater Drive 6 Magnolia, DE 19962	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
7 Courtney Simmons 8 765 Kimbark Avenue 9 San Bernardino, CA 92407	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
9 Ampersand Man 10 2824 High Sail Court 11 Las Vegas, Nevada 89117	Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869

12 MICHAELSON & ASSOCIATES, LTD.

13 /s/ Lenda Murnane
14 Employee of Michaelson & Associates
15
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CLERK OF THE COURT

1 **ORDG**

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

5 In the Matter of the Guardianship of:

6 Kathleen Jones,

7 Protected Person(s).

Case No.:

8 G-19-052263-A

9 Department: B

10
11
12
13
14 **PROTECTIVE ORDER AUTHORIZING LIMITED REVIEW OF**
15 **CONFIDENTIAL DOCUMENTS**

16 TO: Elizabeth Brickfield, Esq., Guardian Ad Litem

17
18 The Court, having jurisdiction of the persons and estates of protected
19 persons pursuant to NRS 159.015 and Administrative Order 19-2, orders the
20 limited review of the Physician's Certificate in this matter pursuant to the
21 restrictions of the instant protective order.

22 **THE COURT FINDS** that the confidentially filed Physician's
23 Certificate relative to the Proposed Protected Person(s) or Protected Person(s),
24 is necessary to determine the best interest of the Protected Person.

25
26 **THE COURT FURTHER FINDS** that disclosure of the Physician's
27 Certificate to the Guardian ad Litem appointed by this Court to represent the
28

1 Proposed Protected Person or Protected Person in these proceedings is
2 reasonably necessary to promote the safety, permanency, and well-being of the
3 Protected Person.

4
5 **IT IS HEREBY ORDERED** that the Judicial Department shall
6 confidentially e-mail the Physician's Certificate to Counsel.

7
8 **THE COURT FURTHER ORDERS** that the Physician's Certificate is
9 confidential and subject to protective order. Counsel shall take great care to
10 protect and maintain the documents pursuant to this order.

11
12 **THE COURT FURTHER ORDERS** that the Physicians' Certificate
13 shall be confidentially and securely maintained by Counsel and shall not be
14 disseminated or transmitted to anyone.

15
16 **THE COURT FURTHER ORDERS** that the Physician's Certificate
17 shall remain in the possession and control of Counsel exclusively and may not
18 be made public in any way.

19
20 **THE COURT FURTHER ORDERS** that the Physician's Certificate,
21 maintained by Counsel pursuant to the instant order, be deleted and destroyed at
22 the conclusion of this matter.

23
24 Dated this 24th day of March, 2021

25
26 

27
28 3B8 C0D 04A6 E87A
Linda Marquis
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 In the Matter of the Guardianship of: CASE NO: G-19-052263-A
7 Kathleen Jones, Protected DEPT. NO. Department B
8 Person(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/24/2021

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18 Faydra Ross	fr@ghandilaw.com
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15	Matthew Whittaker	matthew@michaelsonlaw.com
16	Ammon Francom	ammon@michaelsonlaw.com
17		

18 If indicated below, a copy of the above mentioned filings were also served by mail
19 via United States Postal Service, postage prepaid, to the parties listed below at their last
20 known addresses on 3/25/2021

21	Elizabeth Brickfield	Dawson & Lordahl, PLLC
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23		Las Vegas, NV, 89148
24		
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26		
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2 Elizabeth Brickfield, Esq. NSB #6236
3 DAWSON & LORDAHL PLLC
4 8925 West Post Road, Suite 210
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7 Facsimile: (702) 476-6442
8 ebrickfield@dlnevadalaw.com
9 *Guardian ad Litem for Kathleen Jones*

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA

8 In the Matter of the Guardianship of:

9 KATHLEEN JONES,

10 Protected Person.

Case No.: G-19-052263-A

Dept. No.: B

Hearing Date: May 31, 2021

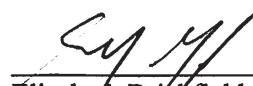
Hearing Time: 1:00 p.m.

12 REPORT TO THE COURT

13
14 Attached is Report from Elizabeth Brickfield, Esq., the appointed Guardian ad Litem
15 Kathleen Jones, to the Honorable Linda Marquis, dated this March 29, 2021.

16
17 Dated: March 29, 2021.

18
19 DAWSON & LORDHAL PLLC

20
21 
22 Elizabeth Brickfield, Esq. NSB #6236
23 8925 West Post Road, Suite 210
24 Las Vegas, Nevada 89148
25 Telephone: (702) 476-6440
26 Facsimile: (702) 476-6442
27 ebrickfield@dlnevadalaw.com
28 *Guardian ad Litem for Kathleen Jones*

CERTIFICATE OF SERVICE

I hereby certify that on the day of 29th day of March 2021, I caused a true and correct copy of the Report to the Court filed on March 29, 2021, to be served through the Court's electronic filing system or by depositing the same in the United States mail in Las Vegas, Nevada, first class postage prepaid, address to the following parties:

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Attorney for Protected Person

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James Beckstrom, Esq.
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An Employee of Dawson & Lordahl PLLC



DAWSON • LORDAHL
Trust, Estate, Business & Family Law

March 29, 2021

Hon. Linda Marquis
Family Court Judge
Eighth Judicial District Court
Department B
200 Lewis Avenue
Las Vegas, NV 89155

Re: Guardianship of Kathleen June Jones G-19-052263-A

Dear Judge Marquis:

On February 16, 2021, you appointed me as Guardian ad Litem for Kathleen June Jones (the "Protected Person" or "Ms. Jones") on the following issues:

Scheduled opportunities for the Protected Person to elect to speak with and/or visit in person with her adult daughters¹ and whether the Guardian has an obligation to facilitate, prompt, encourage, plan, schedule, and/or create an environment that promotes an opportunity for continued communication between Protected Person and her adult daughters, based upon the current level of care and needs of the Protected Person.

To meet the Court's assignment, I have done the following: (i) reviewed the pleadings relevant to the issues of visitation and communication and the Physician's Certificate and accompanying report; (ii) met with Ms. Jones by telephone on 2/24/21 and in person on 3/25/21; Ms. Jones was accompanied by LACSN counsel; (iii) met individually with Ms. Jones' five children by separate telephone or Zoom conferences; the children who are represented by counsel were accompanied by counsel. Each meeting with a child lasted approximately one hour; the two meetings with Ms. Jones totaled one hour.; and (iv) separate telephone conversations with the respective children's counsel.

I am reporting to the Court and the parties my conclusions and recommendations that I consider to be in Ms. Jones' best interest.

¹ Although the Court's order was addressed to the four daughters, Scott Simmons wants to interact with his mother.
www.DLNevadaLaw.com

My conclusions are as follows:

- (1) Ms. Jones wants visits and communications with her children and grandchildren and these visits and communications are in her best interest;
- (2) Ms. Jones' children and grandchildren want to visit and communicate with her;
- (3) Ms. Jones' lacks the ability to manage, initiate or plan these communications and visits;
- (4) Kimberly Jones has not encouraged or facilitated these visits and communications; and
- (5) Kimberly Jones is unlikely to encourage and facilitate visits without supervision by the Court and even then the Court will be required to expend significant efforts to make sure the visitation occurs.

I am an attorney who has practiced in Nevada in the areas of estate planning, probate and trust administration, guardianship and related litigation matters for the past twenty-five years. If Ms. Jones were to present to me as a potential client, I would decline to prepare estate planning documents for her in the absence of a concurrent medical opinion by a board-certified physician that she has testamentary capacity.

Ms. Jones is well cared for. She was well groomed, the house was clean with clear spaces allowing Ms. Jones use her walker and the dog was well groomed and well behaved. Ms. Jones uses a walker and needs assistance rising from patio chairs. It is apparent that she is in good physical health.

Although my conversations with Ms. Jones were directed and limited to the issues that the Court asked me to address, it is apparent to me that Ms. Jones' mental decline is more advanced than her physical decline, that she lacks the ability to comprehend or answer compound questions and that she lacks decision making ability or schedule management. It is clear to me that Ms. Jones has no concept of time or numbers: her descriptions of when she had last seen or spoken with each of her four children were about "a week" or "the last two weeks". She has specific recollections of the place where she last saw one daughter. Ms. Jones told me her husband Jerry was dead. She volunteered that she would be moving to Anaheim and that she wanted to move to the Anaheim home. She could not tell me when she was moving.

In our conversation, Kimberly told me that Ms. Jones had recently lunched with a friend. When I asked Ms. Jones about eating out, she guessed that she had eaten out with Kimberly. She could not tell me the correct number of her grandchildren, but told me that she had recently spoken with Cameron and Courtney (Scott's children).

Ms. Jones is very clear that she wants to see all of her children and grandchildren, that she wants to see them in her home, in their homes, on overnights and vacations. Ms. Jones wants to spend time with her family members. She appears to be at that point in time when she will enjoy plans that have been made for her or visits in her home with

family members, but that she no longer has the ability to initiate such plans.

Ms. Jones wants to communicate with her children and grandchildren by telephone. She tells me that her children and grandchildren call her, she does not call them. Ms. Jones is hard of hearing, deaf in one ear and dislikes wearing her hearing aid. She tells me that she prefers a telephone with a receiver, i.e. a landline. Ms. Jones and her children tell me that telephone conversations with Ms. Jones tend to be of short duration (two to four minutes). Mw own experience with Ms. Jones demonstrated the difficulties she has with a cell phone.

In our first conversation, Ms. Jones told me that she did not want a schedule for visits and telephone calls. She did not raise that topic at our in-person meeting. However, because Ms. Jones lacks the ability or desire to initiate telephone calls or schedule visits, it is in Ms. Jones' best interest to have a caregiver or guardian who encourages and arranges for such visits working with the children and grandchildren to ensure that the visits and telephone calls happen. In other words, given Ms. Jones' expressed desire to see and communicate with her children and grandchildren, their desire to see and communicate with their parent/grandparent, Ms. Jones' guardian should make this family interaction a top priority for the quality of Ms. Jones' life.

Ms. Jones' guardian should be facilitating and encouraging the mutual desire of parent and child to visit and communicate with each other on a regular basis. This does not have to be done with a planned schedule that Ms. Jones knows and consents to – frankly, I don't believe that Ms. Jones has the ability to comprehend or follow such a schedule.

This is not a family law custody matter. But most families communicate with each other to coordinate their visits and calls with their parents, as their parents age. They want to be sure that each sibling can visit with the parent and they want to be sure that the parent has a regular stream of family visitors and interactions. They want to help and they want to give the caregiver a break. Ms. Jones is fortunate that her children want to spend time with her, to make sure that she is ok and to enjoy her remaining time with her children and grandchildren. It is her guardian's responsibility to make this happen.

Even though we are talking about her mother and siblings., my concern is that Kimberly does not comprehend the desire of her mother and family members to interact with Ms. Jones. Kimberly does not understand or agree that these interactions when they occur in Ms. Jones' home should be outside of Kimberly's presence. In my conversation with Kimberly, she made clear that she will not agree that her siblings can visit Ms. Jones in her home without Kimberly's presence. Nor does she agree that she will encourage other visits or vacations between her mother and her siblings. She told me that she "would make" her mother visit with one particular sibling. That is not the language of a guardian working to encourage and facilitate the Protected Person's desire to visit and communicate with her children and grandchildren. Statements from all the children indicate that when these visits happen there is a lack of advance planning and sporadic

visitation with their mother since Kimberly became the guardian. Telephone calls or visits occur on short notice and at times that are close to court hearings. Children complain that they call their mother and their calls are not returned. It is unclear what notice June has of these proposed visits, that the duration has been explained to her or that she understands that she will return home and when.

Finally, Ms. Jones has indicated to me that she wants her children to know of her medical conditions and that she has made decisions for the disposition of her remains. Again, the ability to know your parent's medical conditions and to be able to say a final goodbye are inherent in the concept of visitation.

