

Alex Penly  
8529 Fox Brook Street  
Las Vegas, NV 89139  
Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
Telephone: 702-761-1655  
In Pro Per

Electronically Filed  
May 16 2022 02:05 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

MIL TON J. WOODS and CIRRU  
AVIATION SERVICES, INC., a  
Washington corporation,  
Plaintiffs,

Case No.: 07A546250

DEPT. NO.: IX

DEFENDANT NOTICE OF APPEAL

v.

EAGLE JET AVIATION, INC., A Nevada  
corporation; ALEX PENL Y; STUART M.  
WARREN; PRIVATE JET SERVICES,  
INC., a Nevada corporation; MILT'S  
EAGLE, LLC, a Nevada limited liability  
company and DOES I-X, inclusive.  
Defendants.

NOTICE IS HEREBY GIVEN that defendant Alex Penly hereby appeals to the Supreme Court  
of Nevada from the following District Court Order.

1. Notice of Entry of Order Denying Defendant Alex Penly s Motion To Strike Plaintiff  
Affidavits Of Renewal Of Judgment And Untimely Reply In Support Of Affidavit, Notice  
of Entry was filled on April 11<sup>th</sup> 2022 and served on April 11<sup>th</sup> 2022 – EXHIBIT 1
2. Defendant Motion To Strike Plaintiff Affidavits Of Renewal Of Judgment And Untimely  
Reply In Support Of Affidavit filled on February 14<sup>th</sup>, 2022 – EXHIBIT 2

DEFENDANT NOTICE OF APPEAL

Docket 84710 Document 2022-15461

Case Number: 07A546250

1 DATED this 9<sup>th</sup> Day of May 2022.

2 Respectfully submitted,

3  
4 */S/ Alexander Penly*

5  
6 \_\_\_\_\_  
7 Alex Penly  
8 8529 Fox Brook Street  
9 Las Vegas, NV 89139  
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11 Telephone: 702-761-1634  
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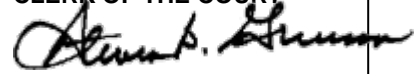
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MARK J. CANNOT (10010)  
KEVIN M. SUTEHALL (9437)  
FOX ROTHSCHILD LLP  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, Nevada, 89135  
*Attorney for Plaintiffs*

X	Electronic Service: I caused said document(s) to be delivered by electronic means upon all eligible electronic recipients via the United States District Court CM/ECF system or Clark County District Court E-Filing system (Odyssey)
---	---

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## EXHIBIT 1



1 **NEOJ**  
MARK J. CONNOT (10010)  
2 **FOX ROTHSCHILD LLP**  
1980 Festival Plaza Drive, Suite 700  
3 Las Vegas, Nevada 89135  
(702) 262-6899 tel  
4 (702) 597-5503 fax  
mconnot@foxrothschild.com  
5 *Attorneys for Plaintiffs*

6  
7  
8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 MILTON J. WOODS and CIRRUS  
11 AVIATION SERVICES, INC., a Washington  
Corporation,

12 Plaintiffs,

13 v.

14 EAGLE JET AVIATION, INC., a Nevada  
Corporation; ALEX PENLY; STUART M.  
15 WARREN; PRIVATE JET SERVICES, INC.,  
a Nevada Corporation; MILT'S EAGLE,  
16 LLC, a Nevada Limited Liability Company;  
and Does I-X, inclusive,

17 Defendants.  
18

Case No. 07A546250  
Dept. No. 27

**NOTICE OF ENTRY OF ORDER**

19 **PLEASE TAKE NOTICE** that on April 11, 2022, the Court in the above-entitled action  
20 entered an Order Denying Defendant Alex Penly's Motion to Strike Plaintiff Affidavits of Renewal  
21 of Judgment and Untimely Reply in Support of Affidavit, a copy of which is attached hereto.

22 DATED this 11<sup>th</sup> day of April, 2022.

23 **FOX ROTHSCHILD LLP**

24 /s/ Mark J. Connot  
25 MARK J. CONNOT (10010)  
1980 Festival Plaza Drive, Suite 700  
26 Las Vegas, Nevada 89135  
(702) 262-6899 tel  
(702) 597-5503 fax  
27 mconnot@foxrothschild.com  
*Attorneys for Plaintiffs*  
28

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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Fox Rothschild LLP, and that on the 11<sup>th</sup> day of April, 2022, a copy of the foregoing **NOTICE OF ENTRY OF ORDER** was served via the Court's E-File and Serve system to those individuals listed on the Court's master e-service list.

/s/ Doreen Loffredo  
An Employee of Fox Rothschild LLP

1 **ODM**  
2 MARK J. CONNOT (10010)  
3 **FOX ROTHSCHILD LLP**  
4 1980 Festival Plaza Drive, Suite 700  
5 Las Vegas, Nevada 89135  
6 (702) 262-6899 tel  
7 (702) 597-5503 fax  
8 mconnot@foxrothschild.com  
9 *Attorneys for Plaintiffs*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 MILTON J. WOODS and CIRRUS  
11 AVIATION SERVICES, INC., a Washington  
12 Corporation,

12 Plaintiffs,

13 v.

14 EAGLE JET AVIATION, INC., a Nevada  
15 Corporation; ALEX PENLY; STUART M.  
16 WARREN; PRIVATE JET SERVICES, INC.,  
17 a Nevada Corporation; MILT'S EAGLE,  
18 LLC, a Nevada Limited Liability Company;  
and Does I-X, inclusive,

18 Defendants.

Case No. 07A546250  
Dept. No. 27

**ORDER DENYING DEFENDANT ALEX  
PENLY'S MOTION TO STRIKE  
PLAINTIFF AFFIDAVITS OF RENEWAL  
OF JUDGMENT AND UNTIMELY  
REPLY IN SUPPORT OF AFFIDAVIT**

19 This matter came on for hearing on March 17, 2022 at 9:30 a.m., before the above-entitled  
20 Court via BlueJeans Video Conferencing System. Mark J. Connot, of the law firm Fox Rothschild  
21 LLP, appeared on behalf of Plaintiffs Milton J. Woods and Cirrus Aviation Services, Inc., and  
22 Joshua L. Benson, of the law firm Benson Allred Injury Law, appeared on behalf of Defendant  
23 Alex Penly.

24 The Court having considered the papers and pleadings on file herein and argument of  
25 counsel, and good cause appearing hereby orders as follows:

26 //

27 //

28 //

1           **IT IS HEREBY ORDERED** that Defendant's Motion to Strike Plaintiff Affidavits of  
2 Renewal of Judgment and Untimely Reply in Support of Affidavit is **DENIED**.

3           **IT IS SO ORDERED.**

4  
5 April 11, 2022

Dated this 11th day of April, 2022

*Nancy L Alf*

MA

7 Submitted by:

8 **FOX ROTHSCHILD LLP**

8F8 C66 5C36 1263  
Nancy Alf  
District Court Judge

9  
10 /s/ Mark J. Connot  
11 MARK J. CONNOT (10010)  
12 1980 Festival Plaza Drive, Suite 700  
13 Las Vegas, Nevada 89135  
14 (702) 262-6899 tel  
(702) 597-5503 fax  
mconnot@foxrothschild.com  
*Attorneys for Plaintiffs*

15 Approved as to Form and Content:

16 **BENSON ALLRED INJURY LAW**

17  
18 /s/ Joshua L. Benson  
19 JOSHUA L. BENSON (10514)  
20 6250 N. Durango Drive  
21 Las Vegas, Nevada 89149  
(702) 820-0000 tel  
(702) 820-1111 fax  
josh@bensonallred.com



**From:** [Joshua Benson](#)  
**To:** [Connot, Mark J.](#); [Loffredo, Doreen](#)  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Date:** April 11, 2022 11:13:40 AM

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You may use my electronic signature.

Josh

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**From:** Connot, Mark J. <MConnot@foxrothschild.com>  
**Sent:** Monday, April 11, 2022 11:04 AM  
**To:** Loffredo, Doreen <dloffredo@foxrothschild.com>; Joshua Benson <josh@bensonallred.com>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

Joshua,

Please advise.

Mark

**Mark Connot**  
Partner  
**Fox Rothschild LLP**  
One Summerlin  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, NV 89135  
(702) 699-5924 - direct  
(702) 308-1912 - cell  
[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)  
[www.foxrothschild.com](http://www.foxrothschild.com)

---

**From:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Sent:** April 7, 2022 4:31 PM  
**To:** Joshua Benson <[josh@bensonallred.com](mailto:josh@bensonallred.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Doreen

**Doreen Loffredo**  
Client Service Specialist  
**Fox Rothschild LLP**  
(702) 699-5159 - direct  
[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Sent:** April 7, 2022 4:04 PM  
**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Mark—

Resend it to me for my review.

Josh

---

**From:** White, Terrance <[Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)>  
**Sent:** Thursday, April 7, 2022 3:44 PM  
**To:** 'Loffredo, Doreen' <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>; Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

**All Parties** must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order, hearing transcript/video, and the objection/redlining of the Order for the Court's consideration.



**Terrance White JD, MBA, LLM**  
**Law Clerk**  
to the Honorable Nancy L. Allf  
Eighth Judicial District Court | Department 27  
Regional Justice Center Courtroom 16A  
Phone: (702) 671-0884  
Email: [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)

---

**From:** Loffredo, Doreen [<mailto:dloffredo@foxrothschild.com>]  
**Sent:** Thursday, March 24, 2022 3:47 PM  
**To:** White, Terrance  
**Cc:** Connot, Mark J.; [josh@benisonallred.com](mailto:josh@benisonallred.com); Loffredo, Doreen  
**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good afternoon,

Attached is a copy of a proposed Order Denying Defendant Alex Penly's Motion to Strike Plaintiff Affidavits of Renewal of Judgment and Untimely Reply in Support of Affidavit in both word and pdf format. Prior to submitting the Order to the Department for signature, Mark Connot,

attorney for Plaintiffs, made several attempts to obtain review and approval from Joshua Benson, Mr. Penly's attorney. However, no response has been received. See attached emails.

Thank you.

Doreen

**Doreen Loffredo**

Client Service Specialist

**Fox Rothschild LLP**

(702) 699-5159 - direct

[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** [NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us) <[NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us)>

**Sent:** March 24, 2022 3:16 PM

**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>

**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned

07A546250 - ODM - Milton J. Woods and Cirrus Aviation Services, Inc. v. Eagle Jet Aviation, Inc., et al.

Your proposed order or document requiring a judge's signature to the court has been returned for the following reason(s): All Parties must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order and the objection/redlining of the Order for the Court's consideration

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Milton Woods, Cirrus Aviation  
7 Services Inc

CASE NO: 07A546250

8 vs

DEPT. NO. Department 27

9 Eagle Jet Aviation Inc, Alex  
10 Penley, et al

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 4/11/2022

16 Kevin Sutehall

ksutehall@foxrothschild.com

17 Christopher Reade .

creade@premierlegalgroup.com

18 Gus W. Flangas .

gwf@fdlawlv.com

19 Jacque Magee .

jmagee@foxrothschild.com

20 Jay A. Shafer .

jshafer@premierlegalgroup.com

21 Kevin Sutehall .

ksutehall@foxrothschild.com

22 Mark C. Fields .

fields@markfieldslaw.com

23 Mark Connot .

mconnot@foxrothschild.com

24 Michelle Choto .

MChoto@enensteinlaw.com

25 Monica Metoyer .

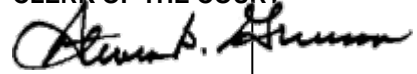
mmetoyer@foxrothschild.com

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Robert A. Rabbat .	RRabbat@enensteinlaw.com
Alex Penly	alexpenly@msn.com
Mark Connot	mconnot@foxrothschild.com
Doreen Loffredo	dloffredo@foxrothschild.com

## EXHIBIT 2



Alex Penly  
8529 Fox Brook Street  
Las Vegas, NV 89139  
Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
Telephone: 702-761-1655  
In Pro Per

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

MIL TON J. WOODS and CIRRUS  
AVIATION SERVICES, INC., a  
Washington corporation,  
Plaintiffs,

v.

EAGLE JET AVIATION, INC., A Nevada  
corporation; ALEX PENL Y; STUART M.  
WARREN; PRIVATE JET SERVICES,  
INC., a Nevada corporation; MILT'S  
EAGLE, LLC, a Nevada limited liability  
company and DOES I-X, inclusive.  
Defendants.

Case No.: 07A546250

DEPT. NO.: IX

MOTION TO STRIKE PLAINTIFF  
AFFIDAVIT(S) OF RENEWAL OF  
JUDGEMENT AND UNTIMELY REPLY  
IN SUPPORT OF AFFIDAVIT

HEARING NOT REQUESTED

COMES NOW Defendant Alex Penly Pro Se hereby files his Motion to Strike Plaintiff  
Affidavit of Judgment Renewal and subsequent ISO which is untimely at minimum. This Motion  
to Strike is made and based upon the following memorandum and points and authorities, the  
pleadings, and papers on file herein, and any oral argument to be heard by the Court.

1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 I. Introduction

3 Regardless of whether Mr. Connot believes in this and that, the only truth that exists is  
4 that which has already been decided. Plaintiffs thankfully gave insight prior to defendant serving  
5 this Motion to Strike with their recent untimely submission of a Reply in Support to their  
6 affidavit's. Plaintiff is trying, painfully, to defend their position, however, it appears that between  
7 splitting one (1) judgment into four (4), failing to serve not only timely but also with an unsigned  
8 affidavit, we see a self-set standard that does not come close to Strict Compliance. The doctrine  
9 of substantial compliance does not apply when the timeliness of serving notice is at issue.  
10 For the purposes of clarity, Plaintiff oddly mentions in their recent Reply in Support and admits  
11 to a delay, however Plaintiff feels that this is the mail carriers' issue and does not violate the  
12 Strict Compliance requirement. Plaintiff fails to mention anything regarding the unsigned  
13 affidavits coincidentally.  
14  
15  
16

17 **FACTS**

18 **The following facts are in evidence and have not been disputed:**

19 January 7<sup>th</sup>, 2021, at 17.39 – Filled four (4) Affidavit of Renewal with District Court

20 January 10<sup>th</sup>, 2021, at unknown time – Recorded four (4) Affidavits with Clark County Recorder.

- 21  
22           ○ Recording #1: 202201100001768  
23           ○ Recording #2: 202201100001769  
24           ○ Recording #3: 202201100001770  
25           ○ Recording #4: 202201100001771

26 January 11<sup>th</sup>, 2021, at 13:39 – Fox Rothchild tendered to the mail man two envelopes.

27           One (1) envelope 'Envelope 1' contained 219 pages:

28 Items contained in this envelope were the following:

- One (1) Affidavit of renewal of Judgement for \$80,000.00 – 73 Pages



- One (1) Affidavit of renewal of Judgment for \$80,000.00 – 73 Pages
- One (1) Affidavit of renewal of Judgment for \$1,500,000.00 – 73 Pages

One (1) envelope 'Envelope 2' contained ONLY 3 pages

- One (1) unsigned and unstamped Affidavit of renewal of Judgment for \$111,750.00

Envelope two also was sent to Sklar & Williams, who sent email to Alex Penly contained **unsigned and unstamped affidavit without exhibits**

## **II. AUTHORITY AND LEGAL ARGUMENT**

### **1. PLAINTIFF VIOLATED NRS 17.214 (1)A(2)**

NRS 17.214 (1) a (2) The affidavit must specify:

(2) If the judgment is recorded, the name of the county and the number and the page of the book in which it is recorded.

Regardless of whether Mr. Connot believes it or not, this judgment in question IS RECORDED TWICE. Mr. Connot can argue whatever, he likes, but the judgment in Nevada is recorded twice - that is fact. Purely to harass debtor. As plaintiff have filed the judgment renewal as well abreast of the filling of the affidavit, there remains TWO (2) fillings. If an outsider viewed these fillings, there is nothing to clear the contention that these are not two separate fillings, being two separate judgments. Just because the parties are similar, does not stop or delay confusion on the reader's side. Therefore, as we have seen continually from Plaintiff, they refuse to do anything to clear up the record and continue to harass defendant further.

Furthermore, NRS17.214(1)a(2) you record in the affidavit, 1) listing the name of the county and/or 2) recorded judgment's document number and page. Similarly, to plaintiff's surprise they did NOT notate ALL recordings. Which would have clearly linked and cleared the record. Plaintiff failed to comply with NRS. 17.214(1)a(2).

### **2. PLAINTIFF VIOLATED NRS 17.214 (1)B(3)**

*NRS 17.214 (1)B(3). The judgment creditor or the judgment creditor's successor in interest shall notify the judgment debtor of the renewal of the judgment by sending a copy of the affidavit of renewal by certified mail, return receipt requested, to the judgment debtor at his or her last known address within 3 days after filing the affidavit.*

NRS 17.214(3) provides that the creditor seeking to renew a judgment "shall" notify the judgment debtor of the renewal by serving a copy of the affidavit of renewal on the debtor within three days

1 after filing the affidavit. As we have previously explained, "shall" is a mandatory term indicative  
2 of the Legislature's intent that the statutory provision be compulsory, thus creating a duty rather  
3 than conferring discretion. Washoe Med. Ctr. v. Dist. Ct., 122 Nev. \_\_\_, \_\_\_, 148 P.3d 790, 793  
4 (2006).

5 ***Leven v. Frey*, 168 P. 3d 712 - Nev: Supreme Court 2007 – the Supreme Court stated in their**  
6 ***conclusion that: NRS 17.214 requires a judgment creditor to timely file, record (when the***  
7 ***judgment to be renewed is recorded) and serve his or her affidavit of renewal to successfully renew***  
8 ***a judgment, and strict compliance with these provisions is required.***

9 Plaintiff untimely served an unsigned affidavit which was missing exhibits to defendant and as  
10 he chose to separate them from their original form, the entire judgment should be set aside and  
11 defendants' motion to strike be granted.

12 *Leven v. Frey*, 123 Ne, 123 Nev – references numerous cases of where the doctrine of substantial  
13 compliance does not apply when the timeliness of serving notice is at issue

14 *Regency Investments v. Inlander Ltd.*, 855 A.2d 75, 79 (Pa.Super.Ct.2004) (concluding that the  
15 doctrine of substantial compliance does not apply when the timeliness of serving notice is at  
16 issue, and thus, the trial court properly struck a mechanics' lien claim since notice of the claim  
17 was not served until one month after the statutory time period allowed for service); *Marsh-*  
18 *McLennan Bldg., Inc. v. Clapp*, 96 Wash.App. 636, 980 P.2d 311, 313 n. 1 (1999) (explaining  
19 that an unlawful detainer statute's time requirements for filing a notice must be complied with  
20 strictly, while substantial compliance with the statute's requirements regarding the form and  
21 content of the notice was sufficient).

22 Bizarrely enough, Plaintiff could have mailed and delivered to the mail man on January 10<sup>th</sup>,  
23 2022, at 13:39, but he did not. He did absolutely nothing to ensure compliance with NRS 17.214.  
24 Plaintiff knew when the mail was picked up as they coincidentally filled their certificate of service  
25 to this court shortly thereafter. 1 day too late. Plaintiffs' capability to serve expired January 10<sup>th</sup>  
26 at 17.39 – Exactly 72 hours after filling.

27  
28 In accordance with NRS 17.214, the Nevada Law is incredibly clear. The Supreme court have  
ruled on how clear and unambiguous NRS 17.214 is.

1 “168 P.3d 712 (2007) - Robert LEVEN, Appellant, v. Herbert FREY and Cy Yehros, Respondents.  
2 No. 41716. Supreme Court of Nevada. October 11, 2007.

3 *NRS 17.214 requires a judgment creditor to timely file, record (when the judgment to be renewed*  
4 *is recorded) and serve his or her affidavit of renewal to successfully renew a judgment, and strict*  
5 *compliance with these provisions is required. As Frey did not timely record and serve his affidavit*  
6 *of renewal, he did not comply with NRS 17.214(1)(b) and (3), and thus he failed to successfully*  
7 *renew the judgment.”*

8 Plaintiff state in their untimely ISO (Page 9 line 7): “The Slight delay of mere hours between  
9 plaintiff’s mailing of the affidavit and the USPS’ processing of the mail parcel was not due to  
10 plaintiff’s own conduct!” If plaintiff and plaintiff only were SOLELY responsible for filling,  
11 recording, and serving of documents, plaintiff cannot claim their conduct did not control the  
12 outcome. If plaintiff would have mailed, around 10am on Monday morning, as he claims on  
13 Monday, the mail would have been scanned/documentated on Monday! That did not occur.

14 Fox Rothchild office mailed on the 11<sup>th</sup>. This is not a mail issue, this is Fox Rothchild failing to  
15 even attempt to mail the necessary documents timely. Therefore, ensuring the ‘mere hours delay’  
16 versus doing everything to ensure a timely mailing.

