

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

2
3 JASWINDER SINGH,

4 Appellant,

5 vs.

6 RAJWANT KAUR,

7 Respondent.

No.: 83613 Electronically Filed
Feb 15 2022 08:50 p.m.
Elizabeth A. Brown
APPELLANT'S APPENDIX
Clerk of Supreme Court
Volume 1

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Shaili L. Rungtine
CLERK

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1 PSDD
2 (Your name) Jaswinder Singh
3 (Address) 2916 Jansen Ave
4 Las Vegas NV 89101
5 (Telephone) (702)281-2373

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

10 In the Matter of the
11 Joint Petition of

12 (Name) Jaswinder Singh
13 and (Name) Rajwant Kaur
14 Petitioners.

CASE NO. D323977
DEPT. NO.: K

JOINT PETITION FOR SUMMARY DECREE OF DIVORCE

17 Petitioners, Jaswinder Singh and Rajwant Kaur hereby petition this
18 Court, pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to grant them a
19 divorce. Petitioners respectfully show, and under oath, state to the Court as follows:

20 1. That Petitioner, Jaswinder Singh, is now, and for more than six
21 weeks preceding the commencement of this action has been, an actual, bona fide resident of the
22 County of Clark, State of Nevada, and during all said period of time has been actually, physically
23 and corporeally present, residing and domiciled in the State of Nevada.

24 2. That the Petitioners are incompatible in marriage.

25 3. That the Petitioners have no minor children who are the issue of this marriage, have
26 no adopted minor children, and Petitioner Rajwant Kaur is not now pregnant.

27
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1 WHEREFORE, Petitioners pray that the Court enter a Decree of Divorce restoring them to
2 the status of single, unmarried persons.

3
4 DATED this (day) 27 day of
5 (month) August, (year) 2004.

DATED this (day) 27 day of
(month) August, (year) 2004.

6
7 Jaswinder Singh
8 (Your Signature)
9 Petitioner

Rejwanti Kaur
(Spouse's Signature)
Petitioner

10
11 **VERIFICATION**

12 STATE OF NEVADA }
13 COUNTY OF CLARK } ss:

14 Jaswinder Singh, under penalties of perjury, being first duly sworn, deposes
15 and says:

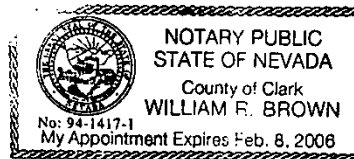
16 That I am the Petitioner in the above-entitled action; that I have read the foregoing Joint
17 Petition for Summary Decree of Divorce and know the contents thereof; that the same is true of
18 my own knowledge, except for those matters therein contained stated upon information and belief,
19 and as to those matters, I believe them to be true.

20 DATED this 27 day of (month) Aug, (year) 2004.

21 By:
22 (Your signature) Jaswinder Singh
23 Jaswinder Singh

24 SUBSCRIBED and SWORN to before
25 me this 27 day of
26 (month) Aug, (year) 2004.

27 William R. Ben
NOTARY PUBLIC



1 **ACKNOWLEDGMENT**

2 STATE OF NEVADA }
3 COUNTY OF CLARK } ss:

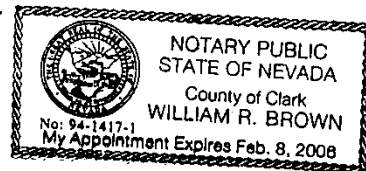
4 On this 27 day of (month) August, (year) 2004, before me, the undersigned
5 Notary Public in and for the said County and State, personally appeared Jaswinder Singh,
6 known to me to be the person described in and who executed the foregoing Joint Petition for
7 Summary Decree of Divorce, and who acknowledged to me that (check one) [x] he/ [] she did
8 so freely and voluntarily and for the uses and purposes therein mentioned.

9 WITNESS my hand and official seal.

10 William R. Brown
11 NOTARY PUBLIC

12 **VERIFICATION**

13 STATE OF NEVADA }
14 COUNTY OF CLARK } ss:



15 Rajwant Kaur, under penalties of perjury, being first duly sworn, deposes
16 and says:

17 That I am the Petitioner in the above-entitled action; that I have read the foregoing Joint
18 Petition for Summary Decree of Divorce and know the contents thereof; that the same is true of
19 my own knowledge, except for those matters therein contained stated upon information and belief,
20 and as to those matters, I believe them to be true.

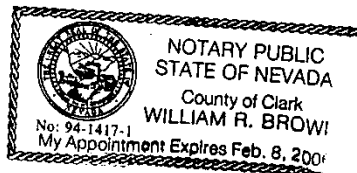
21 DATED this 27 day of (month) Aug., (year) 2004.

22 By:

23 (Spouse's signature) Rajwant Kaur
24 Rajwant Kaur

25 SUBSCRIBED and SWORN to before
26 me this 27 day of
(month) Aug, (year) 2004.

27 William R. Brown
NOTARY PUBLIC



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FILED

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Shailly B. Singhania
CLERK

1 AFFR

2 (Your name) Jaswinder Singh

3 (Address) 2916 Jansen Ave

Las Vegas NV 89101

4 (Telephone) (702)281-2373

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

9 In the Matter of the
10 Joint Petition of

D323977

CASE NO.: _____

11 (Name) Jaswinder Singh

DEPT. NO.: K

12 and (Name) Rajwant Kaur

13 Co-Petitioners.

AFFIDAVIT OF RESIDENT WITNESS

16 STATE OF NEVADA

17 COUNTY OF CLARK

} ss:

19 1. I, (name of Resident Witness) Balbinder Singh Pabla, do solemnly swear to
20 testify herein to the truth, the whole truth and nothing but the truth.

21 2. That I live at (Resident Witness' address) 2916 Jansen Ave
22 (city) Las Vegas, Nevada, (zip code) 89101.

23 3. That I first moved to Clark County, Nevada on (approximate date Resident Witness
24 moved to Clark County) 1992. It is my intention to live in Clark County for
25 the foreseeable future.

26 4. That I first saw Petitioner (Petitioner's name) Jaswinder Singh
27 in Clark County, Nevada on (approximate date) June 17, 2004.

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1 5. That since that date, I have seen (Petitioner's name) Jaswinder Singh
2 in Clark County, Nevada approximately 5 times per week.

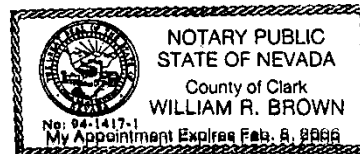
3 6. That I know of my own personal knowledge that Petitioner (Petitioner's name)
4 Jaswinder Singh is a bona fide resident of Clark County, Nevada.

7 Dated this 27 day of (month) Aug, 2004

10 (Witness' signature) Balbinder Singh Pabla
11 Balbinder Singh Pabla

13 SUBSCRIBED and SWORN to before
14 me this 27 day of
(month) Aug, (year) 2004.

16 William A. Brum
NOTARY PUBLIC



ORIGINAL

5

1 DECD
2 (Your name) Jaswinder Singh
3 (Address) 2916 Jansen Ave
4 Las Vegas NV 89101
5 (Telephone) (702)281-2373
6 In Proper Person

FILED

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Shirley E. Rasmussen
CLERK

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 In the Matter of the
10 Joint Petition of
11 (Name) Jaswinder Singh
12 and (Name) Rajwant Kaur
13 Petitioners.
14

CASE NO.: D323977
DEPT. NO.: L

15
16 **DECREE OF DIVORCE**

17 The above-entitled cause having been submitted to the above-entitled Court for decision
18 pursuant to Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition by
19 Petitioner Jaswinder Singh and Petitioner Rajwant Kaur
20 and all of the papers and pleadings on file, finds as follows:

- 21 1. That all of the allegations contained in the documents on file are true;
22 2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;
23 3. That this Court has complete jurisdiction as to the parties and the subject matter
24 thereto;
25 4. That Petitioner Jaswinder Singh has been and is now an actual
26 bona fide resident Clark County, Nevada, and has actually been domiciled in Clark County for
27

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1 more than six (6) weeks immediately prior to the commencement of this action;
2 5. That the parties were married on (date of wedding) Nov. 11, 1989 in (city
3 and state) Punjab, India;
4 6. That the parties are incompatible in marriage and are entitled to a Decree of
5 Divorce on the grounds of incompatibility;
6 7. That there are no minor children the issue of this marriage;
7 8. That there are no minor children adopted by the parties;
8 9. That Petitioner Rajwant Kaur is not now pregnant;
9 10. That there is no community property for the Court to divide;
10 11. That there is no community debt for the Court to divide;
11 12. (CHECK ONLY ONE BOX)
12 ☐ That Petitioner _____ does not desire to have her
13 former or maiden name restored.
14 OR
15 ☐ That Petitioner _____ requests that her former or
16 maiden name of _____ be restored.
17 OR
18 ☒ That Petitioner Rajwant Kaur never changed her name, and
19 therefore does not request restoration of a former or maiden name.
20 13. That both parties have waived any right to spousal support;
21 14. That the parties waive their rights to written Notice of Entry of Decree of Divorce,
22 to appeal, to Findings of Fact and Conclusions of Law, and to move for a new trial;
23 Therefore, **IT IS ORDERED, ADJUDGED AND DECREED** that the bonds of matrimony
24 now and heretofore existing between the Petitioners are hereby wholly dissolved, set aside and forever
25 held for naught, and an absolute Decree of Divorce is hereby granted to the parties, and each of the
26 parties are hereby restored to the status of a single, unmarried person.

27 ///

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner

Rajwant Kaur [] does/ [x] does not desire to have her former name restored and her name shall [] change to/ [x] stay as name of Rajwant Kaur.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that both parties are required to provide their social security numbers on a separate form to the Court and to the Welfare Division of the Department of Human Resources pursuant to NRS 125.130. Such information shall be maintained by the Clerk in a confidential manner and not part of the public record.

DATED this 7th day of (month) September, (year) 2004

M. A. O.
DISTRICT COURT JUDGE J.P.B.

Respectfully Submitted:

(Your signature) Jaswinder Singh
Jaswinder Singh
2916 Jansen Ave
Las Vegas NV 89101
(702)281-2373
Petitioner in Proper Person

(Spouse's signature) Rajwant Kaur
Rajwant Kaur
(Address) 9969 Sepulveda Blvd #204
Mission Hills, CA 91345
(Telephone) (818)895-7302
Petitioner in Proper Person

///
///
///
///
///
///
///

Steven D. Grierson

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Jaswinder Singh

Plaintiff/Petitioner

v. Rajwant Kaur

Defendant/Respondent

Case No.

04D323977

Dept.

P

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☒ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
 - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
 - ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
 - ☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - ☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
☒ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☐ \$0 ☐ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☒ \$154

Party filing Motion/Opposition: Defendant

Date 1/4/2019

Signature of Party or Preparer

Jaswinder Singh



1 **APPX**
2 Andrew L. Kynaston, Esq.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 (702) 823-4900
8 (702) 823-4488 (fax)
9 Service@KainenLawGroup.com
10 Attorneys for Defendant

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. 04D323977
DEPT NO. P

16 vs.

Date of Hearing:
Time of Hearing:

17 RAJWANT KAUR,
18
19 Defendant.

20 **APPENDIX OF EXHIBITS TO DEFENDANT'S MOTION TO SET ASIDE**
21 **DECREE OF DIVORCE**

22 COMES NOW, Defendant, RAJWANT KAUR, by and through her attorney,
23 ANDREW L. KYNASTON, ESQ., of the KAINEN LAW GROUP, PLLC, hereby
24 submits this *Appendix of Exhibits to Defendant's Motion to Set Aside Decree of Divorce*.

25 DATED this 4th day of January, 2019.

26 KAINEN LAW GROUP, PLLC

27 By: 

28 ANDREW L. KYNASTON, ESQ.
Nevada Bar No. 8147
KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
Attorneys for Defendant

KAINEN LAW GROUP, PLLC
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702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

LIST OF APPENDIX DOCUMENTS

<u>Title of Document(Description)</u>	<u>Exhibit No.</u>	<u>Bates Stamp</u>
Petition for Dissolution of Marriage, filed May 7, 2018 in Los Angeles County	A	DEF001 - DEF003
Plaintiff's Response and Request for Dissolution of Marriage	B	DEF004 - DEF006
Stipulation Re: Respondent Filing An Amended Response to Petition; and Order Thereon	C	DEF007 - DEF012
Joint Petition For Summary Decree of Divorce, filed August 27, 2004 in Clark County	D	DEF013 - DEF017
Decree of Divorce, filed September 8, 2004 in Clark County	E	DEF018 - DEF020
Affidavit of Resident Witness, filed August 27, 2004 in Clark County	F	DEF021 - DEF022

EXHIBIT “A”

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: LARRY EPSTEIN, ESQ. SBN 65721 FIRM NAME: LAW OFFICES OF LARRY EPSTEIN, APC STREET ADDRESS: 16133 Ventura Boulevard, Penthouse CITY: Encino TELEPHONE NO.: (818) 905-0531 E-MAIL ADDRESS: ATTORNEY FOR (name): RAJWANT KAUR, Petitioner		STATE BAR NO.: STATE: CA ZIP CODE: 91436-2447 FAX NO.: (818) 905-0554	FL-100 FOR COURT USE ONLY CONFIRMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles MAY 07 2018 Sherri H. Carter, Executive Officer/Clerk By: Rallisha Washington, Deputy									
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: Central Judicial District		CASE NUMBER: <div style="font-size: 1.5em; font-weight: bold;">18STFL05676</div>										
PETITIONER: RAJWANT KAUR RESPONDENT: JASWINDER SINGH												
PETITION FOR <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> Dissolution (Divorce) of:</td> <td><input checked="" type="checkbox"/> Marriage</td> <td><input type="checkbox"/> AMENDED</td> </tr> <tr> <td><input type="checkbox"/> Legal Separation of:</td> <td><input type="checkbox"/> Marriage</td> <td><input type="checkbox"/> Domestic Partnership</td> </tr> <tr> <td><input type="checkbox"/> Nullity of:</td> <td><input type="checkbox"/> Marriage</td> <td><input type="checkbox"/> Domestic Partnership</td> </tr> </table>				<input checked="" type="checkbox"/> Dissolution (Divorce) of:	<input checked="" type="checkbox"/> Marriage	<input type="checkbox"/> AMENDED	<input type="checkbox"/> Legal Separation of:	<input type="checkbox"/> Marriage	<input type="checkbox"/> Domestic Partnership	<input type="checkbox"/> Nullity of:	<input type="checkbox"/> Marriage	<input type="checkbox"/> Domestic Partnership
<input checked="" type="checkbox"/> Dissolution (Divorce) of:	<input checked="" type="checkbox"/> Marriage	<input type="checkbox"/> AMENDED										
<input type="checkbox"/> Legal Separation of:	<input type="checkbox"/> Marriage	<input type="checkbox"/> Domestic Partnership										
<input type="checkbox"/> Nullity of:	<input type="checkbox"/> Marriage	<input type="checkbox"/> Domestic Partnership										

1. **LEGAL RELATIONSHIP** (check all that apply):
 - a. ☒ We are married.
 - b. ☐ We are domestic partners and our domestic partnership was established in California.
 - c. ☐ We are domestic partners and our domestic partnership was NOT established in California.
2. **RESIDENCE REQUIREMENTS** (check all that apply):
 - a. ☒ Petitioner ☒ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this Petition. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
 - b. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
 - c. ☐ We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This Petition is filed in the county where we married.
 Petitioner lives in (specify): _____ Respondent lives in (specify): _____
3. **STATISTICAL FACTS**
 - a. ☒ (1) Date of marriage (specify): **12/31/1989** (2) Date of separation (specify): **7/1/2004**
 - b. ☐ (1) Time from date of marriage to date of separation (specify): **14** Years **6** Months
 - (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below): _____ (2) Date of separation (specify): _____
 - (3) Time from date of registration of domestic partnership to date of separation (specify): _____ Years _____ Months
4. **MINOR CHILDREN**
 - a. ☒ There are no minor children.
 - b. ☐ The minor children are:

Child's name	Birthdate	Age	Sex

- (1) ☐ continued on Attachment 4b.
- (2) ☐ a child who is not yet born.
- c. If any children listed above were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
- d. If there are minor children of Petitioner and Respondent, a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) must be attached.
- e. ☐ Petitioner and Respondent signed a voluntary declaration of paternity. A copy ☐ is ☐ is not attached.

PETITIONER: RAJWANT KAUR RESPONDENT: JASWINDER SINGH	FL-100 CASE NUMBER:
---	------------------------

Petitioner requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200–2210, 2310–2312)

- a. ☒ Divorce or ☐ Legal separation of the marriage or domestic partnership based on (check one):
 (1) ☒ irreconcilable differences. (2) ☐ permanent legal incapacity to make decisions.
- b. ☐ Nullity of void marriage or domestic partnership based on
 (1) ☐ incest. (2) ☐ bigamy.
- c. ☐ Nullity of voidable marriage or domestic partnership based on
 (1) ☐ petitioner's age at time of registration of domestic partnership or marriage. (4) ☐ fraud.
 (2) ☐ prior existing marriage or domestic partnership. (5) ☐ force.
 (3) ☐ unsound mind. (6) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in: ☐ form FL-311 ☐ form FL-312
☐ form FL-341(D) ☐ form FL-341(E)
☐ form FL-341(C) ☐ Attachment 6c(1)

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d. ☐ Other (specify):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☒ Spousal or domestic partner support payable to ☒ Petitioner ☐ Respondent
- b. ☒ Terminate (end) the court's ability to award support to ☐ Petitioner ☒ Respondent
- c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
- d. ☐ Other (specify):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
- b. ☒ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160). ☐ Attachment 9b.
☒ the following list.

All assets acquired by Petitioner either before marriage, after the date of Item separation or by gift or bequest Confirm to
Petitioner

PETITIONER: RAJWANT KAUR RESPONDENT: JASWINDER SINGH	FL-100 CASE NUMBER:
---	------------------------

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
- b. ☒ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
- ☐ in *Property Declaration* (form **FL-160**) ☐ in *Attachment 10b*.
☒ as follows (*specify*):

 1. 15138 Hiawatha Street, Mission Hills, California 91342;
 2. Joint Bank accounts in Bank of America as well as in Respondent's name alone
 3. 401k - Petitioner;
 4. Land and houses in India (2 separate parcels of land);
 5. Automobile;
 6. Gold jewelry - gifts to Petitioner

Petitioner is unaware of the extent of the assts. Petitioner will amend when ascertained.

11. OTHER REQUESTS

- a. ☒ Attorney's fees and costs payable by ☐ Petitioner ☒ Respondent
- b. ☐ Petitioner's former name be restored to (*specify*):
- c. ☒ Other (*specify*): Respondent is found to have breached his fiduciary duty to Petitioner when he unilaterally took funds from a joint account without notice to Petitioner and without Petitioner's consent.

☐ Continued on *Attachment 11c*.

12. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

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

Date: May 4, 2018

RAJWANT KAUR
(TYPE OR PRINT NAME)

▶ Rajwant Kaur
(SIGNATURE OF PETITIONER)

Date: May 4, 2018

LARRY EPSTEIN
(TYPE OR PRINT NAME)

▶ [Signature]
(SIGNATURE OF ATTORNEY FOR PETITIONER)

FOR MORE INFORMATION: Read *Legal Steps for a Divorce or Legal Separation* (form **FL-107-INFO**) and visit "Families Change" at www.familieschange.ca.gov — an online guide for parents and children going through divorce or separation.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

EXHIBIT “B”

- [illegible]

PETITIONER: Rajwant Kaur
RESPONDENT: Jaswinder Singh

CASE NUMBER
18STFL05676

Respondent requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200–2210; 2310–2312)

- a. ☐ Respondent contends that the parties never legally married or registered a domestic partnership.
b. ☐ Respondent denies the grounds set forth in item 5 of the petition.
c. ☒ Respondent requests
- (1) ☒ divorce ☐ legal separation of the marriage or domestic partnership based on
(a) ☒ irreconcilable differences. (b) ☐ permanent legal incapacity to make decisions.
- (2) ☐ nullity of void marriage or domestic partnership based on
(a) ☐ incest. (b) ☐ bigamy.
- (3) ☐ nullity of voidable marriage or domestic partnership based on
(a) ☐ respondent's age at time of registration of domestic partnership or marriage. (d) ☐ fraud.
(b) ☐ prior existing marriage or domestic partnership. (e) ☐ force.
(c) ☐ unsound mind. (f) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in: ☐ form FL-311 ☐ form FL-312 ☐ form FL-341(C)
☐ form FL-341(D) ☐ form FL-341(E) ☐ Attachment 6c(1)

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
b. An earnings assignment may be issued without further notice.
c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
d. ☐ Other (specify):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☒ Spousal or domestic partner support payable to ☐ Petitioner ☒ Respondent
b. ☒ Terminate (end) the court's ability to award support to ☒ Petitioner ☐ Respondent
c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
d. ☐ Other (specify):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
b. ☒ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160). ☐ Attachment 9b.
☐ the following list. Item Confirm to

All assets acquired by Respondent before marriage, after date of Respondent separation, or by gift or bequest

PETITIONER: Rajwant Kaur
RESPONDENT: Jaswinder Singh

CASE NUMBER

18STFL05676

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
- b. ☒ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
☐ in *Property Declaration* (form FL-160). ☐ in *Attachment 10b*.
☒ as follows (*specify*):

Respondent is uncertain of the extent of the assets, and will seek leave to file an appropriate pleading when same has been ascertained.

11. OTHER REQUESTS

- a. ☒ Attorney's fees and costs payable by ☒ Petitioner ☐ Respondent
- b. ☐ Respondent's former name be restored to (*specify*):
- c. ☐ Other (*specify*):

☐ Continued on *Attachment 11c*.

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

Date:

Jaswinder Singh

(TYPE OR PRINT NAME)

Date:

Constance Bessada

(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

FOR MORE INFORMATION: Read *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO) and visit "Families Change" at www.familieschange.ca.gov — an online guide for parents and children going through divorce or separation.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

The original response must be filed in the court with proof of service of a copy on Petitioner.

EXHIBIT “C”

1 Matthew A. Breddan, Esq. SBN: 174133
2 Laurence R. Goldman, Esq. SBN: 80101
3 The Reape-Rickett Law Firm
4 23945 Calabasas Rd., Ste. 207
5 Calabasas, CA 91302
6 Tel: (818) 888-1144
7 Fax: (818) 888-1155

8 Attorneys for Petitioner, Rajwant Kaur

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 In re the Marriage of: Kaur and Singh) Case No.: 18STFL05676
13 Petitioner: Rajwant Kaur,) Bench Officer: Hon. Colin P. Leis
14 and) Dept: 23
15 Respondent: Jaswinder Singh) Stipulation Re Respondent Filing an Amended
16) Response to Petition; and Order Thereon
17)
18)

19 IT IS HEREBY STIPULATED by and between the parties through their respective attorneys
20 of record that Respondent Jaswinder Singh may file an amended Response to the Petition. A copy
21 of said Amended Response is attached hereto as Exhibit "A."

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 IT IS FURTHER STIPULATED that Petitioner waives notice and service of the Amended
2 Response.

3
4 Dated: November 2, 2018.

The Reape-Rickett Law Firm,
A Professional Corporation

6
7 By: 

Laurence R. Goldman
Attorneys for Petitioner

8
9
10 Dated: November _____, 2018.