In summary, Ms. Jones' guardian, working with her children, must establish a mutually agreeable plan for Ms. Jones' interaction with her children and grandchildren that takes into account Ms. Jones' declining mental abilities, her desire to visit and communicate with her children and grandchildren, their desire to see and communicate with her and her declining physical abilities. Ms. Jones' guardian must encourage her interaction with her children and grandchildren. The plan should take into account how access will continue as Ms. Jones declines.

Visits and communications with family members is a basic right of every protected person. This Court should insist that Ms. Jones' rights and desires be carried out through a plan created with the involvement of all of Ms. Jones' children and put in place by the guardian.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Brickfield', with a stylized, cursive script.

Elizabeth Brickfield

Guardian ad Litem



1 **Marquis Aurbach Coffing**
 2 Geraldine Tomich, Esq.
 3 Nevada Bar No. 8369
 4 James A. Beckstrom, Esq.
 5 Nevada Bar No. 14032
 6 10001 Park Run Drive
 7 Las Vegas, Nevada 89145
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 10 gtomich@maclaw.com
 11 jbeckstrom@maclaw.com
 12 *Attorneys for Kimberly Jones*

DISTRICT COURT**CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of Estate of:

CASE NO.: G-19-052263-A

DEPT. NO.: B

KATHLEEN JUNE JONES,

Protected Person.

HEARING REQUESTED**X YES ____ NO****PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP**

17 COMES NOW, Kimberly Jones, in her capacity as Guardian of the Person and Estate of
 18 Kathleen June Jones, by and through the law firm of Marquis Aurbach Coffing, and hereby
 19 petitions this Court for a Petition to Relocate Protected Person and Transfer Guardianship. This
 20 Petition is based on the following Points and Authorities, the pleadings and papers on file herein,
 21 and any oral argument permitted at the hearing on this matter.

Dated this 26th day of March, 2021.**MARQUIS AURBACH COFFING**By /s/ James A. Beckstrom

Geraldine Tomich, Esq.

Nevada Bar No. 8369

James A. Beckstrom, Esq.

Nevada Bar No. 14032

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorneys for Kimberly Jones

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

The instant Petition is no surprise and has been contemplated by the family for some time. Kimberly Jones (“Kimberly”), Guardian of June Jones (“June”) hereby seeks an order of this Court for the relocation of June from Las Vegas to Anaheim, California. This relocation is in the best interests of June and necessary based on the totality of the circumstances. Notably, resolution of June’s civil lawsuit pertaining to her current residence in Las Vegas has resolved, with her waiving claims to ownership of that property in return for a financial payment. This has left June in a situation where she no longer has an ownership interest in any real property in Nevada. The termination of this ownership interest, as presented to this Court on a number of prior occasions is coming up very quickly—June’s move-out date is April 10, 2021.¹

In evaluating June’s options for relocation, Kimberly has made a diligent and detailed search for alternative housing that would be accommodate June. This included, but was not limited to, reviewing rental options in Las Vegas and the greater metropolitan area of Southern California, a place where June has historically resided and Kimberly resided prior to relocating to Las Vegas to assume her guardianship duties for June. The result of this search, after weighing rental costs, scarcity of rentals in light of the COVID-19 pandemic, and locating a stable living situation for June was a return to June’s former residence in Anaheim, California. As more fully detailed herein and has discussed previously before this Court, this option is the most logical and appropriate relocation for June. It provides June with a stable living environment, is extremely cost efficient, and a place June desires to reside. The location also checks the boxes as being close to the majority of June’s children, who reside in or around this area and allows Kimberly the opportunity, when and if the time is right, to ease back to some home-based work.

With this requested relocation is the concurrent request to transfer this Guardianship to the Court with jurisdiction over June’s proposed new domicile, the Orange County Superior Court.

¹ This is the last date under the settlement agreement that June will be allowed to reside in the Kraft Property, without incurring outrageous daily rent in the amount of \$175 per day, or approximately \$5,250 per month.

1 Transfer is sought in a phased approach pursuant to NRS 159.2023, wherein Kimberly seeks a
2 provisional order authorizing Kimberly to file for a Conservatorship in Orange County. Thereafter,
3 once the appropriate case has been opened, Kimberly seeks termination of this Court's jurisdiction
4 in ordinary course to finalize June's permanent transition.

5 **II. STATEMENT OF FACTS**

6 1. June currently resides with Kimberly at 6277 Kraft Avenue, Las Vegas, NV ("Kraft
7 Avenue"). June no longer owns Kraft Avenue and is currently a lessor subject to a leaseback
8 governed by a settlement agreement approved by this Court. Currently, June is paying a prorated
9 rent of \$4,000 per month. This rate increases if June has not vacated the Kraft Avenue on or before
10 April 10, 2021. Every day June stays in Kraft Avenue, is costing her unnecessary resources.²

11 2. June is the owner of real property in Anaheim, California, commonly described as
12 1054 S. Verde Street, Anaheim, CA 92805 (the "Anaheim Property"). This property is currently
13 occupied by tenants, paying \$2,500. However, Kimberly has gone to great lengths to explain
14 June's situation to these tenants and has negotiated early termination of the current tenancy as of
15 April 1, 2021. *See* Lease Termination Agreement, **Exhibit 1**. This was consistent with the opinion
16 of this Court and June's other children.

17 3. June is willing to move to the Anaheim Property, after Kimberly discussed the
18 available options with her, including the difficulty locating housing in the current rental market.
19 June is excited for what she calls a "new adventure."

20 4. The Anaheim Property currently has a mortgage in June's name totaling \$820.00
21 per month, inclusive of property taxes. Anticipated utilities for the home are conservatively
22 estimated at \$500 per month. The total monthly costs for this home would be approximately
23 \$1,320.00.

24 5. Kimberly and June would have their own rooms at the Anaheim Property. The
25 Property being comprised of approximately 1,236 square feet also has sufficient common areas for
26

27 ² This is the last date under the settlement agreement that June will be allowed to reside in the Kraft Property,
28 without incurring outrageous daily rent in the amount of \$175 per day, or approximately \$5,250 per month.

1 June to entertain family and friends that may come to visit her, as well as a spacious backyard area.
2 The breakdown would be June paying approximately \$250 per month (half estimated utilities) and
3 Kimberly paying \$1,070 per month (mortgage plus half utilities). The amount June will be paying
4 is far below any other available housing in Las Vegas or California.

5 6. Kimberly can move the limited amount of furniture from the Kraft Avenue Property
6 on April 1, 2021. This will be done through a U-Haul, estimated to cost between \$500-\$1,000. The
7 goal is to set the walk-thru contemplated by the Settlement Agreement for April 1, 2021.

8 7. The Anaheim Property is located within the judicial district of Orange County,
9 California.

10 8. June has previously resided in Anaheim, California and two of her children are
11 within driving distance of the Anaheim Property, Donna Simmons and Scott Simmons.

12 9. June previously had established geriatric care at University California Irvine, a
13 short drive from the Anaheim Property.

14 **III. LEGAL ARGUMENT**

15 Relocation of June and transferring these proceedings to California is the most appropriate
16 plan of action for June.

17 **A. RELOCATION OF JUNE IS NECESSARY, APPROPRIATE, AND IN**
18 **HER BEST INTEREST.**

19 NRS 159.0807(3)(b) requires the Guardian to notify all interested parties of a change of
20 residence. Here, as discussed at length throughout many hearings, Kimberly seeks permission to
21 relocate June from Las Vegas, Nevada to Anaheim, California. June currently resides with
22 Kimberly at Kraft Avenue. However, as June no longer owns Kraft Avenue and is currently a
23 lessor subject extremely high rent, a move from Kraft Avenue is necessary and in the best interest
24 of June. June's finances cannot afford the current rent of \$4,000 per month and certainly cannot
25 afford the increased rate of \$5,250 per month, which begins April 10, 2021.

26 Having searched for alternative housing, June's rental property in Anaheim, California is
27 the best available housing for June. June is the owner of the Anaheim Property and Kimberly has
28 negotiated an early termination of the tenancy currently occupying the Anaheim Property. *See*

1 Exhibit 1. June is willing to move to the Anaheim Property, after being presented with the
2 available options and being informed of the difficulty locating housing in the current rental market.
3 In all, June is excited for what she calls a “new adventure” where she is excited to be close to the
4 beach and blessed with year around good weather.

5 Analyzing this relocation in the light of finances and health, the relocation checks all of
6 June’s boxes. The Anaheim Property currently has a mortgage in June’s name totaling \$820.00
7 per month, inclusive of property taxes. Anticipated utilities for the home are conservatively
8 estimated at \$500 per month. The total monthly costs for this home would be approximately
9 \$1,320.00. Kimberly and June would have their own rooms at the Anaheim Property. The
10 breakdown would be June paying approximately \$250 per month (half estimated utilities) and
11 Kimberly paying \$1,070 per month (mortgage plus half utilities). *See Proposed Lease Agreement,*
12 **Exhibit 2.** The amount June will be paying is far below any other available housing in Las Vegas
13 or California.

14 Turning to continuity of health care, Anaheim is actually a better location for June to
15 receive a higher level of medical care. The Anaheim property is located very close to University
16 California Irvine Medical Center (“UCI”). June has previously established care at this location,
17 there is little need to explain that the world-class care at UCI is appropriate for June. June maintains
18 Medicare insurance and is in stable health, though she has regular doctor visits. Kimberly will
19 reestablish care at UCI within a week of moving to Anaheim and Kimberly will begin the process
20 of setting up medical record transfers from June’s current physicians in Las Vegas. In addition to
21 UCI, Anaheim is central to some of the best hospitals and medical care in the United States, as it
22 is centrally located to UCLA, Cedar Sinai, and a host of other first-class medical establishments.
23 Thus, regardless of whether June’s health continues to remain stable, as it has for the past three
24 years, Anaheim provides June with the necessary healthcare resources.

25 Finances and healthcare aside, relocation to Anaheim also places June closer to the
26 majority of her family, which consists of her three children, Scott Simmons, Donna Simmons, and
27 of course Kimberly—who lived in this area prior to temporary locating to Las Vegas to care for
28

1 June. While two of June's children, Robyn Friedman and Teri Butler remain in Nevada and
2 Arizona, this has already been a discussion before the Court and travel to June will not be difficult.

3 Finally, focusing on the timing of the relocation, as stated, Kimberly seeks to vacate Kraft
4 Avenue on April 1, 2021, the same date the Anaheim tenants are set to depart. This departure date
5 makes the most sense for a number of reasons. There is no need to be paying the current Kraft
6 Avenue owners any more rent than necessary and June is now anxious and excited to get to
7 California. It should come as no surprise that the past two years in Las Vegas have not been the
8 most memorable for June, as she has been faced with extended litigation and court proceeding, the
9 death of her husband, and a literal fight over where she belongs. June welcomes a fresh start with
10 open arms. In the event there is a short gap in the time the current tenants vacate the Anaheim
11 Property and the April 1, 2021 moving date, Kimberly after consulting with June and having
12 proposed the same to this Court, seeks permission to temporarily take June to Norco, California to
13 stay at Woodspring Extended Stay Suites. During this time June will be close to her daughter
14 Donna and her grandchildren. The location is safe, stable, and cost efficient. The hotel provides
15 handicap accessible features. It is pet friendly, so June can bring her beloved dog with her. It will
16 also allow Kimberly and June to vacate as soon as the Anaheim Property is available for move in,
17 without any delay. The anticipated cost of lodging for a week is approximately \$100 per day. *See*
18 Printout of Anticipated Charges, attached as **Exhibit 3**. This would allow June the quickest option
19 of relocation and is nothing unusual in the context of an out of state relocation. Overall, the
20 relocation should be approved, as it is the best option and desire of June.