### 17 **3. PLAINTIFF VIOLATED EDCR 2.20(e):**

18 (e) Within 14 days after the service of the motion, and 5 days after service of any joinder to the  
19 motion, the opposing party must serve and file written notice of non-opposition or opposition  
20 thereto, together with a memorandum of points and authorities and supporting affidavits, if any,  
21 stating facts showing why the motion and/or joinder should be denied. Failure of the opposing  
22 party to serve and file written opposition may be construed as an admission that the motion and/or  
23 joinder is meritorious and a consent to granting the same.

24 Plaintiff failed to file and serve a response to the Motion on January 21<sup>st</sup>, 2022, within 14 days.  
25 Therefore, defendant motion to strike should be granted.

### 26 **4. PLAINTIFF VIOLATED NRAP 25 (5)(C):**

#### 27 **(c) Manner of Service.**

28 (1) Service may be any of the following:

(A) personal, including delivery of the copy to a clerk or other responsible person at the  
office of counsel.

(B) by mail.

(C) by third-party commercial carrier for delivery within 3 days.

(3) **Service by mail or by commercial carrier is complete on mailing or delivery to the  
carrier.** Service by electronic means under Rule 25(c)(1)(D) is complete on transmission, unless  
the party making service is notified that the paper was not received by the party served. Service

1 through the court's electronic filing system under Rule 25(c)(1)(E) is complete at the time that the  
2 document is submitted to the court's electronic filing system.

3 The Supreme have held how strict the requirements of NRS 17.214 are:

4 "Accordingly, "[t]he judgment creditor or the judgment creditor's successor in  
5 interest *shall* notify the judgment debtor of the renewal of the judgment by sending a copy of the  
6 affidavit of renewal by certified mail, return receipt requested. . . ." NRS 17.214(3) (emphasis  
7 added); Markowitz v. Saxon Special Servicing, 129 Nev. 660, 665, 310 P.3d 569, 572  
8 (2013) ("The word 'shall' is generally regarded as mandatory."). Because NRS 17.214(3) was not  
9 strictly complied with, the district court did not err by denying appellants' motion for declaratory  
10 relief and application to enforce a foreign judgment"

11 JOHN LYNCH, AN INDIVIDUAL; AND KELLIE FUHR, Appellants, v. YEHIA AWADA,  
12 AN INDIVIDUAL, Respondent. No. 73561. Supreme Court of Nevada. Filed September 28,  
13 2018

14 Plaintiff failed to 'deliver' to the mail carrier within 3 days. Therefore, defendant motion to strike  
15 should be granted.

#### 16 **5. PLAINTIFF VIOLATED NRCP - RULE 11(A).**

#### 17 **RULE 11(A) - Signing Pleadings, Motions, and Other Papers; Representations to the Court;** 18 **Sanctions**

19 (a) **Signature.** Every pleading, written motion, and other paper must be signed by at least  
20 one attorney of record in the attorney's name — or by a party personally if the party is  
21 unrepresented. The paper must state the signer's address, email address, and telephone number.  
22 Unless a rule or statute specifically states otherwise, a pleading need not be verified or  
accompanied by an affidavit. The court must strike an unsigned paper unless the omission is  
promptly corrected after being called to the attorney's or party's attention.

23 Plaintiff failed to serve within 3 days by sending an UNSIGNED AFFIDAVIT without exhibits  
24 and even tho, has been brought to the attention of Plaintiff, they have failed to correct in a timely  
25 manner. Therefore, defendant motion to strike should be granted.

1 Based on the above law, Defendant respectfully requests the court to strike Plaintiff  
2 affidavit of judgment renewal against Defendant and declare judgment void.

3  
4 III. CONCLUSION AND REQUEST

5 Defendant requests the court to 1) Strike Plaintiffs' Affidavit of Judgment Renewal  
6 given their inability to satisfy the strict requirements of NRS 17.214 and 2) confirm that  
7 Plaintiff judgment(s) are void, expired and ineligible for renewal.  
8

9 DATED this 14<sup>th</sup> day of February 2022.

10 Respectfully submitted,

11  
12  
13 /s/ Alex Penly

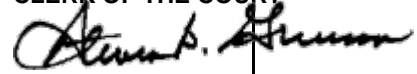
14 \_\_\_\_\_  
15 Alex Penly  
16 8529 Fox Brook Street  
17 Las Vegas, NV 89139  
18 Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
19 Telephone: 702-761-1634  
20 In Pro Per  
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MARK J. CANNOT (10010)  
KEVIN M. SUTEHALL (9437)  
FOX ROTHSCCHILD LLP  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, Nevada, 89135  
*Attorney for Plaintiffs*

X	Electronic Service: I caused said document(s) to be delivered by electronic means upon all eligible electronic recipients via the United States District Court CM/ECF system or Clark County District Court E-Filing system (Odyssey)
---	---

Alex Penly  
8529 Fox Brook Street  
Las Vegas, NV 89139  
Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
Telephone: 702-761-1655  
In Pro Per



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

MILTON J. WOODS; CIRRUS AVIATION  
SERVICES, INC.,

Plaintiff(s),

vs.

EAGLE JET AVIATION, INC.; ALEX PENLY;  
STUART M. WARREN; PRIVATE JET  
SERVICES, INC.; MILT'S EAGLE, LLC,

Defendant(s),

Case No: 07A546250

Dept No: XXVII

**CASE APPEAL STATEMENT**

1. Appellant(s): Alex Penly

2. Judge: Nancy Allf

3. Appellant(s): Alex Penly

Counsel:

Alex Penly  
8529 Fox Brook St.  
Las Vegas, NV 89139

4. Respondent (s): Milton J. Woods; Cirrus Aviation Services, Inc.

Counsel:

Mark J. Connot  
1980 Festival Plaza Dr., Suite 700  
Las Vegas, NV 89135

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: N/A  
*\*\*Expires 1 year from date filed*  
Appellant Filed Application to Proceed in Forma Pauperis: No  
Date Application(s) filed: N/A

9. Date Commenced in District Court: August 10, 2007

10. Brief Description of the Nature of the Action: Unknown

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 69873

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 12 day of May 2022.

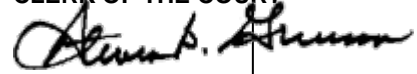
Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Alex Penly





Alex Penly  
8529 Fox Brook Street  
Las Vegas, NV 89139  
Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
Telephone: 702-761-1655  
In Pro Per

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

MIL TON J. WOODS and CIRRUS  
AVIATION SERVICES, INC., a  
Washington corporation,  
Plaintiffs,

v.

EAGLE JET AVIATION, INC., A Nevada  
corporation; ALEX PENL Y; STUART M.  
WARREN; PRIVATE JET SERVICES,  
INC., a Nevada corporation; MILT'S  
EAGLE, LLC, a Nevada limited liability  
company and DOES I-X, inclusive.  
Defendants.

Case No.: 07A546250

DEPT. NO.: IX

DEFENDANT CASE APPEAL  
STATEMENT

**CASE APPEAL STATEMENT**

**1. Name of Appellant filing this Case Appeal Statement:**

Defendant Alex Penly

**2. Identify the Judge Issuing the Decision, Judgment, or Order appealed from:**

Judge Allf issued the Order Denying Defendant Motion to Strike.

**3. Identify all parties to the proceedings in the District Court:**

Plaintiff: 1. MIL TON J. WOODS and CIRRUS AVIATION SERVICES, INC

Defendants: 1. EAGLE JET AVIATION, INC., A Nevada corporation; ALEX  
PENL Y; STUART M. WARREN; PRIVATE JET SERVICES, INC., a Nevada  
corporation; MILT'S EAGLE, LLC,

DEFENDANT CASE APPEAL STATEMENT

**4. Identify all parties involved in this appeal:**

1. Plaintiff: 1. MIL TON J. WOODS and CIRRUS AVIATION SERVICES, INC  
2. Defendant: 1. Alex Penly

**5. Set forth the name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent:**

Appellants: Alex Penly  
Pro Se  
8529 Fox Brook Street  
Las Vegas, NV 89139  
(702) 761-1634

Respondent: MARK J. CANNOT (10010)  
KEVIN M. SUTEHALL (9437)  
FOX ROTHSCHILD LLP  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, Nevada, 89135  
Representing Plaintiff/Respondent)

**6. Whether an attorney identified in response to Paragraph 5 is not licensed to practice law in Nevada, and if so, whether the district court granted that attorney permission to appear under SCR 42, including a copy of any district court order granting that permission.**

All attorneys identified in Paragraph 5 are licensed to practice law in Nevada.

**7. Indicate whether Appellant was represented by appointed or retained counsel in District Court.**

Appellant was represented by retained counsel.

**8. Indicate whether Appellant is represented by appointed or retained counsel on appeal:**

Appellant is not represented at this time.

**9. Indicate whether Appellant was granted leave to proceed in forma pauperis, and the date of entry of the District Court order granting such leave:**

Appellant is not proceeding in forma pauperis

1 **10. Indicate the date the proceedings commenced in the District Court (e.g., date**  
2 **Complaint, Indictment, Information, or Petition was filed):**

3 The Complaint was filed on August 10<sup>th</sup>, 2007

4 **11. A brief description of the nature of the action and result in the district court,**  
5 **including the type of judgment or order being appealed and the relief granted by**  
6 **the district court.**

7  
8 Plaintiff falsely recorded their lien against Mr. Penly's homestead property in 2016  
9 twice, in the amount of \$1,580,000.00. Defendant sought to remove lien based on the  
10 homestead Act. This was granted by Judge Allf in a Sua Sponte motion dated December  
11 14<sup>th</sup>, 2021. Plaintiff moved to renew judgement on January 7<sup>th</sup>, 2022. However, upon  
12 renewal, Plaintiff issued 4 (four) renewals – breaking down the original 1 (one)  
13 Judgment - to the District Court Electronic System on January 7<sup>th</sup>, 2022. Plaintiff then  
14 recorded 4 (four) renewals to the Clark County Recorder on January 10<sup>th</sup>, 2022.  
15 Certified Mail scanned by receiving mailman at Fox Rothchild's Office was January  
16 11<sup>th</sup>, 2022, at 13:39pm. Plaintiff mailed 3 signed copies (\$80,000 twice and  
\$1,500,000.00) and 1 unsigned affidavit for \$111,750 to the address of Defendant.  
District court denied defendant Motion to Strike Judgment Renewal citing that the  
efforts were that of substantial compliance and Plaintiff did not invalid service by  
causing certified mail to be scanned later than 3 days or by causing an unsigned affidavit  
to be served.

17 **12. Whether the case has previously been the subject of an appeal to or original writ**  
18 **proceeding in the Supreme Court and, if so, the caption and Supreme Court docket**  
19 **number of the prior proceeding.**

20 Yes. Case No. 69873

21 **13. Whether the appeal involves child custody or visitation.**

22 No.

23 **14. Whether the appeal involves the possibility of settlement.**

24 No.

25 /s/ Alexander Penly

26 Alex Penly

27 8529 Fox Brook Street

28 Las Vegas, NV 89139

Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)

Telephone: 702-761-1655

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MARK J. CANNOT (10010)  
KEVIN M. SUTEHALL (9437)  
FOX ROTHSCCHILD LLP  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, Nevada, 89135  
*Attorney for Plaintiffs*

X Electronic Service: I caused said document(s) to be delivered by electronic means upon all eligible electronic recipients via the United States District Court CM/ECF system or Clark County District Court E-Filing system (Odyssey)

Alex Penly  
8529 Fox Brook Street  
Las Vegas, NV 89139  
Email: [Alexpenly@msn.com](mailto:Alexpenly@msn.com)  
Telephone: 702-761-1655  
In Pro Per

**CASE SUMMARY****CASE NO. 07A546250**

**Milton Woods, Cirrus Aviation Services Inc**  
**vs**  
**Eagle Jet Aviation Inc, Alex Penley, et al**

§  
§  
§  
§  
§  
§

Location: **Department 27**  
 Judicial Officer: **Allf, Nancy**  
 Filed on: **08/10/2007**  
 Case Number History:  
 Cross-Reference Case **A546250**  
 Number:  
 Supreme Court No.: **69873**

**CASE INFORMATION****Statistical Closures**

01/21/2016 Judgment on Arbitration  
 04/30/2015 Judgment on Arbitration

Case Type: **Business Court**

Case  
Status: **01/21/2016 Closed**

**DATE****CASE ASSIGNMENT****Current Case Assignment**
















Case Number 07A546250  
 Court Department 27  
 Date Assigned 01/22/2013  
 Judicial Officer Allf, Nancy

**PARTY INFORMATION**













<b>Plaintiff</b>	<b>Cirrus Aviation Services Inc</b>	<b>Connot, Mark J</b> <i>Retained</i> 702-262-6899(W)
	<b>Woods, Milton J</b>	<b>Connot, Mark J</b> <i>Retained</i> 702-262-6899(W)
<b>Defendant</b>	<b>Eagle Jet Aviation Inc</b>	<b>Fields, Mark C.</b> <i>Retained</i> 213-617-5225(W)
	<b>Milt's Eagle LLC</b>	
	<b>Penley, Alex</b>	<b>Pro Se</b> 702-761-1655(H)
	<b>Private Jet Services Inc</b>	<b>Reade, Robert C.</b> <i>Retained</i> 702-794-4411(W)
	<b>Warren, Stuart M</b>	<b>Pro Se</b> 323-938-6652(H)
<b>Conversion</b>	<b>No Convert Value @ 07A546250</b>	
<b>Extended</b>	Removed: 04/24/2009	
<b>Connection Type</b>	Converted From Blackstone	
<b>Counter Claimant</b>	<b>Penley, Alex</b>	<b>Pro Se</b> 702-761-1655(H)
<b>Counter Defendant</b>	<b>Cirrus Aviation Services Inc</b>	<b>Connot, Mark J</b> <i>Retained</i> 702-262-6899(W)
	Removed: 08/17/2012 Data Entry Error	
	<b>Woods, Milton J</b>	<b>Connot, Mark J</b> <i>Retained</i>

**CASE SUMMARY****CASE NO. 07A546250**

702-262-6899(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<b><u>EVENTS</u></b>	
08/10/2007	 Complaint <i>[1] Complaint Filed Fee \$178.00</i>	
08/10/2007	 Initial Appearance Fee Disclosure Filed By: Counter Defendant Woods, Milton J <i>[3] Initial Appearance Fee Disclosure</i>	
08/13/2007	 Motion <i>[2] Plaintiff's Motion for Appointment VE 10/2/07 for Injunctive Relief</i>	
08/13/2007	 Initial Appearance Fee Disclosure <i>[13] Initial Appearance Fee Disclosure</i>	
08/15/2007	 Summons Issued <i>[4] Summons - (Milt's Eagle LLC)</i>	
08/15/2007	 Summons Issued <i>[5] Summons - (Alex Penly)</i>	
08/15/2007	 Summons Issued <i>[6] Summons - (Private Jet Services Inc)</i>	
08/15/2007	 Summons Issued <i>[7] Summons - (Eagle Jet Aviation Inc)</i>	
08/15/2007	 Summons Issued <i>[8] Summons - (Stuart M Warren)</i>	
08/15/2007	 Acceptance of Service Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[9] Acceptance of Service of Process</i>	
08/15/2007	 Receipt of Copy Filed by: Counter Defendant Woods, Milton J <i>[10] Receipt of Copy</i>	
09/06/2007	 Stipulation and Order <i>[11] Stipulation</i>	
09/13/2007	 Motion to Associate Counsel <i>[12] Defendant's Motion to Associate Counsel Polard/02 (VJ 10/17/07)</i>	
09/17/2007	 Notice of Entry of Order Filed By: Defendant Warren, Stuart M <i>[14] Notice of Entry of Order</i>	
09/21/2007	 Stipulation and Order Filed by: Counter Defendant Woods, Milton J	

**CASE SUMMARY****CASE NO. 07A546250**

	<i>[15] Stipulation and Order</i>	
09/26/2007	 Notice of Entry of Order Filed By: Defendant Warren, Stuart M <i>[16] Notice of Entry of Order</i>	
10/17/2007	Conversion Case Event Type <i>[17] MINUTE ORDER RE:DEFT'S MTN TO ASSOCIATE COUNSEL</i>	07A5462500017.tif pages
10/18/2007	 Order Admitting to Practice <i>[18] Order Admitting Steven G Polard to Practice</i>	
10/24/2007	 Notice of Entry of Order Filed By: Counter Claimant Penley, Alex <i>[19] Notice of Entry of Order Admitting Steven G Polard to Practice</i>	
01/07/2008	 Request <i>[20] Plaintiffs Request for a Lift Stay and for a Hearing on the Motion for Appointment of Receiver for Injunctive Relief and for an Accounting</i>	
01/10/2008	 Request Filed by: Counter Claimant Penley, Alex <i>[21] Request for Transfer to Business Court</i>	
01/10/2008	Conversion Case Event Type <i>[22] TRANSFERRED TO BUSINESS COURT</i>	07A5462500022.tif pages
01/12/2008	 Notice of Department Reassignment <i>[23] NOTICE OF DEPARTMENT REASSIGNMENT 000408004989FC 004989000408</i>	07A5462500024.tif pages
01/17/2008	 Motion for Appointment of Receiver <i>[24] Plaintiff's Motion for Appointment of Receiver/04 (VJ 02/08/08)</i>	
01/18/2008	 Notice of Entry of Order Filed By: Counter Defendant Woods, Milton J <i>[25] Notice of Entry of Order</i>	
01/22/2008	 Certificate of Mailing Filed By: Counter Defendant Woods, Milton J <i>[26] Certificate of Mailing</i>	
02/01/2008	 Motion to Compel <i>[27] Defendant's Motion to Compel Arbitration and Motion for Appointment of Receiver/5 (VJ 02/07/08)</i>	
11/24/2008	 Conversion Case Event Type <i>[28] STATUS CHECK: CASE</i>	07A5462500029.tif pages
12/05/2008	 Conversion Case Event Type Party: Counter Claimant Penley, Alex <i>[30] STATUS REPORT</i>	07A5462500031.tif pages
12/11/2008	Conversion Case Event Type <i>[29] STATUS CHECK: ARBITRATION</i>	07A5462500030.tif pages

# CASE SUMMARY













CASE NO. 07A546250

01/29/2009	 Notice of Change of Address Filed By: Counter Defendant Woods, Milton J <i>[31] Notice of Change of Address</i>
06/12/2009	 Motion for Appointment of Receiver Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[32] Plaintiffs' Renewed Motion for Appointment of Receiver for Injunction Relief, and for an Accounting</i>
06/16/2009	 Motion to Dismiss <i>[33] Defendants' Motion for Dismissal of Plaintiffs' Complaint Or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
06/16/2009	 Declaration <i>[34] Declaration of Steven G. Polard in Support of Defendants' Motion for Dismissal of Plaintiffs' Complaint Or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
06/16/2009	 Declaration <i>[35] Declaration of Alex Penly in Support of Defendants' Motion for Dismissal of Plaintiffs' Complaint Or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
06/29/2009	 Opposition to Motion <i>[36] Opposition to Plaintiffs' Renewed Motion for Appointment of Receiver, for Injunctive Relief, and for an Accounting</i>
07/10/2009	 Reply to Opposition <i>[37] Reply to Opposition to Plaintiff's Reviewed Motion for Appointment of Receiver, for Injunctive Relief, and for an Accounting</i>
07/13/2009	 Opposition to Motion to Dismiss <i>[38] Opposition to Defendants' Motion for Dismissal of Plaintiffs' Complaint or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
07/16/2009	 Receipt of Copy <i>[39] Receipt of Copy</i>
07/16/2009	 Receipt of Copy <i>[40] Receipt of Copy</i>
07/17/2009	 Receipt of Copy <i>[42] Receipt of Copy</i>
07/17/2009	 Reply <i>[43] Defendants' Reply Brief for Dismissal of Plaintiffs' Complaint Or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
07/17/2009	 Supplemental <i>[44] Supplemental Declaration of Alex Penly In Support of Defendants' Motion for Dismissal of Plaintiffs' Complaint or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i>
07/17/2009	