Constance Bessada
Attorney for Respondent

11
12
13 **ORDER**

14 Based upon the foregoing Stipulation, and good cause appearing thereto, **IT IS SO**
15 **ORDERED.**

16 Date: _____

Judge of the Superior court

17
18 M:\State\0011\Drive\Data\Wp4\Tocun\KAUR, RA\WANT\Pleadings\Stipulation.wpd

EXHIBIT A

DEF009

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: Constance Bessada 80872 FIRM NAME: Attorney at Law STREET ADDRESS: 7120 Hayvenhurst Ave.#108 CITY: Van Nuys TELEPHONE NO.: (818) 988-9992 E-MAIL ADDRESS: ATTORNEY FOR (name):		STATE BAR NO.: STATE: CA ZIP CODE: 91406 FAX NO.:	FL-120 FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N HILL ST MAILING ADDRESS: CITY AND ZIP CODE: LOS ANGELES, CA 90012 BRANCH NAME: STANLEY MOSK (Central)		CASE NUMBER: 18STFL05676	
PETITIONER: Rajwant Kaur RESPONDENT: Jaswinder Singh		RESPONSE <input type="checkbox"/> AND REQUEST FOR <input checked="" type="checkbox"/> AMENDED <input checked="" type="checkbox"/> Dissolution (Divorce) of: <input checked="" type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Legal Separation of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Nullity of: <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership	

1. LEGAL RELATIONSHIP (check all that apply):
 - a. ☐ We are married.
 - b. ☐ We are domestic partners and our domestic partnership was established in California.
 - c. ☐ We are domestic partners and our domestic partnership was NOT established in California.
2. RESIDENCE REQUIREMENTS (check all that apply):
 - a. ☒ Petitioner ☒ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this Petition. (For a divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.)
 - b. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
 - c. ☐ We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This Petition is filed in the county where we married.
 Petitioner lives in (specify): Respondent lives in (specify):
3. STATISTICAL FACTS

dissolution
 a. ☒ (1) Date of marriage (specify): 11/11/1989 (2) Date of separation (specify): 11/27/2004
 (3) Time from date of marriage to date of separation (specify): 15 Years 0 Months
 b. ☐ (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below):
 (2) Date of separation (specify):
 (3) Time from date of registration of domestic partnership to date of separation (specify): Years Months
4. MINOR CHILDREN
 - a. ☒ There are no minor children.
 - b. ☐ The minor children are:

Child's name	Birthdate	Age	Sex
(1) <input type="checkbox"/> continued on Attachment 4b. (2) <input type="checkbox"/> a child who is not yet born.			
 - c. If any children were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
 - d. If there are minor children of Petitioner and Respondent, a completed Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105) must be attached.
 - e. ☐ Petitioner and Respondent signed a voluntary declaration of paternity. A copy ☐ is ☐ is not attached.

PETITIONER: Rajwant Kaur RESPONDENT: Jaswinder Singh	CASE NUMBER: 18STFL05676
---	-----------------------------

Respondent requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200-2210; 2310-2312)

- a. ☒ Respondent contends that the parties ~~never legally married or registered as domestic partners~~ marriage was dissolved on 9/7/2004.
- b. ☐ Respondent denies the grounds set forth in item 5 of the petition.
- c. ☐ Respondent requests
- (1) ☐ divorce ☐ legal separation of the marriage or domestic partnership based on
(a) ☐ irreconcilable differences. (b) ☐ permanent legal incapacity to make decisions.
- (2) ☐ nullity of void marriage or domestic partnership based on
(a) ☐ incest. (b) ☐ bigamy.
- (3) ☐ nullity of voidable marriage or domestic partnership based on
(a) ☐ respondent's age at time of registration of domestic partnership or marriage. (d) ☐ fraud.
(b) ☐ prior existing marriage or domestic partnership. (e) ☐ force.
(c) ☐ unsound mind. (f) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in: ☐ form FL-311 ☐ form FL-312 ☐ form FL-341(C)
☐ form FL-341(D) ☐ form FL-341(E) ☐ Attachment 6c(1)

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d. ☐ Other (specify):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☐ Spousal or domestic partner support payable to ☐ Petitioner ☐ Respondent
- b. ☒ Terminate (end) the court's ability to award support to ☒ Petitioner ☐ Respondent
- c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
- d. ☐ Other (specify):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
- b. ☒ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160). ☐ Attachment 9b.
☐ the following list. Item Confirm to

All assets acquired by Respondent before marriage, after date of Respondent separation, or by gift or bequest

PETITIONER: Rajwant Kaur
RESPONDENT: Jaswinder Singh

CASE NUMBER:
18STFL05676

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☒ There are no such assets or debts that I know of to be divided by the court.
b. ☐ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
☐ in *Property Declaration* (form FL-160). ☐ in *Attachment 10b*.
☐ as follows (specify):

11. OTHER REQUESTS

- a. ☒ Attorney's fees and costs payable by ☒ Petitioner ☐ Respondent
b. ☐ Respondent's former name be restored to (specify):
c. ☐ Other (specify):

☐ Continued on Attachment 11c.

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

Date: X

Jaswinder Singh JASWINDER SINGH

(TYPE OR PRINT NAME)

Date: 10/25/18

Constance Bessada

(TYPE OR PRINT NAME)

X Jaswinder Singh 10/24

(SIGNATURE OF RESPONDENT)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

FOR MORE INFORMATION: Read *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO) and visit "Families Change" at www.familieschange.ca.gov — an online guide for parents and children going through divorce or separation.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

The original response must be filed in the court with proof of service of a copy on Petitioner.

EXHIBIT “D”

ORIGINAL

Bo

152.00

FILED

AUG 27 3 33 PM '04

Shirley B. Longoria
CLERK

1 PSDD

2 (Your name) Jaswinder Singh

3 (Address) 2916 Jansen Ave

4 Las Vegas NV 89101

5 (Telephone) (702)281-2373

6 In Proper Person

7
8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 In the Matter of the
11 Joint Petition of

12 (Name) Jaswinder Singh

13 and (Name) Rajwant Kaur

14 Petitioners.
15

CASE NO.

D323977

DEPT. NO.:

K

16 **JOINT PETITION FOR SUMMARY DECREE OF DIVORCE**

17 Petitioners, Jaswinder Singh and Rajwant Kaur hereby petition this
18 Court, pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to grant them a
19 divorce. Petitioners respectfully show, and under oath, state to the Court as follows:

20 1. That Petitioner, Jaswinder Singh, is now, and for more than six
21 weeks preceding the commencement of this action has been, an actual, bona fide resident of the
22 County of Clark, State of Nevada, and during all said period of time has been actually, physically
23 and corporeally present, residing and domiciled in the State of Nevada.

24 2. That the Petitioners are incompatible in marriage.

25 3. That the Petitioners have no minor children who are the issue of this marriage, have
26 no adopted minor children, and Petitioner Rajwant Kaur is not now pregnant.

27
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January 2, 2001
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1

JPNOKPD.4PE(#9)

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COUNTY CLERK

AUG 27 2004

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DEF013

1 WHEREFORE, Petitioners pray that the Court enter a Decree of Divorce restoring them to
2 the status of single, unmarried persons.

3
4 DATED this (day) 27 day of
5 (month) August, (year) 2004.

DATED this (day) 27 day of
(month) August, (year) 2004.

6
7 Jaswinder Singh
8 (Your Signature)
9 Petitioner

Regwat Kaur
(Spouse's Signature)
Petitioner

10
11 VERIFICATION

12 STATE OF NEVADA }
13 COUNTY OF CLARK } ss:

14 Jaswinder Singh, under penalties of perjury, being first duly sworn, deposes
15 and says:

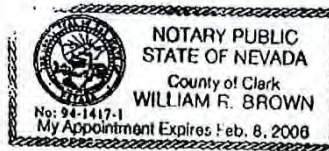
16 That I am the Petitioner in the above-entitled action; that I have read the foregoing Joint
17 Petition for Summary Decree of Divorce and know the contents thereof; that the same is true of
18 my own knowledge, except for those matters therein contained stated upon information and belief,
19 and as to those matters, I believe them to be true.

20 DATED this 27 day of (month) Aug, (year) 2004.

21 By:

22 (Your signature) Jaswinder Singh
23 Jaswinder Singh

24 SUBSCRIBED and SWORN to before
25 me this 27 day of
26 (month) Aug, (year) 2004.
27 William R. Brown
NOTARY PUBLIC



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January 2, 2001
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1 ACKNOWLEDGMENT

2 STATE OF NEVADA

3 COUNTY OF CLARK

} ss:

4 On this 27 day of (month) August, (year) 2004, before me, the undersigned
5 Notary Public in and for the said County and State, personally appeared Jaswinder Singh,
6 known to me to be the person described in and who executed the foregoing Joint Petition for
7 Summary Decree of Divorce, and who acknowledged to me that (check one) [x] he/ [] she did
8 so freely and voluntarily and for the uses and purposes therein mentioned.

9 WITNESS my hand and official seal.

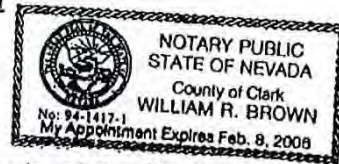
10 William R. Brown
11 NOTARY PUBLIC

12 VERIFICATION

13 STATE OF NEVADA

14 COUNTY OF CLARK

} ss:



15 Rajwant Kaur, under penalties of perjury, being first duly sworn, deposes
16 and says:

17 That I am the Petitioner in the above-entitled action; that I have read the foregoing Joint
18 Petition for Summary Decree of Divorce and know the contents thereof; that the same is true of
19 my own knowledge, except for those matters therein contained stated upon information and belief,
20 and as to those matters, I believe them to be true.

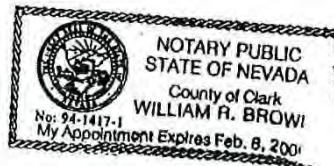
21 DATED this 27 day of (month) Aug., (year) 2004.

22 By:

23 (Spouse's signature) Rajwant Kaur
24 Rajwant Kaur

25 SUBSCRIBED and SWORN to before
26 me this 27 day of
(month) Aug., (year) 2004.

27 William R. Brown
NOTARY PUBLIC



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IPNOKPD.4PE(09)
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1
2
3 **ACKNOWLEDGMENT**

4 STATE OF NEVADA }
5 COUNTY OF CLARK } ss:

6 On this 27 day of (month) August, (year) 2004, before me, the undersigned
7 Notary Public in and for the said County and State, personally appeared Rajwant Kaur,
8 known to me to be the person described in and who executed the foregoing Joint Petition for
9 Summary Decree of Divorce, and who acknowledged to me that (check one) [] he/ [x] she did
10 so freely and voluntarily and for the uses and purposes therein mentioned.

11 WITNESS my hand and official seal.

12 William R. Brown
13 NOTARY PUBLIC

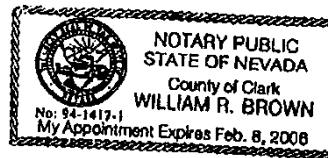


EXHIBIT “E”

ORIGINAL

5

1 DECD
 2 (Your name) Jaswinder Singh
 3 (Address) 2916 Jansen Ave
 4 Las Vegas NV 89101
 5 (Telephone) (702)281-2373
 6 In Proper Person

FILED

SEP 8 8 42 AM '04

Shirley S. Ranganjane
 CLERK

7 DISTRICT COURT
 8 CLARK COUNTY, NEVADA

9 In the Matter of the
 10 Joint Petition of

0323977

CASE NO.:

11 (Name) Jaswinder Singh
 12 and (Name) Rajwant Kaur
 13 Petitioners.

DEPT. NO.:

16 DECREE OF DIVORCE

17 The above-entitled cause having been submitted to the above-entitled Court for decision
 18 pursuant to Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition by
 19 Petitioner Jaswinder Singh and Petitioner Rajwant Kaur
 20 and all of the papers and pleadings on file, finds as follows:

- 21 1. That all of the allegations contained in the documents on file are true;
 22 2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;
 23 3. That this Court has complete jurisdiction as to the parties and the subject matter
 24 thereto;
 25 4. That Petitioner Jaswinder Singh has been and is now an actual
 26 bona fide resident Clark County, Nevada, and has actually been domiciled in Clark County for
 27

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 January 2, 2001
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JPNOKPD.6DE (#9)

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COUNTY CLERK

SEP 08 2004

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1 more than six (6) weeks immediately prior to the commencement of this action;

2 5. That the parties were married on (date of wedding) Nov. 11, 1989 in (city
3 and state) Punjab, India;

4 6. That the parties are incompatible in marriage and are entitled to a Decree of
5 Divorce on the grounds of incompatibility;

6 7. That there are no minor children the issue of this marriage;

7 8. That there are no minor children adopted by the parties;

8 9. That Petitioner Rajwant Kaur is not now pregnant;

9 10. That there is no community property for the Court to divide;

10 11. That there is no community debt for the Court to divide;

11 12. (CHECK ONLY ONE BOX)

12 ☐ That Petitioner _____ does not desire to have her
13 former or maiden name restored.

14 OR

15 ☐ That Petitioner _____ requests that her former or
16 maiden name of _____ be restored.

17 OR

18 ☒ That Petitioner Rajwant Kaur never changed her name, and
19 therefore does not request restoration of a former or maiden name.

20 13. That both parties have waived any right to spousal support;

21 14. That the parties waive their rights to written Notice of Entry of Decree of Divorce,
22 to appeal, to Findings of Fact and Conclusions of Law, and to move for a new trial;

23 Therefore, **IT IS ORDERED, ADJUDGED AND DECREED** that the bonds of matrimony
24 now and heretofore existing between the Petitioners are hereby wholly dissolved, set aside and forever
25 held for naught, and an absolute Decree of Divorce is hereby granted to the parties, and each of the
26 parties are hereby restored to the status of a single, unmarried person.

27 ///

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner
2 Rajwant Kaur [] does/ [x] does not desire to have her former name restored and
3 her name shall [] change to/ [x] stay as name of Rajwant Kaur.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that both parties are required
5 to provide their social security numbers on a separate form to the Court and to the Welfare Division
6 of the Department of Human Resources pursuant to NRS 125.130. Such information shall be
7 maintained by the Clerk in a confidential manner and not part of the public record.

8 DATED this 7th day of (month) September, (year) 2004

10 Respectfully Submitted:

M. A. D.
DISTRICT COURT JUDGE

11 (Your signature)

Jaswinder Singh

Jaswinder Singh

2916 Jansen Ave

Las Vegas NV 89101

(702)281-2373

Petitioner in Proper Person

17 (Spouse's signature)

Rajwant Kaur

Rajwant Kaur

19 (Address)

9969 Sepulveda Blvd #204

Mission Hills, CA 91345

20 (Telephone)

(818)895-7302

Petitioner in Proper Person

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

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January 2, 2001
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EXHIBIT “F”

ORIGINAL

FILED

AUG 27 3 34 PM '04

Shelley L. Pangione
CLERK

1 AFFR

2 (Your name) Jaswinder Singh

3 (Address) 2916 Jansen Ave

Las Vegas NV 89101

4 (Telephone) (702)281-2373

In Proper Person

DISTRICT COURT
CLARK COUNTY, NEVADA

9 In the Matter of the
10 Joint Petition of

11 (Name) Jaswinder Singh

12 and (Name) Rajwant Kaur

13 Co-Petitioners.

CASE NO.: 0323977

DEPT. NO.: R

AFFIDAVIT OF RESIDENT WITNESS

16 STATE OF NEVADA

17 COUNTY OF CLARK

} ss:

19 1. I, (name of Resident Witness) Balbinder Singh Pabla, do solemnly swear to
20 testify herein to the truth, the whole truth and nothing but the truth.

21 2. That I live at (Resident Witness' address) 2916 Jansen Ave
22 (city) Las Vegas, Nevada, (zip code) 89101.

23 3. That I first moved to Clark County, Nevada on (approximate date Resident Witness
24 moved to Clark County) 1992. It is my intention to live in Clark County for
25 the foreseeable future.

26 4. That I first saw Petitioner (Petitioner's name) Jaswinder Singh
27 in Clark County, Nevada on (approximate date) June 17, 2004.

28 • Clark County Family Law Self-Help Center
January 2, 2001
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JP.3AF

Use only most current version
Please call the Self-Help Center to confirm most current version.

COUNTY CLERK

AUG 27 2004

RECEIVED

CE50

DEF021

1 5. That since that date, I have seen (Petitioner's name) Jaswinder Singh
2 in Clark County, Nevada approximately 5 times per week.

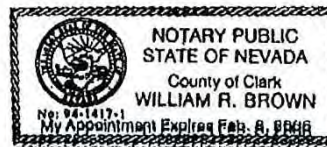
3 6. That I know of my own personal knowledge that Petitioner (Petitioner's name)
4 Jaswinder Singh is a bona fide resident of Clark County, Nevada.
5
6

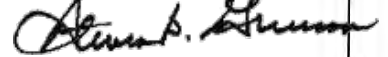
7 Dated this 27 day of (month) Aug, 2004.
8
9

10 (Witness' signature) Balbinder Singh Pabla
11 Balbinder Singh Pabla
12

13 SUBSCRIBED and SWORN to before
14 me this 27 day of
15 (month) Aug, (year) 2004.

16 William R. Brown
17 NOTARY PUBLIC
18
19
20
21
22
23
24
25
26
27
28





1 MTN
2 Andrew L. Kynaston, Esq.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 Telephone: (702) 823-4900
8 Facsimile: (702) 823-4488
9 service@KainenLawGroup.com
10 Attorneys for Defendant

11 DISTRICT COURT
12 CLARK COUNTY, NEVADA

13 JASWINDER SINGH,

14 Plaintiff,

15 vs.

16 RAJWANT KAUR,

17 Defendant.

CASE NO: 04D323977

DEPT NO: P

Date of Hearing: February 13, 2019
Time of Hearing: 10:00 AM

ORAL ARGUMENT REQUESTED:

YES: XX NO:

18 **NOTICE: PURSUANT TO EDCR 5.25(b) YOU ARE REQUIRED TO FILE**
19 **A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE**
20 **COURT AND TO PROVIDE THE UNDER-SIGNED WITH A COPY OF YOUR**
21 **RESPONSE WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION.**
22 **FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE**
23 **COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS MOTION MAY**
24 **RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT**
25 **WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.**

26 **DEFENDANT'S MOTION TO SET ASIDE DECREE OF DIVORCE**

27 COMES NOW, Defendant, RAJWANT KAUR, (hereinafter "Defendant")
28 by and through her attorney, ANDREW L. KYNASTON, ESQ., of the law firm of
KAINEN LAW GROUP, PLLC, and moves this Court for the following relief:

1. For the Court to set aside the Decree of Divorce filed September 8, 2004,
pursuant to NRCP Rule 60(b) and NRS 125.184(2);

...


KAINEN LAW GROUP, PLLC
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Las Vegas, Nevada 89129
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www.KainenLawGroup.com

1 2. For such other and further relief as the Court deems just and proper in the
2 premises.

3 This Motion is made and based upon the papers and pleadings on file herein,
4 the Points and Authorities submitted herewith, Defendant's Declaration attached hereto,
5 and oral argument of counsel at the time of the hearing of this matter.

6 DATED this 4th day of January, 2019.

7 KAINEN LAW GROUP, PLLC

8 By: 
9 ANDREW L. KYNASTON, ESQ.
10 Nevada Bar No. 8147
11 3303 Novat Street, Suite 200
12 Las Vegas, Nevada 89129
13 Attorneys for Defendant

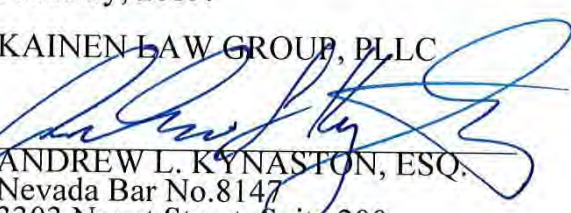
14 **NOTICE OF MOTION**

15 TO: JASWINDER SINGH, Plaintiff in proper person:

16 PLEASE TAKE NOTICE that the undersigned will bring the foregoing
17 Motion on for hearing before the above-entitled Court on the following setting or as soon
18 thereafter as the same may be heard: February 13, 2019 at 10:00 AM

19 DATED this 4th day of January, 2019.

20 KAINEN LAW GROUP, PLLC

21 By: 
22 ANDREW L. KYNASTON, ESQ.
23 Nevada Bar No. 8147
24 3303 Novat Street, Suite 200
25 Las Vegas, Nevada 89129
26 Attorneys for Defendant
27
28

I.

POINTS AND AUTHORITIES

NRCPC Rule 60(b) states:

Mistake; Inadvertance; Excusable Neglect; Newly Discovered Evidence; Fraud, Etc. On motion and upon such terms as are just, the court may relieve a party or a party's legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b); (3) *fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation or other misconduct of an adverse party*; (4) *the judgment is void*; or (5) the judgment has been satisfied, released, or discharged, or a prior judgment, upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that an injunction should have prospective application. The motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than 6 months after the proceeding was taken or the date that written notice of entry of the judgment or order was served. A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation. *This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding, or to set aside a judgment for fraud upon the court.* Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review, are abolished, and procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by independent action. (Emphasis added)

NRS 125.020 provides:

1. Divorce from the bonds of matrimony may be obtained for the causes provided in NRS 125.010, by verified complaint to the district court of any county:

- (a) In which the cause thereof accrued;
- (b) In which the defendant resides or may be found;
- (c) In which the plaintiff resides;
- (d) In which the parties last cohabited; or
- (e) If plaintiff resided 6 weeks in the State before suit was brought.

2. Unless the cause of action accrued within the county while the plaintiff and defendant were actually domiciled therein, *no court has jurisdiction to grant a divorce unless either the plaintiff or defendant has been resident of the State for a period of not less than 6 weeks preceding the commencement of the action.* (Emphasis added)

NRS 125.184(2) states:

A final judgment entered pursuant to this section does not prejudice or bar the rights of either of the parties to institute an action *to set aside the final judgment for fraud, duress, accident, mistake or other grounds recognized at law or in equity.* (Emphasis added)

II.

EDCR 5.501 STATEMENT

A divorce action between the above-captioned parties is presently already pending in the Superior Court of California, County of Los Angeles (Case No. 18STFL05676). Defendant filed a *Petition for Dissolution of Marriage* on May 7, 2018, in Los Angeles County. (**Exhibit A** in Appendix of Exhibits). The Plaintiff then prepared and filed his *Response and Request for Dissolution of Marriage*. (**Exhibit B** in the Appendix of Exhibits). Both parties are represented by legal counsel in the pending California Dissolution action.

In November 2018, the Plaintiff sought to amend his Response to indicate that the parties' marriage was already dissolved in Nevada in November 2004. (**Exhibit C** in the Appendix of Exhibits). This has necessitated the filing of this Motion seeking to set aside the improperly obtained Decree of Divorce in this action pursuant to NRCP 60(b) due to fraud, misrepresentation, and misconduct by the Plaintiff which led to the entry of an improperly obtained Decree of Divorce, when the Court was without jurisdiction to do so. This has necessitated the filing of this Motion, as it is highly doubtful that any efforts to resolve this would be successful with a matter already pending in California, requiring the timely resolution of the subject matter of this Motion.

III.

STATEMENT OF FACTS

Defendant, RAJWANT KAUR (hereinafter "Wife"), and Plaintiff, JASWINDER SINGH (hereinafter "Husband"), were married more than 29 years ago on November 11, 1989, in Punjab, India. They later moved to California, where they have resided as husband and wife since that time. The parties never resided in Nevada.

The parties' marriage relationship was very traditionally Indian, with Husband having almost complete control over Wife, who was required to be wholly submissive in every aspect of their lives. His rule was law and she was essentially his property, and she had no recourse other than to comply with all of his demands. In the

1 summer of 2004, Husband informed Wife that he was going to divorce her so that he
2 could take her back home to India, where he intended to force her to marry his brother
3 in order to allow his brother to immigrate to the United States. She had absolutely no say
4 in the matter due to Husband's domineering and abusive behaviors.

5 On August 27, 2004, the parties drove from California to Las Vegas (there
6 and back on the same day) where he forced her to sign a Joint Petition for Summary
7 Decree of Divorce. (**Exhibit D** in the Appendix of Exhibits). The generic joint petition,
8 and resulting Decree of Divorce (**Exhibit E** in the Appendix of Exhibits), make no
9 provision for any property or debt allocation, no spousal support, or any other substantive
10 provision which would typically be part of a legitimate divorce action. Additionally, the
11 physical address of residency used by Husband for the Joint Petition was the same
12 physical mailing address of his "resident witness" who executed the Affidavit of Resident
13 Witness filed in the action (**Exhibit F** in the Appendix of Exhibits). Neither Husband nor
14 Wife ever actually resided at that residence, even for one night, let alone the alleged six
15 weeks Husband claims to have lived there. The resident witness, a person named
16 Balbinder Singh Pabla, claimed to have first seen Husband in Clark County, Nevada
17 almost exactly six weeks to the day prior to the day the Petition was executed and filed.
18 This would be impossible, as Husband was with Wife in California during that entire
19 period.

20 Immediately upon signing the Petition, the parties returned to their home in
21 California and continued to live together as husband and wife until the currently pending
22 California Divorce action was initiated by Wife in May of this year. There was a trip to
23 India, where Husband forced Wife to marry his brother, which marriage was later
24 dissolved in India (an incident also involving fraud and bribing of officials in India). It
25 is clear that Husband knew the Nevada divorce was a sham, as he initially responded to
26 the divorce action filed by Wife, by himself countersuing for her divorce as well. It was
27 only several months after the divorce litigation in California was underway, that he later
28 asserted that there was already a valid divorce in Nevada that should be recognized by the

1 California Court. Husband is also now trying to argue in the California case that the
2 parties' date of separation was in July 2004, rather than the much more recent actually
3 separation. Based upon California community property laws such a dramatic change to
4 the date of separation will make a significant difference in the determination of
5 community property. It is therefore critical that the Nevada Decree be set aside and/or
6 declared void, to prevent a significant miscarriage of justice by blocking Wife from many
7 years of accumulated community property.