21 **B. TRANSFER OF THIS GUARDIANSHIP IS NECESSARY.**

22 Pursuant to NRS 159.2023, Kimberly is authorized to petition this Court to transfer the
23 jurisdiction of these proceedings to California, the proposed place of relocation for June. Transfer
24 is the only logical option available in this case. If June establishes her domicile in Anaheim,
25 California, the intent of NRS 159 and logic dictate that California is the most suitable court to
26 oversee June's status as a protected person. In reviewing the required elements for transfer, this
27 Court shall issue a provisional order granting a petition to transfer, if it finds June is reasonably
28 expected to move permanently to California, the transfer is not contrary to the interests of June,

1 and reasonable and sufficient plans for care and services exist for June in California. NRS
2 159.023(2)(a)-(c).

3 Here, as explained above, each of these elements have certainly been met. Regardless of
4 whether any Objection by an interested party follows, this topic has little room for debate and has
5 already been extensively debated. The best option for June is to relocated to Anaheim, where she
6 can live the remainder of her life in sunny California. She will have a low cost of living and some
7 of the best healthcare available.

8 As such, Kimberly seeks a provision order of this Court authorizing her to open a
9 conservatorship case in California on or around April 1, 2021. Upon doing so, she will provide the
10 Court with proof of the California Conservatorship and will seek to terminate the proceedings in
11 the Eighth Judicial District. Kimberly seeks the provisional order on or before April 1, 2021
12 deadline, so she can begin the transfer process.

13 **IV. CONCLUSION**

14 Based on the foregoing, the Petition for Relocation and Transfer should be granted.

15
16 DATED this 26th day of March, 2021.

MARQUIS AURBACH COFFING

17
18 By /s/ James A. Beckstrom
19 Geraldine Tomich, Esq.
20 Nevada Bar No. 8369
21 James A. Beckstrom, Esq.
22 Nevada Bar No. 14032
23 10001 Park Run Drive
24 Las Vegas, Nevada 89145
25 *Attorneys for Kimberly Jones, as*
26 *Guardian of the Person and*
27 *Estate of Kathleen June Jones*
28

CERTIFICATE OF SERVICE

I hereby certify that the foregoing PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 26th day of March, 2021. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:³

Maria L. Parra-Sandoval, Esq.
LEGAL AID OF SOUTHERN NEVADA
725 E. Charleston Blvd.
Las Vegas, NV 89104
Attorneys for Protected Person

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

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

Teri Butler
586 N. Magdalena St.
Dewey, AZ 86327

Scott Simmons
1054 S. Verde St.
Anaheim, CA 92805

Jen Adamo
14 Edgewater Dr.
Magnolia, DE 19962

Jon Criss
804 Harksness Ln., Unit 3
Redondo Beach, CA 90278

Ryan O'Neal
112 Malvern Ave., Apt. E
Fullerton, CA 92832

Tiffany O'Neal
177 N. Singingwood St., Unit 13
Orange, Ca 92869

Cortney Simmons
765 Kimbark Ave.
San Bernardino, CA 9240

/s/ Cheryl Becnel
An employee of Marquis Aurbach Coffing

³ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

Exhibit 1

LEASE TERMINATION AGREEMENT

This LEASE TERMINATION AGREEMENT (the "**Lease Termination**") is made and entered into as of the 22nd day of March, 2021 (the "**Effective Date**"), by and between Kimberly Jones, Guardian of the Protected Person June Jones ("**Landlord**"), and [REDACTED], an individual ("**Tenant**").

RECITALS

WHEREAS, according to that certain California Residential Lease Agreement dated September 1, 2020 (the "**Lease**"), Landlord leased to Tenant that certain premises known as 1054 S. Verde Street, Anaheim, CA 92805 (the "**Premises**");

WHEREAS, Landlord and Tenant had a 1-year lease set to expire September 1, 2021 with a stated 60 day right to termination; and

WHEREAS, Landlord and Tenant desire to mutually terminate the Lease as of April 1, 2021 and forever waive any obligations, rights, or remedies available under the Lease.

AGREEMENT

NOW, THEREFORE, for good, valuable and sufficient consideration received, Landlord and Tenant hereby agree that the recitals above are true and correct and incorporated herein by this reference and further agree as follows:

1. **Lease Termination.** Landlord and Tenant agree that Tenant shall vacate the Premises on or before April 1, 2021. On or before April 1, 2021, Landlord and Tenant shall inspect the Premises to verify the condition of the Property (the "**Inspection**"). Within two business days following Inspection, Landlord shall provide to Tenant an itemized breakdown of any deductions from Tenant's security deposit, if any, along with any applicable refund of the security deposit.

2. **Mutual Waiver of Claims.** Landlord and Tenant hereby agree that in consideration for this Lease Termination, Landlord, Tenant, their heirs, assigns, and agents hereby waive any and all claims concerning the Lease or the Premises.

IN WITNESS WHEREOF, the undersigned have executed this Lease Termination Agreement as of the Effective Date.

LANDLORD:

Kimberly Jones, Guardian of Protected Person, June Jones

By: Kimberly Jones
Name: Kimberly Jones
Its: Guardian

TENANT:

[REDACTED] idual
By: [REDACTED]
Name: [REDACTED]
Its: [REDACTED]

Exhibit 2

LEASE AGREEMENT

THIS LEASE made this 1st day of April between Kimberly Jones, Guardian of the Protected person, June Jones ("Lessor") and Kimberly Jones, an individual ("Lessee"), for that real property commonly described as 1054 S. Verde Street, Anaheim, CA 92805 (the "Property").

R E C I T A L S:

1. Lessor is the owner of the Property, which is managed through her daughter, Lessee. Lessor and Lessee consistent with approval from the Guardianship Court in Clark County District Court Case No. G-19-052263-A, hereby agree and desire to enter into a month-to-month lease agreement, wherein Lessee shall pay to Lessor the amounts stated herein in return for equal use, access, and enjoyment of the Property.

2. Lessee desires to lease the aforesaid premises in conjunction with her guardianship and caretaking obligations to Lessor, wherein the intent is for Lessor to occupy the Property alongside Lessee.

3. The parties hereto desire to enter into a Lease Agreement which defines their rights, duties, and liabilities relating to the premises.

In consideration of the mutual covenants contained herein, the parties agree as follows:

SECTION 1

SUBJECT AND PURPOSE

Lessee desires to lease the aforesaid premises in conjunction with her guardianship and caretaking obligations to Lessor, wherein the intent is for Lessor to occupy a room and the common areas of the Property alongside Lessee. Lessor shall have reserved a separate bedroom within the Property and equal access to all common areas and bathrooms of the Property, with both Lessor and Lessee enjoying and reserving all rights to quiet enjoyment of the Property.

SECTION II

TERM AND RENT

The Lessor hereby leases, with Court approval, the aforesaid premises for a period of one (1) year, commencing on April 1, 2021. Lessee shall pay to Lessor the entirety of the existing mortgage and property taxes totaling \$820.00 in equal monthly installments on the first day of each month. All rental payments shall be made directly to Lessor's mortgage company. At any time after the first thirty (30) days of the lease term,

Lessee or Lessor may terminate said Lease by providing thirty (30) days written notice to the other party. Unless modified by the Parties, the term shall automatically renew each year for a consecutive one (1) year period. In addition to the obligations herein, Lessee and Lessor shall split equally all utilities for the Property (gas, electric, water, sewer, trash, cable, internet, security, etc.).

SECTION III

REPAIRS, ALTERATIONS, AND INSURANCE

As a condition to this Lease, Lessor shall, at all times during the Lease and at her own cost and expense, repair, replace, and maintain in a good and substantial condition, the Property and any improvements thereon. During the term of this Lease and for any further time that the Lessee shall hold the demised premises, Lessor shall obtain and maintain at her expense homeowner insurance on the Property, including Lessee as an additional insured.

SECTION V

APPLICABLE LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Lease Agreement at Las Vegas, Nevada on the days and year written below.

LESSEE:
Kimberly Jones

BY: _____

DATE: _____

LESSOR:
Kimberly Jones, Guardian of the Protected Person June Jones

BY: _____

DATE: _____

Exhibit 3



DESTINATION

Enter a destination

CHECK IN

4/1,

CHECK OUT

4/8

UPDATE

Your

1 Guest Information

Itinerary

Reservation held for: 14:51

WoodSpring Suites Riverside-Corona-Norco
3265 Hamner Ave, Norco, CA

Check In:
Thursday, April 1, 2021

Check Out:
Thursday, April 8, 2021

ROOM 1

2 Queen Beds, Nonsmoking, Accessible
2 Adults, 0 Children
\$83.00

First Name*

Last Name*

Email*

Phone*

United States ▾

Address*

Address 2 (Optional)

City*

State ▾

Zip Code

2 Billing Information

Name on Credit Card

Credit Card Number



DESTINATION

Enter a destination

CHECK IN

4/1,

CHECK OUT

4/8

UPDATE

Expiration Year*

▼

Cost Summary

Total Room Stay	\$581.00
Taxes	\$65.04
TOTAL COST	\$646.04

☐ I agree to terms and conditions

COMPLETE YOUR RESERVATION

Modifications or cancellation may be made until Mar 31, 2021 at 4:00 PM local hotel time.

ADD ANOTHER ROOM

It's Simple. Done Better.®

LEGAL

Guest Rules & Policies (rules-and-policies) Privacy Policy (privacy) Terms of Use (terms-of-use)

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OPP

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Ph: (702) 731-2333
Fax: (702) 731-2337
Counsel for Robyn Friedman and Donna Simmons

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A
Department: B

**ROBYN FRIEDMAN AND DONNA SIMMONS' OPPOSITION TO PETITION TO
RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP**

☒ NOTICES / SAFEGUARDS

☒ Blocked Account

☐ Bond Posted

☐ Public Guardian Bond

☒ GENERAL GUARDIANSHIP

☐ Person

☐ Estate

☒ Person and Estate

☐ Summary Admin.

Robyn Friedman and Donna Simmons (hereinafter "Robyn" and "Donna"), interested persons and former temporary guardians, by and through the law firm, Michaelson & Associates, Ltd., respectfully submit to this Honorable Court this Opposition to Petition to Relocate Protected Person and Transfer Guardianship ("Petition to Relocate") filed by Kimberly Jones ("Kim" or the "Guardian") on March 26, 2021; and represent the following to this Honorable Court:

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

1. The Guardian's Petition to Relocate requests this Court's blessing to relocate Ms. Jones to Anaheim, California. While Robyn and Donna do not object to relocating Ms. Jones to Anaheim under the right circumstances and with the right information before this Honorable Court, the Guardian must supply the Court with basic information for the Court to make an informed decision. This is not a discussion of what Robyn and Donna want, but rather a question of whether the Court can reasonably evaluate whether Ms. Jones' best interests and rights are assured and protected and whether the guardianship estate can meet Ms. Jones' needs and expenses. To date, the Guardian grudgingly interspersed small amounts of tangential data – some data points are remotely relevant, and others are irrelevant - across several different filings over the last year, but the Court and Ms. Jones need a clear understanding of the Guardian's plan supported by an updated inventory, budget, accounting, and care plan. This clarity is routinely required of other guardians in many other cases before this Court, and should especially be required in this matter given this guardian's penchant for noncooperation and ignoring this Court's directives, not the least of which is to respond to the guardianship compliance office's request for updated and corrected information. Without this information, the Court is asked to rubber-stamp a partial, vague, and inadequate plan on a rush-basis without the Guardian following the norms of guardianship law.

2. Moreover, the Court should seriously consider sua sponte removing Kim as guardian. The Guardian pre-maturely relocated Ms. Jones from the Kraft home and willingly chose not to provide notice to interested parties in violation of Nevada law. While Kim mentioned

1 at the Settlement Conference that she may be packing Ms. Jones' belongings before the move-out
2 date, Kim never had court authorization to pack all of Ms. Jones' belongings into a moving truck
3 and, as far as Robyn and Donna can tell, relocate Ms. Jones' belongings to California or whether
4 else Kim will not disclose before this Court adjudicates the Petition to Relocate. The Guardian's
5 violation of statutes combined with her habitually refusal to provide basic information and
6 documents required by statute and continual isolation of Ms. Jones must force this Court to
7 consider removal of Kim as guardian of the person and estate of Ms. Jones.