# CASE SUMMARY

CASE NO. 07A546250

	 Addendum Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[41] Addendum to Plaintiffs Motion for Appointment of a Reciver for a Preliminary Injunction and or an Accounting</i>
07/20/2009	 Declaration <i>[45] Declaration of Alex Penly in Response to Late Fiiling of Plaintiff's Addendum to Plaintiff's Motion for Appointment of a Receiver, For a Preliminary Injunction and or an Accounting</i>
09/08/2009	 Notice of Change of Address Filed By: Attorney Freer, Alan D.; Attorney Solomon, Mark Alan; Attorney Barton, Denise Anne; Defendant Eagle Jet Aviation Inc; Counter Claimant Penley, Alex; Defendant Warren, Stuart M; Defendant Private Jet Services Inc; Defendant Milt's Eagle LLC <i>[46]</i>
10/05/2009	 Motion for Appointment of Receiver Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[47] Plaintiffs' Renewed Motion for Appointment of Receiver, for Injunctive RELief and for an Accounting</i>
10/20/2009	 Receipt of Copy <i>[49] Receipt of Copy</i>
10/20/2009	 Certificate of Mailing <i>[48] Certificate of Mailing</i>
11/02/2009	 Motion Filed By: Counter Claimant Penley, Alex <i>[50] Solomon Dwiggins &amp; Freer's Motion on Order Shortening Time for Extension of Time to File an Opposition to Plaintiffs' Renewed Motion for Receiver for Injunctive Relief and for Accounting And/Or Hearing Thereon (First Requested Extension)</i>
11/02/2009	 Motion Filed By: Counter Claimant Penley, Alex <i>[51] Solomon Dwiggins &amp; Freer's Motion on Order Shortening Time to Withdraw as Counsel of Record</i>
11/03/2009	 Receipt of Copy Filed by: Defendant Eagle Jet Aviation Inc; Counter Claimant Penley, Alex; Defendant Private Jet Services Inc <i>[52] Receipt of Copy</i>
11/03/2009	 Motion to Withdraw As Counsel Filed By: Defendant Eagle Jet Aviation Inc; Counter Claimant Penley, Alex; Defendant Private Jet Services Inc; Defendant Milt's Eagle LLC <i>[53] Perkins Coie LLP's Motion on Order Shortening Time to Withdraw as Counsel of Record</i>
11/04/2009	 Objection <i>[54] Pro Forma Objection to Plaintiffs' Renewed Motion for Appointment of a Receiver, for Injunctive Relief and for an Accounting</i>
11/04/2009	 Certificate of Electronic Service Filed By: Defendant Eagle Jet Aviation Inc; Counter Claimant Penley,

# CASE SUMMARY

CASE NO. 07A546250

Alex; Defendant Private Jet Services Inc  
[55]

11/04/2009



Receipt of Copy

Filed by: Defendant Eagle Jet Aviation Inc; Counter Claimant Penley, Alex; Defendant Private Jet Services Inc

[56] Receipt of Copy of Perkins Coe LLPs Motion on Order Shortening Time of Withdraw as Counsel of Record

11/05/2009



Ex Parte Application

Party: Defendant Warren, Stuart M

[57] Morris Peterson's Ex Parte Application for Order Shortening Time to Consider it's Motion to Withdraw as Counsel of Record

11/05/2009



Certificate of Service

Filed by: Defendant Warren, Stuart M

[58] Certificate of Service

11/12/2009



Notice of Entry of Order

Filed By: Defendant Warren, Stuart M

[59] Granting Motion to Withdraw as Counsel of Record

11/12/2009



Order Granting Motion

Filed By: Defendant Warren, Stuart M

[60] To Withdraw as Counsel of Record

11/25/2009



Order to Withdraw as Attorney of Record

[61] Order Granting Solomon Dwiggins & Freer, Ltd. s Motion to Withdraw as Counsel of Record; Granting Perkins Coie, LLP s Motion to Withdraw as Counsel of Record; and Granting Motion for Extension of Time to File an Opposition to Plaintiffs Renewed Motion for Receiver, for Injunctive Relief and for an Accounting and/or Hearing Thereon

11/30/2009



Notice of Withdrawal of Attorney

[62] Notice of Entry of Order Granting Solomon Dwiggins & Freer, Ltd.'s Motion to Withdraw as Counsel of Record; Granting Perkins Coie,LLP's Motion to Withdraw as Counsel of Record; and Granting Motion for Extension of Time to File an Opposition to Plaintiffs' Renewed Motion for Receiver, for Injunctive Relief and for an Accounting and/or Hearing Thereon

01/05/2010



Receipt of Copy

Filed by: Defendant Warren, Stuart M

[63] Receipt of Copy

01/05/2010



Response

Filed by: Defendant Eagle Jet Aviation Inc; Defendant Warren, Stuart M

[64] Defendants Response To Plaintiffs Renewed Motion For Appointment of A Receiver Injunctive Relief and An Accounting

01/13/2010



Reply to Opposition

[65] Reply to Opposition to Plaintiffs' Renewed Motion for Appointment of a Receiver, for Injunctive Relief and for an Accounting

01/29/2010



Transcript of Proceedings

[66]

08/17/2010



Notice of Appearance

# CASE SUMMARY

CASE NO. 07A546250

Party: Counter Claimant Penley, Alex  
[67] as Counsel for Defendant Alex Penly

09/16/2010



Motion to Enforce

Filed By: Counter Claimant Penley, Alex  
[68] Defendant Alex Penly's Motion to Enforce the September 21, 2007 Stipulation and Order Pertaining to the Production of Documents From Plaintiffs Milton Woods and Cirrus Aviation Services, INC. Related to Eagle Jet Aviation, INC

10/08/2010



Opposition to Motion

Filed By: Counter Defendant Woods, Milton J  
[69] Plaintiffs' Opposition to Defendant Alex Penly's Motion to Enforce the September 21, 2007 Stipulation and Order Pertaining to the Production of Documents from Plaintiffs Milt Woods and Cirrus Aviation Services, Inc. Related to Eagle Jet Aviation, Inc.

10/13/2010



Receipt of Copy

Filed by: Counter Defendant Woods, Milton J  
[70] Receipt of Copy

10/18/2010



Reply in Support

Filed By: Counter Claimant Penley, Alex  
[71] Defendant Alex Penly's Reply in Support of His Motion to Enforce the September 21, 2007 Stipulation and Order Pertaining to the Production of Documents from Plaintiffs Milton Woods and Cirrus Aviation Services Inc Related to Eagle Jet Aviation Inc

11/24/2010



Order

Filed By: Counter Claimant Penley, Alex  
[72] Order

12/03/2010



Notice of Entry of Order

Filed By: Counter Claimant Penley, Alex  
[73] Notice of Entry of Order

04/22/2011



Motion for Order to Show Cause

Filed By: Counter Claimant Penley, Alex  
[74] Defendant Alex Penly's Motion for an Order to Show Cause Why Plaintiffs Should Not Be Held in Contempt of this Court's September 21st, 2007 Stipulation and Order or in the Alternative Application for Temporary Restraining Order and/or Preliminary Injunction Pursuant to N.R.C.P. 65 on Order Shortening Time

04/25/2011



Amended Certificate of Service

Party: Counter Claimant Penley, Alex  
[75] Amended Certificate of Mailing

05/04/2011



Receipt of Copy

Filed by: Counter Defendant Woods, Milton J  
[76] Receipt of Copy

05/04/2011



Opposition to Motion

Filed By: Counter Defendant Woods, Milton J  
[77] Plaintiffs' Opposition to Defendant Alex Penly's Motion for an Order to Show Cause Why Plaintiffs Should Not be Held in Contempt of This Court's September 21, 2007 Stipulation and Order or in the Alternative, Application for Temporary Restraining Order and/or Preliminary Injunction Pursuant to NRCP 65 on Order Shortening Time

06/07/2011



Subpoena

# CASE SUMMARY

CASE NO. 07A546250

Filed by: Counter Defendant Woods, Milton J  
[78] Subpoena - Alex Penly

06/09/2011



## Supplement

Filed by: Counter Claimant Penley, Alex  
[79] Defendant Alex Penly's First Supplement in Support of Motion for an Order to Show Cause why Plaintiffs Should not be Held in Contempt of this Court's September 21, 2007 Stipulation and Order or in the Alternative Application for Temporary Restraining Order and/or Preliminary Injunction pursuant to NRCP 65 on Order Shortening Time.

06/23/2011



## Transcript of Proceedings

[80] Transcript of Proceedings Preliminary Injunction Hearing June 10, 2011

07/13/2011



## Status Check

Filed By: Counter Claimant Penley, Alex  
[81] Defendant Alex Penly's Status Memorandum for July 14th, 2011 Status Check Hearing and Renewed Request for Order to Show Cause Why Milton Woods and Greg Woods Should Not Be Held in Contempt of the Orders of this Court.

07/14/2011



## Supplement

Filed by: Counter Claimant Penley, Alex  
[84] Defendant Alex Penly's First Supplement to Status Memorandum for July 14th, 2011 Status Check Hearing and Renewed Request for Order to Show Cause Why Milton Woods and Greg Woods Should Not be Held in Contempt of Orders of this Court.

07/14/2011



## Subpoena

Filed by: Counter Defendant Woods, Milton J  
[82] Subpoena - Randy Kidd

07/14/2011



## Subpoena

Filed by: Counter Defendant Woods, Milton J  
[83] Subpoena - Ryan Kidd

07/15/2011



## Subpoena Duces Tecum

Filed by: Counter Claimant Penley, Alex  
[85] Subpoena Duces Tecum - Ryan Kidd

09/01/2011



## Motion for Order to Show Cause

Filed By: Counter Defendant Woods, Milton J  
[86] Motion for Order to Show Cause Why Alex Penly Should Not Be Found Guilty of Perjury and in Contempt of Court

09/20/2011



## Opposition to Motion

Filed By: Defendant Eagle Jet Aviation Inc  
[87] Defendants Eagle Jet Aviation Inc. and Alex Penly's Opposition to Plaintiff's Motion for Order to Show Cause and Motion to Strike Plaintiff's Motion for Scandalous and Impertinent Content

10/05/2011



## Notice of Change of Address

Filed By: Counter Claimant Penley, Alex  
[88] Notice of Change of Firm Address

10/14/2011
















## Reply to Opposition

Filed by: Counter Defendant Woods, Milton J  
[89] Reply to Opposition to Plaintiffs' Motion for Order to Show Cause Why Alex Penly Should Not be Found Guilty of Perjury and In Contempt of Court and Opposition to

# CASE SUMMARY

CASE NO. 07A546250

*Motion to Strike for Scandalous and Impertinent Content*

11/23/2011	 Order Filed By: Counter Claimant Penley, Alex <i>[90] Order</i>
11/28/2011	 Notice of Entry of Order Filed By: Counter Claimant Penley, Alex <i>[91] Notice of Entry of Order</i>
02/27/2012	 Transcript of Proceedings <i>[92] Transcript Of Proceedings Contempt Hearing July 15, 2011</i>
04/10/2012	 Notice of Association of Counsel Filed By: Defendant Eagle Jet Aviation Inc <i>[93] Notice of Association of Counsel</i>
04/26/2012	 Motion to Quash Filed By: Other Penly, Karen <i>[94] Karen and Laura Penly's Motion to Quash on Order Shortening Time</i>
04/27/2012	 Receipt of Copy Filed by: Counter Claimant Penley, Alex <i>[95] Receipt of Copy</i>
05/04/2012	 Opposition to Motion Filed By: Counter Defendant Woods, Milton J <i>[96] Opposition to Karen and Laura Penly's Motion to Quash on Order Shortening Time</i>
05/07/2012	 Certificate of Mailing Filed By: Counter Defendant Woods, Milton J <i>[97] Certificate of Mailing</i>
06/11/2012	 Order Filed By: Counter Claimant Penley, Alex <i>[98] Order</i>
06/12/2012	 Notice of Entry of Order Filed By: Counter Claimant Penley, Alex <i>[99] Notice of Entry of Order</i>
07/17/2012	 Motion <i>[100] Defendant/Counterclaimant Alex Penly's Motion for Recusal of Arbitrator, or, in the Alternative to Disqualify Arbitrator Pursuant to Chapter 38 of the Nevada Revised Statutes</i>
08/03/2012	 Opposition to Motion Filed By: Counter Defendant Woods, Milton J <i>[102] Opposition to Defendant/Counterclaimant (sic) Alex Penly's Motion for Recusal of Arbitrator, or in the Alternative, to Disqualify Arbitrator Pursuant to Chapter 38 of the Nevada Revised Statutes</i>
08/03/2012	 Amended Filed By: Counter Defendant Woods, Milton J

## CASE SUMMARY

CASE NO. 07A546250

*[103] Amended Certificate of Service*

08/03/2012



Notice of Change of Address

Filed By: Counter Claimant Penley, Alex

*[101] Notice of Change of Firm Address*

08/17/2012



Reply to Opposition

Filed by: Counter Claimant Penley, Alex

*[104] Defendant/ Counterclaimant Alex Penly's Reply To Plaintiffs/Counterdefendants' Opposition To Motion For Recusal Of Arbitrator, Or, In The Alternative To Disqualify Arbitrator Pursuant To Chapter 38 Of The Nevada Revised Statutes*

01/22/2013

Case Reassigned to Department 27

*Case reassigned from Judge Elizabeth Gonzalez Dept 11*

01/28/2013



Order Scheduling Status Check

*[105] Order Scheduling Status Check*

02/27/2013



Memorandum

Filed By: Counter Defendant Woods, Milton J

*[106] Plaintiffs' Status Memorandum*

08/20/2013



Motion

Filed By: Counter Defendant Woods, Milton J

*[107] Motion to Confirm Arbitration Award for Attorney's Fees and Costs*

08/21/2013



Notice of Hearing

Filed By: Counter Defendant Woods, Milton J

*[108] Notice of Hearing*

09/09/2013



Opposition to Motion

Filed By: Counter Claimant Penley, Alex

*[109] Defendants' Opposition to Plaintiffs' Motion to Confirm Arbitration Award for Attorneys' Fees and Costs*

09/27/2013



Stipulation and Order

Filed by: Counter Defendant Woods, Milton J

*[110] Stipulation and Order Continuing Hearing Date on Plaintiff's Motion to Confirm Arbitration Award for Attorneys' Fees and Costs*

10/10/2013



Stipulation and Order

Filed by: Counter Defendant Woods, Milton J

*[111] Stipulation and Order Continuing Hearing Date on Plaintiff's Motion to Confirm Arbitration Award for Attorneys' Fees and Costs*

10/15/2013



Supplement to Opposition

Filed By: Defendant Eagle Jet Aviation Inc

*[112] Defendants and Counterclaimants' Supplemental Opposition to Plaintiffs' Motion to Confirm Arbitration Ruling*

03/05/2014



Notice of Firm Name Change

Filed By: Defendant Eagle Jet Aviation Inc

*[113] Notice of Firm Name Change and Attorney of Record*

04/18/2014



Motion to Dismiss

# CASE SUMMARY

CASE NO. 07A546250

	<p>Filed By: Defendant Eagle Jet Aviation Inc  <i>[114] Motion To Dismiss Claims Against Milt's Eagle, Private Jet Services, And Stuart Warren Pursuant To NRCP 41(E)</i></p>
04/22/2014	<p> Notice of Hearing            Filed By: Defendant Eagle Jet Aviation Inc  <i>[115] Notice of Hearing</i></p>
05/06/2014	<p> Opposition to Motion to Dismiss            Filed By: Counter Defendant Woods, Milton J  <i>[116] Opposition to Defendants Motion to Dismiss Claims Against Milt's Eagle, Private Jet Services, and Stuart Warren Pursuant to NRCP 41(e)</i></p>
05/12/2014	<p> Certificate of Service            Filed by: Counter Defendant Woods, Milton J  <i>[117] Amended Certificate of Service (by U.S. Mail)</i></p>
05/15/2014	<p> Reply to Motion            Filed By: Counter Claimant Penley, Alex  <i>[118] Defendants Penly and Eagle Jet's Reply to Motion to Dismiss under NRCP 41(e)</i></p>
02/20/2015	<p> Memorandum            Filed By: Defendant Eagle Jet Aviation Inc  <i>[119] Status Update Regarding Arbitration</i></p>
02/23/2015	<p> Motion            Filed By: Counter Defendant Woods, Milton J  <i>[120] Motion to Confirm Arbitration Award</i></p>
03/13/2015	<p> Opposition to Motion            Filed By: Counter Claimant Penley, Alex  <i>[121] Defendants' And Counterclaimants' Opposition To Motion To Confirm Arbitration Award; Declaration Of Mark C. Fields</i></p>
04/20/2015	<p> Reply to Opposition            Filed by: Counter Defendant Woods, Milton J  <i>[122] Reply to Defendants' and Counterclaimants' Opposition to Motion to Confirm Arbitration Award</i></p>
04/28/2015	<p> Motion to Vacate            Filed By: Counter Claimant Penley, Alex  <i>[123] Defendants' And Counterclaimants' Motion To Vacate Arbitration Award</i></p>
04/28/2015	<p> Motion            Filed By: Counter Claimant Penley, Alex  <i>[124] Defendants' And Counterclaimants' Motion To Modify Or Correct Arbitration Award</i></p>
04/30/2015	<p> Order to Statistically Close Case  <i>[125] Civil Order to Statistically Close Case</i></p>
05/20/2015	<p> Certificate of Service            Filed by: Counter Defendant Woods, Milton J  <i>[127] Certificate of Service</i></p>

# CASE SUMMARY

CASE NO. 07A546250

05/20/2015	 Opposition Filed By: Counter Defendant Woods, Milton J <i>[126] Opposition to Defendants' and Counterclaimants' Motion to Modify or Correct Arbitration Award</i>
05/21/2015	 Opposition Filed By: Counter Defendant Woods, Milton J <i>[128] Opposition to Defendants and Counterclaimants' Motion to Vacate Arbitration Award</i>
06/08/2015	 Reply to Opposition Filed by: Counter Claimant Penley, Alex <i>[129] Defendants' and Counterclaimants' Reply to Opposition to Motion to Modify or Correct Arbitration Award</i>
06/08/2015	 Reply to Opposition Filed by: Defendant Eagle Jet Aviation Inc <i>[130] Defendants' and Counterclaimants' Reply to Opposition to Motion to Vacate Arbitration Award</i>
09/18/2015	 Order Filed By: Counter Defendant Woods, Milton J <i>[131] Order</i>
09/18/2015	 Order Filed By: Counter Defendant Woods, Milton J <i>[132] Order Confirming Arbitration Award</i>
09/21/2015	 Notice of Entry Filed By: Counter Defendant Woods, Milton J <i>[133] Notice of Entry of Order</i>
09/21/2015	 Notice of Entry Filed By: Counter Defendant Woods, Milton J <i>[134] Notice of Entry of Order Confirming Arbitration Award</i>
01/12/2016	 Substitution of Attorney Filed by: Counter Defendant Woods, Milton J <i>[135] Substitution of Attorney</i>
01/20/2016	 Judgment Filed By: Counter Defendant Woods, Milton J <i>[136] Judgment</i>
01/27/2016	 Notice Filed By: Counter Defendant Woods, Milton J <i>[138] Notice of Entry of Judgment</i>
01/27/2016	 Memorandum of Costs and Disbursements Filed By: Counter Defendant Woods, Milton J <i>[137] Memorandum of Costs and Disbursements</i>
02/25/2016	 Notice of Appeal Filed By: Defendant Eagle Jet Aviation Inc



# CASE SUMMARY

CASE NO. 07A546250

[139] Defendants/Counterclaimants Eagle Jet Aviation Inc. and Alex Penly's Notice of Appeal

02/25/2016



Case Appeal Statement

Filed By: Defendant Eagle Jet Aviation Inc

[140] Case Appeal Statement

03/02/2016



Amended Case Appeal Statement

Party: Counter Claimant Penley, Alex

[141] Amended Case Appeal Statement

03/03/2016



Amended Case Appeal Statement

Party: Counter Claimant Penley, Alex

[142] Second Amended Case Appeal Statement

03/07/2016



Motion

Filed By: Counter Defendant Woods, Milton J

[143] Motion to Enter Costs on Margin of Judgment

03/29/2016



Opposition

Filed By: Counter Claimant Penley, Alex

[144] Defendants/Counterclaimants Alex Penly and Eagle Jet Aviation Inc.'s Opposition to Plaintiffs' Motion to Enter Costs on Margin of Judgment

04/01/2016



Reply

Filed by: Counter Defendant Woods, Milton J

[145] Reply in Support of Motion to Enter Costs on Margin of Judgment

04/18/2016



Application for Default Judgment

Party: Defendant Private Jet Services Inc

[146] Application for Entry of Judgment on Garnishee Interrogatories Pursuant to NRS 31.330; Points and Authorities

05/05/2016



Response

Filed by: Counter Defendant Woods, Milton J

[147] Plaintiffs' Response to Application for Entry of Judgment on Garnishee Interrogatories

06/16/2016



Findings of Fact, Conclusions of Law and Judgment

Filed by: Other Private Jet Services Inc

[148] Findings of Fact, Conclusions of Law and Judgment on Responses to Garnishee Interrogatories

06/21/2016



Notice of Entry

Filed By: Defendant Eagle Jet Aviation Inc

[149] Notice of Entry of Findings of Fact and Conclusions of Law and Judgment on Responses to Garnishee Interrogatories