8 **IV.**

9 **ARGUMENT**

10 NRCP Rule 60(b), authorizes the Court to set aside an order or judgment if
11 it is determined that it was obtained by "fraud (whether heretofore denominated intrinsic
12 or extrinsic), misrepresentation or other misconduct of an adverse party." NRS
13 125.184(2), further confirms that either party has the right to seek to set aside a final
14 judgment through instituting "an action to set aside the final judgment for fraud, duress,
15 accident, mistake or other grounds recognized at law or equity."

16 As set forth in the Statement of Facts above, Wife was forced by Husband,
17 under extreme duress, to sign the joint petition for divorce, which Husband then filed, and
18 used (along with other false pleadings) to obtain a fraudulent Nevada Decree of Divorce
19 in September 2004. There clear evidence of fraud upon the Court in the manner that
20 Husband obtained a Decree of Divorce in Nevada. Accordingly, there is a clear basis for
21 this Court to set aside the improperly obtained Decree of Divorce entered in September
22 2004.

23 Additionally, the Decree of Divorce should be set aside and declared void
24 due to the fact that the Nevada Court did not have jurisdiction to enter the Decree at the
25 time it was entered. Husband fraudulently presented false and unsupportable information
26 to the Court claiming to have satisfied Nevada residency requirements, when he clearly
27 did not meet the requirements. Husband blatantly forum shopped for the quickest way
28 to get a divorce, then repeatedly lied in the written pleadings and forced Wife to sign

1 them under duress and against her will.

2 Nevada law regarding residency and jurisdiction for divorce is clear. NRS
3 125.020(2) provides in relevant part that "no court has jurisdiction to grant a divorce
4 unless either the plaintiff or defendant has been a resident of the state for a period of not
5 less than 6 weeks." In this case, neither party meets the requisite residency requirements.
6 Wife was certainly not in Nevada for the six weeks prior to Husband filing the joint
7 petition, having spent only part of a day in Las Vegas, when Husband brought her to
8 Nevada to sign the Petition. Husband was also not a Nevada resident at that time or at
9 any time subsequent. He has never lived in Nevada or at the address listed on his
10 fraudulent paperwork or in the Affidavit of Resident Witness filed in the case.

11 Furthermore, established law in Nevada regarding jurisdiction makes it clear
12 that merely being actually present in the state for the requisite time period is insufficient
13 to establish residency, even if Husband could (which he can't) convince the Court that he
14 did physically reside in Nevada for six weeks before filing the joint petition. Under
15 Nevada case law, residency consists of *two* elements: (1) *Physical Presence* and (2) *Intent*
16 to make the place a home. Latterner v. Latterner, 51 Nev. 285, 274 P. 194, 195 (1929).
17 The legal residence of a person

18 . . . is that place where he or she shall have been actually,
19 physically and corporeally present within the state or county,
20 as the case may be, during all of the period for which residency
21 is claimed by him or her; provided, however, should any
22 person have sent himself from the jurisdiction of his residence
with the intention of good faith to return without delay and
continue his residence, the time of such absence shall not be
considered in determining the fact of such residence.

23 Stats. 1911, c. 158. (1911 Act defining what shall constitute legal residency in the State
24 of Nevada.)

25 Therefore, "intent," pursuant to the statute, is the intent to make the place
26 (i.e., Nevada) a home. Encompassed in that intent is the notion that if the party leaves the
27 state at any time during the claimed residency period, he/she must also have the intent to
28 return without delay. "Without delay," has been interpreted to mean that there is not an

1 absence from the state for an "indefinite or wholly uncertain period." See, Fleming v.
2 Fleming, 36 Nev. 135, 134 P.2d 445 (1913). Husband was physically present in the State
3 of Nevada for less than one day, when he dragged Wife here and forced her to sign the
4 joint petition for divorce. He has not returned "without delay" to Nevada, but continued
5 to live with Wife in the marital residence in California for the next 14 years.

6 In McLaughlin v. McLaughlin, 48 Nev. 153, 238 P. 402 (1925), the Court
7 stated that, "the best evidence of intention is to be ascertained from the party's (sic)
8 declarations;" however, such "evidence of expressed intent has no controlling weight if
9 such intent is inconsistent with the acts and general conduct of the person." The Court in
10 McLaughlin specifically stated that "with respect to the evidence necessary to establish
11 domiciliary intention, it is impossible to lay down any positive rule" as "each case must
12 vary in its circumstances . . . " Id. at 404. However, the Court in Aldabe v. Aldabe, 84
13 Nev. 392, 441 P.2d 691 (1968), set forth a number of factors relied upon in establishing
14 that there was, in fact, domiciliary intent. These factors include such things as: (1)
15 mailing address; (2) voter registration; (3) school attendance; (4) medical care; (5)
16 business and financial affairs; (6) automobile and operators' licenses; (7) taxes; (8) wills;
17 (9) employment; (10) daily activities; and (11) corroborating testimony of witnesses. Id.
18 at 694. No such indicia of residency existed at the time that Husband filed the joint
19 petition, and Wife is confident that he would be unable to produce any such evidence to
20 the Court to establish a domiciliary intent. In short, neither party was ever a resident of
21 Nevada and no evidence would support a claim of physical presence or domiciliary intent
22 as required by Nevada law. The Decree of Divorce is therefore invalid, as the Nevada
23 Court lacked jurisdiction to enter it.

24 Although it has now been more than 14 years since the fraudulent Decree
25 of Divorce was filed with the Court, the passage of time cannot make what was clearly
26 an invalid Decree, valid and enforceable to the detriment of the victim of the fraud.
27 Defendant has made every reasonable effort to bring this Motion to Set Aside in
28 reasonable time. Based upon Husband's behaviors and the fact that the parties continued

1 to reside together and hold themselves out as husband and wife, Wife did not believe that
2 the Nevada Decree was valid or still relevant. Until several months into the pending
3 California divorce action, it was never again mentioned by Husband. He never told Wife
4 that he believed that they were divorced. Furthermore, Husband continued to be
5 domineering in the parties' relationship. Wife was afraid to go against anything he
6 demanded or to question anything he did.

7 Under the facts of this case, there is also likely a significant argument to be
8 made for sanctions and attorney's fees. However, as Wife is mindful that this Court does
9 not have jurisdiction over the substantive issues in this case, and she does not wish to
10 subject herself to the personal jurisdiction of the Court, she will attempt to see appropriate
11 redresses from the California court in the already pending divorce case.

12 V.

13 CONCLUSION

14 Based on the forgoing, Defendant requests the following relief:

- 15 1. For the Court to set aside the Decree of Divorce filed September 8, 2004,
16 pursuant to NRCPP Rule 60(b) and NRS 125.184(2);
17 2. For such other and further relief as the Court deems just and proper in the
18 premises.

19 DATED this 4th day of January, 2019.

20 KAINEN LAW GROUP, PLLC

21
22 By: 

23 ANDREW L. KYNASTON, ESQ.
24 Nevada Bar No. 8147
25 3303 Novat Street, Suite 200
26 Las Vegas, Nevada 89129
27 Attorneys for Defendant
28

DECLARATION OF RAJWANT KAUR IN SUPPORT OF MOTION

I, RAJWANT KAUR, declare under penalty of perjury that I am the Defendant herein and that I have read the foregoing *Motion* and the same is true and correct of my own knowledge, except for those matters which are therein stated upon information and belief, and as to those matters, I believe them to be true.

EXECUTED this 4th day of ~~December, 2018~~ January 2019
R. K.

Rajwant Kaur
RAJWANT KAUR

Steven D. Grierson

1 AOS
2 Andrew L. Kynaston, Esq.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 (702) 823-4900
8 (702) 823-4488 (fax)
9 Service@KainenLawGroup.com
10 Attorneys for Defendant

11 DISTRICT COURT, FAMILY DIVISION
12 CLARK COUNTY, NEVADA

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. 04D323977
DEPT NO. P

16 vs.

Date of Hearing: 2/13/2019
Time of Hearing: 10:00 a.m.

17 RAJWANT KAUR,
18
19 Defendant.

20 AFFIDAVIT OF SERVICE

21 STATE OF CALIFORNIA
22 COUNTY OF LOS ANGELES } ss:

23 GURJAGAL S. PANDHER, being first duly sworn, deposes and says:

24 1. At all times herein Affiant was and is a citizen of the United States, over 18
25 years of age, and not a party to nor interested in the proceeding in which this Affidavit
26 is made.

27 2. On the 8th day of January, 2019, Affiant received one copy of each of the
28 following documents: 1. *Defendant's Motion to Set Aside Decree of Divorce*; and 2.
Appendix of Exhibits to Defendant's Motion to Set Aside Decree of Divorce.

...

...

...

1 3. On the 8th day of January, 2019, at approximately 5.00 a.m./p.m.,
2 I personally served said *Motion to Set Aside Decree of Divorce* and said *Appendix of*
3 *Exhibits* upon Mr. Jaswinder Singh, Plaintiff in this matter, at his home address at
4 15138 HIAWATHA ST. MISSION HILLS, CA-91345

5 EXECUTED this 8th day of January, 2019.

6
7
8 (Sign)

9 GURIBALS PANDHER
(Print)

10 SIGNED AND AFFIRMED before the undersigned
11 Notary Public this 8th day of January, 2019,
12 by _____.

13 Notary Public
14 NOTARY PUBLIC in and for said
15 County and State.
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Ventura)
 On 1/8 2019 before me, Nick Jay Barnese, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Barigibel S. Penaherrera
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.


Description of Attached Document

Title or Type of Document: Barigibel S. Penaherrera Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____



1 **OPPC**

LAW OFFICES OF F. PETER JAMES, ESQ.

2 F. Peter James, Esq.

Nevada Bar No. 10091

3 3821 West Charleston Boulevard, Suite 250

Las Vegas, Nevada 89102

4 Peter@PeterJamesLaw.com

702-256-0087

5 702-256-0145 (fax)

Counsel for Plaintiff

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

8 JASWINDER SINGH,

9 Plaintiff,

10 vs.

11 RAJWANT KAUR,

12 Defendant.

CASE NO. : 04D323977

DEPT. NO. : P

**OPPOSITION TO MOTION TO
SET ASIDE DECREE OF
DIVORCE; COUNTERMOTION**

Hearing Date: February 13, 2019

Hearing Time: 10:00 a.m.

Oral Argument: YES

13
14 **NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO**
15 **THIS MOTION WITH THE CLERK OF THE COURT AND TO**
16 **PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE**
17 **WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE**
18 **TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT**
19 **WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION MAY**
20 **RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE**
COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED
HEARING DATE.

1 COMES NOW Plaintiff, Jaswinder Singh, by and through his counsel, F.
2 Peter James, Esq., who hereby opposes Defendant's Motion to Set Aside and
3 Countermoves this Honorable Court for attorney's fees and costs.

4 This Opposition / Countermotion is made and based on the papers and
5 pleadings on file herein, the attached points and authorities, the attached
6 affidavit(s) / declaration(s), the filed exhibit(s), and upon any oral argument the
7 Court will entertain.

8 Dated this 23 day of January, 2019

9 

10 LAW OFFICES OF F. PETER JAMES
11 F. Peter James, Esq.
12 Nevada Bar No. 10091
13 3821 W. Charleston Blvd., Suite 250
14 Las Vegas, Nevada 89102
15 702-256-0087
16 Counsel for Plaintiff

14 ///

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1 the sole basis of the request to set aside. (*See e.g.* Motion filed January 7, 2019
2 at 4:24, 5:13-15). Defendant offers nothing but her word in support of the
3 allegation that Plaintiff never resided in Nevada. (*See generally* Motion and
4 Exhibits thereto, filed January 4, 2019).¹

5 Plaintiff now opposes the Motion.

6 II.

7 DISCUSSION

8 The Court should deny Defendant's Motion to Set Aside the Decree of
9 Divorce. The Court should award Plaintiff attorney's fees and costs for having
10 to defend against this frivolous motion.

11 A. THE COURT SHOULD DENY DEFENDANT'S MOTION TO SET 12 ASIDE

13 The Court should outright deny Defendant's Motion to Set Aside. There
14 are numerous bases which mandate denial of the motion.

15 ///

16 ///

18 ¹ Defendant also asserts that Plaintiff forced her to sign the Joint Petition and the Decree,
19 as well as to marry his brother after their divorce was finalized. (*See e.g.* Mot. at 4:25 – 5:4).
20 This assertion is both ridiculous and unsupported. Plaintiff re-asserts that he was a bona fide
Nevada resident at the times relevant to the divorce.

1 **Time Barred and Laches**

2 The request to set aside is time barred. NRCP 60(b) provides six months
3 from entry of a final order to request a set aside for fraud, mistake (and its
4 counterparts), and for discovery of new evidence. All motions under Rule 60(b)
5 must be made in a reasonable time. *See* NRCP 60(b)

6 Defendant alleges fraud and that the Decree is void as her bases for the
7 request to set aside. (*See* Mot. at 6). The fraud claims were barred years and
8 years ago as the six month limitations period applies. As such, the request to set
9 aside must be denied as to fraud as the same is time-barred.

10 The request to set aside for the Decree being purportedly void is subject to
11 laches / being filed within a reasonable time. *See Deal v. Baines*, 110 Nev. 509,
12 512-13, 874 P.2d 775, 777-78 (1994) (a two year wait to file a motion to set aside
13 based upon the underlying judgment being void is unreasonable).

14 Here, Defendant filed her Motion over **14 years** after the Decree was
15 entered. Under *Deal*, waiting two years with actual knowledge of the
16 proceedings was too long to wait to request a set aside based upon the underlying
17 order being purportedly void. *Deal*, 110 Nev. at 513-13, 874 P.2d at 778.
18 Specifically, *Deal* held that setting aside an order after the moving party waited
19 two years to request a set aside due to it being purportedly void was an abuse of
20 discretion. *Id.*

1 It is uncontested that Defendant had actual knowledge of the proceedings
2 and the Decree of Divorce. Defendant then admits that she then married another
3 person and later divorced him. (Mot. at 5:22-24).

4 So, Defendant's request to set aside based on fraud is time barred and has
5 been for over a decade. Defendant's request to set aside based upon the Decree
6 being purportedly void is time barred as well pursuant to *Deal*, which held that it
7 is an abuse of discretion to set aside an order when the motion to set aside was
8 filed two years after the order was entered and the moving party had actual
9 knowledge of the order.

10 Defendant glides right past this issue and presumes the fact not established.
11 Defendant briefed Nevada law on residency—though did not provide law stating
12 that a Decree entered without jurisdiction is void²—but entirely skipped even an
13 offer of proof that Plaintiff was not a Nevada resident.

14 Accordingly, the Court should outright deny the motion to set aside.

15 **Burden of Proof Not Met**

16 All time barred issues aside, Defendant has failed to meet her initial burden
17 of proof. The key allegation in Defendant's Motion is that Plaintiff purportedly
18 never lived in Nevada—and certainly not for the required time and with the intent

20 ² This issue is discussed herein. Under clear Nevada law, the best case scenario for Defendant is that the Decree is voidable, not void. That is the best case scenario.

1 to remain for the indefinite future. The problem with this assertion is that there
2 is nothing more than Defendant's word that Plaintiff purportedly never lived in
3 Nevada.

4 The party requesting Rule 60(b) relief has the burden of proof. *See Kahn*
5 *v. Orme*, 108 Nev. 510, 513–14, 835 P.2d 790, 793 (1992), *overruled on other*
6 *grounds by Epstein v. Epstein*, 113 Nev. 1401, 1405, 950 P.2d 771, 773 (1997).
7 Burden shifting is improper. *See Francis v. Wynn Las Vegas, LLC*, 127 Nev.
8 667, 667 n.5, 262 P.3d 705, 713 n. 5 (2011).

9 Here, Defendant has offered nothing but her word that Plaintiff was not an
10 actual resident of Nevada at the relevant time. (*See generally* Motion and the
11 Exhibits thereto). Defendant has failed to show adequate cause / make a *prima*
12 *facie* case sufficient to warrant further proceedings. *See e.g. Rooney v. Rooney*,
13 109 Nev. 540, 853 P.2d 123 (1993).

14 To take Defendant at her word would be to then shift the burden to Plaintiff
15 to prove he was a Nevada resident, which is improper. *See Francis*, 127 Nev. at
16 667 n. 5, 262 P.3d at 713 n. 5 (burden shifting is improper). Plaintiff would have
17 to dig up records from a decade and a half ago to prove he was a Nevada resident.
18 This is fundamentally unfair to require Plaintiff to prove his innocence when
19 Defendant has the burden of proof. Defendant is making the claim, she needs to
20 prove it with more than her word—and she had to do so in her Motion, which she

1 did not do. Defendant needed to make an offer of proof as to the allegation, but
2 she did not. If Defendant claims that the records no longer exist to prove this,
3 then the laches / time barred argument has even more credence as Plaintiff will
4 have the same problem proving the fact that he was a bona fide Nevada resident
5 at the relevant time.

6 Even if it is established that Plaintiff was not a bona fide resident of the
7 State of Nevada and the Court establishes that it had no jurisdiction to enter the
8 Decree of Divorce, the Decree is not void—rather, it is voidable. When colorable
9 evidence exists that a party is a resident of Nevada sufficient for the Court to have
10 jurisdiction (such as an Affidavit of Resident Witness being on file), but the
11 residency claim was false, then the ensuing decree is not void, but rather voidable.
12 *See Vaile v. Eighth Judicial District Court*, 118 Nev. 262, 271-73, 44 P.3d 512-
13 14 (2002). Due to judicial estoppel, which is discussed herein, even if Plaintiff
14 were not a valid resident of Nevada at the relevant time, the Decree will stand
15 and not be voided. *Id.*

16 As such, the request to set aside should be denied due to a lack of adequate
17 cause as Defendant has not met her burden of proof.

18 **The In Pari Delicto Doctrine Bars Defendant Relief**

19 Notwithstanding the aforementioned issues with Defendant's Motion, the
20 *in pari delicto* doctrine bars relief for Defendant.

1 The *in pari delicto* doctrine provides that a party who has participated in
2 wrongdoing may not recover damages resulting from the wrongdoing. *See*
3 BLACK'S LAW DICTIONARY 806-07 (8th ed. 2004). The *in pari delicto* doctrine
4 precludes a party who has engaged in wrongdoing from recovering when they are
5 at least partially at fault. *See Official Committee v. R. F. Lafferty & Co.*, 267,
6 F.3d 340, 354 (3d Cir. 2001), *cited as to this doctrine in In re Amerco Derivative*
7 *Litigation*, 127 Nev. 196, 207 n.2, 252 P.3d 681, 689 n.2 (2011).

8 Here, Defendant admits to signing court papers that state Plaintiff was a
9 bona fide Nevada resident at the time the action was initiated. Defendant only
10 states that she was forced to do so, the argument against which is addressed
11 herein. If the Court were to believe Defendant's assertions (that Plaintiff was not
12 a bona fide Nevada resident at the time of the commencement of this action), then
13 Defendant committed perjury by swearing under oath that the facts in the Joint
14 Petition were true. This makes Defendant complicit with the purported (though
15 denied) wrongdoing by Plaintiff. Thus, the *in pari delicto* doctrine bars
16 Defendant relief.

17 **Judicial Estoppel Bars Defendant Relief**

18 Notwithstanding the aforementioned issues with Defendant's Motion,
19 judicial estoppel bars Defendant relief. Judicial estoppel is to prevent parties
20 from deliberately shifting positions to suit the requirements of another case

1 concerning the same subject matter. *See Vail*, 118 Nev. at 273, 44 P.3d at 514.

2 A party who has stated an oath in a prior proceeding that a given fact is true may
3 not be allowed to deny the same fact in a subsequent action. *Id.* The elements of
4 judicial estoppel are:

- 5 1. The same party has taken two positions;
- 6 2. The positions taken were in judicial proceedings;
- 7 3. The party was successful in asserting the first position (i.e. the court
8 adopted the first position or accepted it as true);
- 9 4. The two positions are totally inconsistent; and
- 10 5. The first position was not taken as a result of ignorance, fraud, or mistake.

11 *See Matter of Frei Irrevocable Trust Dated October 29, 1996*, 133 Nev. 8, 390
12 P.3d 646, 652 (2017).

13 Here, Defendant is taking two positions—that Plaintiff was a bona fide
14 Nevada resident and that he was not. The positions are in court proceedings, to
15 wit: the present divorce action. Defendant succeeded in the first position—the
16 Court accepted that Plaintiff was a bona fide Nevada resident and granted the
17 divorce. These positions are, by their nature, contradictory—Defendant asserts
18 both A and not A. There was no ignorance, fraud, or mistake by Defendant.
19 There was not even the allegation of such things in Defendant’s Motion.
20 Defendant did allege coercion. As argued herein, Defendant is barred from

1 making such arguments. Further, Defendant has provided not even an offer of
2 proof as to her claims. Moreover and as the purported acts took place a decade
3 and a half ago, evidence on both sides (other than impeaching testimony) will be
4 a major issue.³

5 As all of the elements of judicial estoppel are met, the Court should deny
6 the request to set aside.

7 **B. THE COURT SHOULD AWARD PLAINTIFF ATTORNEY'S FEES**
8 **AND COSTS**

9 The Court should award Plaintiff attorney's fees and costs for having to
10 bring this matter before the Court. NRS 18.010 allows the Court to liberally
11 award fees when a party maintains a frivolous position. EDCR 7.60 permits an
12 award of fees when a party unnecessarily protracts the litigation.

13 Here and as stated herein, Defendant has filed a baseless motion to set
14 aside. Defendant filed the motion well after the six month deadline to file any
15 such motion. Nevada law is crystal clear that a motion to set aside on the basis
16 of a void judgment filed more than two years after knowledge of the order being
17

18 ³ Impeaching testimony alone is insufficient under Rooney to warrant holding an
19 evidentiary hearing. *See Rooney*, 109 Nev. at 542-43, 853 P.2d at 124-25. A fair summary of
20 the *Rooney* standard for obtaining an evidentiary hearing is that the moving party has to allege
facts sufficient to prevail if proven true and the moving party has to give an offer of proof of
more than a he said / she said.

1 entered is time barred if the moving party knew of its existence. Defendant had
2 actual knowledge of the order (the Decree), but waited almost 15 years to request
3 a set aside—more than a decade after it was time barred. Defendant also had
4 numerous other issues with her motion, as detailed herein. The motion should
5 never have been filed.

6 In determining the reasonableness of the fees to be awarded, the Court
7 must analyze the following factors:

- 8 • The qualities of the advocate: his ability, training, education, experience,
9 professional standing, and skill;
- 10 • The character of the work to be done: its difficulty, intricacy, importance,
11 the time and skill required, the responsibility imposed, and the prominence
12 and character of the parties where they affect the importance of the
13 litigation;
- 14 • The work actually performed by the lawyer: the skill, time, and attention
15 given to the work; and
- 16 • The result: whether the attorney was successful and what benefits were
17 derived.

18 *See Brunzell v. Golden State Nat. Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969);
19 *see also Miller v. Wilfong*, 121 Nev. 619, 623-24, 119 P.3d 727, 730 (2005). The
20 Court must also consider the relative income of the parties as this is a domestic

1 case. *Miller*, 121 Nev. at 623-24, 119 P.3d at 730. No one element should
2 predominate or be given undue weight. *Brunzell*, 85 Nev. at 349, 455 P.2d at 33.

3 As to the *Brunzell* factors, Counsel has successfully litigated countless
4 cases in the Family Division of this district court. Counsel has successfully
5 litigated numerous appeals and writ petitions at the Nevada Supreme Court.
6 Numerous Family Court judges have confirmed that Counsel's legal acumen
7 warranted charging \$400 per hour—with none disagreeing. Counsel is in his
8 thirteenth year of practice. Counsel is an AV Preeminent rated family law
9 attorney by Martindale Hubbell. In addition to numerous other accolades,
10 Counsel has been named one of the top family law attorneys in the state—and
11 received a hand-signed letter from former Sen. Harry Reid regarding the same.
12 Counsel is a court-approved Settlement Master whom the Family Courts appoints
13 cases for him to mediate on a pro bono basis. All of the substantive work in this
14 matter was performed by Counsel, not any junior associate or paralegal. What
15 work was done by a paralegal was billed at a lower rate and supervised / amended
16 by Counsel. The legal work did require review of the complex factual history
17 and of several key Nevada cases as to the issues presented. To satisfy *Miller*, the
18 filed Financial Disclosure Forms should evidence their respective income. As to
19 the result, that is up to the Court; however, Plaintiff has shown numerous theories
20 under which Defendant's motion is properly denied.