8 **II. STATEMENT OF RELEVANT FACTS**

9 **A. Kim Provides Some Relevant Information in the 2019 Inventory, 2020 10 Budget, and First Annual Accounting.**

11 2. After reluctantly accepting her appointment as guardian¹ of the estate and person
12 of Kathleen Jones ("Ms. Jones") and the oversight of this Court, Kim filed an Inventory,
13 Appraisal, and Record of Value ("2019 Inventory") on December 13, 2019. In the 2019 Inventory,
14 Kim stated to the Court that Ms. Jones had a total of three assets: a single bank account with an
15 estimated value of \$159.44; the home located at 1054 S. Verde Street, Anaheim, California (the
16 "Anaheim home"); and a 2018 Chevrolet Equinox valued at \$7,000.

17 3. After repeated requests from Robyn and Donna, on February 12, 2020, Kim
18 provided a Monthly Budget (the "2020 Budget"). The 2020 Budget stated that Ms. Jones' monthly
19 income included two sources (Social Security at \$1,536.00 and rental income at \$1,200) for a
20 total of \$2,736.00. The Monthly Budget estimated that Ms. Jones' monthly expenses totaled
21

22
23 ¹ Kim vigorously opposed the appointment of any guardian despite the clear need for the Court's
24 protection of Ms. Jones at the outset of this matter as this Court has recognized repeatedly.
25

1 \$2,588.84. Accordingly, the Monthly Budget showed a net positive for the guardianship estate at
2 approximately \$147.16.

3 4. On December 21, 2020, Kim provided the First Annual Accounting
4 (“Accounting”). The Accounting covered the time period January 30, 2020 to November 23,
5 2020. The Accounting showed a total income of \$28,960 and total expenses of \$51,507.25 for a
6 loss of \$22,547.25 during the time period. The majority of the income came from two sources:
7 Social Security (\$15,360) and Rental Receipts for the Anaheim Home (\$9,900). Moreover, the
8 Accounting included the following assets: the Anaheim Home (valued at \$610,000) and two Bank
9 of America accounts totaling \$32,074.54. The Accounting further noted the mortgage on the
10 Anaheim Home was \$160,752.11. The Accounting did not include supporting documentation or
11 receipts.
12

13 **B. Kim Provides Some Relevant Information in the Petition to Relocate and**
14 **March 2021 Status Memo.**

15 5. Despite numerous out-of-Court requests to provide some semblance of a plan on
16 prior occasions, Kim as guardian waited until filing her Petition to Relocate and “status update”
17 to the Court to provide some scant and disjointed information. The Petition to Relocate states
18 that Ms. Jones receives \$2,500 per month in rental income from the Anaheim Home. *See* Petition
19 to Relocate at ¶ 2. That lease was terminated to allow Ms. Jones to relocate to the home. *Id.*
20 Accordingly, Ms. Jones’ annual income will decrease by \$30,000.

21 6. The Petition to Relocate also includes some of the monthly expenses associated
22 with the Anaheim Home: \$820 per month for the mortgage and utilities estimated at \$500 per
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1 month. *Id.* at ¶ 4. Kim proposes that Ms. Jones will pay \$250 per month (half of utilities) and Kim
2 will pay \$1,070 per month (mortgage + half of utilities) to live in the Anaheim Home. *Id.* at ¶ 5.

3 7. The Petition to Relocate includes some information about how Ms. Jones' medical
4 needs will be taken care of. Kim proposes that she will try to reestablish medical care for Ms.
5 Jones at the University California Irvine Medical Center where she previously treated while living
6 in Anaheim and otherwise generally refers to the quality medical care in the area. *Id.* at p. 5:14-
7 24.

8 8. The Petition to Relocate also proposes moving Ms. Jones to a short-term rental in
9 Norco, California at \$100 per day if there is a short gap between the tenants of the Anaheim Home
10 vacating the property and the April 1, 2021 moving date. *Id.* at p. 6:10-17.

11 9. The Petition to Relocate has a proposed Lease Agreement attached for Kim to rent
12 a room from Ms. Jones at the Anaheim Home. *See* Kim's Exhibit 2 to the Petition to Relocate.
13 The proposed Lease Agreement is only between Ms. Jones and Kim for a one-year period at
14 \$820.00 per month. *Id.*

15 10. On March 29, 2021, Kim filed a Memorandum of Status (the "Status Memo") that
16 included an appraisal for the Anaheim Home for \$610,000. *See* Status Memo, Exhibit 1. The
17 appraisal itself states that it is not to be used to establish market value of the Anaheim Home.
18

19 **C. Kim Provided Some Details About a Care Plan Across a Few Court Filings.**

20 11. Despite numerous out of Court requests, her Master's degree in gerontology, and
21 past employment that required care plans for release of patients from facilities, Kim has not filed
22 a separate proposed care plan in this matter though she claims particularized expertise in
23 formulating and providing care plans professionally. Petitioners, on the other hand, paid for and
24

1 filed a care plan within days of their appointment as temporary guardians when Kim refused to
2 serve as guardian. *See* Proposed Care Plan filed in this matter on October 2, 2019.

3 12. The Status Memo states that Kim will “start the process to qualify June for
4 Medicaid.” *See* Status Memo at ¶ 5. The Status Memo also includes a discussion and exhibits
5 showing many obscure data points for Ms. Jones’ previous medical care, a list of her current
6 medical diagnoses and medications, and a status on her vaccinations. *Id.* at ¶ 4; *see also* Exhibits
7 2-3 attached to the Status Memo.

8 13. On March 29, 2021, in response to filings by Petitioners, Kim filed a Reply
9 supporting her Petition for Guardian Fees and Attorney’s Fees that provided some scant additional
10 information relevant to a potential care plan. Kim plans, in the future, to look into enrolling Ms.
11 Jones in Medi-Cal to cover caregiver costs. *See* Kim’s Reply filed March 29, 2021 (the “Fees
12 Reply”) at p. 6:12-20.

13
14 **D. Kim Provides No Plan for Assisting Ms. Jones with Visits and
Communications with Family and Friends**

15 14. Kim’s proposed plan for how Ms. Jones will visit and communicate with family
16 and friends is found in one paragraph of the Status Memo. Kim’s proposed plan is: “Family and
17 friends are free to come over.” *See* Status Memo at ¶ 7. But Kim wants everyone to know,
18 including the Court, that she “will not be ordered to leave her house” during any family or friends
19 visits with Ms. Jones. *Id.* This, as with many things Kim does, is curious for many reasons
20 including the fact that the home is not Kim’s, and the fact that Kim is well aware of the acrimony
21 she has caused with many members of the protected person’s family. This shows once again how
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1 Kim puts her personal agenda in front of her fiduciary and professional duty to the protected
2 person.

3 **E. Kim Already Moved Ms. Jones Out of the Kraft Home Without Court**
4 **Authorization.**

5 15. Ms. Jones has been residing at the home located at 6277 Kraft Avenue, Las Vegas,
6 Nevada (the “Kraft Home”). Upon information and belief, Kim already moved Ms. Jones from
7 the Kraft Home. On Thursday, April 1, 2021, Robyn left a voicemail for Ms. Jones and sent text
8 messages to Ms. Jones and Kim to schedule an Easter visit with Ms. Jones. Ms. Jones and Kim
9 did not respond that day. Robyn had a basket delivered for Ms. Jones that day. The delivery person
10 reported to Robyn that the home appeared vacant with the door mat gone, all blinds closed, and
11 no lights on.

12 16. When Robyn still did not hear anything on Friday, April 2, 2021, she began to fear
13 for Ms. Jones’ safety. Robyn sent several text messages to Kim asking to know the location of
14 Ms. Jones, where Ms. Jones’ belongings were, and asking to schedule a time to see Ms. Jones on
15 Easter. Robyn turned to her counsel when she continued to get no answers from Kim Friday
16 afternoon. Counsel emailed Kim’s counsel, Ms. Jones’ counsel, and the guardian ad litem. *See*
17 *copy of thread of emails attached as Exhibit 1.* While drafting the email, Robyn reported to her
18 counsel that Kim finally responded with a terse text message, “Calm down. She’s at Denny’s in
19 Las Vegas.”

20
21 17. At 3:40 p.m., counsel for Robyn sent the email and asked for Kim to coordinate
22 for Ms. Jones to visit with Robyn on perhaps one of Ms. Jones’ final weekends living in Las
23 Vegas. At 3:54 p.m., counsel for Kim responded with an email oozing with condescending

1 critiques of Robyn's counsel's lawyering skills while providing a false narrative about how
2 Robyn's "version of events is wrong" and that Kim actually offered to drop Ms. Jones off at
3 Robyn's home for the weekend even in spite of threats from Robyn – that if Robyn's counsel did
4 his job right then he would have learned about this for himself. At 4:19 p.m., counsel for Robyn
5 responded with a text message from Kim sent to Robyn at 3:49 p.m. that afternoon. In that text
6 message, Kim said that Ms. Jones wanted to see Teri for Easter, but that was not going to happen.
7 Alternatively, on Friday, Kim offered to drop Ms. Jones off at Robyn's home for the entire
8 weekend. Notably, Kim did not text Robyn with this offer until 9 minutes after counsel for Robyn
9 emailed Kim's counsel and only 5 minutes before Kim's counsel emailed Robyn's counsel with
10 his condescending insults. Seeing that his own version of events was in error, counsel for Kim
11 responded with a mere, "It seems as if your client should say, "Yes." Great. I wish everyone a
12 happy Easter." Additionally, Kim stopped responding to Robyn after Robyn asked to immediately
13 see Ms. Jones on Friday and then again on Sunday.
14

15 18. Later that afternoon at 4:41 p.m., Robyn's counsel emailed Kim's counsel, Ms.
16 Jones' counsel, and the guardian ad litem to confirm where Ms. Jones was staying for the weekend
17 because Kim refused to answer Robyn and would only say that Ms. Jones was at Denny's. Kim's
18 counsel responded that "[t]his was getting a bit over the top. They are staying at a local hotel. I
19 can get the name of it. My understanding is if Robyn's schedule doesn't allow for it, Kimberly is
20 going to go to California to try to see Donna." Robyn's counsel responded that his clients are both
21 concerned that Kim did not have a place for Ms. Jones to stay for the weekend and asked for
22 video proof of Ms. Jones' lodgings for the night and the foreseeable future until the Court resolves
23 the petition to relocate. Kim's counsel responded that he was "done with this" and could not be
24

1 bothered to provide further information about Ms. Jones' lodgings pending this Petition to
2 Relocate.

3 19. Kim eventually told Robyn that she and Ms. Jones "were at" the Santa Fe Hotel
4 and they both had beds Friday night. Friday evening, Robyn was able to speak with Ms. Jones by
5 telephone. When Robyn started asking further questions about where Ms. Jones' belongings were,
6 the call ended with someone hanging up on Robyn. Upon information and belief, Kim had Ms.
7 Jones hang up to avoid answering Robyn's questions.

8 20. The lack of answers from Kim and her counsel made Robyn and Donna both afraid
9 for their mother's safety. Friday night, Robyn and her husband Perry began driving to the Santa
10 Fe hotel in Las Vegas, after informing Kim they were on their way over. On their way, having
11 received no response from Kim, Robyn called the Santa Fe Hotel to find out what room Ms. Jones
12 was staying in. The front desk receptionist for the hotel said the hotel did not have a reservation
13 that night under the names of Kathleen Jones, Kimberly Jones, or Dean Loggans. Unable to locate
14 Ms. Jones, Robyn and Perry went home. Furthermore, the Santa Fe Hotel informed Robyn that
15 the hotel does not allow dogs which further creates the question of the current whereabouts of
16 Ms. Jones' dog and constant companion.
17

18 21. On Saturday, April 3, 2021, Robyn's counsel received an email from Ms. Jones'
19 counsel that Ms. Jones was staying at the Santa Fe Hotel. The plan was for Robyn to take Ms.
20 Jones for the entire weekend. If not, then Kim would see about Donna taking Ms. Jones for the
21 weekend. Robyn's counsel responded that Robyn and Donna do not believe that Kim or Ms. Jones
22 stayed at the Santa Fe Hotel Friday night. Moreover, Kim never responded to Robyn's Friday
23 requests to see Ms. Jones. Furthermore, Kim's last-minute offers to drop Ms. Jones off with
24

1 Robyn and Donna deprived both of adequate time to cancel the other family and friends already
2 going to their homes for Easter weekend.