06/28/2016



Request

Filed by: Defendant Eagle Jet Aviation Inc

[150] Request for Transcript of Proceeding

06/28/2016

















Request

Filed by: Defendant Eagle Jet Aviation Inc

[151] Request for Transcript of Proceedings














# CASE SUMMARY

CASE NO. 07A546250

09/27/2016	 <b>Recorders Transcript of Hearing</b> <i>[152] Transcript of Proceedings: Plaintiffs' Motion to Confirm Arbitration Award - April 29, 2015</i>
09/27/2016	 <b>Recorders Transcript of Hearing</b> <i>[153] Transcript of Proceedings: Defendants' and Counterclaimants' Motion to Vacate Arbitration Award; Defendants' and Counterclaimants' Motion to Modify or Correct Arbitration Award; Status Check: Additional Attorney Fees; Status Check: Plaintiffs' Motion to Confirm Arbitration Award - June 15, 2015</i>
07/28/2017	 <b>NV Supreme Court Clerks Certificate/Judgment - Affirmed</b> <i>[154] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
07/20/2021	 <b>Motion</b> Filed By: Counter Claimant Penley, Alex <i>[155] Defendant Motion to Remove Judgment Filling Against Homestead Property</i>
07/20/2021	 <b>Clerk's Notice of Hearing</b> <i>[156] Notice of Hearing</i>
07/20/2021	 <b>Notice of Withdrawal</b> Filed By: Defendant Eagle Jet Aviation Inc; Counter Claimant Penley, Alex <i>[157] Notice of Withdrawal of Counsel Pursuant to SCR 46</i>
08/03/2021	 <b>Opposition to Motion</b> <i>[158] Plaintiffs' Opposition to Defendant Alex Penly's Motion to Remove Judgment Filing Against Homestead Property</i>
08/11/2021	 <b>Certificate of Service</b> Filed by: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[159] Certificate of Service</i>
08/12/2021	 <b>Motion</b> Filed By: Counter Claimant Penley, Alex <i>[160] Reply in Support of Motion to remove judgment from homestead property</i>
08/26/2021	 <b>Order</b> <i>[161] Order</i>
09/01/2021	 <b>Notice of Entry of Order</b> Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[162] Notice of Entry of Order</i>
10/21/2021	 <b>Motion to Reconsider</b> Filed By: Counter Claimant Penley, Alex <i>[163] Defendant Alex Penly's Motion to Reconsideration</i>
10/21/2021	 <b>Clerk's Notice of Hearing</b> <i>[164] Notice of Hearing</i>
11/04/2021	 <b>Opposition to Motion</b> Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[165] Plaintiffs' Opposition to Defendant Alex Penly's Motion for Reconsideration</i>


# CASE SUMMARY


CASE NO. 07A546250


11/15/2021	 Reply in Support Filed By: Counter Claimant Penley, Alex <i>[166] Defendant's Reply in Support of his Motion for Reconsideration</i>
12/14/2021	 Amended Order <i>[167] Amended Order Granting Motion for Reconsideration</i>
01/07/2022	 Affidavit for Renewal of Judgment Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[168] Affidavit of Renewal of Judgment</i>
01/07/2022	 Affidavit for Renewal of Judgment Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[169] Affidavit of Renewal of Judgment</i>
01/07/2022	 Affidavit for Renewal of Judgment Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[170] (Duplicate) Affidavit of Renewal of Judgment</i>
01/07/2022	 Affidavit for Renewal of Judgment Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[171] Affidavit of Renewal of Judgment</i>
01/11/2022	 Certificate of Service Filed by: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[172] Certificate of Service</i>
01/21/2022	 Opposition Filed By: Counter Claimant Penley, Alex <i>[173] Opposition to Affidavit of Renewal Judgment</i>
02/08/2022	 Reply in Support Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[174] Reply in Support of Affidavit(s) for Renewal of Judgment</i>
02/14/2022	 Motion to Strike Filed By: Counter Claimant Penley, Alex <i>[175] Defendant Motion to Strike Affidavit(s) of Renewal of Judgment and Untimely Reply in Support of Affidavit</i>
02/15/2022	 Clerk's Notice of Hearing <i>[176] Notice of Hearing</i>
02/28/2022	 Opposition to Motion Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[177] Opposition to Defendant's Motion to Strike Affidavits of Renewal of Judgment and Untimely Reply in Support of Affidavit</i>
04/11/2022	 Order Denying Motion Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc <i>[178] Order Denying Defendant Alex Penly s Motion To Strike Plaintiff Affidavits Of Renewal Of Judgment And Untimely Reply In Support Of Affidavit</i>


# CASE SUMMARY


CASE NO. 07A546250


04/11/2022  Notice of Entry of Order  
Filed By: Counter Defendant Woods, Milton J; Plaintiff Cirrus Aviation Services Inc  
*[179] Notice of Entry of Order*

04/13/2022  Order Denying Motion  
*[180] Order Denying Defendant Alex Penley's Motion To Strike Plaintiff Affidavits Of Renewal Of Judgment And Untimely Reply In Support Of Affidavit*

04/18/2022  Notice of Entry of Decision and Order  
*[181] Notice of Entry of Order*

05/09/2022  Notice of Appeal  
Filed By: Counter Claimant Penley, Alex  
*[182] Notice of Appeal*

05/09/2022  Case Appeal Statement  
Filed By: Counter Claimant Penley, Alex  
*[183] Case Appeal Statement*

05/12/2022  Case Appeal Statement  
*Case Appeal Statement*

## DISPOSITIONS

06/16/2016 **Judgment** (Judicial Officer: Allf, Nancy)  
Debtors: Milton J Woods (Plaintiff), Cirrus Aviation Services Inc (Plaintiff)  
Creditors: Private Jet Services Inc (Defendant)  
Judgment: 06/16/2016, Docketed: 06/23/2016  
Debtors: Milton J Woods (Plaintiff), Cirrus Aviation Services Inc (Plaintiff)  
Creditors: Berkeley Group LLC (Other)  
Judgment: 06/16/2016, Docketed: 06/23/2016

07/28/2017 **Clerk's Certificate** (Judicial Officer: Allf, Nancy)  
Debtors: Eagle Jet Aviation Inc (Defendant), Alex Penley (Defendant)  
Creditors: Milton J Woods (Plaintiff), Cirrus Aviation Services Inc (Plaintiff)  
Judgment: 07/28/2017, Docketed: 08/04/2017  
Comment: Supreme Court No. 69873 APPEAL AFFIRMED

01/07/2022 **Amended Judgment Plus Legal Interest** (Judicial Officer: Allf, Nancy)  
Debtors: Alex Penley (Defendant)  
Creditors: Cirrus Aviation Services Inc (Plaintiff)  
Judgment: 01/07/2022, Docketed: 01/27/2016  
Total Judgment: 2,788,094.58

01/07/2022 **Amended Judgment Plus Legal Interest** (Judicial Officer: Allf, Nancy)  
Debtors: Alex Penley (Defendant)  
Creditors: Milton J Woods (Plaintiff), Cirrus Aviation Services Inc (Plaintiff)  
Judgment: 01/07/2022, Docketed: 01/27/2016  
Total Judgment: 148,698.40

01/07/2022 **Amended Judgment Plus Legal Interest** (Judicial Officer: Allf, Nancy)  
Debtors: Eagle Jet Aviation Inc (Defendant)  
Creditors: Milton J Woods (Plaintiff)  
Judgment: 01/07/2022, Docketed: 01/27/2016  
Total Judgment: 207,713.02

## HEARINGS

09/18/2007 **Conversion Hearing Type** (8:30 AM) (Judicial Officer: Johnson, Susan)

# CASE SUMMARY

CASE NO. 07A546250

	<p>Events: 08/13/2007 Motion  <i>PLTF'S MTN FOR APPOINTMENT VE 10/2/07 FOR INJUNCTIVE RELIEF</i>  Continuance Granted;</p>
10/11/2007	<p><b>CANCELED Conversion Hearing Type</b> (9:00 AM) (Judicial Officer: Johnson, Susan)  <i>Vacated</i></p>
10/17/2007	<p><b>Minute Order</b> (3:00 AM) (Judicial Officer: Johnson, Susan)  <i>MINUTE ORDER RE:DEFT'S MTN TO ASSOCIATE COUNSEL Court Clerk: Michelle Jones Heard By: Susan Johnson</i></p> <p><b>MINUTES</b>  Conversion Case Event Type  <i>[17] MINUTE ORDER RE:DEFT'S MTN TO ASSOCIATE COUNSEL</i>  Matter Heard;  Journal Entry Details:  <i>Having examined the Motion and noting no Opposition has been filed and good cause appearing, COURT ORDERED, Penly, Eagle Jet Aviation, and Private Jet Services' Motion to Associate Steven G. Polard is hereby GRANTED. Matter taken off calendar pursuant to EDCR 2.23. Order to be submitted to the Court within 10 days, or not later than October 29, 2007 pursuant to EDCR 7.21. CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of M. Solomon, Esq. (SOLOMON DWIGGINS &amp; FREER). ;</i></p>
10/18/2007	<p><b>CANCELED Motion to Associate Counsel</b> (9:00 AM) (Judicial Officer: Johnson, Susan)  Events: 09/13/2007 Motion to Associate Counsel  <i>Vacated</i></p>
02/07/2008	<p><b>Conversion Hearing Type</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Events: 01/17/2008 Motion for Appointment of Receiver  <i>PLTF'S MTN FOR APPOINTMENT OF RECEIVER/04 (VJ 02/08/08)</i>  Continuance Granted;  Journal Entry Details:  <i>Court received fax regarding Counsel's stipulation to STAY the case and vacate the calendar. At request of counsel, COURT ORDERED, OFF CALENDAR. ;</i></p>
02/14/2008	<p><b>CANCELED Conversion Hearing Type</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Vacated</i></p>
02/14/2008	<p><b>CANCELED Motion to Compel</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Events: 02/01/2008 Motion to Compel  <i>Vacated</i></p>
12/11/2008	<p><b>Status Check</b> (8:45 AM) (Judicial Officer: Gonzalez, Elizabeth)  Events: 11/24/2008 Conversion Case Event Type  <i>STATUS CHECK: CASE Court Clerk: Kathy Klein Reporter/Recorder: Jill Hawkins Heard By: Elizabeth Gonzalez</i>  Matter Heard;  Journal Entry Details:  <i>Counsel noted this is in arbitration; However there is no date set. COURT ORDERED, matter set for a status check in chambers. 06/11/09 (CHAMBERS) STATUS CHECK: ARBITRATION ;</i></p>
06/11/2009	<p><b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Events: 12/11/2008 Conversion Case Event Type  <i>STATUS CHECK: ARBITRATION</i>  Off Calendar;</p>
07/21/2009	<p><b>Motion for Appointment of Receiver</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Events: 06/12/2009 Motion for Appointment of Receiver  <i>Plaintiffs' Renewed Motion for Appointment of Receiver for Injunction Relief, and for an Accounting</i></p>

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# CASE SUMMARY

CASE NO. 07A546250

	Denied in Part;
07/21/2009	<b>Motion to Dismiss (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 06/16/2009 Motion to Dismiss <i>Dismissal of Plaintiffs' Complaint Or, Alternatively, to Amend the September 21, 2007 Stipulated Order</i> Moot;
07/21/2009	 <b>All Pending Motions (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <i>All Pending Motions (07/21/09)</i> Matter Heard; Journal Entry Details: DISMISSAL OF PLAINTIFF'S COMPLAINT OR, ALTERNATIVELY, TO AMEND THE SEPTEMBER 21, 2007 STIPULATED ORDER...PLAINTIFFS' RENEWED MOTION FOR APPOINTMENT OF RECEIVER FOR INJUNCTION RELIEF, AND FOR AN ACCOUNTING Mr. Steven Polard, Esq. Pro Hac Vice, appearing telephonically, on behalf of the Defendants. PLAINTIFFS' RENEWED MOTION FOR APPOINTMENT OF RECEIVER FOR INJUNCTION RELIEF, AND FOR AN ACCOUNTING: Arguments by Counsel. Colloquy regarding arbitration, the MSP, Plaintiff's having access to books, upcoming inspection and Counsel's stipulation. Mr. Flangas noted they agreed upon Mr. John Baily as the arbitrator. COURT ORDERED, Plaintiff's Motion for Appointment of Receiver, DENIED. COURT FURTHER ORDERED, Plaintiff's Motion for Injunction Relief, GRANTED, with a BOND of \$250.00; Limited injunction relief, Def. not to sell the air craft or encumber the lien of the air craft; subject to a Court's order. Court further noted since the Plaintiff is a shareholder, he is entitled to look at the books. COURT ORDERED, Accounting, DENIED. Court directed Counsel to provide the previous stipulation to the Court for its signature. COURT ORDERED, matter set for a status check regarding the arbitration, and Counsel to submit briefs one day prior. Mr. Flangus requested a special master and access to the private jet. COURT ORDERED, Mr. Flangus' oral requests, DENIED. Mr. Flangus to prepare the order. DISMISSAL OF PLAINTIFF'S COMPLAINT OR, ALTERNATIVELY, TO AMEND THE SEPTEMBER 21, 2007 STIPULATED ORDER: Court noted request is MOOT. 10/20/09 9:00 AM STATUS CHECK: ARBITRATION ;
10/20/2009	<b>Status Check (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) <b>10/20/2009, 01/21/2010</b> <i>Status Check: Arbitration</i> Matter Heard; Status Check: Arbitration Matter Heard; Matter Heard; Status Check: Arbitration Matter Heard; Journal Entry Details: Mr. Flangas noted they did not set the arbitration and they refiled their Plaintiff's Motion for Appointment of Receiver. At the request of Mr. Flangas, COURT ORDERED, Plaintiff's Motion for Appointment of Receiver reset with this continued status check. Mr. Flangas further noted Def't moved Milt's Eagle LLC into bankruptcy. 11/17/09 9:00 AM STATUS CHECK: ARBITRATION...PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER ;
11/05/2009	<b>Motion (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 11/02/2009 Motion Solomon Dwiggins & Freer's Motion on Order Shortening Time for Extension of Time to File an Opposition to Plaintiffs' Renewed Motion for Receiver for Injunctive Relief and for Accounting And/Or Hearing Thereon (First Requested Extension) Granted;
11/05/2009	<b>Motion (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth) Events: 11/02/2009 Motion Solomon Dwiggins & Freer's Motion on Order Shortening Time to Withdraw as Counsel of Record Granted;
11/05/2009	<b>Motion to Withdraw as Counsel (9:00 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)

# CASE SUMMARY

CASE NO. 07A546250

Events: 11/03/2009 Motion to Withdraw As Counsel

*Perkins Coie LLP's Motion on Order Shortening Time to Withdraw as Counsel of Record*  
Granted;

11/05/2009



**All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*All Pending Motions (11/05/09)*

Matter Heard;

Journal Entry Details:

*SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME FOR EXTENSION OF TIME TO FILE AN OPPOSITION TO PLAINTIFFS' RENEWED MOTION FOR RECEIVER FOR INJUNCTIVE RELIEF AND FOR ACCOUNTING AND/OR HEARING THEREON (FRIST REQUESTED EXTENSION)...SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD...PERKINS COLE LLP MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD Steven Polard, Esq., Pro Hac Vice appearing telephonically, on behalf of the Def't's SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD...PERKINS COLE LLP MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD: There being no objection, COURT ORDERED, Motion's to Withdraw as Counsel, GRANTED. SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME FOR EXTENSION OF TIME TO FILE AN OPPOSITION TO PLAINTIFFS' RENEWED MOTION FOR RECEIVER FOR INJUNCTIVE RELIEF AND FOR ACCOUNTING AND/OR HEARING THEREON (FRIST REQUESTED EXTENSION): Colloquy. There being no objection, COURT ORDERED, Extension to file Opposition, GRANTED. COURT FURTHER ORDERED, Plaintiff's Renewed Motion for Appointment of Receiver, CONTINUED. Ms. Solis-Rainey noted she has a Motion to Withdraw to file. COURT ORDERED, Morris & Peterson's Motion to Withdraw, to set a time certain. 11/12/09 11/12/09 9:00 AM MORRIS & PETERSON'S MOTION TO WITHDRAW AS COUNSEL 01/21/10 9:00 AM PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER, FOR INJUNCTIVE RELIEF AND FOR AN ACCOUNTING...STATUS CHECK: ARBITRATION ;*

11/12/2009



**Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 11/05/2009 Ex Parte Application

*Morris Peterson's Ex Parte Application for Order Shortening Time to Consider it's Motion to Withdraw as Counsel of Record*

Granted; Morris Peterson's Ex Parte Application for Order Shortening Time to Consider it's Motion to Withdraw as Counsel of Record

Journal Entry Details:

*There being no opposition, COURT ORDERED, Morris Peterson's Motion to Withdraw as counsel of Record, GRANTED. Court signed order in open Court, with future dates listed on the order.;*

01/21/2010

**Motion for Appointment of Receiver** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 10/05/2009 Motion for Appointment of Receiver

*Plaintiffs' Renewed Motion for Appointment of Receiver, for Injunctive RELief and for an Accounting*

Denied Without Prejudice;

01/21/2010



**All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*All Pending Motions (01/21/10)*

Matter Heard;

Journal Entry Details:

*STATUS CHECK: ARBITRATION...PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER, FOR INJUNCTIVE RELIEF AND FOR AN ACCOUNTING Mr. Alex Penley and Mr. Stuart Warren appearing telephonically. Court noted they were only to speak as to their individual claims and not allowed to represent the entity. Arguments by Counsel, Mr. Penley and Mr. Warren. Colloquy regarding bankruptcy assets, shareholders annual meeting, and the production of documents. COURT stated its findings and ORDERED, Plaintiff's Renewed Motion for Appointment of Receiver, DENIED, Without Prejudice. COURT FURTHER ORDERED, Def't's to produce all the documents as ordered, within two weeks. Court noted prior to the next Court hearing, an annual shareholders meeting will be held, if not this Court may appoint*

# CASE SUMMARY

CASE NO. 07A546250

a receiver. COURT ORDERED, matter set for a status check: regarding the discovery production. Court directed Counsel to coordinate with the bankruptcy regarding the assets. Upon inquiry, Court noted customer lists are not fair game. 02/11/10 9:00 AM STATUS CHECK: DISCOVERY PRODUCTION/ANNUAL MEETING ;

02/11/2010



**Status Check (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Status Check: Discovery production/Annual meeting

Matter Heard; Status Check: Discovery production/Annual meeting

Journal Entry Details:

Mr. Penley appearing telephonically. Arguments by Counsel. Counsel provided the 2007 Eagle Jet general ledger, and the listing of creditor claims produced by Deft's; Court marked as a Court's exhibits. Further arguments by Counsel, and Mr. Penley. Upon inquiry, Mr. Penley noted he sent notices for the shareholders meeting but did not set the date. Court directed parties to hold the shareholders meeting 03/11/10 @ 10:00 am and Mr. Penley to give notice to all and to select a location that is not intimidating to anyone. COURT ORDERED, matter set for a status check regarding the shareholders meeting and if issues arise, we will reset hearing on the oral calendar. Upon Mr. Price's inquiry, Court noted Counsel may renew their Motion for a receiver, if problems with the shareholders meeting. 03/19/10 (CHAMBERS) STATUS CHECK: SHAREHOLDERS MEETING ;

03/19/2010



**Status Check (3:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Status Check: Shareholders meeting

Minute Order - No Hearing Held;

Journal Entry Details:

Meeting held. COURT ORDERED, transcript marked as Court's Exhibit 1. CLERK'S NOTE: A copy of the above minute order has been placed in the attorney folder(s) of Gus W. Flangas (Flangas McMillan). /// sj CLERK'S NOTE: A copy of the above minute order has been delivered by regular mail to Alex Penly: 1287 Rolling Sunset, Henderson, Nevada 89052. /// sj;

10/26/2010



**Motion to Enforce (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Events: 09/16/2010 Motion to Enforce

Defendant Alex Penly's Motion to Enforce the September 21, 2007 Stipulation and Order Pertaining to the Production of Documents From Plaintiffs Milton Woods and Cirrus Aviation Services, INC. Related to Eagle Jet Aviation, INC

Matter Heard;

Journal Entry Details:

Court NOTED it had previously sent parties to arbitration. Arguments by Mr. Reade regarding documents that are necessary for the operation of the company. Colloquy regarding corporate accounts. Mr. Price stated he gave Mr. Penley time, March through July, to get the documents. Deft. advised he had retained counsel, in August. Mr. Price advised Defts' are reworking the accounts and documents. Colloquy regarding arbitration. Mr. Price stated this is clearly a discovery motion. COURT ORDERED, parties REFERRED to arbitration. Mr. Reade to prepare the order.;

05/05/2011



**Motion for Order to Show Cause (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Events: 04/22/2011 Motion for Order to Show Cause