Should the Court be so inclined to award Plaintiff attorney's fees, he will file a Memorandum of Fees and Costs with the redacted billing statements to comply with *Love v. Love*.

III.

CONCLUSION

Based on the foregoing, the Court should enter the following orders:

- Denying Defendant's Motion to Set Aside; and
- Awarding Plaintiff attorney's fees and costs.

Dated this 23 day of January, 2019

LAW OFFICES OF F. PETER JAMES
F. Peter James, Esq.
Nevada Bar No. 10091
3821 W. Charleston Blvd., Suite 250
Las Vegas, Nevada 89102
702-256-0087
Counsel for Plaintiff

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1. That I am the Plaintiff in the above-entitled action; and

2. That I have read the document entitled: **OPPOSITION TO**

I declare under penalty of perjury under the law of the State of Nevada that

23

JASWINDER SINGH

1 **CERTIFICATE OF SERVICE**

2 I certify that on this 23 day of January, 2019, I caused the above and
3 foregoing document entitled **OPPOSITION TO MOTION TO SET ASIDE**
4 **DECREE OF DIVORCE; COUNTERMOTION** to be served as follows:

5 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)
6 and Administrative Order 14-2 captioned "In the Administrative
7 Matter of Mandatory Electronic Service in the Eighth Judicial
8 District Court," by mandatory electronic service through the
9 Eighth Judicial District Court's electronic filing system;

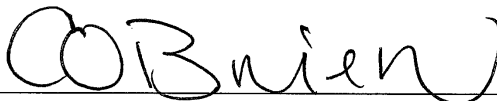
8 [] by placing same to be deposited for mailing in the United States
9 Mail, in a sealed envelope upon which first class postage was
10 prepaid in Las Vegas, Nevada;

10 [] pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile /
11 email;

12 to the attorney(s) / party(ies) listed below at the address(es), email address(es),
13 and/or facsimile number(s) indicated below:

14 Andrew L. Kynaston, Esq.
15 Kainen Law Group
16 3303 Novat Street, Suite 200
17 Las Vegas, Nevada 89129
18 702-823-4488 (fax)
19 Service@KainenLawGroup.com
20 Counsel for Defendant

18
19 By:



An employee of the Law Offices of F. Peter James, Esq., PLLC

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

JASWINDER SINGH

Plaintiff/Petitioner

v.

RAJWANT KAUR

Defendant/Respondent

Case No. 04D323977

Dept. P

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

☒ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.

-OR-

☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:

- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
- ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
- ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
- ☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☐ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - ☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.

-OR-

- ☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.

-OR-

- ☒ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

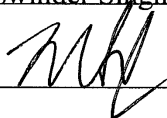
Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☐ \$0 ☐ \$25 ☐ \$57 ☒ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Jaswinder Singh via F. Peter James, Esq Date 1/23/2019

Signature of Party or Preparer





1 **RPLY**
2 Andrew L. Kynaston, Esq.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 Telephone: (702) 823-4900
8 Facsimile: (702) 823-4488
9 service@KainenLawGroup.com
10 Attorneys for Defendant

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 JASWINDER SINGH,
10

11 Plaintiff,

12 vs.

13 RAJWANT KAUR,
14

15 Defendant.

CASE NO: 04D323977
DEPT NO: P

Date of Hearing: February 13, 2019
Time of Hearing: 10:00 a.m.

ORAL ARGUMENT REQUESTED:

YES: XX NO:

16
17 **DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S**
18 **MOTION TO SET ASIDE DECREE OF DIVORCE**
19 **AND**
20 **DEFENDANT'S OPPOSITION TO PLAINTIFF'S COUNTERMOTION**


21 COMES NOW, Defendant, RAJWANT KAUR, by and through her attorney,
22 ANDREW L. KYNASTON, ESQ., of the law firm of KAINEN LAW GROUP, PLLC,
23 and submits her Reply to Plaintiff's Opposition to *Defendant's Motion to Set Aside*
24 *Decree of Divorce*, and her Opposition to Plaintiff's Countermotion.
25
26
27
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KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

1 This Reply and Opposition to Countermotion are made and based upon the
2 papers and pleadings on file herein, the Points and Authorities submitted herewith, the
3 Exhibits provided herewith, and Defendant's Declaration attached hereto, and oral
4 argument of counsel at the time of the hearing of this matter.

5 DATED this 8th day of February, 2019.

6 KAINEN LAW GROUP, PLLC

7
8 By: 
9 ANDREW L. KYNASTON, ESQ.
10 Nevada Bar No. 8147
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
Attorneys for Defendant

11 I.

12 POINTS AND AUTHORITIES

13 NRCP Rule 60(b) states:

14 **Mistake; Inadvertance; Excusable Neglect; Newly Discovered Evidence;**
15 **Fraud, Etc.** On motion and upon such terms as are just, the court may
16 relieve a party or a party's legal representative from a final judgment, order,
17 or proceeding for the following reasons: (1) mistake, inadvertence, surprise,
18 or excusable neglect; (2) newly discovered evidence which by due diligence
19 could not have been discovered in time to move for a new trial under Rule
20 59(b); (3) *fraud (whether heretofore denominated intrinsic or extrinsic),*
21 *misrepresentation or other misconduct of an adverse party;* (4) *the judgment*
22 *is void;* or (5) the judgment has been satisfied, released, or discharged, or a
23 prior judgment, upon which it is based has been reversed or otherwise
24 vacated, or it is no longer equitable that an injunction should have
25 prospective application. The motion shall be made within a reasonable time,
26 and for reasons (1), (2), and (3) not more than 6 months after the proceeding
27 was taken or the date that written notice of entry of the judgment or order
28 was served. A motion under this subdivision (b) does not affect the finality
of a judgment or suspend its operation. *This rule does not limit the power*
of a court to entertain an independent action to relieve a party from a
judgment, order, or proceeding, or to set aside a judgment for fraud upon
the court. Writs of coram nobis, coram vobis, audita querela, and bills of
review and bills in the nature of a bill of review, are abolished, and
procedure for obtaining any relief from a judgment shall be by motion as
prescribed in these rules or by independent action. (Emphasis added)

26 NRS 125.020 provides:

- 27 1. Divorce from the bonds of matrimony may be obtained for the causes
28 provided in NRS 125.010, by verified complaint to the district court of any
county:
(a) In which the cause thereof accrued;

- (b) In which the defendant resides or may be found;
(c) In which the plaintiff resides;
(d) In which the parties last cohabited; or
(e) If plaintiff resided 6 weeks in the State before suit was brought.
2. Unless the cause of action accrued within the county while the plaintiff and defendant were actually domiciled therein, *no court has jurisdiction to grant a divorce unless either the plaintiff or defendant has been resident of the State for a period of not less than 6 weeks preceding the commencement of the action.* (Emphasis added)

NRS 125.184(2) states:

A final judgment entered pursuant to this section does not prejudice or bar the rights of either of the parties to institute an action *to set aside the final judgment for fraud, duress, accident, mistake or other grounds recognized at law or in equity.* (Emphasis added)

II.

ARGUMENT

Defendant, RAJWANT KAUR (hereinafter "Wife"), and Plaintiff, JASWINDER SINGH (hereinafter "Husband"), were married more than 29 years ago on November 11, 1989, in Punjab, India. They later moved to California, where they have resided as husband and wife since that time. The parties never resided in Nevada.

Husband's Opposition is a blatant attempt to maintain the charade that he started more than 14 years ago. Rather than acknowledge the clear fraud propounded upon the Court and his own abusive and egregious behaviors which prevented this lie from coming to light until now, Husband is still trying to assert that he was a bona fide resident of the state of Nevada and met the requisite residency requirements at the time he initiated the Nevada divorce action back in August 2004.

The truth of the matter is that Husband knows he has never been a resident of Nevada, that his actions in obtaining a divorce decree in 2004 were fraudulent, and that he exercised such complete and total control over Wife that she had no choice but to comport with his demands that she sign the false paper work resulting in a Nevada Decree of Divorce.

Husband argues that Wife has offered "nothing but her word" in support of her claim that Husband never resided in Nevada. How is Wife supposed to provide

1 evidence of something that never happened? If Husband was a resident of Nevada when
2 the divorce action was filed, he would certainly have some indicia residency to support
3 his claim, such as a signed lease agreement, a Nevada driver's license, proof that he
4 registered to vote, proof he received mail at a Nevada address, or any number of other
5 concrete proofs to establish his claims. See, Aldabe v. Aldabe, 84 Nev. 392, 441 P.2d 691
6 (1968). Rather he asserts that his self-serving false statements and highly suspect
7 Resident Witness Affidavit are all the proof he needs, and it is Wife's burden to prove
8 otherwise. Wife's sworn declaration to the contrary should at least carry an equal amount
9 of weight. If the Court requires further evidence, then evidentiary proceedings should be
10 set so the Court can assess the credibility of the parties and any other relevant evidence.
11 Conversely, if Husband has conclusive evidence to the contrary to demonstrate that he
12 was a bona fide resident of Nevada when he filed the divorce action, then he should
13 provide it forthwith.

14 All Wife knows is that she was dragged to Las Vegas for less than one day
15 during the last summer of 2004 and forced to sign the paperwork that Husband put in
16 front of her. Thereafter, they immediately returned to their marital home in California
17 and continue to reside together and hold themselves out as Husband and Wife to the
18 world for the next 14 years. Throughout the period that Husband claims he satisfied
19 Nevada residency requirements (i.e., the six weeks prior to filing the Nevada action), the
20 parties continued to jointly reside in their marital home, pay the joint bills, and Husband
21 continue to work at his job in California without disruption. Because of the passage of
22 significant time, Wife is not sure if she can still obtain copies of the evidence of this fact
23 such as copies of utility bills, mortgage statements, pay stubs from Husband's job, or
24 other documentary evidence. Both parties have continuously resided in California during
25 the period of time in question and that absolutely nothing changed in their marital
26 relationship after that day trip to Nevada.

27 Husband too has continued to hold himself out as married to Wife
28 throughout the last 14 years. He Answered the Complaint for Divorce filed by Wife in

1 California and only later sought to amend his answer and assert that they were already
2 divorced. Another example showing his mindset is found in the attached **Exhibit A**,
3 which is a copy of a Grant Deed recorded in California on September 24, 2009 (more
4 than 5 years after the alleged divorce), granting an interest in real property located in Los
5 Angeles County, to “Jaswinder Singh, a married man as his sole and separate property.”
6 If Husband had been divorced, or believed himself to be divorced, at that time, why
7 would he take title to this real property as “a married man?” This deed is a legal
8 document, duly recorded in California. If Husband did not believe himself to be married
9 to Wife in September 2009, then he executed and recorded a fraudulent deed. Either he
10 was committing fraud in 2004 with his sham divorce action, or he was committing fraud
11 in 2009 with a false deed.

12 Husband argues that Wife’s Motion is time barred by the six month time
13 restriction imposed by NRCP Rule 60(b). While NRCP Rule 60(b) does include
14 language regarding a six month time frame, for bringing motions to set aside, this is not
15 the black and white rule that Husband wants this Court to believe it is. The rule provides
16 that such motions shall be made “within a reasonable time,” and for reasons (1) (i.e.,
17 *mistake, inadvertence, surprise or excusable neglect*), (2) (i.e., *newly discovered evidence*
18 *which by due diligence could not have been discovered in time to move for a new trial*
19 *under Rule 59(b)*), and (3) (i.e., *fraud (wether heretofore denominated intrinsic or*
20 *extrinsic), mis- representation or other misconduct of an adverse party*), before defining
21 reasonable time as “not more than 6 months after the proceeding was taken or the date
22 that written notice of entry of the judgment or order was served.” However, omitted
23 from Husband’s arguments in this regard, and critical to the analysis is this important
24 caveat to the Rule 60(b), which provides “[t]**his rule does not limit the power of a court**
25 **to entertain an independent action to relieve a party from a judgment, order, or**
26 **proceeding, or to set aside a judgment for fraud upon the court.**” This is exactly
27 what occurred in this case. The fraud upon this Court was Husband’s false and
28 unsupportable claims regarding Nevada residency, which if known by the Court would

1 have made clear that this Court did not have jurisdiction to enter the Nevada Divorce
2 Decree. The rule is clear that there is not limitation on the Court's power in this case, so
3 the 6 month provision is inapplicable.

4 Furthermore, it would be a great miscarriage of justice for the Court not to
5 set aside the Nevada Decree, which is clearly voidable at the discretion of this court.
6 Vaile v. Eighth Judicial District Court, 118 Nev. 262, 44 P.3d 506 (2002), stands for
7 principal that while a Decree of Divorce may not be *void* when it is later established that
8 the Husband was not a bona fide resident of Nevada, it is still *voidable* at the discretion
9 of the Court.¹ Vaile makes it clear that it is a facts driven analysis. Based upon the facts
10 of this case, the Court should exercise its discretion and set aside the Decree. To do
11 otherwise would result in Wife being deprived of her share of a substantial share of the
12 community assets acquired over the last 14 years of the parties' marriage.

13 Husband next argues that Wife's claims are barred by the doctrine of *in pari*
14 *delicto*, by arguing that Wife was a participant in the fraud committed on this Court.
15 Again, such arguments are baseless under the facts of this case. Wife had no ability to
16 resist Husband's demands that she sign the paperwork that he placed before her. She
17 wasn't even allowed to read the documents, and was told that she must sign them.
18 Culturally, the parties are Indian and part of an arranged marriage. In that culture (and
19 in this relationship in particular) Wife essentially became Husband's chattel, with no
20 independent rights. She was required to comply with whatever demands were made upon
21 her by Husband. Wife acted under sever duress and coercion, and any suggestion that she

22
23
24 ¹ The Nevada Supreme Court stated:

25 We realize that the posture of this case is unusual and unique since we are refusing to
26 void a decree which was entered, as it turns out, by a court which had no jurisdiction
27 over the parties. However, we reiterate, the decree was entered when the court believed
28 it has jurisdiction. Any person who might review the district court filing would have not
reason but to trust the validity of the court's decree. Under these circumstances, the law
and policies which support it permit no result other than that the decree is voidable, not
void. As mentioned and for the reasons stated, we decline to declare the decree void.
Vaile v. Eighth Judicial District Court, 118 Nev. 262, 274, 44 P.3d 506 (2002).

1 participated voluntarily or was complicit in Husband's fraud is false.

2 Finally, Husband's arguments regarding judicial estoppel are also
3 unfounded. Ironically, his arguments in this regarding the applicability of this doctrine,
4 actually further strengthen Wife's arguments. Husband describes this principle in his
5 own pleading (citing to the Vaile case) as on which "prevent[s] parties from deliberately
6 shifting positions to suit the requirements of another case concerning the same subject
7 matter." (See page 9, lines 19-20 and page 10, line 1-2 of Husband's Opposition). This
8 is precisely what Husband is doing. In the California divorce litigation, Husband initially
9 Answered the Complaint for Divorce filed by Wife. It was an afterthought on his part,
10 when he then sought to later amend his California pleadings to allege that the parties were
11 already divorced in Nevada more than a decade earlier. Even he did not believe that the
12 parties were divorced, and it was only after he realized that he could gain a huge strategic
13 advantage in the litigation by alleging that the Nevada Divorce was valid, that he
14 deliberately shifted his position and began to argue otherwise. In the California litigation,
15 Husband has taken two totally inconsistent positions, suggesting his contrary position
16 should be barred by judicial estoppel principles.

17 It is important to note that in the Vaile case, one critical factor for the Court
18 in upholding the Decree and not exercising discretion to void it -- notwithstanding the
19 evidence that the residency requirements were not met -- was because the district Court
20 had determined that the defendant was not operating under duress and was not coerced,
21 but voluntarily signed the answer. Vaile, 118 Nev. at 274. It was based upon this finding
22 that they court held that judicial estoppel was applicable and determined not to exercise
23 its discretion to void the Decree.² In this case, there was clearly duress and coercion by
24 Husband to force Wife to sign the false statements. This is certainly the type of case
25 where the Court should exercise it's discretion in the interest of justice to declare the
26

27 ² The Court in Vaile further noted that the defendant in that case had clearly relied on the divorce
28 decree because she decided to remarry. Id. Conversely in the case at bar, Wife and Husband both
continued to hold themselves out as married for the next 14 years.

1 Decree void and set it aside. Husband should not be permitted to benefit from his fraud
2 to the detriment of Wife.

3
4 **III.**

5 **CONCLUSION**

6 Based on the forgoing, Wife again requests the following relief:

- 7 1. For the Court to set aside the Decree of Divorce filed September 8, 2004,
8 pursuant to NRCP Rule 60(b) and NRS 125.184(2);
9 2. For such other and further relief as the Court deems just and proper in the
10 premises.

11 DATED this 8th day of February, 2019.

12 KAINEN LAW GROUP, PLLC

13 By: 

14 ANDREW L. KYNASTON, ESQ.

15 Nevada Bar No. 8147
16 3303 Novat Street, Suite 200
17 Las Vegas, Nevada 89129
18 Attorneys for Wife
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of February, 2019, I caused to be served *Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Set Aside Decree of Divorce and Defendant's Opposition to Plaintiff's Countermotion* to all interested parties as follows:

____ BY MAIL: Pursuant to N.R.C.P. 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

____ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

____ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and N.E.F.C.R. Rule 9, I caused a true copy thereof to be served via electronic mail to the following e-mail address(es):

Counsel for Defendant:

Peter@peterjameslaw.com

Courtney@peterjameslaw.com

Colleen@peterjameslaw.com


An Employee of the
KAINEN LAW GROUP, PLLC

EXHIBIT “A”

FIDELITY-VAN NUYS

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:
Jaswinder Singh
15138 Hiawatha
Mission Hills, CA 91345



A.P.N.: 2649-025-004

Order No.: 19602673

Space Above This Line for Recorder's Use Only
Escrow No.: 30482

GRANT DEED

TRANSFER TAX
NOT A PUBLIC RECORD

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY not a public record & CITY not a public record
☐ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale,
unincorporated area; ☒ City of Mission Hills, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,
First Federal Bank of California

hereby GRANT(S) to Jaswinder Singh, a married man as his sole and separate property

the following described property in the City of Mission Hills, County of Los Angeles State of California;
See Exhibit 'A' attached hereto and made a part hereof.

The sale was made and the premises were accepted without representation or warranty of any kind or nature and in an "AS IS" condition based solely on Buyer's inspection.

First Federal Bank of California, a Federally Chartered Savings Bank

By: [Signature]
Darin Nishimura, Senior Vice President

RECORDER'S MEMO:
LEGIBLE COPY ATTACHED HERETO

Document Date: August 28, 2009

STATE OF CALIFORNIA
COUNTY OF Los Angeles
On August 28, 2009 before me, Gary W. Johnson, Notary Public,
personally appeared Darin Nishimura
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature [Signature]

This area for official notarial seal.



Mail Tax Statements to: SAME AS ABOVE or Address Noted Below

Steven D. Grierson

1 **SUPP**
2 Andrew L. Kynaston, Esq.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 (702) 823-4900
8 (702) 823-4488 (fax)
9 Service@KainenLawGroup.com
10 Attorneys for Defendant

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. 04D323977
DEPT NO. P

16 vs.

Date of Hearing: 2/13/2019
Time of Hearing: 10:00 a.m.

17 RAJWANT KAUR,
18
19 Defendant.

20 **DEFENDANT'S SUPPLEMENTAL FILING**

21 TO: JASWINDER SINGH, Plaintiff:

22 TO: F. PETER JAMES, ESQ., Attorney for Plaintiff:

23 COMES NOW, Defendant, Rajwant Kaur, through her attorney, ANDREW
24 L. KYNASTON, ESQ., of the law firm of KAINEN LAW GROUP, PLLC., and hereby
25 supplements with the following documents:

- 26 1. *Declaration in Support of Defendant's Reply to Plaintiff's Opposition to*
27 *Defendant's Motion to Set Aside Decree of Divorce and Defendant's*
28 *Opposition to Plaintiff's Countermotion (Exhibit A);*
2. Sales Deed showing listing property to Jaswinder Singh as a married man
(Exhibit B);
3. Experian and TransUnion Credit Report in the name of Rajwant Kaur,
showing Jaswinder as spouse or co-applicant (Exhibit C);

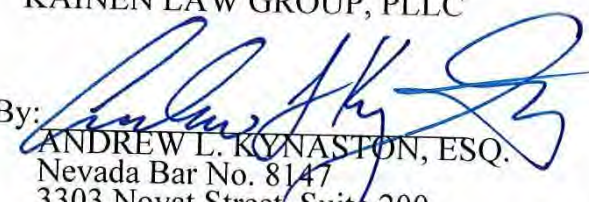
KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

4. Aftercare instruction from Gastroenterology Department for Jaswinder Signh, signed by "Accompanying Adult" Rajwant Kaur, Wife. (Exhibit D);
5. Copies of HealthCare Partners Medical Group Referrals for Jaswinder Singh, showing Jaswinder's home address in California.(Exhibit E);
6. Costco Wholesale receipt for Store number 48, located in Van Nuys, California, as well as Member/Item Activity Print out showing purchases all at Store number 48 (Exhibit F);
7. Copy of Costco Credit Card Statement for Rajwant Kaur, showing that Jaswinder Signh has a card in his name under this account (Exhibit G);
8. Copies of both Jaswinder Signh and Rajwant Kaur's 2005 W-2, both showing the same address (Exhibit H); and
9. Financial Agreement and Estimated Patient Financial Responsibility Form, signed by Jaswinder Signh, and Rajwant Kaur, as wife (Exhibit I).

DATED this 12th day of February, 2019.

KAINEN LAW GROUP, PLLC

By:


ANDREW L. KYNASTON, ESQ.
Nevada Bar No. 8147
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of February, 2019, I caused to be served the ***Defendant's Supplemental Filing*** to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Attorney for Plaintiff:

Peter@peterjameslaw.com

Colleen@peterjameslaw.com

Courtney@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC

EXHIBIT “A”

DECLARATION OF RAJWANT KAUR IN SUPPORT OF REPLY

I, RAJWANT KAUR, declare under penalty of perjury that I am the Defendant herein and that I have read the foregoing *Reply and Opposition* and the same are true and correct of my own knowledge, except for those matters which are therein stated upon information and belief, and as to those matters, I believe them to be true.

EXECUTED this 08 day of Febuary, 2019.

Rajwant Kaur

RAJWANT KAUR

EXHIBIT “B”

FIDELITY-VAN NUYS

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:
Jaswinder Singh
15138 Hiawatha
Mission Hills, CA 91345



A.P.N.: 2649-025-004

Order No.: 19602673

Space Above This Line for Recorder's Use Only
Escrow No.: 30482

GRANT DEED

TRANSFER TAX
NOT A PUBLIC RECORD

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY not a public record & CITY not a public record
☐ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale,
unincorporated area; ☒ City of Mission Hills, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,
First Federal Bank of California

hereby GRANT(S) to Jaswinder Singh, a married man as his sole and separate property

the following described property in the City of Mission Hills, County of Los Angeles State of California;
See Exhibit 'A' attached hereto and made a part hereof.

The sale was made and the premises were accepted without representation or warranty of any kind or nature and in an "AS IS" condition based solely on Buyer's inspection.

First Federal Bank of California, a Federally Chartered Savings Bank

By: [Signature]
Darin Nishimura, Senior Vice President

RECORDER'S MEMO:
LEGIBLE COPY ATTACHED HERETO

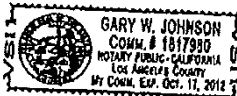
Document Date: August 28, 2009

STATE OF CALIFORNIA
COUNTY OF Los Angeles

On August 28, 2009 before me, Gary W. Johnson, Notary Public,
personally appeared Darin Nishimura
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that he/she/they are the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature: [Signature]

This area for official notarial seal.



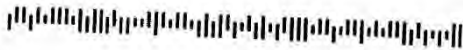
Mail Tax Statements to: SAME AS ABOVE or Address Noted Below

EXHIBIT “C”

PO Box 9701
Allen, TX 75013



0003966 03 AR 0.409 **AUTO T2 0 7024 91345-251538 C02-P03969.1
RAJWANT KAUR
15138 HIAWATHA ST
MISSION HILLS CA 91345-2515



Your Credit Report

Report # 2496-6730-78 for 01/28/19

RAJWANT KAUR

Disputing information in this report

Before contacting us, please review this report carefully. If you disagree with an item, you may dispute it. We will process your dispute generally by sending your dispute to the furnisher of the information or to the vendor who collected the information from a public record.