3 22. On April 5, 2021, Donna went to the Anaheim home. She spoke to one of the
4 neighbors who said that Kim and Dean were at the Anaheim home on Saturday, April 3, 2021
5 with a U-Haul moving truck. Dean told the neighbor that Kim and Dean were moving in and
6 would be there for five months or so until they figure things out.

7 **III. LEGAL ARGUMENT**

8 23. Robyn and Donna do not oppose the Guardian's ultimate request for authorization
9 to relocate Ms. Jones to Anaheim, California, once proper information is provided to the Court.
10 However, the Petition to Relocate does not provide this Court with basic information to evaluate
11 whether the guardian's proposed plan is in and will meet the best interests of Ms. Jones. Without
12 that information, the Court cannot determine whether the guardian proposes a plan sufficient to
13 maintain Ms. Jones' safety (i.e., Ms. Jones' physical, medical, financial, and mental safety).
14 Furthermore, Kim relocated Ms. Jones from the Kraft House before this Court could entertain this
15 Petition to Relocate. This Court must consider removing Kim as guardian of the person and/or
16 estate of Ms. Jones due to Kim's violation of guardianship statute, failure to provide sufficient
17 budgets, inventories, accountings, and care plans, and Kim's persistent isolation of Ms. Jones
18 from her children and grandchildren.
19

20 **A. The Petition to Relocate Fails to Provide Statutorily Required Information.**

21 24. The Petition to Relocate is statutorily required to include:

- 22 (a) The name, age, residence and address of the protected person;
23 (b) A concise statement as to the condition of the estate of the protected person;

- 1 (c) A concise statement as to the advantage to the protected person of or the
necessity for the proposed action;
2 (d) The terms and conditions of any proposed sale, lease, partition, trust, exchange
or investment, and a specific description of any involved.

3 *See* NRS 159.113(3)(a)-(d). A guardian has a duty to “locate an appropriate residence for the
4 protected person based on the financial situation and needs of the protected person, including,
5 without limitation, any medical needs or needs relating to his or her care.” NRS 159.079(1)(a).
6

7 25. In a petition to relocate a protected person outside of Nevada, the guardian “must
8 show that the placement outside of this State is in the best interest of the protected person or that
9 there is no appropriate residence available for the protected person in this State.” NRS 159.079(5).
10 The guardian’s duty to supply the court with financial information about the move is not only for
11 the benefit of the protected person. The Court must evaluate the “extent of the estate of the
12 protected person” – to ensure the guardianship estate can afford the relocation and that the
13 guardian does not incur expenses that the estate cannot reimburse the guardian for. *See* NRS
14 159.079(2).

15 26. The Petition to Relocate does not include the statutorily required information
16 concerning the extent of the guardianship estate. In fact, there is little mention about the
17 guardianship estate except for potential expenses. Combined with Kim’s pending Petition for
18 Fees, the Court is left guessing about how the guardianship estate will pay for Ms. Jones’ monthly
19 expenses, Kim’s proposed guardian and caregiver fees, and Kim’s requested attorney’s fees, not
20 to mention large reimbursements owed to Robyn and Donna Friedman for monies advanced to
21 the guardianship estate about which the guardian and her counsel are keenly aware, but have
22 chosen not to even mention to the Court.
23

1 27. As shown in the Statement of Facts above, the larger issue is that Kim spreads
2 small amounts of vital information over hundreds of pages of court filings that requires that the
3 Court and interested parties to hunt through the voluminous filings to piece together for
4 themselves any resemblance of a plan for Ms. Jones. The purpose of NRS 159.113(3) is to have
5 the guardian provide a single, succinct document to allow the Court a reasonable opportunity to
6 evaluate whether the relocation to another state is in the best interest of Ms. Jones and whether
7 there is no other appropriate residence for Ms. Jones in Nevada.

8 **B. The Court Needs a Statutorily Conforming Accounting to Make an**
9 **Appropriately Informed Decision.**

10 28. An accounting is statutorily required to include the following information:

- 11 (a) The period covered by the account;
12 (b) The assets of the protected person at the beginning and end of the covered
13 period, including the beginning and ending balances of the accounts;
14 (c) All cash receipts and disbursements during the period covered by the account,
15 including any disbursements for the support of the protected person or other
16 expenses incurred by the estate during the period covered by the account;
17 (d) All claims filed and the action taken regarding the account;
18 (e) Any changes in the property of the protected person due to sales, exchanges,
19 investments, acquisitions, gifts, mortgages or other transactions which have
20 increased, decreased or altered the property holdings of the protected person as
21 reported in the original inventory or the preceding account, including any
22 income received during the period covered by the account;
23 (f) Any information the guardian considers necessary to show the condition of the
24 affairs of the protected person; and
25 (g) Any other information required by the court.

See NRS 159.179(1). The Court must hold a hearing before entering an order allowing and
confirming the account. NRS 159.181(2). Any interested party can object to the account. NRS
159.181(1).

1 29. Kim's first and only filed Accounting lacks statutorily required information that is
2 necessary to evaluate the best interests of Ms. Jones and the extent of the guardianship estate. The
3 Accounting does not include the beginning and ending balances of Ms. Jones' bank accounts or
4 cash receipts and disbursements from the guardianship estate. The Accounting also does not
5 provide any information to show how the guardianship estate can afford the \$22,547.25 deficit.

6 30. Moreover, this Court has not held a hearing to confirm the Accounting that further
7 illustrates how the Court is deprived of statutorily required opportunities to evaluate the best
8 interests of Ms. Jones and the extent of the guardianship estate.

9 31. The guardianship compliance office noted many deficiencies and irregularities in
10 Kim's scant accounting and as usual despite repeated in-court and out-of-court requests, Kim
11 steadfastly refuses to update the information. Normally, a guardian who desires to move the
12 protected person out of state in a contested matter would as a matter of course offer updated
13 information in a professional manner without being asked simply in hopes of ensuring an easy
14 and favorable decision by the Court, to avoid or reduce acrimony with interested parties and to
15 not incur the Court's displeasure. None of these considerations are important to Kim or her
16 attorney.
17

18 **C. The Court Requires Further Information About the Proposed Lease**
19 **Agreement to Make a Statutorily Informed Decision.**

20 32. A guardian must petition the Court for an order authorizing the guardian to lease
21 any property of the protected person. NRS 159.113(1)(f).

22 33. A guardian's reasons for leasing property are limited to the following:

- 23 (i) For the purpose of paying claims against the protected person, the guardianship
24 estate or the guardian of the estate.
25

- (ii) For the purpose of providing for the proper care, maintenance, education and support of the protected person and any person to whom the protected person owes a legal duty of support.
- (iii) For the purpose of investing the proceeds.
- (iv) To obtain income through rentals or royalties.
- (v) For any other purpose that is in the best interests of the protected person.

See NRS 159.127.

34. A petition for approval of a lease must include: “(i) the parcel number assigned to the property to be leased and the physical address of the property, if any; and (ii) must set forth the proposed fixed rental, the duration of the lease and a brief description of the duties of the proposed lessor and lessee.” NRS 159.161(1). The Court must be persuaded “that the lease is for the best interests of the protected person and the estate of the protected person” before the Court may enter an order authorizing the guardian to enter into the lease. NRS 159.161(2).

35. Kim’s proposed Lease Agreement between her and Ms. Jones leaves much unexplained. Upon information and belief, Kim intends to have her boyfriend Dean Loggans (“Dean”) live at the Anaheim Home with her. The Lease Agreement does not mention Dean at all or whether Ms. Jones, as lessor, even consents to this living arrangement. Moreover, Kim has provided no proposed Lease Agreement between Ms. Jones and Dean. Furthermore, Kim lacks statutory power to unilaterally allow Dean to live rent-free in Ms. Jones’ home without this Court’s authorization. In fact, Kim’s unapproved agreement to have Dean live with her in Ms. Jones’ home violates Nevada law because this rent-free lease does not fall into the limited reasons that a guardian may lease property of a protected person. Without further information, this Court is deprived of vital information to evaluate whether the proposed Lease Agreement is in the best interests of Ms. Jones and the guardianship estate.

36. This is further troubling since Dean's presence in the protected person's home and lack of clarity about his background including any criminal record have been items repeatedly brought up by multiple parties in and out of court throughout these proceedings.

D. The Guardian Needs to Provide a Complete Care Plan to Allow This Court to Determine that Ms. Jones will be Appropriately Cared for in California.

37. To date, Kim has not provided a care plan to this Court. Her recent Status Memo was a data dump and provided a starting point with very tangential and remote in time data points concerning Ms. Jones' past medical treatment, current medications, and vaccine history along with references to potentially re-establishing medical treatment at Ms. Jones' former care providers. But there is little more in terms of actual plans synthesized by the guardian and supported by evidence that the plans can and will be possible and carried out.

38. Additionally, Kim provides no care plan for Ms. Jones in the meantime while Kim tries to re-establish care at Ms. Jones' prior medical providers. Nor does Kim provide a plan how Ms. Jones will receive medical care she Kim's plan to get Ms. Jones into a prestigious medical program fail. Medical providers such as UCI have lengthy waiting lists. Ms. Jones will likely not be accepted, and if she does, it may require a lengthy wait.

E. The Court Requires More Information Regarding the Guardian's Plan to Facilitate Family Visits and Communication to Ensure Ms. Jones' Rights are Protected.

39. The Protected Person's Bill of Rights provide that a protected person has a right to "[r]eceive telephone calls [] and have visitors, unless [] her guardian and the court determine that [] a particular visitor will cause harm to the protected person." NRS 159.328(1)(n).

1 40. Ms. Jones' Guardian ad Litem Elizabeth Brickfield recently provided her report to
2 this Court that Ms. Jones "is very clear that she wants to see all of her children and grandchildren,
3 that she wants to see them in her home, in their homes, on overnights and vacations." *See* March
4 29, 2021, Report to the Court at p. 2. Ms. Brickfield reported that Ms. Jones " appears to be at
5 that point in time when she will enjoy plans that have been made for her or visits in her home
6 with family members, but that she no longer has the ability to initiate such plans." *Id.* at p. 2-3.
7 Ms. Brickfield advised that "Ms. Jones' guardian should be facilitating and encouraging the
8 mutual desire of parent and child to visit and communicate with each other on a regular basis."
9 *Id.* at p. 3. This is not only for the benefit of Ms. Jones and her other children, but it also allows
10 the caregiver a break. *Id.*

11 41. The guardian provides no plan for how Ms. Jones will be able to visit and
12 communicate with her family and friends. The Petition to Relocate does not provide any relevant
13 plan. The Court will have to go to the Status Memo for any resemblance of a visit and
14 communication plan: "Family and friends are free to come over." *See* Status Memo at ¶ 7. But
15 Kim "will not be ordered to leave her house" during any family or friends visits with Ms. Jones.
16 *Id.* In other words, Kim still refuses to be responsible for initiating and coordinating plans for Ms.
17 Jones to visit and communicate with her family. This is not appropriate for a person of Kim's
18 alleged education and background. It shows Kim is literally *unable and unwilling* to separate her
19 personal negative feelings towards members of her family from her professional and fiduciary
20 duty as a guardian and caregiver. The guardian is literally using her mother as both sword and
21 shield to provide a roof over the guardian's head and punish those in the family with whom she
22 disagrees. The failure to address visitation is particularly egregious because petitioners have spent
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1 outrageous amounts of time, money and emotional capital reaching past visitation and
2 communication agreements with Kim, only to have her violate the agreements, and expressing
3 various other ideas and requests for how visitation and communication could work. All of this is
4 ignored by the guardian both in her conduct and her pleadings. This Court cannot reasonably
5 evaluate whether the relocation to Anaheim will ensure that Ms. Jones' rights to visit and
6 communicate with family will be protected.