Defendant Alex Penly's Motion for an Order to Show Cause Why Plaintiffs Should Not Be Held in Contempt of this Court's September 21st, 2007 Stipulation and Order or in the Alternative Application for Temporary Restraining Order and/or Preliminary Injunction Pursuant to N.R.C.P. 65 on Order Shortening Time

## MINUTES

Matter Heard;

Journal Entry Details:


After arguments by counsel, COURT STATED ITS FINDINGS fully on the record, and ORDERED, Court finds cause shown regarding violation of Stipulation and Order and SET Preliminary Injunction hearing as to whether violation was knowing and willful, time estimate 4-6 hours. Upon request of counsel, COURT ORDERED, Mr. Carlston to provide download of thumbnail drive to Mr. Price and to the Court. 6/10/11 9:00 AM PRELIMINARY INJUNCTION HEARING;

## SCHEDULED HEARINGS




# CASE SUMMARY

CASE NO. 07A546250

 **Preliminary Injunction Hearing** (06/10/2011 at 9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

06/10/2011


 **Preliminary Injunction Hearing** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

*Court noted it received a Supplement from Mr. Reade this morning. Mr. Flangas requested that it not be used as it was untimely. Court noted it was untimely but could be used for rebuttal purposes or refreshing memory. Opening Statements by Mr. Flangas. Opening Statements by Mr. Reade. Testimony and Exhibits presented. (See Worksheets.) At the hour of 10:49 AM, Mr. Flangas INVOKED THE EXCLUSIONARY RULE. Further testimony and Exhibits presented. (See Worksheets.) COURT ORDERED, matter to break for lunch and counsel to provide a thumbdrive. RECALLED. Plaintiffs' counsel reviewed the thumbdrive provided. At the hour of 2:57 PM, Mr. Flangas advised matter resolved for this Motion and Hearing and stated resolution on the record herein. COURT ORDERED, matter SET for Status Check: Resolution in 30 days. If resolved, counsel need not be present at the next Court date. 7/14/11 9:00 AM STATUS CHECK: RESOLUTION ;*

07/14/2011

 **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)


Resolution

Matter Heard;

Journal Entry Details:

*Upon request of Mr. Reade, COURT ORDERED, Contempt Hearing SET. Mr. Reade to deliver brief by noon today to Mr. Price and to the Court; provided information in open court in electronic format. Mr. Reade advised Ryan Kidd as witness in Contempt Hearing. 7/15/11 9:30 AM CONTEMPT HEARING;*

07/15/2011

 **Hearing** (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

CONTEMPT HEARING

Matter Heard;

Journal Entry Details:

*ALSO PRESENT: Plaintiff Greg Woods; Laura Penly, Eagle Jet Aviation Inc. Opening statements by Mr. Flangas and Mr. Price. Upon Motion, COURT ORDERED, EXCLUSIONARY RULE INVOKED. Hearing commences with witness testimony and exhibits (see worksheets). COURT DISCLOSED, prior working knowledge of Mr. Dowers. Mr. Flangas' oral Motion for Court to Deny Defendants' Contempt Motion, COURT ORDERED, Plaintiff's Motion DENIED. Plaintiff RESTS. Upon conclusion of Defendants' case, Defendants' REST. Closing arguments by Mr. Flangas and oral Motion for Attorney Fees; COURT ORDERED, Motion DENIED. Closing argument by Mr. Price. COURT STATED ITS FINDINGS AND ORDERED, as fully stated on the record, NO FINDING of Contempt; NO FINDING of violation of Stipulation. COURT ORDERED, Plaintiff precluded from releasing password. COURT FURTHER ORDERED, Defendants' Exhibit BW, electronic flashdrive, returned to Mr. Reade. ;*

10/21/2011

**Motion for Order to Show Cause** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
10/21/2011, 11/10/2011

Events: 09/01/2011 Motion for Order to Show Cause


*Motion for Order to Show Cause Why Alex Penly Should Not Be Found Guilty of Perjury and in Contempt of Court*

10/21/2011

**Opposition and Countermotion** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
10/21/2011, 11/10/2011

*Defendants Eagle Jet Aviation Inc. and Alex Penly's Opposition to Plaintiff's Motion for Order to Show Cause and Motion to Strike Plaintiff's Motion for Scandalous and Impertinent Content*

10/21/2011

 **All Pending Motions** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Continued;


Journal Entry Details:

# CASE SUMMARY

CASE NO. 07A546250

*MOTION FOR ORDER TO SHOW CAUSE WHY ALEX PENLY SHOULD NOT BE FOUND GUILTY OF PERJURY AND IN CONTEMPT OF COURT...DEFENDANTS EAGLE JET AVIATION INC. AND ALEX PENLY'S OPPOSITION TO PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO STRIKE PLAINTIFF'S MOTION FOR SCANDALOUS AND IMPERTINENT CONTENT COURT ORDERED, above Motions CONTINUED on the oral Calendar. CONTINUED TO: 11/10/11 9:00 AM ABOVE MOTIONS CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Gus W. Flangas, Esq. (Flangas McMillan Law Group); Robert Reade, Esq. (Read & Associates); and mailed to Stuart M. Warren, Defendant (7100 Hayrenhurst Avenue, Suite 320, Van Nuys, CA 91406). ;*

11/10/2011


 **All Pending Motions (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Denied;

Journal Entry Details:

*MOTION FOR ORDER TO SHOW CAUSE WHY ALEX PENLY SHOULD NOT BE FOUND GUILTY OF PERJURY AND IN CONTEMPT OF COURT...DEFENDANTS EAGLE JET AVIATION INC. AND ALEX PENLY'S OPPOSITION TO PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO STRIKE PLAINTIFF'S MOTION FOR SCANDALOUS AND IMPERTINENT CONTENT Attorney Adam Graff also present with Mr. Reade. Arguments by counsel. Court stated its findings, and ORDERED, Motion is DENIED. Countermotion is DENIED. Counsel advised they Stipulated to EXTEND THE 5-YEAR RULE. Mr. Bailey to prepare Findings and Order. Mr. Flangas requested the Stipulation on the record be in writing. Court noted the Stipulation on the record was sufficient and directed it be part of the Order. ;*

05/08/2012

 **Motion to Quash (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)


*Karen and Laura Penly's Motion to Quash on Order Shortening Time*

Denied;

Journal Entry Details:

*Attorney Adam Graff present representing Karen and Laura Penly. Arguments by counsel. Court stated its findings, and ORDERED, Motion to Quash is DENIED. Request for fees is DENIED. Ms. Price to prepare the Order. ;*

08/24/2012

 **Motion (3:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)


*Defendant/Counterclaimant Alex Penly's Motion for Recusal of Arbitrator, or, in the Alternative to Disqualify Arbitrator Pursuant to Chapter 38 of the Nevada Revised Statutes*

Denied;

Journal Entry Details:

*The Court having reviewed the Motion to Recuse Arbitrator Bailey, or Alternatively to Disqualify, and the related briefing, and being fully informed, COURT ORDERED, the Motion is DENIED. The facts raised by movant as to the previous co-employment are not the type of facts which would justify disqualification. In addition, the Arbitrator serving on multiple cases for Plaintiff's counsel is also not a basis for disqualification. Counsel for Plaintiff is directed to submit a Proposed Order consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further Order of the Court to make such disposition effective as an Order or Judgment. Mr. Flangas to be notified by way of minute order to prepare the order and notify appropriate parties. CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Gus W. Flangas, Flangas McMillan Law Group). ;*

02/27/2013

 **Status Check: Status of Case (9:30 AM)** (Judicial Officer: Allf, Nancy)

Matter Continued;


Journal Entry Details:

*Colloquy regarding the status report being marked as confidential. Mr. Price stated the order was unclear whether or not the status report should be marked as confidential. Mr. Price further stated that the report was not filed or served but he would do so. Colloquy regarding arbitration proceedings before John Bailey and approaching discovery deadlines. COURT ORDERED, status check CONTINUED SIX (6) MONTHS. CONTINUED TO.....8/28/2013 9:30 AM ;*

# CASE SUMMARY

CASE NO. 07A546250

08/23/2013

 **Minute Order (3:00 AM)** (Judicial Officer: Allf, Nancy)


*Minute Order: Status Check set for 8/28/2013*

Minute Order - No Hearing Held; Minute Order: Status Check set for 8/28/2013

Journal Entry Details:

*COURT FINDS after review a Status Check on the status of this case was set for MOTION CALENDAR on February 27, 2013 at 9.30 a.m. and continued to August 28, 2013 at 9.30 a.m. COURT FURTHER FINDS after review the parties are presently in arbitration and the Defendant filed a Motion to Confirm the Arbitration Award on August 20, 2013. COURT FURTHER FINDS after review a Hearing on the Motion to Confirm the Arbitration Award is scheduled on September 25, 2013 at 9.30 a.m. COURT ORDERS for good cause appearing the Status Check on August 28, 2013 at 9.30 a.m. VACATED. CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of: Gus W. Flangas, Esq. (382-9452) and R. Christopher Reade, Esq. (794-4421).;*

10/16/2013

 **Motion to Confirm Arbitration Award (9:30 AM)** (Judicial Officer: Allf, Nancy)

*Motion to Confirm Arbitration Award for Attorney's Fees and Costs*


## MINUTES

Granted in Part;

Journal Entry Details:


*Arguments by counsel regarding the arbitration award for attorney's fees and costs, whether or not award was in lieu of striking the pleadings, NRS 38.239, arguments in supplement filed by defense counsel, and further arguments. Mr. Flangas moved to strike the supplement as a fugitive document. Court stated its findings and ORDERED, Motion to Confirm Arbitration Award for Attorney Fees and Costs GRANTED IN PART as to confirmation of the award and DENIED IN PART as Court FINDS it is interlocutory and not enforceable at this time, STATUS CHECK set 3/5/2014 9:00 am. Court stated that if the arbitration is not complete in February and it hears complaints regarding dilatory tactics on behalf of the Defendant it will enforce the order. 3/5/2014 9:00 AM STATUS CHECK: ARBITRATION PROCEEDINGS ;*

## SCHEDULED HEARINGS

 **Status Check (03/05/2014 at 9:00 AM)** (Judicial Officer: Allf, Nancy)

*Status Check: Arbitration proceedings*

03/05/2014

 **Status Check (9:00 AM)** (Judicial Officer: Allf, Nancy)

*Status Check: Arbitration proceedings*


Matter Continued;

See Minute Order of 5/5/14

Journal Entry Details:

*Mr. Shafer stated Mr. Flangas contacted him and is not able to appear. Court noted he also contacted chambers. Mr. Shafer stated the arbitration date was continued, parties have engaged in significant motion practice, and he has been pushing for a new arbitration date but on has not been set. Colloquy regarding Court's previous ruling that it would enforce the arbitration award of attorney fees if arbitration was did not occur and Mr. Shafer's attempts to compel discovery and set a new arbitration date. COURT ORDERED, status check SET in sixty days, if case does not move forward then Court will it for a show cause hearing for dismissal CONTINUED TO.....5/7/2014 9:30 AM ;*

05/05/2014

 **Minute Order (2:53 PM)** (Judicial Officer: Allf, Nancy)

Minute Order - No Hearing Held;

Journal Entry Details:

*MINUTE ORDER - NO HEARING COURT FINDS after review a Status Check on Arbitration was set for MOTION CALENDAR on May 7, 2014 at 9.00 a.m. COURT FURTHER FINDS after review the Court Granted a motion to Confirm Arbitration Award for Attorney Fees on October 16, 2013 however the Award would not be enforceable until arbitration was complete. At a status check on arbitration on March 5, 2014 the Court found that the parties had not yet set an arbitration date and ordered the status check continued 60 days. If the case did not move forward in the next 60 days the Court would set a Show Cause Hearing for dismissal. COURT FURTHER FINDS after review*

# CASE SUMMARY

CASE NO. 07A546250

Defendant filed a Motion to Dismiss Claims against Milt's Eagle, Private Jet Services and Stuart Warren pursuant to NRCP 41(e) on April 18, 2014 and the Motion is set for Hearing on MOTION CALENDAR on May 21, 2014 at 10.00 a.m. COURT ORDERS for good cause appearing Status Check on arbitration VACATED. CLERK'S NOTE: A copy of this minute order has been distributed to the following: Gus W. Flangas (Flangas & McMillan) FAX: 702-382-9452 Jay A. Shafer or Robert C. Reade (Premier Legal Group) Email: jshafer@premierlegallgroup.com ;

05/21/2014

## **Motion to Dismiss (10:00 AM)** (Judicial Officer: Allf, Nancy)

*Motion To Dismiss Claims Against Milt's Eagle, Private Jet Services, And Stuart Warren Pursuant To NRCP 41(E)*

Referred;

Journal Entry Details:

Arguments by Mr. Shafer regarding it being past the five year rule, the waiver of the five year rule not being stipulated to by Defendants Private Jet Services Inc., Stuart M. Warren and Milt's Eagle LLC, dismissal being appropriate to those three defendants, and waiver needing to be explicit. Mr. Shafer stated he has never represented Defendant Warren and some of the other parties. Colloquy between Mr. Shafer and Court regarding stipulation and parties Mr. Shafer represented at the time. Mr. Shafer stated he could provide additional briefing on the issue. Arguments by Ms. Alanis regarding the stipulation to arbitration by the parties, case having been in arbitration since 2008, there being discovery done and dispositive motion deadlines, opinion that this motion should be before the arbitrator, and request for attorney's fees for having to defend against the motion. Ms. Alanis requested more time to provide supplemental briefing if the Court was inclined to rule on the motion. Further arguments made by counsel. COURT ORDERED, Motion to Dismiss Claims Against Milt's Eagle, Private Jet Services, and Stuart Warren Pursuant to NRCP 41(E) REFERRED to the arbitrator on the case, parties DIRECTED to provide addition briefing on both sides including the scope of the representation of defense counsel at the time the stipulation was made on the record. Upon inquiry by Mr. Shafer, Court stated it did intend to adopt the ruling of the arbitrator.;

11/20/2014

## **Minute Order (3:00 AM)** (Judicial Officer: Allf, Nancy)

*Minute Order: Arbitration/Status Check*

Minute Order - No Hearing Held; Minute Order: Arbitration/Status Check

Journal Entry Details:

COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that, as of November 20, 2014, the arbitration proceedings were ongoing and scheduled to conclude in December 2014. COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK is scheduled for CHAMBERS CALENDAR on January 20, 2015; the parties are to each submit a status update on the arbitration proceedings to the Court prior to that date. 1/20/2015 (CHAMBERS) STATUS CHECK: ARBITRATION/STATUS OF CASE CLERK'S NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq. (jshafer@premierlegallgroup.com) ;

01/20/2015

## **Status Check (3:00 AM)** (Judicial Officer: Allf, Nancy)

01/20/2015, 02/24/2015

*Status Check: Arbitration/Status of Case*

Matter Continued;

Vacate;

Journal Entry Details:

COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that the arbitration had concluded on December 15, 2014 and as of the January 20, 2015 status check, they were still awaiting the decision. COURT FURTHER FINDS after review the status check was continued to February 25, 2015. COURT FURTHER FINDS after review Plaintiffs filed a Motion to Confirm Arbitration Award on February 23, 2015, with a hearing set for March 26, 2015. COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK scheduled for CHAMBERS CALENDAR February 24, 2015 is VACATED. CLERK'S

# CASE SUMMARY

CASE NO. 07A546250

NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq. (jshafer@premierlegalgroup.com);

Matter Continued;

Vacate;

Journal Entry Details:

COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that the arbitration had concluded on December 15, 2014 and as of the January 20, 2015 status check, they were still awaiting the decision.

COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK scheduled for CHAMBERS CALENDAR on January 20, 2015 CONTINUED to February 24, 2015; the parties are to each submit a status update on the arbitration proceedings to the Court by February 20, 2015. CONTINUED TO.....2/24/2015

(CHAMBERS) CLERK'S NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq.

(jshafer@premierlegalgroup.com);

04/29/2015



**Motion to Confirm Arbitration Award** (9:30 AM) (Judicial Officer: Allf, Nancy)

Plaintiff's Motion to Confirm Arbitration Award

## MINUTES

Granted;

Journal Entry Details:

Mark c. Field, Esq. present telephonically. Arguments by Mr. Flangas regarding confirmation of the arbitration award and his request that the Court sanction Mr. Fields. Mr. Flangas stated he received a notice of motion to set aside arbitration award. Further arguments by Mr. Fields and Mr. Flangas. Court stated its findings and ORDERED, Plaintiff's Motion to Confirm Arbitration Award, GRANTED, request for additional attorney fees deferred until after the pending hearings. Colloquy regarding resetting of Defendants' And Counterclaimants' Motion To Modify Or Correct Arbitration Award and Defendants' And Counterclaimants' Motion To Vacate Arbitration Award to mutually agreed date. COURT ORDERED, motions CONTINUED from June 10, 2015 to June 15, 2015 10:00 am. Court directed parties to include the rescheduled dates in its order. Mr. Shafer stated that granting of the motion to confirm arbitration award may be premature given the pending motion. COURT ORDERED, matter SET for status check to preserve issues addressed by Mr. Shafer. Mr. Flangas requested Court order that Mr. Fields be present at the next hearing. COURT ORDERED, request DENIED, Court allows everyone to make a telephonic appearance. 6/15/2015 10:00 AM STATUS CHECK: ADDITIONAL ATTORNEY FEES...STATUS CHECK: PLAINTIFF'S MOTION TO CONFIRM ARBITRATION AWARD...DEFENDANTS' AND COUNTERCLAIMANTS' MOTION TO MODIFY OR CORRECT ARBITRATION AWARD...DEFENDANTS' AND COUNTERCLAIMANTS' MOTIN TO VACATE ARBITRATION AWARD;

## SCHEDULED HEARINGS

**Status Check** (06/15/2015 at 10:00 AM) (Judicial Officer: Allf, Nancy)

Status Check: Additional Attorney Fees

**Status Check** (06/15/2015 at 10:00 AM) (Judicial Officer: Allf, Nancy)

Status Check: Plaintiff's Motion to Confirm Arbitration Award

06/15/2015

**Motion to Vacate** (10:00 AM) (Judicial Officer: Allf, Nancy)

Defendants' And Counterclaimants' Motion To Vacate Arbitration Award

Denied;

06/15/2015

**Motion** (10:00 AM) (Judicial Officer: Allf, Nancy)

Defendants' And Counterclaimants' Motion To Modify Or Correct Arbitration Award

Denied;

06/15/2015

**Status Check** (10:00 AM) (Judicial Officer: Allf, Nancy)

Status Check: Additiional Attorney Fees

Off Calendar;

06/15/2015

**Status Check** (10:00 AM) (Judicial Officer: Allf, Nancy)

Status Check: Plaintiff's Motion to Confirm Arbitration Award

# CASE SUMMARY

CASE NO. 07A546250

Off Calendar;

06/15/2015



**All Pending Motions (10:00 AM)** (Judicial Officer: Allf, Nancy)

Matter Heard;

Journal Entry Details:

*DEFENDANTS' AND COUNTERCLAIMANTS' MOTION TO VACATE ARBITRATION AWARD.....DEFENDANTS' AND COUNTERCLAIMANTS' MOTION TO MODIFY OR CORRECT ARBITRATION AWARD.....STATUS CHECK: ADDITIONAL ATTORNEY FEES.....STATUS CHECK: PLAINTIFF'S MOTION TO CONFIRM ARBITRATION AWARD* Greg Woods present for Cirrus Aviation Services, Inc. Mark Fields present on Court Call. Argument by Mr. Fields that there were no disclosures as confirmed by the Arbitrator; thereafter, disclosures were given and Mr. Flangas refused to agree on a new Arbitrator and there was a motion to recuse Arbitrator Bailey which was denied three years ago. He stated there were discovery failures, he addressed fiduciary duties and he requested under NRS 38.241 to vacate the award then the motion to modify or correct Arbitration Award becomes moot. He advised there is no basis for the amount of the award and he believed it's very arbitrary and capricious. He asked to return it to the Arbitrator based on lack of the evidence on the Arbitrator's findings. Opposition by Mr. Flangas that this is a dilatory tactic and dislike of Bailey's decision. He stated counsel wanted to know how he arrived at his decision and he addressed Bailey being the Arbitrator. He addressed Bailey's employment history and how he was selected and how Bailey was a litigant. Mr. Flangas reviewed the litigation before Judge Gonzalez in 2012 and Defendant Penley committed perjury before the Judge and reviewed prior hearings; therefore, he believed Penley's affidavit should not be considered. Further arguments by Mr. Flangas on the other reasons not to vacate the award and he addressed Bailey's order and the \$80,000 sanction related to discovery abuses. He noted there is no transcript of the Arbitration and as to the second motion to modify or correct Arbitration Award this same motion was brought before Bailey and cited case law. He stated they want this Court's decision to substitute over Bailey's decision. He asked for an award of attorney's fees and sanctions and he believed there should be a sanction personally on counsel as there is no relief Mr. Fields is seeking. Reply by Mr. Fields on procedural mistakes, the Arbitrator's opinion and on the motion to vacate which he believed is timely. He further believed the award is arbitrary and capricious. Court stated her findings, and ORDERED, Defendants' and Counterclaimants' motion to Vacate Arbitration Award is DENIED pursuant to NRS 38.241 and motion to Modify or Correct Arbitration Award is DENIED as the burden has not been met. Mr. Flangas to prepare the order and send to Mr. Fields for review as to form only. Mr. Flangas advised he wanted a ruling on sanctions for attorney's fees on these motions. Court asked counsel to file a separate motion for consideration of attorney's fees. COURT ORDERED, Status Check for additional Attorney's Fees and Status Check for Plaintiff's motion to Confirm Arbitration Award OFF CALENDAR pending filing of motion by Mr. Flangas for attorney's fees. ;