The fastest and easiest way to dispute most information is to visit us at:

www.experian.com/disputes

You can also submit your disputes in writing by mailing them to:

Experian, NCAC, PO BOX 9701, Allen TX 75013

Call us with your disputes or questions:

800 509 8495, M - F 8am to 10pm and Saturday 10am to 7pm, CT

You may also submit additional relevant information or supporting documentation for your disputes electronically at experian.com/upload. Be advised that written information or documents you provide with respect to your disputes may be shared with any and all creditors with which you are disputing.

Medical Information

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (i.e. "Cancer Center") that reports your payment history to us. If so, those names display on your report, but on reports to others, they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

Payment History Legend

OK Current/Terms of agreement met	CRD Creditor received deed	G Claim filed with government
30 Account 30 days past due	FS Foreclosure proceedings started	D Defaulted on contract
60 Account 60 days past due	F Foreclosed	C Collection
90 Account 90 days past due	VS Voluntarily surrendered	CO Charge off
120 Account 120 days past due	R Repossession	CLS Closed
150 Account 150 days past due	PBC Paid by creditor	ND No data for this time period
180 Account 180 days past due	EC Insurance claim	

*If your creditor reported your account balances to us, we list them in this section as additional information about your account. Your account history may also include your credit limit and high balance or the original loan amount for an installment loan. This section also includes the scheduled payment amounts, amounts actually paid and the dates those payments were made. ND: No Data

You have your Credit Report.

Now, keep an eye
on it for free.

Get these free benefits, with no
credit card required:

- Your Experian Credit Report
(refreshed every 30 days upon sign in)
- Experian credit monitoring & alerts
- Educational resources

Enroll today at experian.com/view

Record of requests for your credit history

We make your credit history available to your current and prospective creditors and employers as allowed by law. Experian may list these inquiries for up to two years.

Inquiries shared with others

The section below lists companies that have requested your credit information as a result of an action you took, such as applying for credit or financing or as a result of a collection. The inquiries in this section are shared with companies that receive your credit history.

Examples of inquiries shared with others include:

- a real estate loan
- a home mortgage loan
- an auto loan
- an application for credit

KOHL'S/CAPONE PO BOX 3115 MILWAUKEE WI 53201 (800) 584 5740

Date Jun 27, 2018 **Reason** Unspecified. This inquiry is scheduled to continue on record until Jul 2020.

BK OF AMER PO BOX 982238 EL PASO TX 79998 (800) 421 2110

Address Identification number: 0176566861

Date Mar 10, 2018 **Reason** Unspecified. This inquiry is scheduled to continue on record until Apr 2020.

BK OF AMER No phone number available

Address Identification number: 0176566861

Date Apr 27, 2017 **Reason** Unspecified. This inquiry is scheduled to continue on record until May 2019.

Inquiries shared only with you

You may not have initiated the following inquiries, so you may not recognize each source. We report these requests to you only as a record of activities, and we do not include any of these requests on credit reports to others.

We offer credit information about you to those with a permissible purpose, such as:

- other creditors who want to offer you preapproved credit;
- an employer who wishes to extend an offer of employment;
- a potential investor in assessing the risk of a current obligation;
- Experian Consumer Assistance to process a report for you;
- your current creditors to monitor your accounts (date listed may reflect only the most recent request);
- an end user to complete your mortgage loan application;
- insurance underwriting (auto or home).

These inquiries DO NOT affect your credit score and are not seen by anyone but you (except insurance companies may be able to see other insurance company inquiries).

CIC EXPERIAN CONSUMER SE 535 ANTON BLVD STE 100 COSTA MESA CA 92626 No phone number available
Date of Inquiry: Jan 28, 2019

CIC EXPERIAN CREDITWORKS 535 ANTON BLVD STE 100 COSTA MESA CA 92626 (866) 431 3471
Date of Inquiry: Jan 28, 2019

ECS 535 ANTON BLVD STE 100 COSTA MESA CA 92626 No phone number available
Date of Inquiry: Jan 28, 2019

RAJWANT KAUR | Report # 2496-6730-78 for 01/28/19

ECS/CREDIT BASICS 535 ANTON BLVD STE 100 COSTA MESA CA 92626 (866) 673 0140

Date of Inquiry: Jan 28, 2019

ECS/RIGHT OFFER MARKETPL 475 ANTON BLVD COSTA MESA CA 92626 No phone number available

Date of Inquiry: Jan 28, 2019

KOHL'S PO BOX 3115 MILWAUKEE WI 53201 (262) 703 7000

Date of Inquiry: Dec 27, 2018

DISCOVER FINANCIAL SVCS PO BOX 15157 WILMINGTON DE 19850 (800) 347 2683

Date of Inquiry: Dec 06, 2018; Jun 01, 2018; May 17, 2018; May 04, 2018

BK OF AMER 1000 SAMOSET DR NEWARK DE 19713 (800) 421 2110

Date of Inquiry: Nov 16, 2018

BK OF AMER PO BOX 982238 EL PASO TX 79998 (800) 421 2110

Date of Inquiry: Nov 14, 2018

COMPASS BANK PO BOX 11830 BIRMINGHAM AL 35202 No phone number available

Date of Inquiry: Oct 02, 2018

LAUREL ROAD BANK 1001 POST RD DARIEN CT 06820 (203) 656 3500

Date of Inquiry: Jun 19, 2018

MUFG UNION BANK N.A. 350 CALIFORNIA ST SAN FRANCISCO CA 94104 No phone number available

Date of Inquiry: Mar 14, 2018

BANK OF AMERICA PO BOX 982238 EL PASO TX 79998 (800) 421 2110

Date of Inquiry: Mar 10, 2018; Apr 27, 2017

BK OF AMER PO BOX 982238 EL PASO TX 79998 (800) 421 2110

Date of Inquiry: Mar 10, 2018

BANK OF AMERICA PO BOX 982238 EL PASO TX 79998 (800) 421 2110

Date of Inquiry: Apr 27, 2017

AMERICAN EXPRESS PO BOX 981537 EL PASO TX 79998 (602) 537 8500

Date of Inquiry: Jan 12, 2017

CITI CARDS/CITIBANK PO BOX 6241 SIOUX FALLS SD 57117 (888) 766 2484

Date of Inquiry: Jan 10, 2017

Your accounts in good standing (continued)

BANK OF AMERICA Partial account #
440066240141....

PO BOX 982238, EL PASO, TX 79998 or (800) 421 2110

Date opened Apr 2017	First reported May 2017	Recent balance \$0 /paid as of Jan 2019	Payment history
Address ID # 0176871057	Terms Not reported	Status Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment \$1	Comment This account is scheduled to continue on record until Jan 2029.	2019 CLS
Responsibility Individual	Credit limit or original amount \$10,000	Date of Status Dec 2018	2018 OK OK OK OK OK OK OK OK OK OK OK OK
	High balance \$37		2017 OK OK OK OK OK OK OK OK

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Dec18	Nov18	Oct18	Sep18	Aug18	Jul18	Jun18	May18	Apr18	Mar18	Feb18	Jan18	Dec17	Nov17	Oct17
AB (\$)	1	37	38	0	0	0	0	0	0	0	0	0	0	0	0
DPR	Dec19	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
SPA (\$)	1	12	25	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

	Sep17	Aug17	Jul17	Jun17	May17
AB (\$)	0	0	0	0	0
DPR	ND	ND	ND	ND	ND
SPA (\$)	ND	ND	ND	ND	ND
AAP (\$)	ND	ND	ND	ND	ND

Between May 2017 and Dec 2018, your credit limit/high balance was \$10,000

BANK OF AMERICA Partial account #
440066312675....

PO BOX 982238, EL PASO, TX 79998 or (800) 421 2110

Date opened Dec 2015	First reported Jan 2016	Recent balance \$71 as of Jan 2019	Payment history
Address ID # 0176871057	Terms Not reported	Status Open/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment \$25	Date of Status Jan 2019	2019 OK
Responsibility Individual	Credit limit or original amount \$8,000		2018 Full Year - In Good Standing
	High balance \$12,430		2017 Full Year - In Good Standing
			2016 Full Year - In Good Standing

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Dec18	Nov18	Oct18	Sep18	Aug18	Jul18	Jun18	May18	Apr18	Mar18	Feb18	Jan18	Dec17	Nov17	Oct17
AB (\$)	0	34	100	19	82	136	110	138	30	82	129	530	97	662	128
DPR	Nov23	Oct24	Sep22	Aug24	Jul26	Jun22	May24	Apr18	Apr02	Feb24	Jan23	Dec23	Nov25	Oct27	Sep26
SPA (\$)	25	25	25	19	25	25	25	25	25	25	25	25	25	25	25
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

	Sep17	Aug17	Jul17	Jun17	May17	Apr17	Mar17	Feb17	Jan17
AB (\$)	536	114	34	116	65	97	332	18	87
DPR	Aug25	Jul20	Jun18	May26	Apr27	Mar23	Mar04	Jan20	Nov29
SPA (\$)	25	25	25	25	25	25	25	18	25
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND

Between Jan 2017 and Dec 2018, your credit limit/high balance was \$8,000

BANK OF AMERICA Partial account #
440066743634....

PO BOX 982238, EL PASO, TX 79998 or (800) 421 2110

Date opened Mar 2018	First reported Apr 2018	Recent balance \$0 /paid as of Dec 2018	Payment history
Address ID # 0176871057	Terms Not reported	Status Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment Not reported	Comment This account is scheduled to continue on record until Dec 2028.	2018 OK OK OK OK OK OK OK OK OK OK
Responsibility Individual	Credit limit or original amount \$15,000	Date of Status Dec 2018	
	High balance Not reported		

one your lender uses, and scores may be different from lender to lender (or from car loan to mortgage loan), depending on the type of credit scoring model that was used. Because your score is based on information in your personal credit report, it is very important that you review your personal credit report carefully for accuracy.

How can I improve my credit score?

Paying your bills on time is the single most important contributor to a good credit score. In addition, it is important to minimize outstanding debt, avoid overextending yourself and avoid applying for credit needlessly. If you have potentially negative information on your credit report, such as late payments, a bankruptcy, public record items or too many requests for your credit history, your best strategy is to pay your bills on time and wait. Time is often your best ally in improving your credit score.



2648207-5000-9961000-00-207 02x

Your accounts in good standing (continued)

RAJWANT KAUR | Report # 2496-6730-78 for 01/28/19

KOHL'S/CAPONE Partial account #
639305089919....

PO BOX 3115, MILWAUKEE, WI 53201 or (800) 564 5740

Date opened Jun 2018	First reported Jul 2018	Recent balance \$0 /paid as of Jan 2019	Payment history
Address ID # 0186705029	Terms Not reported	Status Open/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment \$4	Date of Status Jan 2019	2019 OK
Responsibility Individual	Credit limit or original amount \$1,000		2018 OK OK OK OK OK OK
	High balance \$34		

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Dec18	Nov18	Oct18	Sep18	Aug18	Jul18
AB (\$)	0	4	0	0	6	27
DPR	Dec10	Sep14	Sep14	Sep14	Aug05	ND
SPA (\$)	4	4	6	6	6	27
AAP (\$)	4	ND	ND	6	27	ND

Between Jul 2018 and Dec 2018, your credit limit/high balance was \$1,000

MACYS/DSNB Partial account # 44097574....

PO BOX 8218, MASON, OH 45040 or (800) 243 6552

Date opened Nov 2013	First reported Dec 2013	Recent balance Not reported	Payment history
Address ID # 0176566861	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment Not reported	Comment: This account is scheduled to continue on record until Mar 2028.	2018 OK OK CLS
Responsibility Individual	Credit limit or original amount \$600	Date of Status Mar 2018	2017 CLS ND ND OK OK OK OK OK OK OK OK
	High balance \$36		2016 Full Year - In Good Standing
			2015 OK OK OK OK OK OK OK OK ND ND ND
			2014 Full Year - In Good Standing
			2013 OK

SEARS/CBNA Partial account # 504994145155....

PO BOX 6217, SIOUX FALLS, SD 57117 or No phone number available

Date opened Oct 2012	First reported Oct 2012	Recent balance Not reported	Payment history
Address ID # 0176566861	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment Not reported	Comment: This account is scheduled to continue on record until Nov 2026.	2016 OK OK OK OK OK OK OK OK OK CLS
Responsibility Individual	Credit limit or original amount \$2,500	Date of Status Nov 2016	2015 Full Year - In Good Standing
	High balance \$17		2014 Full Year - In Good Standing
			2013 Full Year - In Good Standing
			2012 OK OK OK

SYNCB/JCPENNEY Partial account #
600889349454....

PO BOX 965007, ORLANDO, FL 32896 or (800) 542 0800

Date opened Dec 2005	First reported Dec 2005	Recent balance Not reported	Payment history
Address ID # 0176566861	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment Not reported	Comment: This account is scheduled to continue on record until Dec 2025.	2016 OK OK OK OK OK OK OK OK OK CLS
Responsibility Individual	Credit limit or original amount \$500	Date of Status Dec 2015	2014 Full Year - In Good Standing
	High balance \$115		2013 Full Year - In Good Standing
			2012 Full Year - In Good Standing
			2011 Full Year - In Good Standing
			2010 Full Year - In Good Standing
			2009 Full Year - In Good Standing

Your accounts in good standing (continued)

SYNCB/JCPENNEY Partial account #
600889533351....

PO BOX 965007, ORLANDO, FL 32896 or (800) 542 0800

Date opened May 2009	First reported May 2009	Recent balance \$0 /paid as of Jan 2019	Payment history
Address ID # 0176566861	Terms Not reported	Status Open/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment \$25	Date of Status Jan 2019	2019 OK
Responsibility Individual	Credit limit or original amount \$1,000		2018 Full Year - In Good Standing
	High balance \$91		2017 Full Year - In Good Standing
			2016 Full Year - In Good Standing
			2015 Full Year - In Good Standing
			2014 Full Year - In Good Standing
			2013 Full Year - In Good Standing
			2012 OK OK OK OK OK OK OK OK OK OK OK



Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Dec18	Nov18	Oct18	Sep18	Aug18	Jul18	Jun18	May18	Apr18	Mar18	Feb18	Jan18	Dec17	Nov17	Oct17
AB (\$)	0	0	0	0	0	0	0	0	0	0	0	0	58	0	0
DPR	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	Dec22	May27	May27	May27
SPA (\$)	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	14	ND	ND	ND

	Sep17	Aug17	Jul17	Jun17	May17	Apr17	Mar17	Feb17	Jan17
AB (\$)	0	0	0	0	0	0	0	0	0
DPR	May27	May27	May27	May27	May27	May27	May27	May27	May27
SPA (\$)	25	25	25	25	25	25	25	25	25
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND

Between Jan 2017 and Dec 2018, your credit limit/high balance was \$1,000

SYNCB/MERVYNS Partial account #
604589114700....

PO BOX 965005, ORLANDO, FL 32896 or (800) 480 5014

Date opened Oct 2003	First reported Oct 2003	Recent balance Not reported	Payment history
Address ID # 0176567431	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment Not reported	Date of Status Aug 2009	2009 OK OK OK OK OK OK OK CLS
Responsibility Individual	Credit limit or original amount Not reported	Comment: This account is scheduled to continue on record until Aug 2019.	2008 Full Year - In Good Standing
	High balance \$86		2007 Full Year - In Good Standing
			2006 Full Year - In Good Standing
			2005 Full Year - In Good Standing
			2004 Full Year - In Good Standing
			2003 OK OK OK

TARGET NATIONAL BANK Partial account #
435237501954....

PO BOX 673, MINNEAPOLIS, MN 55440 or (888) 755 5856

Date opened Dec 2002	First reported Nov 2003	Recent balance Not reported	Payment history
Address ID # 0176568922	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment Not reported	Date of Status Jul 2009	2009 CLS CLS CLS CLS CLS CLS CLS
Responsibility Individual	Credit limit or original amount \$7,000	Comment: Account closed at credit grantor's request.	2008 CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS
	High balance Not reported		2007 CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS
			2006 CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS CLS
			2005 OK OK OK OK OK OK OK OK OK OK OK CLS CLS
			2004 Full Year - In Good Standing
			2003 OK OK

alert expires.

California notice of your rights to request and obtain your credit score You have the right to request and obtain your credit score if provided by Experian.

A credit score is a numerical value or a categorization derived from a statistical tool or modeling system used by a person who makes or arranges a loan to predict the likelihood of certain credit behaviors, including default. The numerical value or the categorization derived from this analysis may also be referred to as a "risk predictor" or "risk score." "Credit score" does not include any mortgage score or rating of an automated underwriting system that considers one or more factors in addition to credit information, including, but not limited to, the loan to value ratio, the amount of down payment, or a consumer's financial assets. "Credit score" does not include other elements of the underwriting process or underwriting decision.

Your credit score report must contain:

- Your current credit score or your most recent credit score that was previously calculated by Experian for a purpose related to the extension of credit
- The range of possible credit scores under the model used
- All the key factors (up to four) that adversely affected your credit score, listed in the order of their importance based on their effect on the credit score
- The date the credit score was created
- The name of the person or entity that provided the credit score or credit file upon which the credit score was created

Your credit score will be calculated based on information in your personal credit report from Experian. If you do not have a copy of your personal credit report, visit www.experian.com or call 1 888 EXPERIAN (1 888 397 3742) to order a copy.

How to obtain your credit score

The fee for your credit score is \$7.95 per individual score. To purchase your score, visit www.experian.com or call us toll-free at 1 888 EXPERIAN.

What is a credit score?

A credit score is a number that reflects your credit risk level, typically with a higher number indicating lower risk. Using elements from your personal credit report, a score is generated through a statistical model that uses your past credit behavior and current credit relationships to predict likely future behavior. Your credit score is a fluid number, and it changes as the elements in your personal credit report change. For example, payment updates or a new account could cause your score to fluctuate. There are many different scores used in the financial service industry. The score that Experian provides may be different from the

You have the right to obtain a copy of your credit report. The fee is \$8. There is no fee if you have been turned down for credit, employment, insurance, or rental housing because of information in your credit report within the last 60 days. The credit reporting agency (CRA) must assist you if you need help interpreting your report. You have a right to dispute inaccurate information; however, neither you nor any credit repair company or credit service organization has the right to have accurate, current, and verifiable information removed from your credit report. Under the federal Fair Credit Reporting Act, the CRA must remove accurate, negative information from your report only if it is more than seven years old (bankruptcies and unpaid tax liens may remain on your file for up to 10 years). If you notify the CRA that you dispute the accuracy of information in your report, they must then investigate within 30 business days and modify or remove inaccurate information at no charge. Provide all pertinent information to the CRA, and copies of documents that prove your claim. If an investigation does not resolve the dispute to your satisfaction, you may request that a brief statement be added to your file explaining why you think the information is inaccurate. You also may contact the credit grantor directly to dispute the information. You have a right to receive a record of all inquiries relating to a credit transaction initiated during the 12 months preceding your request.

You have a right to bring civil action against anyone, including a CRA, who improperly obtains access to your file, knowingly or willfully misuses file data, or fails to correct inaccurate data.

You may request that the information in your file not be provided to a third party for marketing purposes by contacting Experian at 1 888 5OPTOUT (1 888 567 8888).

You have a right to place a fraud security alert on your credit report that alerts anyone who reviews your credit information that your identity may have been used without your consent.

Recipients of your credit report are required to take reasonable steps, including contacting you at your telephone number if you provided one with your fraud alert, to verify your identity prior to lending money, extending credit, or completing the purchase, lease, or rental of goods or services. The alert may prevent credit, loans, and services from being approved in your name without your consent. However, the alert may delay or interfere with the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transactions, or other services, including extension of credit or services at point of sale. You may request or renew a security alert at the conclusion of the one-year alert period at www.experian.com or by calling 1 888 EXPERIAN (1 888 39 3742) toll-free.

You have a right to obtain a free copy of your credit report at the conclusion of the one-year alert period by renewing your alert OR by writing to Experian within 30 days after the

0238648207

Your accounts in good standing (continued)

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Nov18	Oct18	Sep18	Aug18	Jul18	Jun18	May18	Apr18
AB (\$)	0	0	0	0	0	0	0	0
DPR	ND	ND	ND	ND	ND	ND	ND	ND
SPA (\$)	ND	ND	ND	ND	ND	ND	ND	ND
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND

Between Apr 2018 and Nov 2018, your credit limit/high balance was \$15,000

CHASE Partial account # 512488010150....

PO BOX 15298, WILMINGTON, DE 19850 or (800) 945 2000

Date opened May 2011	First reported May 2011	Recent balance Not reported	Payment history
Address ID # 0176568861	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Charge Card	Monthly payment Not reported	Date of Status This account is scheduled to continue on record until Aug 2023.	2013 OK OK OK OK OK OK OK CLS
Responsibility Individual	Credit limit or original amount \$20,000	Date of Status Aug 2013	2012 Full Year - In Good Standing
	High balance \$1,072		2011 OK OK OK OK OK OK OK OK

CITI Partial account # 410039045357....

PO BOX 6190, SIOUX FALLS, SD 57117 or (655) 378 6467

Date opened Nov 2001	First reported Sep 2016	Recent balance \$0 /paid as of Jun 2018	Payment history
Address ID # 0176568861	Terms Not reported	Status Open/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit Card	Monthly payment \$25	Date of Status Jun 2018	2018 OK OK OK OK OK OK
Responsibility Individual	Credit limit or original amount \$17,500		2017 Full Year - In Good Standing
	High balance \$2,024		2016 OK OK OK OK

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	May18	Apr18	Mar18	Feb18	Jan18	Dec17	Nov17	Oct17	Sep17	Aug17	Jul17	Jun17	May17	Apr17	Mar17
AB (\$)	0	0	59	87	60	60	60	60	60	60	60	60	60	64	59
DPR	Mar28	Mar28	Mar02	Feb02	Dec30	Nov26	Nov02	Oct02	Sep02	Aug02	Jun30	Jun02	May01	Mar21	Mar06
SPA (\$)	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Between Jan 2017 and May 2018, your credit limit/high balance was \$17,500

DISCOVER FINANCIAL SERVICES Partial account # 601129869089....

PO BOX 15316, WILMINGTON, DE 19850 or (800) 347 2683

Date opened Mar 2004	First reported Mar 2004	Recent balance Not reported	Payment history
Address ID # 0176568861	Terms Not reported	Status Paid, Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment Not reported	Date of Status This account is scheduled to continue on record until Aug 2022.	2012 OK OK OK OK OK OK OK CLS
Responsibility Individual	Credit limit or original amount \$5,000	Comment Account closed at consumer's request	2011 Full Year - In Good Standing
	High balance Not reported	Date of Status Aug 2012	2010 Full Year - In Good Standing
			2009 Full Year - In Good Standing
			2008 Full Year - In Good Standing
			2007 Full Year - In Good Standing
			2006 Full Year - In Good Standing
			2005 OK OK OK OK

Personal information

The following information is reported to us by you, your creditors and/or other sources. Each source may report your personal information differently, which may result in variations of your name, address, Social Security number, etc. As part of our fraud protection efforts, a notice with additional information may appear.

Names

RAJWANT KAUR
Name identification number: 14660
RAJWANT K KAUR
Name identification number: 1
R KAUR
Name identification number: 19885
RAJMANT KAUR
Name identification number: 3577
RAJMANT K KAUR
Name identification number: 22549

Addresses

These addresses are listed in no particular order and may include previous addresses where you received mail. The Address identification number is how our system identifies the address and the source of that address, such as a creditor, court or potential creditor. The geographical code shown with each address identifies the state, county, census tract, block group and Metropolitan Statistical Area associated with each address. These listings do not affect your credit score.

Address

15138 HIAWATHA ST
MISSION HILLS CA 91345-2515
Type: Single family Geo Code: 0-10960220-37-4480
Address identification number: 0176566861

10140 SEPULVEDA BLVD APT15
MISSION HILLS CA 91345-2634
Type: Apartment complex Geo Code: 0-10960230-37-4480
Address identification number: 0176567431

9969 SEPULVEDA BLVD APT204
MISSION HILLS CA 91345-2987
Type: Apartment complex Geo Code: 0-10980010-37-4480
Address identification number: 0176568922

9969 SEPULVEDA BLVD
MISSION HILLS CA 91345-2974
Type: Multifamily Geo Code: 0-10980010-37-4480
Address identification number: 0176568860

PO BOX 950313
MISSION HILLS CA 91395-0313
Type: Post office box Geo Code: 0-10960230-37-4480
Address identification number: 0176871057

2623 KADOTA ST
SIMI VALLEY CA 93063-2446
Type: Single family Geo Code: 0-840130-111-4480
Address identification number: 0186705029

Social Security number variations

As a security precaution, we did not list the Social Security number that you provided when you contacted us. The numbers below are variations that have been reported to us. Only the last four digits of each reported variation are displayed. Numbers that appear here vary from the number you used to generate this report. Actual differences in the numbers may be part of the displayed portion or part of the hidden portion.