7 **F. The Guardian's Plan for Temporary Lodgings Does Not Meet the Statutory**
8 **Requirements for Relocating a Protected Person Out of State.**

9 42. The Guardian asks the Court to authorize a potential short-term relocation of Ms.
10 Jones to Woodspring Extended Stay Suites in Norco, California. The statute requires that the
11 guardian show that there "is no appropriate residence available for the protected person in this
12 State." NRS 159.079(5). Kim provides no information on this issue to allow this Court to make
13 the statutorily required finding that there is no other appropriate short-term residence available
14 for Ms. Jones in Nevada. Indeed, it is highly likely that there are other appropriate residences in
15 Nevada for Ms. Jones in the short-term such as staying with Robyn or other short-term rentals
16 available at no or little cost to Ms. Jones. Robyn has offered repeatedly that her mother can live
17 with her rent-free until the Court is able to properly determine a more permanent setting for Ms.
18 Jones. The guardian ignores this completely and instead suggests self-serving moves that are
19 expensive to the protected person. Accordingly, Robyn and Donna object to the Guardian's
20 request to relocate Ms. Jones in the short-term to the Woodspring Extended Stay Suites.
21

22 **G. The Guardian Fails to Provide a Plan for How the Guardianship Estate can**
23 **Afford Other Large Expenses.**

1 43. Without the information discussed above, the Court lacks information about how
2 Ms. Jones can afford everyday expenses; let alone other large expenses. For example, the
3 guardianship estate was negative in the calendar year 2020. The Petition to Relocate discusses
4 only how the guardianship estate's income is going to dramatically lower from the termination of
5 the current lease on the Anaheim Home and expenses are going to increase with moving costs.
6 Additionally, the Guardian's pending Petition for Fees offers few details for how the guardianship
7 estate can afford to pay Kim's requested past and future caregiver and guardian fees along with
8 Kim's requested attorney's fees.

9 44. Additionally, the guardianship estate owes Robyn \$41,875.24 for funds she
10 advanced to the guardianship estate to initiate the civil case. Kim's Reply incorrectly
11 characterizes those funds as a "gift" to Ms. Jones while contending that Robyn "renege[d]" on an
12 offer to fund the civil case. *See* Kim's March 29, 2021 Reply at p. 11:15-24. This
13 mischaracterization contradicts emails from Kim's counsel confirming that Kim agreed that the
14 funds were an advancement to be repaid by the estate. On May 1, 2020, Kim's counsel emailed
15 Robyn and Donna's counsel with a proposal that included reimbursement of funds advanced by
16 Robyn to the guardianship estate, "As discussed, Kimberly and June are aware and appreciative
17 of Robyn advancing funds to retake the Kraft Avenue Property and obtain relief for June. Upon
18 a favorable judgment in June's favor [. . .] Kimberly supports the Court authorizing
19 reimbursement of these fees and costs to Robyn from the judgment proceeds." *See* Email from
20 James Beckstrom attached as Exhibit 2. The failure to acknowledge this understanding to the
21 Court again shows the guardian's bad faith. Accordingly, Kim must provide an updated
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1 inventory, budget, and accounting that assists the Court in evaluating whether the guardianship
2 estate can afford the Guardian's proposed plan.

3 **H. The Guardian Fails to Provide Information About the Guardian's Financial**
4 **Circumstances.**

5 45. Finally, it is important for the Court to have a basic understanding about Kim's
6 financial needs. This matter is unlike the great majority of guardianship cases where the guardian
7 does not live with the protected person and depend on the protected person for support. The Court
8 would not need to have details about Kim's financial needs if Kim lived separately from Ms.
9 Jones. However, information about Kim's basic needs, future plans for work, finances, and money
10 are relevant to this matter because Kim will be dependent on Ms. Jones for housing and other
11 needs. Most guardians in this situation would understand and cooperate in providing some
12 information on this matter.

13 **I. The Guardian Already Relocated Ms. Jones in Violation of Nevada Law.**

14 46. Based on the events over the last weekend, Robyn and Donna believe the Guardian
15 already relocated Ms. Jones from the Kraft Home in violation of NRS 159.079(4).

16 47. "A guardian of the person may, subject to the provisions of subsection 6 and NRS
17 159.0807, establish and change the residence of the protected person at any place within the
18 State." NRS 159.079(4).

19 48. NRS 159.0807 requires a guardian to notify all interested persons if the protected
20 person's residence is change. NRS 159.0807(3)(b). The guardian may only move the protected
21 person on a temporary basis without court permission if "an emergency condition exists pursuant
22 to paragraph (a) of subsection 4." NRS 159.0807(5). NRS 159.0807(4)(a) defines an emergency
23

1 condition as “an emergency condition that presents a risk of imminent harm to the health or safety
2 of the protected person, and the protected person will be unable to return to his or her residence
3 for a period of more than 24 hours.”

4 49. Kim relocated Ms. Jones out of the Kraft home without notice to anyone and
5 before this Court could adjudicate the Petition to Relocate. Moreover, Kim did so when Ms. Jones
6 was under no risk of imminent harm to Ms. Jones’ health or safety – the move-out date from the
7 Kraft Home, per the Petition to Relocate is April 10, 2021. Furthermore, Kim relocated Ms. Jones
8 out of the Kraft home without first providing notice to all interested parties. Indeed, Robyn and
9 Donna only received notification of where Kim was allegedly relocating Ms. Jones after Robyn
10 and Donna’s counsel pressured Kim’s counsel into intervening. Finally, Donna was told by a
11 neighbor at the Anaheim home that Kim and Dean were moving possessions into the Anaheim
12 Home on Saturday April 3, 2021. Upon information and belief, they were moving Ms. Jones’
13 belongings into the home. And Robyn and Donna do not believe that Ms. Jones stayed at the
14 Santa Fe Hotel at any time April 3-5. Accordingly, Kim violated the statute and relocated Ms.
15 Jones without court authorization and required notice to interested persons.
16

17 50. Moreover, Kim gave Robyn a choice on Friday, April 2, 2021 to either care for
18 Ms. Jones for 3 days straight or not at all. Robyn asked for one hour with Ms. Jones immediately
19 on Friday and then again for a visit on Sunday. Kim stopped responding. Kim also offered Donna
20 the same all-or-nothing time caring for Ms. Jones but stopped responding to Donna after the offer.

21 51. Additionally, either Kim or Ms. Jones represented to Ms. Jones’ counsel that they
22 were staying in Nevada at the Santa Fe Hotel. That is false. Santa Fe Hotel had no reservations
23 this week for Kathleen Jones, June Jones, Kimberly Jones, or Dean Loggans. Moreover, the Santa
24

1 Fe Hotel does not allow dogs to stay there. Dean and Kim were spotted at the Anaheim Home on
2 Saturday moving belongings into the home. Robyn spoke with Ms. Jones briefly on the telephone
3 on Saturday wherein Ms. Jones said she was in California at one of Kim's friend's home. The
4 phone abruptly ended when Robyn asked when Ms. Jones arrived there.

5 **J. The Court Should Exercise its Authority to Remove Kim as Guardian.**

6
7 52. Due to her actions, this Court should remove Kim as guardian. The Court may
8 remove a guardian if the court determines:

- 9 (a) The guardian has become mentally incapacitated, unsuitable or otherwise
10 incapable of exercising the authority and performing the duties of a guardian as
11 provided by law;
12 (b) The guardian is no longer qualified to act as a guardian pursuant to NRS
13 159.0613;
14 (c) The guardian has filed for bankruptcy within the previous 5 years;
15 (d) The guardian of the estate has mismanaged the estate of the protected person;
16 (e) The guardian has negligently failed to perform any duty as provided by law or
17 by any order of the court and:
18 (1) The negligence resulted in injury to the protected person or the estate of
19 the protected person; or
20 (2) There was a substantial likelihood that the negligence would result in
21 injury to the protected person or the estate of the protected person;
22 (f) The guardian has intentionally failed to perform any duty as provided by law or
23 by any lawful order of the court, regardless of injury;
24 (g) The guardian has violated any right of the protected person that is set forth in
25 this chapter;
26 (h) The guardian has violated a court order or committed an abuse of discretion in
27 making a determination pursuant to paragraph (b) of subsection 1 or subsection 3
28 of NRS 159.332;
29 (i) The guardian has violated any provision of NRS 159.331 to 159.338, inclusive,
30 or a court order issued pursuant to NRS 159.333;
31 (j) The best interests of the protected person will be served by the appointment of
32 another person as guardian; or
33 (k) The guardian is a private professional guardian who is no longer qualified as a
34 private professional guardian pursuant to NRS 159.0595 or 159A.0595.

35 NRS 159.185(1).

1 53. Kim intentionally and/or negligently failed to perform her duty to receive Court
2 authorization to relocate Ms. Jones and provide notice of the relocation to interested parties in
3 violation of NRS 159.079 and 159.0807. As stated above, Kim relocated Ms. Jones out of the
4 Kraft Home before this Court could adjudicate Kim's Petition to Relocate Protected Person. Ms.
5 Jones' belongings have been packed up and likely moved to the Anaheim Home. Kim forced Ms.
6 Jones to vacate the Kraft Home without Court authorization. Kim says she and Ms. Jones stayed
7 at the Santa Fe Hotel in Las Vegas, but Santa Fe Hotel has no record of a Kathleen Jones, June
8 Jones, Kimberly Jones, or Dean Loggans reserving a room there. Additionally, a neighbor at the
9 Anaheim Home told Donna that Kim and Dean were moving into the Anaheim Home on
10 Saturday, April 2, 2021. If Ms. Jones was staying at the Santa Fe Hotel this weekend, there is a
11 question of who she was staying there with because Kim and Dean were clearly in Anaheim.
12 Furthermore, Kim did not provide any notification to Robyn, Donna, and several other members
13 of Ms. Jones' family that Kim was relocating Ms. Jones this past weekend.
14

15 54. Besides relocating Ms. Jones without Court authorization, Kim has unilaterally
16 decided that Ms. Jones will allow Dean to live in the Anaheim Home with her. Kim provides no
17 lease agreement between Ms. Jones and Dean. Kim's own proposed Lease Agreement does not
18 mention Dean at all. Kim lacks statutory authority to allow Dean to live rent-free in Ms. Jones'
19 Anaheim Home and do so without seeking court authorization.

20 55. Kim continues to violate Ms. Jones' right to visit and communication with her
21 children pursuant to NRS 159.328(1)(n). As Robyn and Donna have repeatedly and consistently
22 informed this Court, Kim weaponizes her position as guardian of Ms. Jones to preclude family
23 members that Kim does not like from visiting and communicating with Ms. Jones. Robyn and
24

1 Donna's pending Verified Petition for Communication, Visits, and Vacation Time with Protected
2 Person is replete of example-after-example of how Kim precludes Ms. Jones from visiting and
3 communicating with her children and grandchildren. Robyn and Donna incorporate by reference
4 each of those examples as if fully set forth herein. Kim, her counsel, and counsel for Ms. Jones
5 have never contended that all of those examples are false or never happened. Ms. Jones' Guardian
6 ad Litem informed this Court that Ms. Jones wants to see and speak with all of her children and
7 grandchildren. Kim unilaterally and unlawfully decides which family members get visits and
8 communication with Ms. Jones.

9 56. Furthermore, Kim continually refuses to provide accurate, updated, and sufficient
10 budgets, inventories, care plans, and accountings for the estate of Ms. Jones. Instead, Kim resorts
11 to scantily providing little information spread of numerous pleadings that is still woefully
12 incomplete.