08/20/2015



**Telephonic Conference (2:30 PM)** (Judicial Officer: Allf, Nancy)

*Telephonic Conference: Competing Orders*

Matter Heard;

Journal Entry Details:

*Counsel present telephonically. Arguments by counsel regarding competing orders offered by counsel. Colloquy between Court and Mr. Fields as to the changes he is requesting to the order. Court stated it would consider both arguments, enter something today and have it faxed to parties tomorrow.;*

04/07/2016



**Motion (9:30 AM)** (Judicial Officer: Allf, Nancy)

*Plaintiff's Motion to Enter Costs on Margin of Judgment*

Granted in Part;

Journal Entry Details:

*Arguments by counsel regarding the merits of and opposition to motion. Court stated its findings and ORDERED, Plaintiff's Motion to Enter Costs on Margin of Judgment GRANTED IN PART, DENIED IN PART, Court will allow the court filing fees of \$553.50.;*

05/25/2016



**Motion for Entry of Judgment (9:30 AM)** (Judicial Officer: Allf, Nancy)

*Application for Entry of Judgment on Garnishee Interrogatories Pursuant to NRS 31.330; Points and Authorities*

# CASE SUMMARY

CASE NO. 07A546250

Granted;

Journal Entry Details:

*Mr. Sutehall stated they have submitted a brief response, he would just reserve the right to go back and seek relief on the judgment if it's deemed it was entered based on one of the criteria in rule 60, however, there is no objection to the motion given as they do not have sufficient facts to oppose the statements in the writ and interrogatory responses. Mr. Reade stated Plaintiff can reserve whatever rights they like and it can be disputed at the time it becomes relevant. COURT ORDERED, Application for Entry of Judgment on Garnishee Interrogatories Pursuant to NRS 31.330 GRANTED, realizing that they can serve subsequent garnishments and subject to Plaintiff's reservations. Colloquy regarding effective date of garnishment. Court stated the date of the garnishment is only effective as of the date of the garnishment. Judgment provided IN OPEN COURT.;*

08/24/2021



**Minute Order (3:00 AM)** (Judicial Officer: Allf, Nancy)

*Minute Order: BlueJeans Appearance*

Minute Order - No Hearing Held; Minute Order: BlueJeans Appearance

Journal Entry Details:

*Department 27 Information to Appear Telephonically Re: Matter set on August 25, 2021, 9:00 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. Counsel have the choice to appear either by phone or computer/video, however, if appearing remotely via BlueJeans, please appear by audio AND video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. As of May 1, 2021, the Governor has relaxed the capacity to 80%, so that the courtroom can now accommodate up to 32 people. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL: <https://bluejeans.com/897138369> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 8/24/2021. ;*

08/25/2021



**Motion (9:00 AM)** (Judicial Officer: Allf, Nancy)

*[155] Defendant Motion to Remove Judgment Filling Against Homestead Property*

Granted in Part;

Journal Entry Details:

*All appearances made via the BlueJeans Videoconferencing Application. Arguments by Mr. Penley and Mr. Sutehall in support of and in opposition to the motion. COURT ORDERED, Defendant Motion to Remove Judgment Filling Against Homestead Property GRANTED IN PART, DENIED IN PART; Mr. Penley has the right to sell his house, that any proceeds would be held in escrow to see if Mr. Penley can satisfy the statute, and Court will prepare the order.;*

12/08/2021



**Minute Order (3:00 AM)** (Judicial Officer: Allf, Nancy)

*Minute Order: BlueJeans Information*

Minute Order - No Hearing Held; Minute Order: BlueJeans Information

Journal Entry Details:

# CASE SUMMARY

CASE NO. 07A546250

Department 27 Information to Appear Telephonically Re: Matter set on December 9, 2021  
Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. Counsel have the choice to appear either by phone or computer/video, however, if appearing remotely via BlueJeans, please appear by audio AND video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. As of May 1, 2021, the Governor has relaxed the capacity to 80%, so that the courtroom can now accommodate up to 32 people. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL: <https://bluejeans.com/897138369> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the [bluejeans.com](https://bluejeans.com) website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 12/8/2021. ;

12/08/2021



**Minute Order (3:00 AM)** (Judicial Officer: Allf, Nancy)

Minute Order: Defendant Alex Penly's Motion to Reconsideration

Minute Order - No Hearing Held; Minute Order: Defendant Alex Penly's Motion to Reconsideration

Journal Entry Details:

COURT FINDS after review that on October 21, 2021, Defendant Alex Penley's Motion to Reconsideration (Motion for Reconsideration) was filed. COURT FURTHER FINDS after review EDCR 2.24(a) provides in relevant part: A party seeking reconsideration of a ruling of the court must file a motion for such relief within 14 days after service of written notice of the order or judgment unless the time is shortened or enlarged by order. COURT FURTHER FINDS after review that a Motion for Reconsideration is scheduled for December 9, 2021, at 10 a.m. on Motion Calendar. COURT FURTHER FINDS after review that Defendant s Motion is untimely because it was not filed within 14 days after service of the Notice of Entry of Order entered on September 1, 2021, and was instead filed 50 days after on October 21, 2021. THEREFORE COURT ORDERS for good cause appearing and after review that the Motion for Reconsideration is hereby DENIED and the matter scheduled on December 9, 2021, at 10 a.m. on Motion Calendar is hereby VACATED. Movant to prepare the Order in compliance with EDCR 7.21 and email it in pdf format to DC27Inbox@ClarkCountyCourts.us CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 12/8/2021.;

12/09/2021

**CANCELED Motion For Reconsideration (10:00 AM)** (Judicial Officer: Allf, Nancy)

Vacated

Defendant Alex Penly's Motion to Reconsideration

03/17/2022

**Motion to Strike (9:30 AM)** (Judicial Officer: Allf, Nancy)

Defendant Motion to Strike Affidavit(s) of Renewal of Judgment and Untimely Reply in Support of Affidavit

Motion Denied;

DATE

FINANCIAL INFORMATION

Conversion Extended Connection Type No Convert Value @ 07A546250

Total Charges

339.00



**CASE SUMMARY****CASE NO. 07A546250**

Total Payments and Credits	339.00
<b>Balance Due as of 5/12/2022</b>	<b>0.00</b>
<b>Defendant</b> Eagle Jet Aviation Inc	
Total Charges	24.00
Total Payments and Credits	24.00
<b>Balance Due as of 5/12/2022</b>	<b>0.00</b>
<b>Counter Claimant</b> Penley, Alex	
Total Charges	24.00
Total Payments and Credits	24.00
<b>Balance Due as of 5/12/2022</b>	<b>0.00</b>
<b>Counter Defendant</b> Woods, Milton J	
Total Charges	145.00
Total Payments and Credits	145.00
<b>Balance Due as of 5/12/2022</b>	<b>0.00</b>
<b>Defendant</b> Eagle Jet Aviation Inc	
Appeal Bond Balance as of 5/12/2022	<b>500.00</b>

## CIVIL COVER SHEET

Clark County, Nevada

Case No. **A 946 250**

(Assigned by Clerk's Office)

XX11

**I. Party Information**

Plaintiff(s) (name/address/phone): MILTON J. WOODS, and CIRRUS AVIATION SERVICES, INC. a Washington Corporation

(name/address/phone):

Gus W. Flangas, Esq.  
Flangas McMillan Law Group  
3275 S. Jones, #105 - Las Vegas NV 89146 (702) 307-9500

Defendant(s) (name/address/phone): EAGLE JET AVIATION, INC., a Nevada Corporation; ALEX PENLY, and STUART M. WARREN; PRIVATE JET SERVICES, INC., a Nevada Corporation; MILT'S EAGLE, LLC, a Nevada Limited Liability Company; and DOES I-X, inclusive

Attorney (name/address/phone):

**II. Nature of Controversy** (Please check applicable bold category and applicable subcategory, if appropriate)☐ **Arbitration Requested****Civil Cases****Real Property**

- ☐ **Landlord/Tenant**
- ☐ Unlawful Detainer
- ☐ **Title to Property**
- ☐ Foreclosure
- ☐ Liens
- ☐ Quiet Title
- ☐ Specific Performance
- ☐ **Condemnation/Eminent Domain**
- ☐ **Other Real Property**
- ☐ Partition
- ☐ Planning/Zoning

**Torts**

- ☐ **Negligence**
- ☐ Negligence – Auto
- ☐ Negligence – Medical/Dental
- ☐ Negligence – Premises Liability (Slip/Fall)
- ☐ Negligence – Other
- ☐ **Product Liability**
- ☐ Product Liability/Motor Vehicle
- ☐ Other Torts/Product Liability
- ☐ **Intentional Misconduct**
- ☐ Torts/Defamation (Libel/Slander)
- ☐ Interfere with Contract Rights
- ☐ **Employment Torts** (Wrongful termination)
- ☐ **Other Torts**
- ☐ Anti-trust
- ☐ Fraud/Misrepresentation
- ☐ Insurance
- ☐ Legal Tort
- ☐ Unfair Competition

**Probate**

- ☐ **Summary Administration**
- ☐ **General Administration**
- ☐ **Special Administration**
- ☐ **Set Aside Estates**
- ☐ **Trust/Conservatorships**
- ☐ Individual Trustee
- ☐ Corporate Trustee
- ☐ **Other Probate**

**Other Civil Filing Types**

- ☐ **Construction Defect**
- ☐ Chapter 40
- ☐ General
- ☐ **Breach of Contract**
- ☐ Building & Construction
- ☐ Insurance Carrier
- ☐ Commercial Instrument
- ☐ Other Contracts/Acct/Judgment
- ☐ Collection of Actions
- ☐ Employment Contract
- ☐ Guarantee
- ☐ Sale Contract
- ☐ Uniform Commercial Code
- ☐ **Civil Petition for Judicial Review**
- ☐ Other Administrative Law
- ☐ Department of Motor Vehicles
- ☐ Worker's Compensation Appeal
- ☐ **Appeal from Lower Court** (also check applicable civil case box)
- ☐ Transfer from Justice Court
- ☐ Justice Court Civil Appeal
- ☐ **Civil Writ**
- ☐ Other Special Proceeding
- ☐ **Other Civil Filing**
- ☐ Compromise of Minor's Claim
- ☐ Conversion of Property
- ☐ Damage to Property
- ☐ Employment Security
- ☐ Enforcement of Judgment
- ☐ Foreign Judgment – Civil
- ☐ Other Personal Property
- ☐ Recovery of Property
- ☐ Stockholder Suit
- ☒ Other Civil Matters

**III. Business Court Requested** (Please check applicable category; for Clark or Washoe Counties only.)

- ☒ NRS Chapters 78-88
- ☐ Investments (NRS 104 Art. 8)
- ☐ Enhanced Case Mgmt/Business
- ☐ Commodities (NRS 90)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Other Business Court Matters
- ☐ Securities (NRS 90)
- ☐ Trademarks (NRS 600A)

Date

Signature of initiating party or representative

1 **ODM**  
2 MARK J. CONNOT (10010)  
3 **FOX ROTHSCHILD LLP**  
4 1980 Festival Plaza Drive, Suite 700  
5 Las Vegas, Nevada 89135  
6 (702) 262-6899 tel  
7 (702) 597-5503 fax  
8 mconnot@foxrothschild.com  
9 *Attorneys for Plaintiffs*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 MILTON J. WOODS and CIRRUS  
11 AVIATION SERVICES, INC., a Washington  
12 Corporation,

12 Plaintiffs,

13 v.

14 EAGLE JET AVIATION, INC., a Nevada  
15 Corporation; ALEX PENLY; STUART M.  
16 WARREN; PRIVATE JET SERVICES, INC.,  
17 a Nevada Corporation; MILT'S EAGLE,  
18 LLC, a Nevada Limited Liability Company;  
and Does I-X, inclusive,

18 Defendants.

Case No. 07A546250  
Dept. No. 27

**ORDER DENYING DEFENDANT ALEX  
PENLY'S MOTION TO STRIKE  
PLAINTIFF AFFIDAVITS OF RENEWAL  
OF JUDGMENT AND UNTIMELY  
REPLY IN SUPPORT OF AFFIDAVIT**

19 This matter came on for hearing on March 17, 2022 at 9:30 a.m., before the above-entitled  
20 Court via BlueJeans Video Conferencing System. Mark J. Connot, of the law firm Fox Rothschild  
21 LLP, appeared on behalf of Plaintiffs Milton J. Woods and Cirrus Aviation Services, Inc., and  
22 Joshua L. Benson, of the law firm Benson Allred Injury Law, appeared on behalf of Defendant  
23 Alex Penly.

24 The Court having considered the papers and pleadings on file herein and argument of  
25 counsel, and good cause appearing hereby orders as follows:

26 //

27 //

28 //

1           **IT IS HEREBY ORDERED** that Defendant's Motion to Strike Plaintiff Affidavits of  
2 Renewal of Judgment and Untimely Reply in Support of Affidavit is **DENIED**.

3           **IT IS SO ORDERED.**

4  
5 April 11, 2022

Dated this 11th day of April, 2022

*Nancy L Alf*

MA

7 Submitted by:

8 **FOX ROTHSCHILD LLP**

8F8 C66 5C36 1263  
Nancy Alf  
District Court Judge

9  
10 /s/ Mark J. Connot  
11 MARK J. CONNOT (10010)  
12 1980 Festival Plaza Drive, Suite 700  
13 Las Vegas, Nevada 89135  
14 (702) 262-6899 tel  
(702) 597-5503 fax  
mconnot@foxrothschild.com  
*Attorneys for Plaintiffs*

15 Approved as to Form and Content:

16 **BENSON ALLRED INJURY LAW**

17  
18 /s/ Joshua L. Benson  
19 JOSHUA L. BENSON (10514)  
20 6250 N. Durango Drive  
21 Las Vegas, Nevada 89149  
(702) 820-0000 tel  
(702) 820-1111 fax  
josh@bensonallred.com

**From:** [Joshua Benson](#)  
**To:** [Connot, Mark J.](#); [Loffredo, Doreen](#)  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Date:** April 11, 2022 11:13:40 AM

---

You may use my electronic signature.

Josh

---

**From:** Connot, Mark J. <MConnot@foxrothschild.com>  
**Sent:** Monday, April 11, 2022 11:04 AM  
**To:** Loffredo, Doreen <dloffredo@foxrothschild.com>; Joshua Benson <josh@bensonallred.com>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

Joshua,

Please advise.

Mark

**Mark Connot**  
Partner  
**Fox Rothschild LLP**  
One Summerlin  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, NV 89135  
(702) 699-5924 - direct  
(702) 308-1912 - cell  
[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)  
[www.foxrothschild.com](http://www.foxrothschild.com)

---

**From:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Sent:** April 7, 2022 4:31 PM  
**To:** Joshua Benson <[josh@bensonallred.com](mailto:josh@bensonallred.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Doreen

**Doreen Loffredo**  
Client Service Specialist  
**Fox Rothschild LLP**  
(702) 699-5159 - direct  
[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Sent:** April 7, 2022 4:04 PM  
**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Mark—

Resend it to me for my review.

Josh

---

**From:** White, Terrance <[Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)>  
**Sent:** Thursday, April 7, 2022 3:44 PM  
**To:** 'Loffredo, Doreen' <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>; Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

**All Parties** must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order, hearing transcript/video, and the objection/redlining of the Order for the Court's consideration.



**Terrance White JD, MBA, LLM**  
**Law Clerk**  
to the Honorable Nancy L. Allf  
Eighth Judicial District Court | Department 27  
Regional Justice Center Courtroom 16A  
Phone: (702) 671-0884  
Email: [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)

---

**From:** Loffredo, Doreen [<mailto:dloffredo@foxrothschild.com>]  
**Sent:** Thursday, March 24, 2022 3:47 PM  
**To:** White, Terrance  
**Cc:** Connot, Mark J.; [josh@benisonallred.com](mailto:josh@benisonallred.com); Loffredo, Doreen  
**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good afternoon,

Attached is a copy of a proposed Order Denying Defendant Alex Penly's Motion to Strike Plaintiff Affidavits of Renewal of Judgment and Untimely Reply in Support of Affidavit in both word and pdf format. Prior to submitting the Order to the Department for signature, Mark Connot,

attorney for Plaintiffs, made several attempts to obtain review and approval from Joshua Benson, Mr. Penly's attorney. However, no response has been received. See attached emails.

Thank you.

Doreen

**Doreen Loffredo**

Client Service Specialist

**Fox Rothschild LLP**

(702) 699-5159 - direct

[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** [NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us) <[NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us)>

**Sent:** March 24, 2022 3:16 PM

**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>

**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned

07A546250 - ODM - Milton J. Woods and Cirrus Aviation Services, Inc. v. Eagle Jet Aviation, Inc., et al.

Your proposed order or document requiring a judge's signature to the court has been returned for the following reason(s): All Parties must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order and the objection/redlining of the Order for the Court's consideration

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Milton Woods, Cirrus Aviation  
7 Services Inc

CASE NO: 07A546250

8 vs

DEPT. NO. Department 27

9 Eagle Jet Aviation Inc, Alex  
10 Penley, et al

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 4/11/2022

16 Kevin Sutehall

ksutehall@foxrothschild.com

17 Christopher Reade .

creade@premierlegalgroup.com

18 Gus W. Flangas .

gwf@fdlawlv.com

19 Jacque Magee .

jmagee@foxrothschild.com

20 Jay A. Shafer .

jshafer@premierlegalgroup.com

21 Kevin Sutehall .

ksutehall@foxrothschild.com

22 Mark C. Fields .

fields@markfieldslaw.com

23 Mark Connot .

mconnot@foxrothschild.com

24 Michelle Choto .

MChoto@enensteinlaw.com

25 Monica Metoyer .

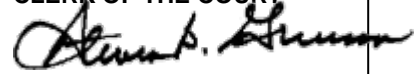
mmetoyer@foxrothschild.com

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Robert A. Rabbat .	RRabbat@enensteinlaw.com
Alex Penly	alexpenly@msn.com
Mark Connot	mconnot@foxrothschild.com
Doreen Loffredo	dloffredo@foxrothschild.com



1 **NEOJ**  
MARK J. CONNOT (10010)  
2 **FOX ROTHSCHILD LLP**  
1980 Festival Plaza Drive, Suite 700  
3 Las Vegas, Nevada 89135  
(702) 262-6899 tel  
4 (702) 597-5503 fax  
mconnot@foxrothschild.com  
5 *Attorneys for Plaintiffs*

6  
7  
8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 MILTON J. WOODS and CIRRUS  
11 AVIATION SERVICES, INC., a Washington  
Corporation,

12 Plaintiffs,

13 v.

14 EAGLE JET AVIATION, INC., a Nevada  
Corporation; ALEX PENLY; STUART M.  
15 WARREN; PRIVATE JET SERVICES, INC.,  
a Nevada Corporation; MILT'S EAGLE,  
16 LLC, a Nevada Limited Liability Company;  
and Does I-X, inclusive,

17 Defendants.  
18

Case No. 07A546250  
Dept. No. 27

**NOTICE OF ENTRY OF ORDER**

19 **PLEASE TAKE NOTICE** that on April 11, 2022, the Court in the above-entitled action  
20 entered an Order Denying Defendant Alex Penly's Motion to Strike Plaintiff Affidavits of Renewal  
21 of Judgment and Untimely Reply in Support of Affidavit, a copy of which is attached hereto.

22 DATED this 11<sup>th</sup> day of April, 2022.

23 **FOX ROTHSCHILD LLP**

24 /s/ Mark J. Connot  
25 MARK J. CONNOT (10010)  
1980 Festival Plaza Drive, Suite 700  
26 Las Vegas, Nevada 89135  
(702) 262-6899 tel  
(702) 597-5503 fax  
27 mconnot@foxrothschild.com  
*Attorneys for Plaintiffs*  
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Fox Rothschild LLP, and that on the 11<sup>th</sup> day of April, 2022, a copy of the foregoing **NOTICE OF ENTRY OF ORDER** was served via the Court's E-File and Serve system to those individuals listed on the Court's master e-service list.