XXX-XX-9229
XXX-XX-4229

RAJWANT KAUR | Report # 2496-6730-78 for 01/28/19

Personal information continued

XXX-XX-6229

Year of birth

1957

Telephone numbers

818 200 9214 Cellular
818 361 2811 Residential
818 895 7302 Residential

Spouse or co-applicant

JASWINDER

Former or current employers

SHERMAN OAKS HOSPITAL
BEVERLY HEALTH CARE

--- End of Report ---

CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

You have a right to place a 'security freeze' on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an Initial or extended fraud alert on your credit file at no cost. An Initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

Notification of Rights for California Consumers

page 8 of 10

DEF0033

0238648207

Your accounts in good standing These items may stay on your credit report for as long as they are open. Once an account is closed or paid off it may continue to appear on your report for up to ten years.

Credit items

AMERICAN EXPRESS Partial account #
3499906055548333

PO BOX 981537, EL PASO, TX 79998 or (800) 874 2717

Date opened Nov 2001	First reported Jun 2011	Recent balance \$0 as of Jul 2016	Payment history
Address ID # 0176566861	Terms Not reported	Status Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment Not reported	Comment: This account is scheduled to continue on record until Jul 2028.	2018 ND ND ND ND ND ND DLS
Responsibility Individual	Credit limit or original amount \$17,500	Date of Status Jul 2016	2016 ND ND ND ND ND ND ND ND ND ND ND ND
	High balance \$110		2014 OK OK OK OK OK OK ND ND ND ND ND ND
			2013 Full Year - In Good Standing
			2012 Full Year - In Good Standing
			2011 OK OK OK OK OK OK OK

BANK OF AMERICA Partial account #
431307383052....

PO BOX 982238, EL PASO, TX 79998 or (800) 421 2110

Date opened Aug 2013	First reported Aug 2013	Recent balance \$0 as of Jul 2015	Payment history
Address ID # 0176566861	Terms Not reported	Status Closed/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit Card	Monthly payment Not reported	Comment: This account is scheduled to continue on record until Jul 2025.	2015 OK OK OK OK OK OK DLS
Responsibility Authorized user	Credit limit or original amount \$10,000	Date of Status Jul 2015	2014 Full Year - In Good Standing
	High balance Not reported		

BANK OF AMERICA Partial account #
431351208253....

PO BOX 982238, EL PASO, TX 79998 or (800) 421 2110

Date opened Feb 1996	First reported Apr 2010	Recent balance \$0 as of Jan 2019	Payment history
Address ID # 0176871057	Terms Not reported	Status Open/Never late.	Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec
Type Credit card	Monthly payment \$25	Date of Status Jan 2019	2019 OK
Responsibility Individual	Credit limit or original amount \$1,000		2018 Full Year - In Good Standing
	High balance \$2,277		2017 Full Year - In Good Standing
			2016 Full Year - In Good Standing
			2015 Full Year - In Good Standing
			2014 Full Year - In Good Standing
			2013 ND OK OK OK OK OK ND ND ND ND ND ND
			2012 OK OK OK OK OK OK ND ND ND ND ND

Account History * (AB = Account Balance, DPR = Date Payment Received, SPA = Scheduled Payment Amount, AAP = Actual Amount Paid)

	Dec18	Nov18	Oct18	Sep18	Aug18	Jul18	Jun18	May18	Apr18	Mar18	Feb18	Jan18	Dec17	Nov17	Oct17
AB (\$)	0	0	0	0	0	0	0	0	113	0	0	0	0	0	0
DPR	Apr28	Apr28	Apr28	Apr28	Apr28	Apr28	Apr28	Apr28	Jan30	Jan30	Jan30	Jan30	Jan30	Jan30	Jan30
SPA (\$)	25	25	25	25	25	25	25	25	45	45	45	45	45	45	45
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
	Sep17	Aug17	Jul17	Jun17	May17	Apr17	Mar17	Feb17	Jan17						
AB (\$)	0	0	0	0	0	0	0	0	425						
DPR	Jan30	Jan30	Jan30	Jan30	Jan30	Jan30	Jan30	Jan30	Oct05						
SPA (\$)	45	45	45	45	45	45	45	45	45						
AAP (\$)	ND	ND	ND	ND	ND	ND	ND	ND	ND						

Between Mar 2018 and Dec 2018, your credit limit/high balance was \$1,000

Between Jan 2017 and Feb 2018, your credit limit/high balance was \$16,000



Credit Report Prepared For:

RAJWANT KAUR

Experian Report As Of: Jan 28, 2019

Personal & Confidential

DEF0035



Account Summary

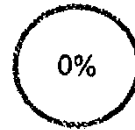
My Accounts Summary

Open Credit Cards	3
Open Retail Cards	2
Open Real Estate Loans	0
Open Installment Loans	0
Total Open Accounts	5
Accounts Ever Late	0
Collections Accounts	0
Average Account Age	9 yrs 10 mos
Oldest Account	22 yrs 11 mos
newest account	

My Hard Credit Inquiries

3

My Overall Credit Usage



Credit Debt
\$71
Total Credit
\$28,500

My Debt Summary

Credit and Retail Card Debt	\$71
Real Estate Debt	\$0
Installment Loans Debt	\$0
Collections Debt	\$0
Total Debt	\$71

My Public Records

0

Summary

Accounts

Collections

Inquiries

Public Records

Credit Score

DEF0036



Account Summary

My Personal Information

Name
RAJWANT KAUR

Personal Statement(s)
No Statement(s) present at this time

Also Known As

Birth Year
1957

Addresses
PO BOX 950313
MISSION HILLS, CA 91395-0313

15138 HIAWATHA ST
MISSION HILLS, CA 91345-2515

10140 SEPULVEDA BLVD #APT 15
MISSION HILLS, CA 91345-2634

Employer(s)
SHERMAN OAKS HOSPITAL
BEVERLY HEALTH CARE

Summary

Accounts

Collections

Inquiries

Public Records

Credit Score

DEF0037

Jan 28, 2019 - Free Report



Experian®

Equifax®

TransUnion®

Accounts



Open Accounts

Account Name

BANK OF AMERICA

Balance

\$0

Credit Limit

\$1,000

Usage

0%

Type

REVOLVING

[View details ▶](#)

Status

Current

Opened On

Feb 1, 1996

Account Name

BANK OF AMERICA

Balance

\$71

Credit Limit

\$8,000

Usage

1%

Type

REVOLVING

[View details ▶](#)

Status

Current

Opened On

Dec 1, 2015

DEF0038

Account Name
CITI

Balance
\$0

Credit Limit
\$17,500

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Current

Opened On
Nov 1, 2001

Account Name
KOHLS/CAPONE

Balance
\$0

Credit Limit
\$1,000

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Current

Opened On
Jun 1, 2018

Account Name
SYNCB/JCP

Balance
\$0

Credit Limit
\$1,000

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Current

Opened On
May 1, 2009

DEF0039

Closed Accounts

Account Name
AMEX

Balance
\$0

Credit Limit
\$17,500

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Nov 1, 2001

Account Name
BANK OF AMERICA

Balance
\$0

Credit Limit
\$10,000

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Apr 1, 2017

Account Name
BANK OF AMERICA

Balance
\$0

Credit Limit
\$15,000

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Mar 1, 2018

DEF0040

Account Name
BANK OF AMERICA

Balance
\$0

Credit Limit
\$10,000

Usage
0%

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Aug 1, 2013

Account Name
CHASE CARD

Balance
-

Credit Limit
\$20,000

Usage
-

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
May 1, 2011

Account Name
DISCOVER FIN SVCS LLC

Balance
-

Credit Limit
\$5,000

Usage
-

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Mar 1, 2004

DEF0041

Account Name
MACYS/DSNB

Balance
-

Credit Limit
\$600

Usage
-

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Nov 1, 2013

Account Name
SEARS/CBNA

Balance
-

Credit Limit
\$2,500

Usage
-

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Oct 1, 2012

Account Name
SYNCB/JCP

Balance
-

Credit Limit
\$500

Usage
-

Type
REVOLVING
[View details ▶](#)

Status
Paid

Opened On
Dec 1, 2005

DEF0042

Account Name
SYNCB/MERVYNS

Balance
-

Credit Limit
\$0

Usage
-

Type
REVOLVING
View details ▶

Status
Paid

Opened On
Oct 1, 2003

Account Name
TARGET NB

Balance
-

Credit Limit
\$7,000

Usage
-

Type
REVOLVING
View details ▶

Status
Paid

Opened On
Dec 1, 2002

<

Summary

Collections

>

Based on your credit profile, you may qualify for this offer.

()

()

<

>

DEF0043

EXHIBIT “D”

Physician: Check all boxes that apply. Fill in the blanks that apply. Cross out what does not apply. Orders with unchecked box () will not be carried out.
 Nurse: ☒ = Carry out this order for this patient. ☐ = Not ordered for this patient.
 Do Not Use these Abbreviations: "U", "O D", "IU", "OOD", "µg", "MS", "MSO", "MgSO", "AU", "AS", "AD", "No trailing zeros", "use a leading zero" before a decimal point

DATE/TIME > 5/4/12 1000 INSTRUCTIONS: PLEASE USE BALLPOINT PEN AND PRESS FIRMLY.

NOTE: Be sure that you have read and understand all instructions before signing below. These after care instructions have been recommended by your physician and should be followed closely as the best possible safeguard against complications.

24 HOUR ORDER CHECK	
SIGNATURE/TITLE	
DATE	TIME

next
2-3 days

1. Do not drive or operate machinery for the remainder of the day as your judgment and coordination may be affected. You may choose to avoid important decisions. DO NOT DRINK ALCOHOL TODAY.
2. Limit your physical activity for the rest of the day. When you are up, have someone with you for support as you may feel some dizziness.
3. If you feel ill take your temperature one and four hours after you return home. Call your physician if your temperature is above 100 degrees F. (oral thermometer)
4. If you are having abdominal pain, rectal bleeding (red, maroon, or black bowel movement), or are vomiting blood, call your physician immediately. Notify your physician if you develop chest pain.

I hereby acknowledge that I have received and understand these instructions.

Jaswinder Singh
Patient Signature

5/4/12 1000
Date/Time

Rare Poudyal
Witness

5. Diet Instructions: Make your first meal light. Then:

- ☐ Soft cooked foods and liquids only for the next ____ hours ☐ Bland Foods
☐ Avoid raw fruits and vegetables, corn, green beans, nuts, seeds ☐ Normal Diet

6. Post Polypectomy Instructions

- ☐ No aspirin, Motrin, Advil, Ibuprofen for 2 weeks
☐ No strenuous activity or heavy lifting for 1 week
☐ Soft diet for 72 hours; avoid raw fruits, vegetables, and red meat.

7. See Dr. _____ for follow up appointment in _____

8. Prescription ☐ No
☐ Yes

9. Education Materials: _____

10. Other Specific Instructions _____

Accompanying Adult Rajward

Date/Time

5/4/12

Witness

Physician's Phone Number (818) 838-4524

wife
(w/o)

MD OR PRINT NAME <u>R. Chhablani</u> (2047)		SIGNATURE OF PHYSICIAN	
SIGNATURE OF TRANSCRIBER	INIT.	TITLE	DATE
			TIME

NO. DATE PAGE OF
 HC 166 04/05 1 OF 1

PROVIDENCE

Holy Cross
Medical Center

AFTERCARE INSTRUCTIONS
 GASTROENTEROLOGY DEPARTMENT
 (MD ORDERS)

Original - Chart Yellow - Pharmacy Pink-Physician

PHYSICIAN'S ORDERS

SIGNATURE OF NURSE (NOTED/CONFIRMED)	DATE	TIME
<u>[Signature]</u>	<u>5/4/12</u>	<u>11A</u>
PATIENT ADDRESSOGRAPH	DATE	TIME
	<u>5/4/12</u>	<u>12pm</u>

ACCT M015931439

SINGH, JASWINDER

DOB: 05-12-61, 20-11-40
 MR: M000551661

DEF0044

EXHIBIT “E”

HealthCare Partners Medical Group

June 1, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred To: LOS ROBLES HOME CARE SVCS INC (805-777-7234)

Specialty: HOME HEALTH

Address: 68 LONG ST STE 2C

THOUSAND OAKS, CA 91360

Referring Physician: LOS ROBLES HOME CARE SVCS INC

Service(s) Approved:

Procedure(s)
S9123 HOME HEALTH GENERAL NURSING CARE BY RN, PER HOUR

Authorization Date/Number: 06/01/2012 - 08133457

Referral Expiration Date: 08/30/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

The specialist you are being referred to may not be an employee of the medical group. Most of our specialists are not employed by the medical group, but are independent contractors, who will employ their own independent skill, knowledge, and care in their diagnosis and treatment of your care. These specialists are in a distinct occupation and business apart from the medical group and neither the medical group nor your primary care physician will exercise any control or supervision over the specialist's recommendations for diagnostic testing and treatment.

A co-payment may apply for the service(s) you are to receive. Please verify your financial responsibility with your health plan. Services received, even if authorized, that exceed benefit limitations will be your financial responsibility. You must be eligible with this Medical Group at the time of service for any payment to be made. If you receive a bill which you believe is in error, please contact the provider of service first. You may also contact our Patient Support Center at 1-800-403-4160 for questions about this referral or possible billing errors.

Sincerely,

HealthCare Partners Medical Group

v01.03 HCPMbr_Approval_All

DEF0045

HealthCare Partners Medical Group

June 6, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred To: DAVID DAE-YOUNG KIM MD (818-700-2336)

Specialty: HEMATOLOGY/ONCOLOGY

Address: 18300 ROSCOE BLVD
NORTHRIDGE, CA 91325

Referring Physician: DANA R HOWARD MD

Service(s) Approved:

Procedure(s)
99203 NEW PT OFFICE VISIT-DETAILED
99213 EST PT OFFICE VISIT - EXPANDED

Authorization Date/Number: 06/06/2012 - 08152022

Referral Expiration Date: 12/03/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.

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A co-payment may apply for the service(s) you are to receive. Please verify your financial responsibility with your health plan. Services received, even if authorized, that exceed benefit limitations will be your financial responsibility. You must be eligible with this Medical Group at the time of service for any payment to be made. If you receive a bill which you believe is in error, please contact the provider of service first. You may also contact our Patient Support Center at 1-800-403-4160 for questions about this referral or possible billing errors.

Sincerely,

HealthCare Partners Medical Group

v01.03 HCPMbr_Approval_All

DEF0046

HealthCare Partners Medical Group

May 2, 2012

Site: GREATER VALLEY MISSION HILLS
 Member Name: JASWINDER SINGH
 Member ID: *****2-10
 HealthPlan: Anthem Blue Cross Commercial
 Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
 15138 hiawatha st.
 MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred To: WALID S ARNAOUT MD ()

Specialty: SURGERY - GENERAL

Facility: NORTHRIDGE HOSP MED CTR-
 ROSCOE (818-885-8500)

Specialty: HOSPITAL - INPATIENT

Address: 18300 ROSCOE BLVD
 THOM&DOROTH LEVY CNC CTR
 NORTHRIDGE, CA 91328

Address: 18300 ROSCOE BLVD
 NORTHRIDGE, CA 91328

Referring Physician: WALID S ARNAOUT MD

Service(s) Approved:

Procedure(s)
49000 EXPLORATORY LAPAROTOMY, EXPLORATORY CELIOTOMY
48150 PANCERATECTOMY, PROXIMAL SUB W DUODENECTOMY, W/PANCREATICOJEJUNOSTOMY
47600 CHOLECYSTECTOMY
49441 PLACE DUOD/JEJ TUBE PERC
38747 ABDOMINAL LYMPHADENECTOMY, REGIONAL, INCLU CELIAC, PARA-AORTIC AND VENA CAVAL

Authorization

Date/Number: 04/30/2012 - 08013817

Referral Expiration Date: 07/31/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

The specialist you are being referred to may not be an employee of the medical group. Most of our specialists are not employed by the medical group, but are independent contractors, who will employ their own independent skill, knowledge, and care in their diagnosis and treatment of your care. These specialists are in a distinct occupation and business apart from the medical group and neither the medical group nor your primary care physician will exercise any control or supervision over the specialist's recommendations for diagnostic testing and treatment.

A co-payment may apply for the service(s) you are to receive. Please verify your financial responsibility with

DEF0047

your health plan. Services received, even if authorized, that exceed benefit limitations will be your financial responsibility. You must be eligible with this Medical Group at the time of service for any payment to be made. If you receive a bill which you believe is in error, please contact the provider of service first. You may also contact our Patient Support Center at 1-800-403-4160 for questions about this referral or possible billing errors.

Sincerely,

HealthCare Partners Medical Group

v01.03 HCPMbr_Approval_All

Fax NO
310 - 793 - 7924

DEF0048

HealthCare Partners Medical Group

May 3, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Pay to Patient Support Center
860 - 293 - 7924

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred RAHUL K CHHABLANI MD (818-
To: 838-4524)

Specialty: GASTROENTEROLOGY

Facility: PROVIDENCE HOLY CROSS MED
CTR (818-365-8051)

Address: 11600 INDIAN HILLS RD #200
MISSION HILLS, CA 91345

Specialty: HOSPITAL - OUTPATIENT
Address: 15031 RINALDI ST
MISSION HILLS, CA 91346

Referring Physician: RAHUL K CHHABLANI MD

Service(s) Approved:

Procedure(s)
45380 COLONOSCOPY, FLEXIBLE, PROXIMAL/SPLENIC; W BIOPSY
45378 COLONOSCOPY, FLEXIBLE, PROXIMAL TO SPLENIC, DIAGNOSTIC

Authorization Date/Number: 05/03/2012 - 08028109

Referral Expiration Date: 08/01/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

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Sincerely,

DEF0049

HealthCare Partners Medical Group

May 25, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Facility: LOS ROBLES HOME CARE SVCS INC (805-777-7234)

Specialty: HOME HEALTH

Address: 68 LONG ST STE 2C

THOUSAND OAKS, CA 91360

Referring Physician: PEDRAM SHIRZAD DO

Service(s) Approved:

Procedure(s)
G0154 SKILLED NURSE IN HOME OR HOSPICE SETTINGS, EA 15 MINS

Authorization Date/Number: 05/25/2012 - 08113049

Referral Expiration Date: 06/24/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

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Sincerely,

HealthCare Partners Medical Group

v01.03 HCPMbr_Approval_All

DEF0050

HealthCare Partners Medical Group

June 1, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred To: LOS ROBLES HOME CARE SVCS INC (805-777-7234)

Specialty: HOME HEALTH

Address: 68 LONG ST STE 2C

THOUSAND OAKS, CA 91360

Referring Physician: LOS ROBLES HOME CARE SVCS INC

Service(s) Approved:

Procedure(s)
S9123 HOME HEALTH GENERAL NURSING CARE BY RN, PER HOUR

Authorization Date/Number: 06/01/2012 - 08133457

Referral Expiration Date: 08/30/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

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Sincerely,

HealthCare Partners Medical Group

v01.03 HCPMbr_Approval_All

DEF0051

HealthCare Partners Medical Group

June 6, 2012

Site: GREATER VALLEY MISSION HILLS
Member Name: JASWINDER SINGH
Member ID: *****2-10
HealthPlan: Anthem Blue Cross Commercial
Primary Care Physician: MADHURI DESAI MD

JASWINDER SINGH
15138 hiawatha st.
MISSION HILLS, CA 91345

Dear JASWINDER SINGH:

HealthCare Partners Medical Group has approved the following referral:

Referred To: DAVID DAE-YOUNG KIM MD (818-700-2336)

Specialty: HEMATOLOGY/ONCOLOGY

Address: 18300 ROSCOE BLVD
NORTHRIDGE, CA 91325

Referring Physician: DANA R HOWARD MD

Service(s) Approved:

Procedure(s)
99203 NEW PT OFFICE VISIT-DETAILED
99213 EST PT OFFICE VISIT - EXPANDED

Authorization Date/Number: 06/06/2012 - 08152022

Referral Expiration Date: 12/03/2012

Please note that this authorization is for approved services only. Further care or additional services must be authorized prior to care being rendered. Payment will not be made for unauthorized care or service. All lab and x-rays must be ordered / performed at contracted locations in our primary network. **Please contact the specialist, facility or company at the phone number listed above to schedule an appointment or arrange for service.**

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Sincerely,

HealthCare Partners Medical Group

01.03 HCPMbr_Approval_All

DEF0052

EXHIBIT “F”



Van Nuys #48
6100 Sepulveda Blvd
Van Nuys, CA 91411
(818) 989-5132

OK Member 804031750001

*****Bottom of Basket*****

*****COB Count 0*****

8000001 GRAY TOWEL 7.99 A

SUBTOTAL 7.99

TAX 0.76

**** TOTAL 8.75

XXXXXXXXXXXX2444 CHIP Read
AID: A0000000980840 VERIFIED BY PIN
Seq# 12187 App#: 591114
EFT/Debit Resp: APPROVED
Tran ID#: 903900012187....
Merchant ID: 990048

APPROVED - Purchase

AMOUNT: \$8.75

02/08/2019 10:38 48 12 6 136

EFT/Debit 8.75
CHANGE 0.00

A 9.5% Tax 0.76

TOTAL TAX 0.76

TOTAL NUMBER OF ITEMS SOLD - 1

~~02/08/2019~~ 10:38 48 12 6 136

OP#: 136 Name: Dago B.

Thank You!