13 57. All of Kim's actions and omissions harms Ms. Jones and her estate. Ms. Jones is
14 precluded from spending time with all of her children and grandchildren. Some of Ms. Jones'
15 children and grandchildren, such as Scott Simmons, have simply stopped trying to visit and
16 communicate with Ms. Jones due to Kim's obstructionist actions. Others, such as Robyn and
17 Donna, have been forced to expend significant resources to bring these issues before this Court.
18 Further, Kim asks this Court to have Ms. Jones pay for Kim's obstructionist and harmful actions.

19 58. Based on the foregoing, this Court must take action to protect Ms. Jones and
20 remove Kim as guardian of Ms. Jones. Alternatively, the Court could take other actions to protect
21 Ms. Jones such as temporarily removing Ms. Jones from Kim's custody pending investigation
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1 and determination into Kim's actions or removing Kim as guardian of the estate while allowing
2 Kim to continue as guardian of the person.

3 **IV. CONCLUSION**

4 Based on the foregoing, Robyn and Donna respectively request that the Court:

- 5 1. Remove Kim as the guardian of the estate and person of Ms. Jones;
- 6 2. Stay adjudication of the Petition to Relocate and Transfer Guardianship pending
7 the Guardian's filing of an updated inventory, care plan, and accounting along with financial
8 information concerning Kim's needs and plans;
- 9 3. Require Kim to synthesize her medical information about Ms. Jones into a
10 comprehensible care plan;
- 11 4. Further stay adjudication of the Petition to Relocate and Transfer Guardianship
12 pending resolution of the visitation and communication issues wherein Kim will assist Ms. Jones
13 with visiting and communicating with Ms. Jones' family members;
- 14 5. Conditionally approve Kim's proposed Lease Agreement only as to Kim leasing
15 space at the Anaheim Home from Ms. Jones, but with an express order that Dean Loggans is not
16 authorized by the Court to live at the Anaheim Home;
- 17 6. Deny the Guardian's request to relocate Ms. Jones to the Woodspring Extended
18 Stay Suites; and
19

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7. Order such other and further relief as it deems appropriate.

DATED: April 5, 2021.

MICHAELSON & ASSOCIATES, LTD.

/s/ John P. Michaelson

John P. Michaelson, Esq.

Nevada Bar No. 7822

Ammon E. Francom, Esq.

Nevada Bar No. 14196

2200 Paseo Verde Parkway, Ste. 160

Henderson, Nevada 89052

CERTIFICATE OF SERVICE

Pursuant to NRCP 5 and NEFCR 9, the undersigned hereby certifies that on April 5, 2021, a copy of the foregoing ROBYN FRIEDMAN AND DONNA SIMMONS' OPPOSITION TO PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP was e-served and/or mailed by USPS regular mail, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals and entities at the following addresses:

James Beckstrom jbeckstrom@maclaw.com	Maria L. Parra-Sandoval, Esq. mparra@lacs.org
Cheryl Becnel cbecnel@maclaw.com	Alexa Reanos areanos@lacs.org
David C Johnson dcj@johnsonlegal.com	<i>Counsel for Kathleen June Jones</i>
Geraldine Tomich gtomich@maclaw.com	
Jon Criss 804 Harksness Ln., Unit 3 Redondo Beach, CA 90278	
Elizabeth Brickfield DAWSON & LORDAHL PLLC ebrickfield@dlnevadalaw.com	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327
<i>Guardian Ad Litem for Kathleen June Jones</i>	
Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407

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	LaChasity Carroll lcarroll@nvcourts.nv.gov
	Sonia Jones sjones@nvcourts.nv.gov
	Kate McCloskey NVGCO@nvcourts.nv.gov

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker
Employee of Michaelson & Associates

EXHIBIT "1"

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From: James A. Beckstrom <jbeckstrom@maclaw.com>
Sent: Friday, April 2, 2021 5:05:56 PM
To: John Michaelson <john@Michaelsonlaw.com>
Cc: Maria Parra-Sandoval <MParra@lacs.org>; Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>
Subject: Re: [External] Kathleen June Jones

Okay. I'm done with this.

Video proof.
Have a good weekend.

Sent from my iPhone

On Apr 2, 2021, at 5:03 PM, John Michaelson <john@michaelsonlaw.com> wrote:

Based on past experience with Kim, my clients are both concerned that Kim actually has a place lined up for June. If there is an emergency, Robyn will of course take June in for the weekend. My clients are concerned that what is being proposed as a last minute visit opportunity is really a situation where Kim has moved all of June's things out of state prematurely and perhaps June is not in the best or an appropriate setting. We ask for video proof of June's lodgings for tonight and the foreseeable future until the court resolves the petition to relocate.

John P. Michaelson, Esq. | Michaelson & Associates, Ltd. | john@michaelsonlaw.com |
702.731.2333

From: James A. Beckstrom <jbeckstrom@maclaw.com>
Date: Friday, April 2, 2021 at 4:56 PM
To: John Michaelson <john@Michaelsonlaw.com>
Cc: Maria Parra-Sandoval <MParra@lacs.org>, Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>
Subject: Re: [External] Kathleen June Jones

Why would she be in danger ? This is getting a bit over the top. They are staying at a local hotel. I can get the name of it. My understanding is if Robyn's schedule doesn't allow for it, Kimberly is going to go to California to try to see Donna.

There is not a refusal to answer. Your client needs to confirm what she wants.

Sent from my iPhone

On Apr 2, 2021, at 4:41 PM, John Michaelson <john@michaelsonlaw.com> wrote:

James, can you confirm that the guardian has a place for June to stay this weekend? If so, where is it? Robyn has asked Kim and she is refusing to answer. All she would say is that mom is at Denny's. If June is in danger, Robyn will of course take her in, but Robyn needs to know right now. She is in the process of clearing a room and clearing her schedule. She has a lot going this weekend and would love a visit but would have preferred advanced communication.

Please confirm in writing where June is staying and whether she has a bed, etc.

John P. Michaelson, Esq. | Michaelson & Associates, Ltd. | john@michaelsonlaw.com | 702.731.2333

From: James A. Beckstrom <jbeckstrom@maclaw.com>
Date: Friday, April 2, 2021 at 4:23 PM
To: John Michaelson <john@Michaelsonlaw.com>
Cc: Maria Parra-Sandoval <MParra@lacsns.org>, Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>
Subject: Re: [External] Kathleen June Jones

It seems as if your client should say. "Yes." Great.

I wish everyone a happy Easter.

Sent from my iPhone

On Apr 2, 2021, at 4:20 PM, John Michaelson <john@michaelsonlaw.com> wrote:

James, I always appreciate you helping me with my lawyering. Here is the text sent from your client to my client offering to have June over for this weekend:
<image001.jpg>

Interestingly, it was sent about 5 minutes *after* your email below and is the first instance of my clients knowing about the opportunity to have June over, as you say at 4pm on a Friday afternoon.

As always, Robyn is happy to visit with her mother but these "opportunities" condescendingly dolled out by Kim only come at the last minute and with pressure from you or the court.

John P. Michaelson, Esq. | Michaelson & Associates, Ltd. | john@michaelsonlaw.com | 702.731.2333

From: James A. Beckstrom <jbeckstrom@maclaw.com>

Date: Friday, April 2, 2021 at 3:54 PM

To: John Michaelson <john@Michaelsonlaw.com>, Maria Parra-Sandoval <MParra@lacsns.org>, Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>

Subject: RE: Kathleen June Jones

John,

Your version of events is wrong. You have no client control and accept your client's statements as gospel.

June's things are packed. Which I stated in the Motion which has been e-served. June is not out of the state. She is in the state. Her furnishings are unfortunately packed. I told the judge this and everyone else the same during the conference.

As for Easter. We are talking about this on a Friday at almost 4PM. First you should confirm with your client the exchange that went on. I took the time to do so and Kimberly offered to drop June at Robyn's for the entire weekend. Prior to that, June stated she wanted to go see Teri in Arizona, which didn't work out.

June said she didn't want to go to Robyn's for brunch on Sunday. Kimberly went one step further and told June she should go and made the above offer to Robyn. That was after Robyn continued to threaten Kim about dragging her through Court until she couldn't breathe. Her typical tactic.

You are wearing blinders and I we don't need four lawyers to deal with this. If your client wanted to see June on Easter and thought she wouldn't get a response from Kimberly, a simple ask last week while everyone was in the same room would have resolved this with no problem. Your client is attempting to create a paper trail to support her own false narrative. Any competent attorney can see what is being done.

I hope your client accepts the offer to take June the entire weekend.

<image002.jpg>

James A. Beckstrom, Esq.

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Las Vegas, NV 89145

t | 702.207.6081

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From: John Michaelson <john@Michaelsonlaw.com>
Sent: Friday, April 2, 2021 3:40 PM
To: Maria Parra-Sandoval <MParra@lacsu.org>; Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>;
James A. Beckstrom <jbeckstrom@maclaw.com>
Subject: [External] Kathleen June Jones

All, it appears all of June's things have been packed up and the Kraft house is empty. We suppose this from representations at the settlement conference and also because June's daughters sent her a gift and the delivery person notified them the house appears deserted and pictures seem to indicate – no welcome mat, etc. that the house is empty. Robyn has been in contact with Kim and directly with June about visiting for Easter. Now it appears Kim plans without notice to Robyn, Donna or Scott or any of the grandchildren on taking June to Arizona. This is interesting that she would do this without even a word to Robyn who she knows is desperate for time with her mother, and on the eve of possibly moving out of Nevada forever. Wouldn't this be an opportunity for Kim to show some humanity and that she can be a true professional by reaching out to Robyn? Even if Kim has had these uncommunicated plans for weeks or months, why wouldn't she give Robyn some advanced notice and facilitate a visit with June before leaving?

Moments ago, Kim finally sent another one of her terse and belated answers via text saying something to the effect "calm down, she's at Denny's in Las Vegas." If that's true, then please ask/direct/suggest/plead for Kim to reach out to Robyn (though this would be as usual extremely last minute) and see if she would like to visit with June before they leave?

John P. Michaelson, Esq. | Michaelson & Associates, Ltd. | john@michaelsonlaw.com |
702.731.2333

EXHIBIT "2"

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From: James A. Beckstrom <jbeckstrom@maclaw.com>
Sent: Friday, May 01, 2020 12:01 PM
To: John Michaelson <john@Michaelsonlaw.com>
Cc: Jeff Sylvester <Jeff@sylvesterpolednak.com>; '15820_001_Friedman_Robyn_Simmons_Donna_Quiet Title_Lis Pendens_4_E_Mails_EMAIL_15820_001' <{F1091261}.iManage@AMUN.marquisaurbach.com>
Subject: RE: Kathleen June Jones [IWOV-iManage.FID1091261]

John,

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

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

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

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

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

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

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

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

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

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

James



**MARQUIS AURBACH
COFFING**

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REGISTER OF ACTIONS**CASE NO. G-19-052263-A****In the Matter of the Guardianship of: Kathleen Jones, Protected Person(s)**§
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Case Type: **Guardianship of Adult**
 Subtype: **General - Person & Estate**
 Date Filed: **09/19/2019**
 Location: **Department B**
 Cross-Reference Case Number: **G052263**
 Supreme Court No.: **81414**
81799
83967
84655

PARTY INFORMATION

Guardian of Person and Estate	Friedman, Robyn 2824 High Sail Court Las Vegas,, NV 89117	Lead Attorneys John P. Michaelson <i>Retained</i> 7027312333(W)
Objector	Jones, Kimberly 18543 Yorba Linda Blvd #146 Yorba Linda, CA 92886	Pro Se
Petitioner	Friedman, Robyn 2824 High Sail Court Las Vegas,, NV 89117	John P. Michaelson <i>Retained</i> 7027312333(W)
Petitioner	Simmons, Donna 1441 N. Redgum, Unit G Anaheim, CA 92806	John P. Michaelson <i>Retained</i> 7027312333(W)
Protected Person	Jones, Kathleen June 1315 Enchanted River DR Henderson, NV 89012	Elizabeth R. Mikesell <i>Retained</i> 702-386-1533(W)