/s/ Doreen Loffredo  
An Employee of Fox Rothschild LLP

1 **ODM**  
MARK J. CONNOT (10010)  
2 **FOX ROTHSCHILD LLP**  
1980 Festival Plaza Drive, Suite 700  
3 Las Vegas, Nevada 89135  
(702) 262-6899 tel  
4 (702) 597-5503 fax  
mconnot@foxrothschild.com  
5 *Attorneys for Plaintiffs*

6  
7  
8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 MILTON J. WOODS and CIRRUS  
11 AVIATION SERVICES, INC., a Washington  
Corporation,

12 Plaintiffs,

13 v.

14 EAGLE JET AVIATION, INC., a Nevada  
Corporation; ALEX PENLY; STUART M.  
15 WARREN; PRIVATE JET SERVICES, INC.,  
a Nevada Corporation; MILT'S EAGLE,  
16 LLC, a Nevada Limited Liability Company;  
and Does I-X, inclusive,

17 Defendants.  
18

Case No. 07A546250  
Dept. No. 27

**ORDER DENYING DEFENDANT ALEX  
PENLY'S MOTION TO STRIKE  
PLAINTIFF AFFIDAVITS OF RENEWAL  
OF JUDGMENT AND UNTIMELY  
REPLY IN SUPPORT OF AFFIDAVIT**

19 This matter came on for hearing on March 17, 2022 at 9:30 a.m., before the above-entitled  
20 Court via BlueJeans Video Conferencing System. Mark J. Connot, of the law firm Fox Rothschild  
21 LLP, appeared on behalf of Plaintiffs Milton J. Woods and Cirrus Aviation Services, Inc., and  
22 Joshua L. Benson, of the law firm Benson Allred Injury Law, appeared on behalf of Defendant  
23 Alex Penly.

24 The Court having considered the papers and pleadings on file herein and argument of  
25 counsel, and good cause appearing hereby orders as follows:

26 //

27 //

28 //

1           **IT IS HEREBY ORDERED** that Defendant's Motion to Strike Plaintiff Affidavits of  
2 Renewal of Judgment and Untimely Reply in Support of Affidavit is **DENIED**.

3           **IT IS SO ORDERED.**

4  
5 April 11, 2022

Dated this 11th day of April, 2022

*Nancy L Alf*

MA

7 Submitted by:

8 **FOX ROTHSCHILD LLP**

8F8 C66 5C36 1263  
Nancy Alf  
District Court Judge

9  
10 /s/ Mark J. Connot  
11 MARK J. CONNOT (10010)  
12 1980 Festival Plaza Drive, Suite 700  
13 Las Vegas, Nevada 89135  
14 (702) 262-6899 tel  
(702) 597-5503 fax  
mconnot@foxrothschild.com  
*Attorneys for Plaintiffs*

15 Approved as to Form and Content:

16 **BENSON ALLRED INJURY LAW**

17  
18 /s/ Joshua L. Benson  
19 JOSHUA L. BENSON (10514)  
20 6250 N. Durango Drive  
21 Las Vegas, Nevada 89149  
(702) 820-0000 tel  
(702) 820-1111 fax  
josh@bensonallred.com

**From:** [Joshua Benson](#)  
**To:** [Connot, Mark J.](#); [Loffredo, Doreen](#)  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Date:** April 11, 2022 11:13:40 AM

---

You may use my electronic signature.

Josh

---

**From:** Connot, Mark J. <MConnot@foxrothschild.com>  
**Sent:** Monday, April 11, 2022 11:04 AM  
**To:** Loffredo, Doreen <dloffredo@foxrothschild.com>; Joshua Benson <josh@bensonallred.com>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

Joshua,

Please advise.

Mark

**Mark Connot**  
Partner  
**Fox Rothschild LLP**  
One Summerlin  
1980 Festival Plaza Drive, Suite 700  
Las Vegas, NV 89135  
(702) 699-5924 - direct  
(702) 308-1912 - cell  
[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)  
[www.foxrothschild.com](http://www.foxrothschild.com)

---

**From:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Sent:** April 7, 2022 4:31 PM  
**To:** Joshua Benson <[josh@bensonallred.com](mailto:josh@bensonallred.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Doreen

**Doreen Loffredo**  
Client Service Specialist  
**Fox Rothschild LLP**  
(702) 699-5159 - direct  
[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Sent:** April 7, 2022 4:04 PM  
**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

Mark—

Resend it to me for my review.

Josh

---

**From:** White, Terrance <[Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)>  
**Sent:** Thursday, April 7, 2022 3:44 PM  
**To:** 'Loffredo, Doreen' <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>  
**Cc:** Connot, Mark J. <[MConnot@foxrothschild.com](mailto:MConnot@foxrothschild.com)>; Joshua Benson <[josh@benisonallred.com](mailto:josh@benisonallred.com)>  
**Subject:** RE: [EXT] Eighth Judicial District Court - Proposed Order Returned - CO  
**Importance:** High

**All Parties** must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order, hearing transcript/video, and the objection/redlining of the Order for the Court's consideration.



**Terrance White JD, MBA, LLM**  
**Law Clerk**  
to the Honorable Nancy L. Allf  
Eighth Judicial District Court | Department 27  
Regional Justice Center Courtroom 16A  
Phone: (702) 671-0884  
Email: [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us)

---

**From:** Loffredo, Doreen [<mailto:dloffredo@foxrothschild.com>]  
**Sent:** Thursday, March 24, 2022 3:47 PM  
**To:** White, Terrance  
**Cc:** Connot, Mark J.; [josh@benisonallred.com](mailto:josh@benisonallred.com); Loffredo, Doreen  
**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned - CO

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good afternoon,

Attached is a copy of a proposed Order Denying Defendant Alex Penly's Motion to Strike Plaintiff Affidavits of Renewal of Judgment and Untimely Reply in Support of Affidavit in both word and pdf format. Prior to submitting the Order to the Department for signature, Mark Connot,

attorney for Plaintiffs, made several attempts to obtain review and approval from Joshua Benson, Mr. Penly's attorney. However, no response has been received. See attached emails.

Thank you.

Doreen

**Doreen Loffredo**

Client Service Specialist

**Fox Rothschild LLP**

(702) 699-5159 - direct

[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)

---

**From:** [NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us) <[NoReply@clarkcountycourts.us](mailto:NoReply@clarkcountycourts.us)>

**Sent:** March 24, 2022 3:16 PM

**To:** Loffredo, Doreen <[dloffredo@foxrothschild.com](mailto:dloffredo@foxrothschild.com)>

**Subject:** [EXT] Eighth Judicial District Court - Proposed Order Returned

07A546250 - ODM - Milton J. Woods and Cirrus Aviation Services, Inc. v. Eagle Jet Aviation, Inc., et al.

Your proposed order or document requiring a judge's signature to the court has been returned for the following reason(s): All Parties must sign and approve the Order. If Parties object to the Order, they can file an Objection on the record or redlining the Proposed Order. Please email the law clerk at [Dept27LC@clarkcountycourts.us](mailto:Dept27LC@clarkcountycourts.us) to inform them this is a CO. Also, include a word version of the Order and the objection/redlining of the Order for the Court's consideration

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.



1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Milton Woods, Cirrus Aviation  
7 Services Inc

CASE NO: 07A546250

8 vs

DEPT. NO. Department 27

9 Eagle Jet Aviation Inc, Alex  
10 Penley, et al

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 4/11/2022

16 Kevin Sutehall

ksutehall@foxrothschild.com

17 Christopher Reade .

creade@premierlegalgroup.com

18 Gus W. Flangas .

gwf@fdlawlv.com

19 Jacque Magee .

jmagee@foxrothschild.com

20 Jay A. Shafer .

jshafer@premierlegalgroup.com

21 Kevin Sutehall .

ksutehall@foxrothschild.com

22 Mark C. Fields .

fields@markfieldslaw.com

23 Mark Connot .

mconnot@foxrothschild.com

24 Michelle Choto .

MChoto@enensteinlaw.com

25 Monica Metoyer .

mmetoyer@foxrothschild.com

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Robert A. Rabbat .	RRabbat@enensteinlaw.com
Alex Penly	alexpenly@msn.com
Mark Connot	mconnot@foxrothschild.com
Doreen Loffredo	dloffredo@foxrothschild.com

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

October 17, 2007

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**October 17, 2007      3:00 AM      Minute Order**

**HEARD BY:** Johnson, Susan                      **COURTROOM:** RJC Courtroom 15D

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- Having examined the Motion and noting no Opposition has been filed and good cause appearing, COURT ORDERED, Penly, Eagle Jet Aviation, and Private Jet Services' Motion to Associate Steven G. Polard is hereby GRANTED. Matter taken off calendar pursuant to EDCR 2.23. Order to be submitted to the Court within 10 days, or not later than October 29, 2007 pursuant to EDCR 7.21.

CLERK'S NOTE: A copy of this minute order to be placed in the attorney folder(s) of M. Solomon, Esq. (SOLOMON DWIGGINS & FREER).

February 07, 2008

Minutes Date: September 18, 2007

**December 11, 2008**

Minutes Date: September 18, 2007

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**July 21, 2009**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**July 21, 2009                      9:00 AM                      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth                      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Jill Hawkins

**REPORTER:**

## PARTIES

**PRESENT:** Flangas, Gus W Attorney  
Freer, Alan D. Attorney  
Penley, Alex Defendant  
Price, Kim D. Attorney  
Woods, Milton J Plaintiff

## JOURNAL ENTRIES

- DISMISSAL OF PLAINTIFF'S COMPLAINT OR, ALTERNATIVELY, TO AMEND THE SEPTEMBER 21, 2007 STIPULATED ORDER...PLAINTIFFS' RENEWED MOTION FOR APPOINTMENT OF RECEIVER FOR INJUNCTION RELIEF, AND FOR AN ACCOUNTING

Mr. Steven Polard, Esq. Pro Hac Vice, appearing telephonically, on behalf of the Defendants.

PLAINTIFFS' RENEWED MOTION FOR APPOINTMENT OF RECEIVER FOR INJUNCTION RELIEF, AND FOR AN ACCOUNTING: Arguments by Counsel. Colloquy regarding arbitration, the MSP, Plaintiff's having access to books, upcoming inspection and Counsel's stipulation. Mr. Flangas noted they agreed upon Mr. John Baily as the arbitrator. COURT ORDERED, Plaintiff's Motion for Appointment of Receiver, DENIED. COURT FURTHER ORDERED, Plaintiff's Motion for Injunction Relief, GRANTED, with a BOND of \$250.00; Limited injunction relief, Deft. not to sell the air craft or encumber the lien of the air craft; subject to a Court's order. Court further noted since the Plaintiff is a shareholder, he is entitled to look at the books. COURT ORDERED, Accounting, DENIED. Court

directed Counsel to provide the previous stipulation to the Court for its signature. COURT ORDERED, matter set for a status check regarding the arbitration, and Counsel to submit briefs one day prior. Mr. Flangus requested a special master and access to the private jet. COURT ORDERED, Mr. Flangus' oral requests, DENIED. Mr. Flangus to prepare the order.

DISMISSAL OF PLAINTIFF'S COMPLAINT OR, ALTERNATIVELY, TO AMEND THE SEPTEMBER 21, 2007 STIPULATED ORDER: Court noted request is MOOT.

10/20/09 9:00 AM STATUS CHECK: ARBITRATION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

October 20, 2009

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

October 20, 2009

**9:00 AM**

## Status Check

## Status Check: Arbitration

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Jill Hawkins

**REPORTER:**

## PARTIES

**PRESENT:** Flangas, Gus W Attorney  
Price, Kim D. Attorney

## JOURNAL ENTRIES

- Mr. Flangas noted they did not set the arbitration and they refiled their Plaintiff's Motion for Appointment of Receiver. At the request of Mr. Flangas, COURT ORDERED, Plaintiff's Motion for Appointment of Receiver reset with this continued status check. Mr. Flangas further noted Deft's moved Milt's Eagle LLC into bankruptcy.

11/17/09 9:00 AM STATUS CHECK: ARBITRATION...PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

November 05, 2009

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**November 05, 2009      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Jill Hawkins

**REPORTER:**

## PARTIES

**PRESENT:** Freer, Alan D. Attorney  
Solis-Rainey, Rosa Attorney

## JOURNAL ENTRIES

- SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME FOR EXTENSION OF TIME TO FILE AN OPPOSITION TO PLAINTIFFS' RENEWED MOTION FOR RECEIVER FOR INJUNCTIVE RELIEF AND FOR ACCOUNTING AND/OR HEARING THEREON (FRIST REQUESTED EXTENSION)...SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD...PERKINS COLE LLP MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD

Steven Polard, Esq., Pro Hac Vice appearing telephonically, on behalf of the Deft's

SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD...PERKINS COLE LLP MOTION ON ORDER SHORTENING TIME TO WITHDRAW AS COUNSEL OF RECORD: There being no objection, COURT ORDERED, Motion's to Withdraw as Counsel. GRANTED.

SOLOMON DWIGGINS & FREER'S MOTION ON ORDER SHORTENING TIME FOR EXTENSION  
OF TIME TO FILE AN OPPOSITION TO PLAINTIFFS' RENEWED MOTION FOR RECEIVER FOR  
INJUNCTIVE RELIEF AND FOR ACCOUNTING AND/OR HEARING THEREON (FRIST

REQUESTED EXTENSION): Colloquy. There being no objection, COURT ORDERED, Extension to file Opposition, GRANTED. COURT FURTHER ORDERED, Plaintiff's Renewed Motion for Appointment of Receiver, CONTINUED.

Ms. Solis-Rainey noted she has a Motion to Withdraw to file. COURT ORDERED, Morris & Peterson's Motion to Withdraw, to set a time certain. 11/12/09

11/12/09 9:00 AM MORRIS & PETERSON'S MOTION TO WITHDRAW AS COUNSEL

01/21/10 9:00 AM PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER, FOR INJUNCTIVE RELIEF AND FOR AN ACCOUNTING...STATUS CHECK: ARBITRATION

November 12, 2009

November 12, 2009	9:00 AM	Motion to Withdraw as Counsel	Morris Peterson's Ex Parte Application for Order Shortening Time to Consider it's Motion to Withdraw as Counsel of Record
-------------------	---------	-------------------------------	---

**COURTROOM:** RJC Courtroom 14C

**REPORTER:**

**PRESENT:** Solis-Rainey, Rosa Attorney

## JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Morris Peterson's Motion to Withdraw as counsel of Record, GRANTED. Court signed order in open Court, with future dates listed on the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**January 21, 2010**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**January 21, 2010                      9:00 AM                      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Jill Hawkins

**REPORTER:**

## PARTIES

**PRESENT:** Penley, Alex Defendant  
Price, Kim D. Attorney  
Warren, Stuart M Defendant

## JOURNAL ENTRIES

- STATUS CHECK: ARBITRATION...PLAINTIFF'S RENEWED MOTION FOR APPOINTMENT OF RECEIVER, FOR INJUNCTIVE RELIEF AND FOR AN ACCOUNTING

Mr. Alex Penley and Mr. Stuart Warren appearing telephonically. Court noted they were only to speak as to their individual claims and not allowed to represent the entity. Arguments by Counsel, Mr. Penley and Mr. Warren. Colloquy regarding bankruptcy assets, shareholders annual meeting, and the production of documents. COURT stated its findings and ORDERED, Plaintiff's Renewed Motion for Appointment of Receiver, DENIED, Without Prejudice. COURT FURTHER ORDERED, Deft's to produce all the documents as ordered, within two weeks. Court noted prior to the next Court hearing, an annual shareholders meeting will be held, if not this Court may appoint a receiver. COURT ORDERED, matter set for a status check: regarding the discovery production. Court directed Counsel to coordinate with the bankruptcy regarding the assets. Upon inquiry, Court noted customer lists are not fair game.

02/11/10 9:00 AM STATUS CHECK: DISCOVERY PRODUCTION/ANNUAL MEETING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

February 11, 2010

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

February 11, 2010

**9:00 AM**

## Status Check

**Status Check:**  
Discovery  
production/Annual  
meeting

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Jill Hawkins

**REPORTER:**

## PARTIES

**PRESENT:** Penley, Alex Defendant  
Price, Kim D. Attorney

## JOURNAL ENTRIES

- Mr. Penley appearing telephonically. Arguments by Counsel. Counsel provided the 2007 Eagle Jet general ledger, and the listing of creditor claims produced by Deft's; Court marked as a Court's exhibits. Further arguments by Counsel, and Mr. Penley. Upon inquiry, Mr. Penley noted he sent notices for the shareholders meeting but did not set the date. Court directed parties to hold the shareholders meeting 03/11/10 @ 10:00 am and Mr. Penley to give notice to all and to select a location that is not intimidating to anyone. COURT ORDERED, matter set for a status check regarding the shareholders meeting and if issues arise, we will reset hearing on the oral calendar. Upon Mr. Price's inquiry, Court noted Counsel may renew their Motion for a receiver, if problems with the shareholders meeting.

03/19/10 (CHAMBERS) STATUS CHECK: SHAREHOLDERS MEETING

**March 19, 2010**

**PARTIES  
PRESENT:**

## Minutes Date: September 18, 2007

October 26, 2010

Minutes Date: September 18, 2007

**May 05, 2011**

Minutes Date: September 18, 2007



**June 10, 2011**

Minutes Date: September 18, 2007

**July 14, 2011**

Minutes Date: September 18, 2007

**July 15, 2011**

Minutes Date: September 18, 2007



October 21, 2011

Minutes Date: September 18, 2007

November 10, 2011

Minutes Date: September 18, 2007

Mr. Flangas requested the Stipulation on the record be in writing. Court noted the Stipulation on the record was sufficient and directed it be part of the Order.

**May 08, 2012**

Minutes Date: September 18, 2007



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**August 24, 2012**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**August 24, 2012**      **3:00 AM**      **Motion**

**HEARD BY:** Gonzalez, Elizabeth                      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Billie Jo Craig

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- The Court having reviewed the Motion to Recuse Arbitrator Bailey, or Alternatively to Disqualify, and the related briefing, and being fully informed, COURT ORDERED, the Motion is DENIED. The facts raised by movant as to the previous co-employment are not the type of facts which would justify disqualification. In addition, the Arbitrator serving on multiple cases for Plaintiff's counsel is also not a basis for disqualification. Counsel for Plaintiff is directed to submit a Proposed Order consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further Order of the Court to make such disposition effective as an Order or Judgment. Mr. Flangas to be notified by way of minute order to prepare the order and notify appropriate parties.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of:  
Gus W. Flangas, Flangas McMillan Law Group).

February 27, 2013

Minutes Date: September 18, 2007

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

August 23, 2013

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

August 23, 2013	3:00 AM	Minute Order	Minute Order: Status Check set for 8/28/2013
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**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- COURT FINDS after review a Status Check on the status of this case was set for MOTION CALENDAR on February 27, 2013 at 9.30 a.m. and continued to August 28, 2013 at 9.30 a.m. COURT FURTHER FINDS after review the parties are presently in arbitration and the Defendant filed a Motion to Confirm the Arbitration Award on August 20, 2013. COURT FURTHER FINDS after review a Hearing on the Motion to Confirm the Arbitration Award is scheduled on September 25, 2013 at 9.30 a.m. COURT ORDERS for good cause appearing the Status Check on August 28, 2013 at 9.30 a.m. VACATED.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder of: Gus W. Flangas, Esq. (382-9452) and R. Christopher Reade, Esq. (794-4421).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

October 16, 2013

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**October 16, 2013      9:30 AM      Motion to Confirm  
Arbitration Award**

**HEARD BY:** Allf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

**PRESENT:** Flangas, Gus W Attorney  
Shafer, Jay A. Attorney

## JOURNAL ENTRIES

- Arguments by counsel regarding the arbitration award for attorney's fees and costs, whether or not award was in lieu of striking the pleadings, NRS 38.239, arguments in supplement filed by defense counsel, and further arguments. Mr. Flangas moved to strike the supplement as a fugitive document. Court stated its findings and ORDERED, Motion to Confirm Arbitration Award for Attorney Fees and Costs GRANTED IN PART as to confirmation of the award and DENIED IN PART as Court FINDS it is interlocutory and not enforceable at this time, STATUS CHECK set 3/5/2014 9:00 am. Court stated that if the arbitration is not complete in February and it hears complaints regarding dilatory tactics on behalf of the Defendant it will enforce the order.