Please Come Again

Wise: 48 Trn: 12 Trn: 6 OP: 136

DEF0053

Member/Item Activity Inquiry; Member Number:
111741340180
January 28, 2019



Shopping Date Range: January 1, 2004 - December 31, 2004

CARD#	WHS	DATE	ITEM	ITEM	DEPT	REG#	TIME	TRAN#	QTY	AMOUNT	TAXABLE	REFUND	REFUND
				DESCRIPTION									RECEIPT
111741340180	48	2004-01-09	800877	PREMIUM UNLEADED GASOLINE,	53	9	1417	41969	13	22.31			
111741340180	48	2004-01-22	800877	PREMIUM UNLEADED GASOLINE,	53	5	1126	8415	15	26.40			
111741340180	48	2004-01-28	800877	PREMIUM UNLEADED GASOLINE,	53	10	1213	40181	15	26.73			
111741340180	48	2004-02-12	800877	PREMIUM UNLEADED GASOLINE,	53	4	1650	23649	15	30.29			
111741340180	48	2004-02-22	800599	REGULAR UNLEADED GASOLINE,	53	4	1923	78933	11	21.90			
111741340180	48	2004-02-24	800877	PREMIUM UNLEADED GASOLINE,	53	3	1259	87887	15	33.65			
111741340180	48	2004-03-07	800877	PREMIUM UNLEADED GASOLINE,	53	8	1736	59665	13	29.65			
111741340180	48	2004-03-07	18433	COMET CLEANSER 6 PK 25 OZ, P160	14	13	1725	413	1	4.85		Y	
111741340180	48	2004-03-07	805309	POLIDENT 5 MIN. CLEANING, TABLETS 2/84CT, L/4	20	13	1725	413	1	5.99		Y	
111741340180	48	2004-04-15	800877	PREMIUM UNLEADED GASOLINE,	53	10	1232	71467	15	35.11			
111741340180	48	2004-05-11	80194	TIDE POWDER 120USE, P96T24H4	14	22	1303	54	1	17.99		Y	
111741340180	48	2004-05-11	106605	THERMASILK SH/CD 2/25.4OZ, P=216	20	22	1303	54	1	7.99		Y	
111741340180	48	2004-05-11	783218	TIDE, P&G MAILER 4/29-5/16/04	83	22	1303	54	-1	-3.00		N	
111741340180	48	2004-05-11	449832	TYLENOL X-STR CAP 500MG, 325CT. MPK36	93	22	1303	54	1	13.45		Y	
111741340180	48	2004-06-03	330833	PANTENE SHAMPOO 33.9-OZ, SHEER VOL/SMTH&SLEEK	20	22	1412	142	1	6.99		Y	
111741340180	48	2004-06-03	83303	MANGOS,	65	22	1412	142	1	4.99		N	
111741340180	48	2004-06-09	720	REYNOLD FOIL 2/12"X250, SQ FT T180H2 P360	14	20	1326	153	1	10.99		Y	
111741340180	48	2004-07-16	74423	COLGATE TOTAL+WHT 3-7.8OZ,	20	15	1121	34	1	7.89		Y	

DEF0054

Member/Item Activity Inquiry; Member Number:

111741340180

January 28, 2019



Shopping Date Range: January 1, 2004 - December 31, 2004

CARD#	WHS	DATE	ITEM	ITEM	DEPT	REG#	TIME	TRAN#	QTY	AMOUNT	TAXABLE	REFUND	REFUND
				DESCRIPTION								RECEIPT	
111741340180	48	2004-07-16	805309	POLIDENT 5 MIN. CLEANING, TABLETS 2/84CT. L/4	20	15	1121	34	1	5.99	Y		
111741340180	48	2004-08-12	800877	PREMIUM UNLEADED GASOLINE,	53	1	1838	33107	14	29.87			
111741340180	48	2004-08-12	737816	FRITOLAY VEND SIZE 47CT, 51OZ P54	12	19	1834	332	1	8.99	N		
111741340180	48	2004-08-12	73259	CARESS 12CT4OZ BARSOAP, 25CU P216	20	19	1834	332	1	8.79	Y		
111741340180	48	2004-08-12	807008	CARESS, FY04 PP HO#4 8/9-8/15/04	83	19	1834	332	-1	-4.00	N		
111741340180	48	2004-08-26	800877	PREMIUM UNLEADED GASOLINE,	53	5	1823	7701	15	31.66			
111741340180	48	2004-09-10	813815	AJAX CLNSR W/ BLCH 6/28 OZ, P160	14	22	1218	21	1	4.99	Y		
111741340180	48	2004-09-10	50514	KS SHAMPOO 2/ 40OZ, P=216	20	22	1218	21	1	5.79	Y		
111741340180	48	2004-09-10	699334	MAIDENFORM BODYMATES BRA, 2 PK P=420	31	22	1218	21	1	19.99	Y		
111741340180	48	2004-10-06	45808	PALMOLIVE DISH LIQ 90 OZ, ULTRA CONCENTRATE P216	14	13	1913	137	1	4.99	Y		
111741340180	48	2004-10-06	330833	PANTENE SHAMPOO 33.9-OZ, SHEER VOL/ SMTH&SLEEK	20	13	1913	137	1	6.99	Y		
111741340180	48	2004-10-06	444926	LIZWEAR LADIES L/S VELOUR, ZIPNECK TOP	31	13	1913	137	1	21.99	Y		
111741340180	48	2004-10-06	776278	LIZWEAR LADIES RIBBED, JOHNNY COLLAR SWEATER	31	13	1913	137	1	19.99	Y		
111741340180	48	2004-10-06	444928	LIZWEAR LADIES VELOUR, PULL ON PANT	31	13	1913	137	1	19.99	Y		
111741340180	48	2004-10-06	30669	BANANAS,	65	13	1913	137	1	0.99	N		
111741340180	48	2004-10-06	222	C&H GRANULATED SUGAR 10LB, C40 P240	13	13	1915	138	1	3.69	N		
111741340180	48	2004-10-06	17155	KELSEN DANISH BUTTER, COOKIES 80OZ TIN P112	13	13	1915	138	1	7.99	N		
111741340180	48	2004-10-06	47196	MARUCHN CHK LUNCH 24/2.5Z, P50	13	13	1915	138	1	5.69	N		

DEF0055

Member/Item Activity Inquiry; Member Number:

111741340180

January 28, 2019



Shopping Date Range: January 1, 2004 - December 31, 2004

CARD#	WHS	DATE	ITEM	ITEM	DEPT	REG#	TIME	TRAN#	QTY	AMOUNT	TAXABLE	REFUND	REFUND
				DESCRIPTION									RECEIPT
111741340180	48	2004-10-06	17387	MIS 8" FLOUR TORT 2/18CT, BBS SL 45 DAYS	13	13	1915	138	1	2.79	N		
111741340180	48	2004-10-06	416728	DOWNY LIQUID 135Z, APRIL FRESH SCENT P160	14	13	1915	138	1	8.99	Y		
111741340180	48	2004-10-06	80194	TIDE POWDER 120USE, P96T24H4	14	13	1915	138	1	17.99	Y		
111741340180	48	2004-10-06	2	KS WHOLE MILK 2/1 GALLON,	17	13	1915	138	1	4.75	N		
111741340180	48	2004-10-06	43452	CKD BREAST NUGGETS 6/5#, TYSON BREADED T9H5	18	13	1915	138	1	11.39	N		
111741340180	48	2004-10-06	39188	CETAPHIL MOISTURE LOTION, 2/20 OZ P144/CUBE 28	20	13	1915	138	1	14.79	Y		
111741340180	48	2004-10-06	15241	DIAL ANTIBAC LIQUID 128OZ, SOAP T11H4 128 OZ	20	13	1915	138	1	6.99	Y		
111741340180	48	2004-10-06	9097	8.5X11 FILL PAPER 1000CT, CR 308870 P144	21	13	1915	138	1	4.99	Y		
111741340180	48	2004-10-06	671595	SUPREMELOFT 2PK JUMBO PIL, INVISTA / 300TC P56	34	13	1915	138	1	9.79	Y		
111741340180	48	2004-10-06	699334	MAIDENFORM BODYMATES BRA, 2 PK P=420	31	701	1929	107	-1	-19.99	Y	Y	Y
111741340180	48	2004-10-10	314437	KS R&S VA. PEANUTS 3.5#, P252 7X6 C6	12	8	1557	239	1	4.69	N		
111741340180	48	2004-10-10	49481	KS FABRIC SOFTNER SHEETS, 2/160 CT P240	14	8	1557	239	1	5.89	Y		
111741340180	48	2004-10-10	43452	CKD BREAST NUGGETS 6/5#, TYSON BREADED T9H5	18	8	1557	239	1	11.39	N		
111741340180	48	2004-10-10	816218	POLO JEANS CO LADIES FULL, ZIP SWEATER	31	8	1557	239	1	29.99	Y		
111741340180	48	2004-10-10	776278	LIZWEAR LADIES RIBBED, JOHNNY COLLAR SWEATER	31	83	1403	23	-1	-19.99	Y	Y	Y
111741340180	48	2004-10-19	800877	PREMIUM UNLEADED GASOLINE,	53	10	1609	88585	13	32.93			
111741340180	48	2004-10-28	837839	JOY, P&G MAILER 10/28-11/14/04	14	20	1254	95	-1	-1.00	N		

DEF0056

Member/Item Activity Inquiry; Member Number:

111741340180

January 28, 2019



Shopping Date Range: January 1, 2004 - December 31, 2004

CARD#	WHS	DATE	ITEM	ITEM	DEPT	REG#	TIME	TRAN#	QTY	AMOUNT	TAXABLE	REFUND	REFUND
				DESCRIPTION									RECEIPT
111741340180	48	2004-10-28	183868	JOY ULTRA DISH SOAP 90OZ, 84902241 T60H4P240	14	20	1254	95	1	4.85	Y		
111741340180	48	2004-10-28	51344	COLGATE TOOTHPASTE 4 PACK, REG.TP 8.2OZ	20	20	1254	95	1	6.69	Y		
111741340180	48	2004-10-28	837806	HEAD & SHOULDERS, PERT, P&G MAILER 10/28-11/14/04	20	20	1254	95	-1	-1.50	N		
111741340180	48	2004-10-28	837807	PANETNE SHAMPOO/ CONDITION, P&G MAILER 10/28-11/14/04	20	20	1254	95	-1	-1.50	N		
111741340180	48	2004-10-28	330833	PANTENE SHAMPOO 33.9-OZ, SHEER VOL/ SMTH&SLEEK	20	20	1254	95	1	6.99	Y		
111741340180	48	2004-10-28	39422	PERT PLUS 13.5OZ W/40OZ, REFILL P=176	20	20	1254	95	1	6.89	Y		
111741340180	48	2004-10-28	805309	POLIDENT 5 MIN. CLEANING, TABLETS 2/84CT. L/4	20	20	1254	95	3	17.97	Y		
111741340180	48	2004-10-28	311844	KS EC ASPIRIN 81MG 400CT., T8H8 MPK36	93	20	1254	95	1	2.75	Y		
111741340180	48	2004-11-08	699334	MAIDENFORM BODYMATES BRA, 2 PK P=420	31	21	1539	228	1	19.99	Y		

DEF0057

EXHIBIT “G”

Costco Anywhere Visa® Business Card by Citi



RAJWANT KAUR
RAJWANT KAUR
Member Since 2009 Account number ending in: 0517
Billing Period: 01/12/18-02/13/18

www.citibank.com
Customer Service 1-855-378-6468
TTY-hearing-impaired services only 1-866-210-0617
PO Box 790046 ST. LOUIS, MO 63179-0046

FEBRUARY STATEMENT

Minimum payment due: \$25.00
New balance as of 02/13/18: \$120.00
Payment due date: 03/09/18

Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay a late fee of up to \$37 and your APRs may be increased up to the variable Penalty APR of 29.99%.

For information about credit counseling services, call 1-877-337-8187.

Account Summary

Previous balance	\$0.00
Payments	-\$0.00
Credits	-\$0.00
Purchases	+\$120.00
Cash advances	+\$0.00
Fees	+\$0.00
Interest	+\$0.00
New balance	\$120.00

Business Credit Limit

Credit Limit	\$15,000
Includes \$3,000.00 cash advance limit	
Available Credit Limit	\$14,880
Includes \$3,000 available for cash advance	

Paid cash \$120.00 in Costco

MEMBERSHIP FEE FOR YEAR 2019

**YOUR CREDIT CARD
REWARD CERTIFICATE IS HERE!**

» Find it on the last page of this statement

Costco Cash Rewards Summary

as of 02/13/18

\$2.40

» See page 3 for more information about your rewards



Costco Anywhere Visa®
Business Card

PO BOX 6704
Sioux Falls, SD 57104-6704

Your Statement Is Inside

Pay your bill from virtually anywhere
with the Citi Mobile® App and Citi® Online



To download:
Text 'App15' to MyCiti (692484)
or go to your device's app store.
Or visit www.citibank.com

Please print Address Changes on the reverse side
CC

Minimum payment due	\$25.00
New balance	\$120.00
Payment due date	03/09/18

Amount enclosed: \$

Account number ending in 0517

00019377 1 38501660 DTF 00019377



RAJWANT KAUR
RAJWANT KAUR
15138 HIAWATHA ST
MISSION HILLS CA 91345-2515

Citi Cards
PO BOX 78019
Phoenix, AZ 85062-8019



15200 0002500 0012000 0004200 04100400432720517 0913 DEF0058

RAJWANT KAUR
RAJWANT KAUR

CARDHOLDER SUMMARY

RAJWANT KAUR

New Charges

Card ending in 0517

\$120.00

JASWINDER SINGH

New Charges

Card ending in 0525

\$0.00

BUSINESS ACCOUNT SUMMARY

Sale Date	Post Date	Description	Amount
-----------	-----------	-------------	--------

RAJWANT KAUR

Standard Purchases

02/01 Costco Membership Renewal 1 800 774 2678

COSTCO *ANNUAL RENEWAL 800-774-2678 WA

\$120.00

JASWINDER SINGH

No Activity

Fees Charged

TOTAL FEES FOR THIS PERIOD

\$0.00

Interest Charged

TOTAL INTEREST FOR THIS PERIOD

\$0.00

2018 totals year-to-date

Total fees charged in 2018

\$0.00

Total interest charged in 2018

\$0.00

Interest charge calculation

Days in billing cycle: 33

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance type	Annual percentage rate (APR)	Balance subject to interest rate	Interest charge
PURCHASES			
Standard Purch	16.49% (V)	\$0.00 (D)	\$0.00
ADVANCES			
Standard Adv	23.24% (V)	\$0.00 (D)	\$0.00

Your Annual Percentage Rate (APR) is the annual interest rate on your account. APRs followed by (V) may vary. Balances followed by (D) are determined by the daily balance method (including current transactions).

Account messages

Important: To receive a credit card reward certificate you must have earned more than \$1 in rewards through your December 2017 statement closing date and your account must be open at the time your certificate is issued in February.

Please note that if we received your pay by phone or online payment between 5 p.m. ET and midnight ET on the last day of your billing period, your payment will not be reflected until your next statement.

Remember, any charges above your credit limit MUST BE PAID IN FULL by your statement's payment due date.

Costco Cash Rewards Summary

Total Costco Cash Rewards Balance:
\$2.40

Costco Cash Rewards Summary

Costco Cash Rewards balance
as of last statement +\$0.00

Earned this period +\$2.40

Total Costco Cash Rewards Balance
Year To Date: \$2.40Costco Cash Rewards
Earned This Period4% on eligible gas worldwide, including
gas at Costco¹ +\$0.00

3% on restaurants +\$0.00

3% on eligible travel worldwide +\$0.00

2% on Costco and
Costco.com +\$2.401% on all other
purchases +\$0.00

Total Earned: \$2.40

» Visit citi.com/CostcoBusiness
for more information¹ Up to \$7,000 per year in purchases, then
1% cash back

DEF0059

EXHIBIT “H”

a Control number 7366- 28		OMB No. 1545-0008		This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.			
b Employer Identification number (EIN) 95-6046072				1 Wages, tips, other compensation 30403.00		2 Federal income tax withheld 1706.07	
c Employer's name, address, and ZIP code INTERAMERICAN MOTOR CORPORATION 8901 CANOGA AVE CANOGA PARK CA 91304-1512				3 Social security wages 30403.00		4 Social security tax withheld 1884.99	
				5 Medicare wages and tips 30403.00		6 Medicare tax withheld 440.84	
				7 Social security tips		8 Allocated tips	
				9 Advance EIC payment		10 Dependent care benefits	
d Employee's social security number 616-62-3602				11 Nonqualified plans		12a See instructions for box 12	
e Employee's name, address, and ZIP code JASWINDER SINGH 1 28 9969 SEPULVEDA BLVD APT 204 MISSION HILLS CA 91345				13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other CA SDI 328.35		12c	
						12d	
15 State Employer's state ID number CA 16969388		16 State wages, tips, etc. 30403.00		17 State income tax 158.33		18 Local wages, tips, etc.	
						19 Local income tax	
						20 Locality name	

Form **W-2** Wage and Tax Statement
Copy C—For EMPLOYEE'S RECORDS. (See Notice to Employee on back of Copy B.)

2005

Department of the Treasury—Internal Revenue Service

Safe, accurate,
FAST! Use



DEF0060

a Control number		OMB No. 1545-0008		This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.	
b Employer identification number (EIN)		1 Wages, tips, other compensation		2 Federal income tax withheld	
95-4287296		34230.47		2732.94	
c Employer's name, address, and ZIP code		3 Social security wages		4 Social security tax withheld	
SHERMAN OAKS HOSPITAL		34256.47		2123.90	
4925 VAN NUYS BLVD.		5 Medicare wages and tips		6 Medicare tax withheld	
SHERMAN OAKS, CA 91403		34256.47		496.72	
d Employee's social security number		7 Social security tips		8 Allocated tips	
610-26-4229					
e Employee's name, address, and ZIP code		9 Advance EIC payment		10 Dependent care benefits	
RAJWANT KAUR					
9969 SEPULVEDA BL, #204		11 Nonqualified plans		12a See instructions for box 12	
MISSION HILLS, CA 91345					
		13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
		14 Other MED 26.00		12c	
		DI 370.00		12d	
15 State Employer's state ID number		16 State wages, tips, etc.		17 State income tax	
CA R10-3095-7		34230.47		482.52	
		18 Local wages, tips, etc.		19 Local income tax	
				20 Locality name	

Form **W-2** Wage and Tax Statement
 Copy C—For EMPLOYEE'S RECORDS. (See Notice to Employee on back of Copy B.)

2005

Department of the Treasury—Internal Revenue Service

Safe, accurate,
 FAST! Use **IRS e-file**
 Printed on Recycled Paper

DEF0061

EXHIBIT “I”

FINANCIAL AGREEMENT And ESTIMATED PATIENT FINANCIAL RESPONSIBILITY FORM (Home Infusion)

Date Form Sent to Patient: 5-15-2012 Date Responsibility Verbally Communicated to Patient: 5-15-2012
 Patient Name: Smith, Ismael Patient Number: 092102133957
 Primary Insurance: HCP Anthem Blue Cross Secondary Insurance: _____
 Tertiary Insurance: _____ Therapy: Enteral Feeding / Cath Care
 Patient's Co-Pay/Co-Insurance: \$/____ Lifetime Max: \$ Unlimited
 Patient's Deductible: \$ 0 Amount Met: \$ _____ Coverage then at: _____ %
 Patient's Out-of-Pocket Level: \$ 7,000 Amount Met: \$ 100 Coverage then at: _____ %
 Maximum Number of Visits per Calendar Year: _____

Drug: Vigamox 75ml/100ml Fee per Dose: \$ 47.40
 Drug: Cath Care Fee per Dose: \$ 1.00
 Drug: _____ Fee per Dose: \$ _____
 Supplies/Services Fee per Day: \$ 12.00 Nursing Fee per Visit: \$ N/A
 Equipment Fee per Day: \$ N/A Equipment Fee/Month: \$ N/A
 Est. Patient Responsibility if Insurance Covers: Drug/Supplies/Services Fee per day \$ 0 Nursing per visit \$ _____
 Est. Patient Resp per Day if Ins Does Not Cover: Drug/Supplies/Services Fee per day \$ 62.40 Nursing per visit \$ _____
 Additional Comments: _____

For PICC/Midline placement patients only: You understand the charges for PICC/Midline Central access device placement include two attempts at placement. You agree you may incur additional charges if further attempts are made during the same visit or during the same admission.

CAREFULLY READ THE FOLLOWING AGREEMENT: Walgreens (on behalf of its homecare affiliates) makes good-faith efforts to provide reasonable and up-front estimates. The above is only an estimate of your costs and is based upon your insurance plan coverage and available information as it was presented to Walgreens at the time of referral and is subject to change. Verification of benefits does not guarantee payment from your insurance company. You remain responsible at all times for the final and actual charges, less any insurance payments. You will receive products and services and Walgreens will provide those with the understanding that in the event your insurance coverage is not effective, is different than previously stated, or your insurance plan decides not to cover those products and services that you will be billed and held financially responsible for the products and services rendered. If your benefits change or the insurance(s) listed above change, it is your responsibility to notify us. If you do not notify us, or do not notify us in a timely manner, Walgreens will be financially responsible for the amount due. In addition, payment for items such as deductibles, co-insurance amounts, and products and services not covered by your insurance company will be your responsibility. You agree to pay for the products and services rendered, unless prohibited by the insurance company or law. You may pay by credit card, check or money order. You may also be referred to a collection agency and/or attorney for any amounts due but not paid and you agree to pay reasonable attorneys' fees and costs of collection for any past due balances.

X Richard K...
 Signature of Patient/Authorized Representative

5/25/12
 Date

Print Name of Authorized Representative

Relationship to Patient



Infusion and Respiratory Services

ADMISSION AGREEMENT

1. **Authorization to Submit Claim to Insurance and Assignment of Benefits.** By signing below, I: (1) authorize Walgreens (on behalf of its homecare affiliates) to submit a claim to my Insurance (which shall mean and include as applicable, Medicare, Medigap, any commercial insurance or my PBM) for the items and services explained to me on my Financial Agreement and Estimated Patient Financial Responsibility Form, and (2) assign my Insurance benefits to Walgreens for those items and services and thus request authorized Insurance payments for those items and services be made to Walgreens.
2. **Acknowledgement of Financial Responsibility.** By signing below, I understand that Walgreens (on behalf of its homecare affiliates) makes good-faith efforts to provide reasonable and up-front estimates. The estimate of my costs is based upon my insurance plan coverage and available information as it was presented to Walgreens at the time of referral and is subject to change. Verification of benefits does not guarantee payment from my insurance company. I remain responsible at all times for the final and actual charges, less any insurance payments. I will receive products and services and Walgreens will provide those with the understanding that in the event my insurance coverage is not effective, is different than previously stated, or my insurance plan decides not to cover these products and services that I will be billed and held financially responsible for the products and services rendered. If my benefits or insurance coverage changes, it is my responsibility to notify Walgreens. If I do not notify Walgreens, or do not notify Walgreens in time to secure appropriate authorization from my insurance company or meet the claim filing requirements of my insurance company, I will be financially responsible for the amount due. In addition, payment for items such as deductibles, out of pocket requirements, co-insurance amounts, and products and services not covered by my insurance company will be required at the time products and services are rendered, unless prohibited by the insurance company or law. I may also be referred to a collection agency and/or attorney for any amounts due but not paid and agree to pay reasonable attorneys' fees and costs of collection for any past due balances.
3. **Authorization for Release of Information.** By signing below, I authorize Walgreens to disclose necessary health information, including any mental health, communicable disease, drug & alcohol abuse, diagnoses, treatment, reaction to treatment, plans of care, care given, medications and any other information necessary for the purposes of providing care, securing payment or healthcare operations to my Insurance in order to determine and process my benefits or as otherwise required in connection with any regulatory or accrediting review.
4. **Consent to Treatment.** By signing below, I authorize the provision of service to me by Walgreens. I consent to receive and have received the prescribed therapy. I have been informed of and understand the risks involved. I understand the products and services prescribed by my physician and that it is necessary I remain in the care of my physician throughout the course of therapy. My consents and acknowledgements contained herein apply to all care, products, therapies, equipment, treatments or services I may receive from Walgreens until such date as I revoke my consent or my date of discharge from Walgreens' care.
5. **Acknowledgment of Receipt of Information.** I certify that I have received and understand the information in the patient care packet. The patient care packet contains the following:
 1. Patient Rights and Responsibilities
 2. Emergency/Disaster Resource Information
 3. Financial Agreement & Estimated Patient Financial Responsibility Form
 4. Home Safety Information
 5. Infection Control Instructions
 6. Medicare DMEPOS Supplier Standards
 7. Notice of Privacy Practices
 8. Patient Education and/or Medication Information Sheets
 9. Pain Management Information
 10. Advanced Directives Information
 11. Walgreens Contact InformationI would like to consult with a pharmacist about my medication therapy: ☐ Yes ☐ No (initials) _____
6. **Acknowledgment of Receipt of Notice (Medicare Part B Beneficiaries Only).** By signing below, I acknowledge that Walgreens has informed me if I select an item that the Centers for Medicare & Medicaid Services (CMS) has identified as *Inexpensive or Routinely Purchased Durable Medical Equipment*, then I may either purchase or rent such item. Further, if I select an item that CMS has identified as a *Capped Rental*, then I understand that Medicare will pay a monthly rental fee up to a period not to exceed 13 continuous months of medical need, after which ownership of the equipment will be transferred to me. Please note that certain Walgreens locations may not carry items that fall under the above categories.

Signature of Patient/Authorized Representative

Date

Patient Name

HICN

Witness (if applicable)

Date

Authorized Representative Only:

Print Name

Address

Relationship

Reason Patient Cannot Sign

OFFICE USE ONLY:

Walgreens
9401 Chivers Avenue
Sun Valley CA 91352

Case/Record Number: A10133957

Admission Agreement - Revised 09/2011

FILED

APR - 9 2019

Shirley L. Williams
CLERK OF COURT

COPY

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

In the Matter of the) CASE NO 04D323977
Joint Petition for) DEPT. P
Divorce of:)
)
JASWINDER SINGH)
and)
RAJWANT KAUR,)
)
Petitioners.)

BEFORE THE HONORABLE SANDRA L. POMRENZE

TRANSCRIPT RE: ALL PENDING MOTIONS

FEBRUARY 13, 2019

APPEARANCES:

Petitioner: JASWINDER SINGH
For the Plaintiff: F. PETER JAMES, ESQ.
3821 W. Charleston Blvd., #250
Las Vegas, NV 89102

Petitioner: RAJWANT KAUR (Not present)
For the Defendant: ANDREW KYNASTON, ESQ.
3393 Novat St., #200
Las Vegas, NV 89129

1 LAS VEGAS, NEVADA

WEDNESDAY, FEBRUARY 13, 2019

2 P R O C E E D I N G S

3 (THE PROCEEDINGS BEGAN AT 10:25:34.)

4 THE COURT: All right, we're here on case number D323977.
5 Singh versus Kaur. Counsel, please state your names and bar
6 numbers for the record.

7 MS. JAMES: Good morning, Your Honor, Peter James 10091
8 here with thw Plaintiff, Jaswinder Singh, along with the
9 Punjabi interpreter.

10 THE COURT: And your name is, sir?

11 MR. QURESHI: Munir Qureshi.

12 MR. KYNASTON: Morning, Your Honor. Andrew Kynaston, my
13 bar number's 8147. I'm here on behalf of the Defendant,
14 Rajwant Kaur, who's not present.

15 THE COURT: You know I had an opportunity to review, I
16 believe, it's Vaile One. There's like Vaile Ten now, or
17 something, I have no idea how many times that thing has gone
18 up and down.