EVENTS & ORDERS OF THE COURT04/06/2021 [All Pending Motions](#) (10:00 AM) (Judicial Officer Marquis, Linda)**Minutes**

04/06/2021 10:00 AM

- MOTION: GUARDIAN KIMBERLY JONES' PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP...ROBYN FRIEDMAN AND DONNA SIMMONS' OPPOSITION TO PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP. In accordance with Administrative Order 20-01, out of abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Perry Friedman also appeared. Court noted matter was set on an Order Shortening Time. Mr. Beckstrom reviewed the recent history of the case and stated Protected Person is packed and ready for the relocation to Anaheim, which is now vacant and available for the move. Ms. Parra-Sandoval objected to the transfer of guardianship case to California as there are unresolved matters pending in this court. Additionally, Ms. Parra-Sandoval stated Protected Person did not want to accept the \$4,000 to stay additional time in the Kraft home. She also declined any offers to stay with Robyn temporarily. Ms. Brickfield joined with Ms. Parra-Sandoval's objection to transfer jurisdiction at this time. Ms. Brickfield noted a copy of a lease attached to the petition, and stated ongoing concerns regarding the lease and visitation between Protected Person and her family members. Court noted Mr. Michaelson's opposition was filed yesterday. Mr. Michaelson made arguments regarding unresolved issues as to the family members' access to Protected Person, and

Guardian's move with Protected Person to California without Court's permission. Mr. Michaelson also made arguments regarding Protected Person's finances. Mr. Beckstrom responded. Argument and discussion between counsel. Court noted Mr. Michaelson's partial opposition to relocation, and also noted he raised the issue of Court's ability to remove a guardian under SB20. Court noted its ability to remove a guardian for cause does not require notice, however Court was not inclined to consider that request at today's hearing. Court stated it would only address the request for relocation and transfer of guardianship at today's hearing. Ms. Parra-Sandoval stated she spoke with Protected Person, who again stated she would like to move to California with Guardian. She represented to Ms. Parra-Sandoval only she and Guardian would be living in the Anaheim property. Ms. Brickfield made statements regarding the importance of the family coming to an agreement regarding visitation. Additional arguments by counsel, and statements made by family members. Mr. Kehoe had no comments and stated he was just monitoring today's hearing. Court noted concern the Petition filed did not meet all of the statutory requirements. Court additionally noted an accounting hearing has not been set, and the accounting has not been approved. COURT ORDERED: Based on concerns and missing information, Request for a PERMANENT Relocation and Transfer of Guardianship to California shall be DENIED, without prejudice. Court shall allow a TEMPORARY RELOCATION of Protected Person to California, with Guardian living in the same residence. Mr. Beckstrom shall prepare the Order for Temporary Relocation. Mr. Michaelson and Ms. Parra-Sandoval shall countersign. All future hearing dates shall STAND.

[Parties Present](#)[Return to Register of Actions](#)



1 **Marquis Aurbach Coffing**
2 Geraldine Tomich, Esq.
3 Nevada Bar No. 8369
4 James A. Beckstrom, Esq.
5 Nevada Bar No. 14032
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 gtomich@maclaw.com
11 jbeckstrom@maclaw.com
12 *Attorneys for Kimberly Jones, Guardian*
13 *of the Protected Person June Jones*

8
9
10 **DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 In the Matter of the Guardianship of the Person
13 and Estate of,

14 KATHLEEN JUNE JONES,
15 Protected Person.

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

16 **NOTICE OF ENTRY OF ORDER**

17 Please take notice that an Order Granting Petition to Relocate Protected Person and
18 Transfer Guardianship in Part and Denying in Part was filed on the 9th day of April, 2021, a
19 copy of which is attached hereto.

20 Dated this 9th day of April, 2021.

21 MARQUIS AURBACH COFFING

22 By /s/ James A. Beckstrom

23 Geraldine Tomich, Esq.
24 Nevada Bar No. 8369
25 James A. Beckstrom, Esq.
26 Nevada Bar No. 14032
27 10001 Park Run Drive
28 Las Vegas, Nevada 89145
Attorney(s) for Kimberly Jones

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF ENTRY OF ORDER** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 9th day of April, 2021. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Ty E. Kehoe, Esq.
KEHOE & ASSOCIATES
871 Coronado Center Drive, Ste. 200
Henderson, NV 89052
Attorneys for Rodney Gerald Yeoman

Matthew C. Piccolo, Esq.
PICCOLO LAW OFFICES
2450 St. Rose Pkwy., Ste. 210
Henderson, NV 89074
Attorneys for Rodney Gerald Yeoman

Laura A. Deeter, Esq.
GHANDI DEETER BLACKHAM
725 S. 8th Street, Ste. 100
Las Vegas, NV 89101
Attorneys for Rodney Gerald Yeoman

Maria L. Parra-Sandoval, Esq.
LEGAL AID OF SOUTHERN NEVADA
725 E. Charleston Blvd.
Las Vegas, NV 89104
Attorney for Kathleen June Jones Protected Person

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

Jen Adamo
14 Edgewater Drive
Magnolia, DE 19962

Teri Butler
586 N. Magdalena Street
Dewey, AZ 86327

Courtney Simmons
765 Kimbark Avenue
San Bernardino, CA 92407

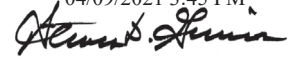
Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

Ampersand Man
2824 High Sail Court
Las Vegas, Nevada 89117

Tiffany O'Neal
177 N. Singingwood Street, Unit 13
Orange, CA 92869

/s/ Cheryl Becnel
An employee of Marquis Aurbach Coffing

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


CLERK OF THE COURT

1 **Marquis Aurbach Coffing**
2 Geraldine Tomich, Esq.
3 Nevada Bar No. 8369
4 James A. Beckstrom, Esq.
5 Nevada Bar No. 14032
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 gtomich@maclaw.com
11 jbeckstrom@maclaw.com
12 *Attorneys for Kimberly Jones*

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the Person
and Estate of,

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

KATHLEEN JUNE JONES,
Protected Person.

**ORDER GRANTING PETITION TO RELOCATE PROTECTED PERSON AND
TRANSFER GUARDIANSHIP IN PART AND DENYING IN PART**

This matter having come before this Court (via BlueJeans) before the Honorable Linda Marquis for a hearing on Kimberly Jones' Petition to Relocate Protected Person and Transfer Guardianship on the 6th day of April, 2021, at 10:00 a.m. James A. Beckstrom, Esq. of the law firm of Marquis Aurbach Coffing, appearing on behalf of Kimberly Jones, as Guardian of the Person and Estate of Kathleen June Jones, Elizabeth Brickfield, Esq., appearing on behalf of Kathleen June Jones as Guardian Ad Litem, Maria L. Parra-Sandoval, Esq. appearing on behalf of Kathleen June Jones, and John P. Michaelson, Esq. appearing on behalf of Robyn Friedman and Donna Simmons. The Court having reviewed the papers and pleadings on file and heard oral arguments of counsel, hereby FINDS and ORDERS as follows:

1. Kimberly Jones's Petition to Relocate Protected Person and Transfer Guardianship is GRANTED IN PART. The Protected Person shall vacate her current residence located at 6277 Kraft Avenue, Las Vegas, Nevada, consistent with the Settlement Agreement and Mutual Release of Claims approved by this Court and be temporarily relocated to 1054 S. Verde

Street, Anaheim, CA 92805 to reside with her Guardian Kimberly Jones until further order of this Court.

2. The Court shall retain jurisdiction over the Protected Person.

3. The Court DENIES the Petition to Transfer without prejudice.

4. The Court DENIES the Petition to Relocate (permanently) without prejudice.

Dated this 8th day of April, 2021.

Dated this 8th day of April, 2021.

MARQUIS AURBACH COFFING

MICHAELSON & ASSOCIATES, LTD.

By: /s/ James A. Beckstrom

By: /s/ John P. Michaelson

James A. Beckstrom, Esq.

John P. Michaelson, Esq.

Nevada Bar No. 14032

Nevada Bar No. 7822

10001 Park Run Drive

2200 Paseo Verde Parkway, Ste. 160

Las Vegas, Nevada 89145

Henderson, NV 89052

Attorneys for Kimberly Jones

Attorneys for Robyn Friedman and

Guardian of Kathleen June Jones

Donna Simmons

Dated this 8th day of April, 2021.

LEGAL AID OF SOUTHERN NEVADA

By: /s/ Maria L. Parra-Sandoval

Maria L. Parra-Sandoval, Esq.

725 E. Charleston Blvd.

Las Vegas, NV 89104

Attorney for Kathleen June Jones

Protected Person

ORDER

IT IS SO ORDERED.

Dated this 9th day of April, 2021

Dated this ___ day of April, 2021.



DISTRICT COURT JUDGE

Respectfully Submitted by:

4B9 18A AF92 1230

MARQUIS AURBACH COFFING

Linda Marquis

District Court Judge

By: /s/ James A. Beckstrom

James A. Beckstrom, Esq.

Attorneys for Kimberly Jones, Guardian of

Kathleen June Jones

Cheryl Becnel

From: James A. Beckstrom
Sent: Thursday, April 8, 2021 9:14 AM
To: Cheryl Becnel
Subject: Order- Granting Petition to Relocate Protected Person and Transfer Guardianship
Attachments: Order Granting Petition to Relocate Protected Person and Transfer Guardianship.nrl

Please submit for signature to the court around noon.



James A. Beckstrom, Esq.

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From: John Michaelson <john@Michaelsonlaw.com>
Sent: Thursday, April 8, 2021 9:11 AM
To: James A. Beckstrom <jbeckstrom@maclaw.com>; 'Maria Parra-Sandoval' <MParra@lacs.org>
Cc: 'Elizabeth Brickfield' <EBrickfield@dlnevadalaw.com>
Subject: RE: [External] June Jones Revised Order- Granting Petition to Relocate Protected Person and Transfer Guardianship

No objection to you e-signing for me and submitting.

John P. Michaelson, Esq. | MICHAELSON & ASSOCIATES, LTD. | john@michaelsonlaw.com | 702.731.2333

From: James A. Beckstrom <jbeckstrom@maclaw.com>
Sent: Thursday, April 08, 2021 7:44 AM
To: John Michaelson <john@Michaelsonlaw.com>; 'Maria Parra-Sandoval' <MParra@lacs.org>
Cc: 'Elizabeth Brickfield' <EBrickfield@dlnevadalaw.com>
Subject: June Jones Revised Order- Granting Petition to Relocate Protected Person and Transfer Guardianship

All,

I have applied John's proposed changes. John thank you for that. I have also added one sentence consistent with what John approved, stating the Kraft Avenue property is to be vacated consistent with the settlement agreement.

Everything else remains unchanged. Please confirm I can e-sign for you and submit. This will avoid the frivolous issue raised by Mr. Kehoe.

James



James A. Beckstrom, Esq.

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

Cheryl Becnel

From: James A. Beckstrom
Sent: Thursday, April 8, 2021 12:19 PM
To: Cheryl Becnel
Subject: FW: [External] June Jones-- Revised



James A. Beckstrom, Esq.

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From: Maria Parra-Sandoval <MParra@lacs.org>
Sent: Thursday, April 8, 2021 10:16 AM
To: James A. Beckstrom <jbeckstrom@maclaw.com>; John Michaelson <john@michaelsonlaw.com>
Subject: RE: [External] June Jones-- Revised

I am agreeable to this proposed order. Please add my electronic signature.

Maria Parra-Sandoval

From: James A. Beckstrom <jbeckstrom@maclaw.com>
Sent: Thursday, April 8, 2021 8:30 AM
To: John Michaelson <john@michaelsonlaw.com>; Maria Parra-Sandoval <MParra@lacs.org>
Subject: June Jones-- Revised

Elizabeth has been removed per her request.



James A. Beckstrom, Esq.

10001 Park Run Drive