3/5/2014 9:00 AM STATUS CHECK: ARBITRATION PROCEEDINGS

**March 05, 2014**

Minutes Date: September 18, 2007

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**May 05, 2014**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**May 05, 2014**      **2:53 PM**      **Minute Order**

**HEARD BY:** Allf, Nancy **COURTROOM:** No Location

**COURT CLERK:** Sharon Chun

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING

COURT FINDS after review a Status Check on Arbitration was set for MOTION CALENDAR on May 7, 2014 at 9.00 a.m. COURT FURTHER FINDS after review the Court Granted a motion to Confirm Arbitration Award for Attorney Fees on October 16, 2013 however the Award would not be enforceable until arbitration was complete. At a status check on arbitration on March 5, 2014 the Court found that the parties had not yet set an arbitration date and ordered the status check continued 60 days. If the case did not move forward in the next 60 days the Court would set a Show Cause Hearing for dismissal.

COURT FURTHER FINDS after review Defendant filed a Motion to Dismiss Claims against Milt s Eagle, Private Jet Services and Stuart Warren pursuant to NRCP 41(e) on April 18, 2014 and the Motion is set for Hearing on MOTION CALENDAR on May 21, 2014 at 10.00 a.m.

COURT ORDERS for good cause appearing Status Check on arbitration VACATED.

CLERK'S NOTE: A copy of this minute order has been distributed to the following:  
Gus W. Flangas (Flangas & McMiilan) FAX: 702-382-9452

Jay A. Shafer or Robert C. Reade (Premier Legal Group)  
Email: [jshafer@premierlegalgroup.com](mailto:jshafer@premierlegalgroup.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**May 21, 2014**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**May 21, 2014                      10:00 AM                      Motion to Dismiss**

**HEARD BY:** Allf, Nancy **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

**PRESENT:** Alanis, Michelle D. Attorney  
Shafer, Jay A. Attorney

## JOURNAL ENTRIES

- Arguments by Mr. Shafer regarding it being past the five year rule, the waiver of the five year rule not being stipulated to by Defendants Private Jet Services Inc., Stuart M. Warren and Milt's Eagle LLC, dismissal being appropriate to those three defendants, and waiver needing to be explicit. Mr. Shafer stated he has never represented Defendant Warren and some of the other parties. Colloquy between Mr. Shafer and Court regarding stipulation and parties Mr. Shafer represented at the time. Mr. Shafer stated he could provide additional briefing on the issue. Arguments by Ms. Alanis regarding the stipulation to arbitration by the parties, case having been in arbitration since 2008, there being discovery done and dispositive motion deadlines, opinion that this motion should be before the arbitrator, and request for attorney s fees for having to defend against the motion. Ms. Alanis requested more time to provide supplemental briefing if the Court was inclined to rule on the motion. Further arguments made by counsel. COURT ORDERED, Motion to Dismiss Claims Against Milt's Eagle, Private Jet Services, and Stuart Warren Pursuant to NRCP 41(E) REFERRED to the arbitrator on the case, parties DIRECTED to provide addition briefing on both sides including the scope of the representation of defense counsel at the time the stipulation was made on the record. Upon inquiry by Mr. Shafer, Court stated it did intend to adopt the ruling of the arbitrator.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****November 20, 2014**

07A546250

Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**November 20, 2014****3:00 AM****Minute Order**

**Minute Order:  
Arbitration/Status  
Check**

**HEARD BY:** Allf, Nancy**COURTROOM:** No Location**COURT CLERK:** Nicole McDevitt**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that, as of November 20, 2014, the arbitration proceedings were ongoing and scheduled to conclude in December 2014.

COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK is scheduled for CHAMBERS CALENDAR on January 20, 2015; the parties are to each submit a status update on the arbitration proceedings to the Court prior to that date.

1/20/2015 (CHAMBERS) STATUS CHECK: ARBITRATION/STATUS OF CASE

CLERK'S NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq. (jshafer@premierlegalgroup.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 20, 2015**

07A546250

Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**January 20, 2015****3:00 AM****Status Check****HEARD BY:** Alf, Nancy**COURTROOM:** No Location**COURT CLERK:** Nicole McDevitt**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that the arbitration had concluded on December 15, 2014 and as of the January 20, 2015 status check, they were still awaiting the decision.

COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK scheduled for CHAMBERS CALENDAR on January 20, 2015 CONTINUED to February 24, 2015; the parties are to each submit a status update on the arbitration proceedings to the Court by February 20, 2015.

CONTINUED TO.....2/24/2015 (CHAMBERS)

CLERK'S NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq. (jshafer@premierlegalgroup.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

February 24, 2015

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**February 24, 2015      3:00 AM      Status Check**

**HEARD BY:** Allf, Nancy **COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- COURT FINDS after review that on May 21, 2014, the parties came before the Court on a Motion to Dismiss. COURT FURTHER FINDS after review that the Court referred the Motion to Dismiss to the Arbitrator. COURT FURTHER FINDS after review that counsel for the parties advised the law clerk that the arbitration had concluded on December 15, 2014 and as of the January 20, 2015 status check, they were still awaiting the decision. COURT FURTHER FINDS after review the status check was continued to February 25, 2015. COURT FURTHER FINDS after review Plaintiffs filed a Motion to Confirm Arbitration Award on February 23, 2015, with a hearing set for March 26, 2015.

COURT ORDERS for good cause appearing and after review of the file a STATUS CHECK scheduled for CHAMBERS CALENDAR February 24, 2015 is VACATED.

CLERK'S NOTE: A copy of this minute order was faxed to: Gus W. Flangas, Esq. (702-382-9452) and emailed to: Jay A. Shafer, Esq. (jshafer@premierlegalgroup.com)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**April 29, 2015**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**April 29, 2015                  9:30 AM                  Motion to Confirm  
Arbitration Award**

**HEARD BY:** Allf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

**PRESENT:** Fields, Mark C. Attorney  
Flangas, Gus W. Attorney  
Shafer, Jay A. Attorney

## JOURNAL ENTRIES

- Mark c. Field, Esq. present telephonically.

Arguments by Mr. Flangas regarding confirmation of the arbitration award and his request that the Court sanction Mr. Fields. Mr. Flangas stated he received a notice of motion to set aside arbitration award. Further arguments by Mr. Fields and Mr. Flangas. Court stated its findings and ORDERED, Plaintiff's Motion to Confirm Arbitration Award, GRANTED, request for additional attorney fees deferred until after the pending hearings. Colloquy regarding resetting of Defendants' And Counterclaimants' Motion To Modify Or Correct Arbitration Award and Defendants' And Counterclaimants' Motion To Vacate Arbitration Award to mutually agreed date. COURT ORDERED, motions CONTINUED from June 10, 2015 to June 15, 2015 10:00 am. Court directed parties to include the rescheduled dates in its order. Mr. Shafer stated that granting of the motion to confirm arbitration award may be premature given the pending motion. COURT ORDERED, matter SET for status check to preserve issues addressed by Mr. Shafer. Mr. Flangas requested Court order that Mr. Fields be present at the next hearing. COURT ORDERED, request DENIED, Court allows everyone to make a telephonic appearance.

6/15/2015 10:00 AM STATUS CHECK: ADDITIONAL ATTORNEY FEES...STATUS CHECK:  
PLAINTIFF'S MOTION TO CONFIRM ARBITRATION AWARD...DEFENDANTS' AND  
COUNTERCLAIMANTS' MOTION TO MODIFY OR CORRECT ARBITRATION  
AWARD...DEFENDANTS' AND COUNTERCLAIMANTS' MOTIN TO VACATE ARBITRATION  
AWARD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**June 15, 2015**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**June 15, 2015                      10:00 AM                      All Pending Motions**

**HEARD BY:** Allf, Nancy **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nora Pena

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Fields, Mark C.	Attorney
	Flangas, Gus W	Attorney
	Woods, Milton J	Plaintiff
		Counter Defendant

## JOURNAL ENTRIES

- DEFENDANTS' AND COUNTERCLAIMANTS' MOTION TO VACATE ARBITRATION  
AWARD.....DEFENDANTS' AND COUNTERCLAIMANTS' MOTION TO MODIFY OR CORRECT  
ARBITRATION AWARD.....STATUS CHECK: ADDITIONAL ATTORNEY  
FEES.....STATUS CHECK: PLAINTIFF'S MOTION TO CONFIRM ARBITRATION AWARD

Greg Woods present for Cirrus Aviation Services, Inc. Mark Fields present on Court Call.

Argument by Mr. Fields that there were no disclosures as confirmed by the Arbitrator; thereafter, disclosures were given and Mr. Flangas refused to agree on a new Arbitrator and there was a motion to recuse Arbitrator Bailey which was denied three years ago. He stated there were discovery failures, he addressed fiduciary duties and he requested under NRS 38.241 to vacate the award then the motion to modify or correct Arbitration Award becomes moot. He advised there is no basis for the amount of the award and he believed it's very arbitrary and capricious. He asked to return it to the Arbitrator based on lack of the evidence on the Arbitrator's findings. Opposition by Mr. Flangas that this is a dilatory tactic and dislike of Bailey's decision. He stated counsel wanted to know how

he arrived at his decision and he addressed Bailey being the Arbitrator. He addressed Bailey's employment history and how he was selected and how Bailey was a litigant. Mr. Flangas reviewed the litigation before Judge Gonzalez in 2012 and Defendant Penley committed perjury before the Judge and reviewed prior hearings; therefore, he believed Penley's affidavit should not be considered. Further arguments by Mr. Flangas on the other reasons not to vacate the award and he addressed Bailey's order and the \$80,000 sanction related to discovery abuses. He noted there is no transcript of the Arbitration and as to the second motion to modify or correct Arbitration Award this same motion was brought before Bailey and cited case law. He stated they want this Court's decision to substitute over Bailey's decision. He asked for an award of attorney's fees and sanctions and he believed there should be a sanction personally on counsel as there is no relief Mr. Fields is seeking. Reply by Mr. Fields on procedural mistakes, the Arbitrator's opinion and on the motion to vacate which he believed is timely. He further believed the award is arbitrary and capricious. Court stated her findings, and ORDERED, Defendants' and Counterclaimants' motion to Vacate Arbitration Award is DENIED pursuant to NRS 38.241 and motion to Modify or Correct Arbitration Award is DENIED as the burden has not been met. Mr. Flangas to prepare the order and send to Mr. Fields for review as to form only.

Mr. Flangas advised he wanted a ruling on sanctions for attorney's fees on these motions. Court asked counsel to file a separate motion for consideration of attorney's fees. COURT ORDERED, Status Check for additional Attorney's Fees and Status Check for Plaintiff's motion to Confirm Arbitration Award OFF CALENDAR pending filing of motion by Mr. Flangas for attorney's fees.

August 20, 2015

Minutes Date: September 18, 2007



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**April 07, 2016**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**April 07, 2016                      9:30 AM                      Motion**

**HEARD BY:** Allf, Nancy **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Pastwick, Andrew H.	Attorney
	Sutehall, Kevin M.	Attorney

## JOURNAL ENTRIES

- Arguments by counsel regarding the merits of and opposition to motion. Court stated its findings and ORDERED, Plaintiff s Motion to Enter Costs on Margin of Judgment GRANTED IN PART, DENIED IN PART, Court will allow the court filing fees of \$553.50.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Business Court

# COURT MINUTES

**May 25, 2016**

07A546250 Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

May 25, 2016	9:30 AM	Motion for Entry of Judgment
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**HEARD BY:** Allf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

## PARTIES

**PRESENT:** Reade, Robert C. Attorney  
Sutell, Kevin M. Attorney

## JOURNAL ENTRIES

- Mr. Sutehall stated they have submitted a brief response, he would just reserve the right to go back and seek relief on the judgment if it's deemed it was entered based on one of the criteria in rule 60, however, there is no objection to the motion given as they do not have sufficient facts to oppose the statements in the writ and interrogatory responses. Mr. Reade stated Plaintiff can reserve whatever rights they like and it can be disputed at the time it becomes relevant. COURT ORDERED, Application for Entry of Judgment on Garnishee Interrogatories Pursuant to NRS 31.330 GRANTED, realizing that they can serve subsequent garnishments and subject to Plaintiff's reservations. Colloquy regarding effective date of garnishment. Court stated the date of the garnishment is only effective as of the date of the garnishment. Judgment provided IN OPEN COURT.

**August 24, 2021**

Minutes Date: September 18, 2007

To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the [Bluejeans.com](https://bluejeans.com) website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 8/242021.

August 25, 2021

Minutes Date: September 18, 2007

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 08, 2021**

07A546250

Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**December 08, 2021****3:00 AM****Minute Order**

**Minute Order:  
BlueJeans  
Information**

**HEARD BY:** Allf, Nancy**COURTROOM:** No Location**COURT CLERK:** Nicole McDevitt**RECORDER:****REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 27 Information to Appear Telephonically

Re: Matter set on December 9, 2021

Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. Counsel have the choice to appear either by phone or computer/video, however, if appearing remotely via BlueJeans, please appear by audio AND video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. As of May 1, 2021, the Governor has relaxed the capacity to 80%, so that the courtroom can now accommodate up to 32 people.

Dial the following number: 1-408-419-1715

Meeting ID: 897 138 369

Meeting URL: <https://bluejeans.com/897138369>

To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

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Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the [Bluejeans.com](https://bluejeans.com) website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 12/8/2021.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 08, 2021**

07A546250

Milton Woods, Cirrus Aviation Services Inc  
vs  
Eagle Jet Aviation Inc, Alex Penley, et al

**December 08, 2021****3:00 AM****Minute Order**

**Minute Order:  
Defendant Alex  
Penly's Motion to  
Reconsideration**

**HEARD BY:** Alf, Nancy**COURTROOM:** No Location**COURT CLERK:** Nicole McDevitt**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review that on October 21, 2021, Defendant Alex Penley's Motion to Reconsideration (Motion for Reconsideration) was filed.

COURT FURTHER FINDS after review EDCR 2.24(a) provides in relevant part: A party seeking reconsideration of a ruling of the court must file a motion for such relief within 14 days after service of written notice of the order or judgment unless the time is shortened or enlarged by order.

COURT FURTHER FINDS after review that a Motion for Reconsideration is scheduled for December 9, 2021, at 10 a.m. on Motion Calendar.

COURT FURTHER FINDS after review that Defendant's Motion is untimely because it was not filed within 14 days after service of the Notice of Entry of Order entered on September 1, 2021, and was instead filed 50 days after on October 21, 2021.

THEREFORE COURT ORDERS for good cause appearing and after review that the Motion for



Reconsideration is hereby DENIED and the matter scheduled on December 9, 2021, at 10 a.m. on Motion Calendar is hereby VACATED. Movant to prepare the Order in compliance with EDCR 7.21 and email it in pdf format to DC27Inbox@ClarkCountyCourts.us

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 12/8/2021.

**VAULT EXHIBIT FORM**

CASE NO:	A546250	HEARING DATE::	2-11-10
DEPT. NO.	XI	JUDGE :	ELIZABETH GONZALEZ
		CLERK :	KATHY KLEIN
	Milton Woods Et Al	REPORTER :	JILL HAWKINS
PLAINTIFF		JURY FEES:	
		Mr Kim Price, Esq	
	Eagle Jet Aviation Inc	COUNSEL FOR PLAINTIFF:	
DEFENDANT		Alex Penley-Prose	
		COUNSEL FOR DEFENDANT:	

## COURTS EXHIBITS

Date Offered	Objection	Date Admitted
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[illegible]

chambers status check  
March 19 20

~~TRIAL~~ DATE: March 19, 2010

JUDGE: Elizabeth Gonzalez

CLERK: Susan Jovanovich

Recorder: Jill Hawkins  
~~REPORTER:~~

Gus W. Flangas

COUNSEL FOR PLAINTIFF

Pro Se

**COUNSEL FOR DEFENDANT**

OFFERED	ADMITTED
DATE	OBJ DATE

Vault Exhibit Form 5-01/jh

## VAULT EXHIBIT FORM

CASE NO:	A546250	HEARING DATE:	6/10/11
DEPT. NO.	XI	JUDGE:	ELIZABETH GONZALEZ
MILTON WARDS, ET AL		CLERK:	BILLIE JO CRAIG
		REPORTER:	DEBBIE WINN
PLAINTIFF	JURY FEES:		
EAGLE JET AVIATION INC., ET AL			
		COUNSEL FOR PLAINTIFF: G. FLANGAS/K. PRICE	
DEFENDANT			
		COUNSEL FOR DEFENDANT: R. READE	

PLAINTIFF EXHIBIT

Date Offered	Objection	Date Admitted
--------------	-----------	---------------

[illegible]

## VAULT EXHIBIT FORM

CASE NO:	A 546250	HEARING DATE:	6/10/11
DEPT. NO.	XI	JUDGE :	ELIZABETH GONZALEZ
MILTON WOODS, ET AL		CLERK :	BILLIE JO CRAIG
		REPORTER :	DEBBIE WINN
PLAINTIFF		JURY FEES:	
EAGLE JET AVIATION INC., ET AL			
		COUNSEL FOR PLAINTIFF:	G. FLANGAS / K. PRICE
DEFENDANT			
		COUNSEL FOR DEFENDANT:	R. READE

DEFT. EXHIBITS

Date Offered	Objection	Date Admitted
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[illegible]

**DEFENDANT ALEX PENLY'S EXHIBIT LIST**  
**July 15<sup>th</sup>, 2011**

**A 546250**

NO.	EXHIBITS	DATE OFFERED	OBJECTION	DATE ADMITTED
B A.	Selected Excerpts of June 10 <sup>th</sup> , 2011 Transcript	7-15-11		7-15-11
B B.	Scribd.com Password Protection Page	7-15-11		7-15-11
B C.	Scribd.com document list for "Justthetruth82" as of July 14 <sup>th</sup> , 2011 at 11:00 p.m.	↑		↑
B D.	July 13 <sup>th</sup> , 2011 Scribd Printouts			
B E.	Wordpress.com Password Protection Page			
B F.	Docstoc.com website page			
B G.	GOOGLE Search for Alex Penly			
B H.	YAHOO Search for Alex Penly			
B I.	BING Search for Alex Penly			
B J.	Scribd Document List for C210Pilot			
B K.	Private Arbitration pleadings posted by C210Pilot			
B L.	Unfiled Opposition in <u>Center Capital v. Woods</u>			
B M.	C210Pilot's FOIA Request Publication	7-15-11		7-15-11
B N.	Vault Exhibit Form from June 10 <sup>th</sup> Hearing	7-15-11	YES	
B O.	4Romeo Complaint (with handwriting)	7-15-11		7-15-11
B P.	Alexpenlylitigation.wordpress.com Front Page	↑		↑
B Q.	Litigation Wordpress 5 Day Pay or Quit Page	↑		
B R.	Litigation Wordpress FOIA Request Page			
B S.	Litigation Wordpress Bankruptcy Page			
B T.	Lawsuits Wordpress Bankruptcy Page			
B U.	Electronic Mails between Greg Woods, Milt Woods and C210pilot			
B V.	Myspace Page			
		7-15-11		7-15-11

BW Flashdrive provided to Court 7-14-11 - Returned to Mr. Reade

Plaintiffs EXHIBITS - continued

CASE NO. A 546250

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

ALEX PENLY  
8529 FOX BROOK ST.  
LAS VEGAS, NV 89139

DATE: May 12, 2022  
CASE: 07A546250

**RE CASE:** MILTON J. WOODS; CIRRUS AVIATION SERVICES, INC. vs. EAGLE JET AVIATION, INC.; ALEX PENLY; STUART M. WARREN; PRIVATE JET SERVICES, INC.; MILT'S EAGLE, LLC

NOTICE OF APPEAL FILED: May 9, 2022

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

---

***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***



# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

DEFENDANT NOTICE OF APPEAL; CASE APPEAL STATEMENT; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING DEFENDANT ALEX PENLY'S MOTION TO STRIKE PLAINTIFF AFFIDAVITS OF RENEWAL OF JUDGMENT AND UNTIMELY REPLY IN SUPPORT OF AFFIDAVIT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

MILTON J. WOODS; CIRRUS AVIATION SERVICES, INC.,

Plaintiff(s),

vs.

EAGLE JET AVIATION, INC.; ALEX PENLY;  
STUART M. WARREN; PRIVATE JET SERVICES, INC.; MILT'S EAGLE, LLC,

Defendant(s),


Case No: 07A546250

Dept No: XXVII

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 12 day of May 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

May 12, 2022

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: MILTON J. WOODS; CIRRUS AVIATION SERVICES, INC. vs. EAGLE JET AVIATION, INC.;  
ALEX PENLY; STUART M. WARREN; PRIVATE JET SERVICES, INC.; MILT'S EAGLE, LLC  
D.C. CASE: 07A546250

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed May 12, 2022. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

March 17, 2022

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann  
Heather Ungermann, Deputy Clerk