19 I'm troubled by it, I'll be frank. As a former
20 attorney and now a Judge, I read that opinion, the majority
21 opinion and then I read the dissent. And, I'll be frank, I
22 thought the dissent addressed the arguments in a more cogent
23 fashion.

24 I don't mean to criticize our Supreme Court, but I
25 almost wish in a case like this that it was revisited.

1 At the end of the day, though, there are some - -
2 there is evidence to be adduced. The first piece of evidence,
3 obviously goes to the validity of residency. I don't know.
4 The second one goes to the issue of voluntary participation in
5 - - if there is no residency the fraud perpetrated on the
6 state of Nevada.

7 Now there is an interesting side issue. Refresh my
8 recollection, does California recognize common law marriages?

9 MR. JAMES: I don't believe so Judge.

10 THE COURT: I'm not sure.

11 MR. KYNASTON: I, I don't think (indiscernible)

12 THE COURT: Because if they do, we have at a minimum, a
13 potential common law interest claim - - or a common law
14 marriage claim coming out of the state of California. Now
15 they have attorneys in California, they can deal with those
16 issues if they choose to, but at the end of the day...

17 MR. JAMES: Because of the Marvin case I don't thing so.

18 THE COURT: Yeah...

19 MR. JAMES: 'Cause we've adopted Marvin.

20 THE COURT: I don't know, I don't know.

21 MR. JAMES: But we have adopted Marvin, I know that.

22 THE COURT: What?

23 MR. JAMES: We have adopted Marvin. That's the community
24 property by analogy and alimony case.

25 THE COURT: Yeah. We have, but that's - - we have adopted

1 the Marvin case, we haven't adopted common law marriage. The
2 question, again, that was bouncing in my head was does
3 California recognize common law marriages.

4 That's not gonna affect how I rule in this case.
5 However I rule, I'll be frank, I wouldn't mind an appeal by
6 either side. Not often that I ask for an appeal, but I'd love
7 to see Vaile revisited in a case like this one.

8 Again, it depends how I rule. Either way, one of
9 you may choose to appeal raising certain issues, but I have to
10 make findings about the facts. There appear to be at least
11 some disputes as to the facts.

12 So, I wanna set an evidentiary hearing and I have to
13 give you a full day because your client's gonna have to figure
14 out how, if he's alleging he was a bona fide resident of the
15 state of Nevada for at least six weeks prior to filing the
16 Complaint, he has to find a way to prove it.

17 I would also, if he's still around, want to hear
18 from the resident witness.

19 MR. JAMES: Your Honor, if I may, on this. We have some
20 procedural hurdles to get over first, never mind the burden
21 shifting that the Court is suggesting be done here.

22 First of all, they claim fraud. Fraud's barred
23 after six months. Second of all, they claim it's void. Void
24 is time-barred after two years. The Nevada Supreme Court has
25 said unequivocally when a party knows an Order is in existence

1 and waits two years to set it aside, in an abuse of
2 discretion...

3 THE COURT: But that's the injured party. Counsel, the
4 injured party is the State of Nevada here. Until the parties
5 bring this in front of the Court, the Court doesn't know there
6 might be a fraud. And Rule 60B doesn't allow for a separate
7 action to set it aside.

8 MR. JAMES: But, in Garner, Judge, DC or - - I have the
9 case actually here in front of me, it is DC-DSHE versus
10 Garner, they abrogated the rule against independent actions
11 and filing a motion. Same thing. And that case has
12 specifically said that. So the only thing left ...

13 THE COURT: Counsel, I'm, I'm fully aware, but I, I, I,
14 really I, again, what concerns me here is if there was a fraud
15 perpetrated, from my perspective, the victim of the fraud is
16 the State of Nevada. Okay?

17 Forgetting about those two. So if you're gonna
18 argue that the, the knowledge - - how is Nevada to know of a
19 fraud until it's made aware of it? Because we get Resident
20 Witness Affidavits, we get Joint Petitions for Divorce, we
21 don't look behind them and say oh is that really, really true?
22 We sign off on them. Okay?

23 That was, in fact, what happened in Vaile. The
24 Court had no reason to know that the - - neither party was a
25 bona fide resident of the State of Nevada until it was brought

1 to the State of Nevada's attention by a subsequent motion.

2 Okay?

3 So, in a sense, I'm looking at that from that
4 perspective. That is really what troubles me about Vaile
5 because I do think the offended party is the State of Nevada
6 and its laws. But I wanna see what's going on here because in
7 light of Vaile, whether I agree with it now, I'm bound to
8 honor it until it's modified.

9 And, they said that one party could exercise void if
10 they were under duress. They found no duress in the Vaile
11 case. The question was here - - was there duress here? But
12 the larger question, first of all, is determining whether or
13 not there was even a fraud. That's why I said the burden
14 starts with your client on that issue.

15 Was he a bona fide resident of the State of Nevada
16 at the time he filed the Complaint for Divorce? Do I have a
17 false and perjurious Resident Witness Affidavit? I don't
18 know. He may have moved. I don't know. All I have are
19 allegations and motions. I don't know the answer.

20 But, assuming for the sake of discussion, your
21 client was not a bona fide resident of the State of Nevada at
22 the time that he instituted this action. Then the burden
23 shifts because of Vaile to the Defendant to, or co-Petitioner,
24 to demonstrate to the Court that she acted under duress.

25 That's the analysis. But I do want an evidentiary

1 hearing because I do wanna make a ruling on the Vaile issues
2 and I do want to invite the Supreme Court to look at it again.
3 Because, like I said, you know, the issue for me and the Vaile
4 - - again, 'cause I went back to Vaile and I went like,
5 there's something else and a colleague pointed it out to me -
6 wait a minute, who is the fraud perpetrated on? It was not
7 perpetrated on either of these parties, but it was, it was a
8 fraud and - - if there was, and it was perpetrated on the
9 State of Nevada.

10 Each time we get these we don't know whether or not
11 the person coming in - - one of my colleagues was telling me,
12 who apparently has everything proven up, told me that it's not
13 uncommon to see a Plaintiff in a divorce case show up with his
14 luggage, or her luggage. And you start going wait a minute,
15 where you going? Going home? And where is that?

16 But the point I'm making is, we've made our, made it
17 so easy to get a divorce in Nevada. The only thing we require
18 is six weeks of residency, that people don't wanna wait the
19 six weeks. And they're very tempted and that's been a
20 historical problem in Nevada, we all know that.

21 So, I'm gonna give you a date to...

22 MR. KYNASTON: Okay.

23 MR. JAMES: If I may make an argument for the record,
24 Judge. If...

25 THE COURT: You can make it at the time of the evidentiary

1 hearing.

2 MR. JAMES: This argument, I think, is better served here.
3 'Cause I think if, if you say that the victim of the fraud is
4 the State of Nevada, then that further invokes the *impari*
5 *delecto doctrine* on the other side from bringing this action
6 seeking relief.

7 THE COURT: Actually, no. That's what I call notice to
8 the State of Nevada. Again, I want you to save those
9 arguments because I need to hear from the parties. I need to,
10 I need to analyze this. First question: was there fraud? Is
11 this a fraudulent divorce? I don't know that that question's
12 been answered yet.

13 I know what Mr. Kynaston has told me, but I don't
14 know if that's actually the facts. Again, no offense.

15 MR. KYNASTON: No.

16 THE COURT: And then if, in fact, either I find or it's
17 conceded that neither the Plaintiff nor the Defendant was a
18 bona fide resident of the State of Nevada at the time that
19 this Joint Petition was filed, then I have to look at whether
20 or not the co-Petitioner, wife, can assert a defense.

21 So, it's a two part analysis here. And, again,
22 there - -it, it's a very weird case. For example, Mr.
23 Kynaston, in his Reply addressed a Deed, if it exists, that
24 was subsequent to this divorce in which he identified himself
25 as a married man and not, not married to anybody other than

1 the co-Petitioner, wife.

2 MR. KYNASTON: Both parties have remarried.

3 THE COURT: Well, she went to India. She married the
4 brother. That got set aside, she came back to the U.S.
5 That's my understanding. Again, all of this, you know, it, it
6 sounds complicated, but the analysis is pretty simple. Was
7 there a fraudulent divorce? Part one. Part two, can the co-
8 Petitioner, wife lawfully exercise a right to, to void it?

9 There's, by the way, a third issue. If it's
10 voidable, what's the date of - - that, that was one of the
11 things that bothered me about that. You know, if it's a
12 voidable marriage, it's void as of the date of the exercise of
13 a voiding. If it's a void marriage, it's - - or a void
14 marriage. Of course, we're talking now a divorce and I don't
15 know if it's a very similar analysis.

16 MR. JAMES: 'Cause that would make both of them bigamists
17 if we voided the Decree.

18 THE COURT: Could be. Oh wait a minute, now I'm confused.
19 After this event in 2004, did your client marry somebody else?

20 MR. JAMES: Yes. So did the other side.

21 THE COURT: Well, that was the brother in India. Is he
22 still married to that individual?

23 MR. SINGH (through Interpreter): Yes. She married his
24 brother.

25 THE COURT: Okay.

1 MR. KYNASTON: This is the first time of hearing he's
2 married again. But, I don't, I don't...

3 THE COURT: Weren't they living together?

4 MR. KYNASTON: ... think it matters. They've, they've,
5 they've been living together. They, I mean and there's lots -
6 - and I've got other evidence that I can bring to the
7 evidentiary hearing. For instance, this morning I just got
8 copies, for instance, on the residency issue, copies of the
9 Costco credit card from 2004 and the six weeks just before ...

10 MR. JAMES: Your Honor, I would object at this point...

11 MR. KYNASTON: ... the six weeks prior...

12 MR. JAMES: ... they, they filed a brief yesterday in
13 violation of the five day rule and in violation...

14 MR. KYNASTON: ... it was a supplement...

15 MR. JAMES: ... of the supplement rule...

16 THE COURT: I haven't looked it because you know what? As
17 I've told you all before, I do review everything the day
18 before. If it was filed the day before, I didn't review it
19 because it didn't show up on Odyssey. So I don't know what
20 you're talking about. In any event, save it all for the
21 evidentiary hearing...

22 MR. KYNASTON: (Indiscernible) the evidentiary hearing.

23 THE COURT: ... do you think one day is enough? I would
24 like to think it should be, but I think I'm giving you a day
25 and a half. Let's do it Thursday afternoon and a Friday.

1 MR. JAMES: I would tend to agree with that.

2 THE COURT: And I'm gonna, I'm gonna set it 120 days out.
3 Why? Because I want you all to be able to do as much
4 discovery, as well as gathering enough documents that there's
5 sufficient evidence at the time of trial that I can rule.

6 You know, I never mind when I get appealed. But,
7 it's not often I ask people to appeal me.

8 MR. JAMES: Well, sometimes cases need to be revisited or
9 clarified, Judge, and that's understandable. Not admitting
10 anything in this case, of course, but generally speaking.

11 THE CLERK: Okay, counsel, how much time do we need for
12 discovery?

13 THE COURT: We'll set it out 120 days.

14 THE CLERK: All right.

15 THE COURT: Is that enough?

16 MR. JAMES: Yeah.

17 MR. KYNASTON: I think that's plenty.

18 MR. JAMES: Should be, Judge.

19 THE CLERK: All right.

20 THE COURT: And then we're gonna do a Thursday afternoon
21 and a Friday.

22 THE CLERK: Our first opportunity's going to be Thursday,
23 June 13th at 1:30 and then Friday, June 14th at 9:30.

24 MR. JAMES: So, Madam Clerk, June 13th at 9?

25 THE CLERK: No, June 13th at 1:30 and then June 14th at

1 9:30.

2 MR. JAMES: Very good.

3 THE COURT: I want pre-hearing briefs citing applicable
4 law and applying the law to the facts of the case. Include
5 Vaile. Moore may be relevant in this, to this issue as well
6 considering that it was cited in the Vaile case by June 6th.

7 And discovery will close on May 30th. Is May 30th a
8 holiday? Let me see, no.

9 MR. KYNASTON: You said that's when discovery closes is
10 May 30th?

11 THE COURT: May 30th. I want the parties to disclose their
12 witnesses and any exhibits they intent to introduce. It
13 doesn't have to be filed, but it must be in writing to each
14 other, no later than May 1st.

15 MR. JAMES: And obviously, Judge, that would not include
16 anything obtained from the other side in discovery requests,
17 which would be due by the 30th, but our own...

18 THE COURT: And the argument is if you didn't disclose it,
19 but you didn't have it at the time, then that would be
20 justification so long as you seasonally update it by May 30th.

21 MR. JAMES: So anything that we have in our possession
22 from our side for sure, if it's garnered by us has to be by
23 the 1st? Got it.

24 THE COURT: I'm pretty sure I'm asking somebody to prove
25 something fifteen days - - fifteen years later. However,

1 there are records that can be obtained. I mean, we were well
2 beyond microfiche by 2004. So there are records that can be
3 submitted.

4 MR. JAMES: I appreciate that the Court is cognizant of
5 the fact that it's fifteen years later and records could be
6 destroyed. I appreciate the awareness of that.

7 THE COURT: I am aware of it and, and, again, I go - -
8 this is arguably not even a 60B issue. I don't even know if
9 it is. I, but I wanna look at it from the perspective of what
10 did happen? And if it is, then you can use a motion as a
11 separate action.

12 And again, the question is the timing, and the
13 Supreme Court may say too bad, so sad, she can't void it
14 'cause she waited fifteen years. I don't know. But I'm going
15 to give them an opportunity if one of you ends up appealing
16 instead of settling this, for them to take a look, if either
17 party wants them to.

18 And I do think it probably is not a push down case.

19 MR. JAMES: Yeah.

20 THE COURT: I think it's, it's really an interpretation of
21 Natalon (ph). It could be very important considering the
22 number of people that do, in fact, do what the co-Petitioner's
23 wife alleges they did. It happens probably on a daily basis
24 and we don't know. So, all right, Mr. Kynaston will, will
25 prepare the Order from today.

1 MR. KYNASTON: Okay.

2 THE COURT: Mr. James, you'll countersign.

3 MR. JAMES: Yes, Your Honor.

4 THE COURT: By the way, Mr. Kynaston, will your client
5 need an interpreter?

6 MR. KYNASTON: I will have to check because our
7 communications have just been through...

8 THE COURT: Please make those...

9 MR. KYNASTON: ... e-mail and phone, so...

10 THE COURT: ... arrangements in advance.

11 MR. JAMES: And we, obviously, there is an interpreter
12 that can do this.

13 THE COURT: I understand, but they need two. And there
14 will be no telephonic appearances by either party.

15 MR. KYNASTON: Yeah, she'll be, she'll be here for the
16 evidentiary, so.

17 MR. JAMES: Well, my client appeared today, so he
18 understands.

19 THE COURT: What?

20 MR. JAMES: My client appeared today, he understands he's
21 gotta be here, Judge.

22 THE COURT: Okay, great. Thank you.

23 MR. JAMES: Thank you, Judge.

24 (THE PROCEEDING ENDED AT 10:45:23.)

25 . . .

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* * * * *

ATTEST: I do hereby certify that I have truly and correctly transcribed the video proceedings in the above-entitled case to the best of my ability.



Katherine Rice
Transcriber

Steven D. Grierson

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DISTRICT COURT
CLARK COUNTY, NEVADA

JASWINDER SINGH,

Plaintiff,

vs.

RAJWANT KAUR,

Defendant.

CASE NO: 04D323977
DEPT NO: P

Date of Hearing: February 13, 2019
Time of Hearing: 10:00 a.m.

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ORDER FROM HEARING HELD FEBRUARY 13, 2019

THIS MATTER having come on for hearing this 13th day of February, 2019, before the Honorable Sandra Pomrenze, Defendant, RAJWANT KAUR, ("Defendant"), not present but represented by ANDREW L. KYNASTON, ESQ., of the law firm of KAINEN LAW GROUP, PLLC, and Plaintiff, JASWINDER SINGH ("Plaintiff"), present and represented by F. PETER JAMES, ESQ., of the LAW OFFICE OF F. PETER JAMES, ESQ., the Court having reviewed the papers and pleadings on file herein, the court having heard oral argument of counsel, and good cause appearing, enters the following Findings and Orders:

THE COURT HEREBY FINDS that there is evidence to be deduced, the first of which goes to the validity of residency. (Video Cite 10:26:48)

...

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FEB 13 2019

FAMILY COURT
DEPARTMENT P

1 THE COURT FURTHER FINDS that second piece of evidence needed is
2 regarding the issue of voluntary participation. (Video Cite 10:27:00)

3 THE COURT FURTHER FINDS that if there is no residency then a fraud
4 has been perpetrated on the State of Nevada. (Video Cite 10:27:11)

5 THE COURT FURTHER FINDS that given that the facts at issue are in
6 dispute, findings are necessary, therefore the Court will set an evidentiary hearing. (Video
7 Cite 10:28:45)

8 THE COURT FURTHER FINDS that if the alleged fraud regarding
9 residency has been committed, the injured party in this case is the State of Nevada. The
10 State of Nevada does not know that a fraud has been committed until it is brought to the
11 Court's attention. (Video Cite 10:29:49)

12 THE COURT FURTHER FINDS that in determining whether or not there
13 has been a fraud, Plaintiff has a burden to prove that he was a bona-fide resident of the
14 State of Nevada at the time of filing of the Complaint for Divorce. (Video Cite 10:32:00)

15 Therefore, good cause appearing;

16 THE COURT HEREBY ORDERS that an Evidentiary Hearing regarding
17 voiding the Decree of Divorce is hereby set for June 13, 2019, at 1:30 p.m., and June 14,
18 2019, at 9:30 a.m. The parties shall be present at the time of the Evidentiary Hearing.
19 There shall be no telephonic appearances allowed.

20 THE COURT FURTHER ORDERS that Pre-hearing Briefs, citing
21 applicable law and applying the law to the facts of the case shall be exchanged and filed,
22 with courtesy copies to chambers no later than June 6, 2019. Briefs may be emailed or
23 faxed to chambers if less than thirty (30) pages. If more than thirty (30) pages, counsel
24 shall provide a hard copy of the brief to chambers before the close of business on June
25 6, 2019. In the event either of the parties does not timely submit their brief, the non-
26 complying party will be subject to monetary sanctions. Trial Exhibits shall not be
27 attached to the brief that is filed.

28 ...

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 2 open until May 30, 2019, at the close of business. Written discovery shall be served one
 3 month and one week prior to the close of discovery and in a fashion that allows the other
 4 party 30 days to respond. There shall be no written discovery requests, no responses
 5 required and no depositions taken after the discovery closing date.

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 7 witnesses and exhibits, as well as copies of their proposed Exhibits, no later than May 1,
 8 2019, by the close of business. Any discovery produced or obtained after this date but
 9 prior to the May 30, 2019, discovery deadline, may be supplemented to the list of
 10 Witnesses and Exhibits. Counsel shall provide the witness and exhibit disclosures for
 11 Trial separately from the discovery disclosures and in a fashion that allows time for any
 12 needed depositions. Any witnesses not identified in advance of the hearing who is
 13 presented at the hearing, will not be permitted to testify at the hearing absent compelling
 14 circumstances. Any exhibits not identified prior to the time set for hearing will not be
 15 admitted absent compelling circumstances. The Trial Exhibits shall not be filed.

16 THE COURT FURTHER ORDERS that counsel shall make arrangements
 17 for the interpreters prior to the Trial.

18 DATED this 13 day of March, 2019.

19
 20
 21 
 DISTRICT COURT JUDGE

22 Submitted by:

23 KAINEN LAW GROUP, PLLC

Approved as to form and content:

LAW OFFICE OF F. PETER JAMES

24 By: 

25 ANDREW L. KYNASTON, ESQ.
 26 Nevada Bar No. 8147
 3303 Novat Street, Suite 200
 27 Las Vegas, Nevada 89129
 Attorneys for Defendant

By: 

F. PETER JAMES, ESQ.
 Nevada Bar No. 10091
 3821 W. Chareleston Blvd. #250
 Las Vegas, Nevada 89102
 Attorneys for Plaintiff



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3 Nevada Bar No. 8147
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9 service@KainenLawGroup.com
10 Attorneys for Defendant

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 JASWINDER SINGH,

11 Plaintiff,

12 vs.

14 RAJWANT KAUR,

15 Defendant.

CASE NO: 04D323977
DEPT NO: P

Date of Hearing: February 13, 2019
Time of Hearing: 10:00 a.m.

17 **NOTICE OF ENTRY OF ORDER FROM HEARING HELD**
18 **FEBRUARY 13, 2019**

18 TO: JASWINDER SINGH, Plaintiff; and

19 TO: F. PETER JAMES, ESQ., Attorney for Plaintiff:

20 PLEASE TAKE NOTICE that on the 14th day of March, 2019, the
21 Honorable Sandra Pomrenze entered an Order from Hearing Held February 13, 2019, a
22 copy of which is attached hereto.

23 DATED this 19th day of March, 2019.

25 KAINEN LAW GROUP, PLLC

26 By: 

27 ANDREW L. KYNASTON, ESQ.
28 Nevada Bar No. 8147
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
Attorneys for Defendant

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of March, 2019, I caused to be served the *Notice of Entry of Order from Hearing Held February 13, 2019*, to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:


___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Counsel for Plaintiff:

Peter@peterjameslaw.com
Courtney@peterjameslaw.com
Colleen@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC

Steven D. Grierson

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DISTRICT COURT
CLARK COUNTY, NEVADA

JASWINDER SINGH,

Plaintiff,

vs.

RAJWANT KAUR,

Defendant.

CASE NO: 04D323977
DEPT NO: P

Date of Hearing: February 13, 2019
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THE COURT HEREBY FINDS that there is evidence to be deduced, the first of which goes to the validity of residency. (Video Cite 10:26:48)

...

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FAMILY COURT
DEPARTMENT

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17 for the interpreters prior to the Trial.

18 DATED this 13 day of March, 2019.

19
20
21 
DISTRICT COURT JUDGE

22 Submitted by:

23 KAINEN LAW GROUP, PLLC

Approved as to form and content:

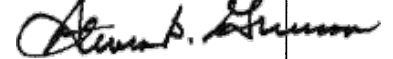
LAW OFFICE OF F. PETER JAMES

24 By: 
25

26 ANDREW L. KYNASTON, ESQ.
27 Nevada Bar No. 8147
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
Attorneys for Defendant

By: 
25

26 F. PETER JAMES, ESQ.
27 Nevada Bar No. 10091
3821 W. Chareleston Blvd. #250
Las Vegas, Nevada 89102
Attorneys for Plaintiff



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3 F. Peter James, Esq.
4 Nevada Bar No. 10091
5 3821 West Charleston Boulevard, Suite 250
6 Las Vegas, Nevada 89102
7 Peter@PeterJamesLaw.com
8 702-256-0087
9 702-256-0145 (fax)
10 Counsel for Plaintiff

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. : 04D323977
DEPT. NO. : P

16 vs.

MOTION IN LIMINE

17 RAJWANT KAUR,
18
19 Defendant.

20 **NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO
THIS MOTION WITH THE CLERK OF THE COURT AND TO
PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE
WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE
TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT
WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION MAY
RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE
COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED
HEARING DATE.**

1 COMES NOW Plaintiff, Jaswinder Singh, by and through his counsel, F.
2 Peter James, Esq., who hereby moves this Honorable Court for the following
3 relief:

- 4 • Preclusion of all witnesses not properly identified under NRCP 16.2; and
- 5 • Attorney's fees and costs.

6 This Motion is made and based on the papers and pleadings on file herein,
7 the attached points and authorities, the attached affidavit(s) / declaration(s), the
8 filed exhibit(s), and upon any oral argument the Court will entertain.

9 Dated this ^{30th} day of August, 2019

10 

11 LAW OFFICES OF F. PETER JAMES
F. Peter James, Esq.
12 Nevada Bar No. 10091
3821 W. Charleston Blvd., Suite 250
13 Las Vegas, Nevada 89102
702-256-0087
14 Counsel for Plaintiff

15 **EDCR 5.501 DECLARATION**

16 I, F. Peter James, Esq., hereby declare and state under penalty of perjury
17 as follows:

- 18 1. I am a member in good standing of the State Bar of Nevada.
- 19 2. I am counsel for Plaintiff, Jaswinder Singh, in the above-entitled matter.

20

1 3. I have personal knowledge of the facts contained in this declaration, save
2 those stated upon information and belief, and, as to those matter, I believe
3 them to be true.

4 4. I am competent and willing to testify in a court of law as to the facts
5 contained herein.

6 5. Defendant, Rajwant Kaur, is represented by Andrew Kynaston, Esq. It
7 would be futile to expect Mr. Kynaston to voluntarily preclude all of his
8 witnesses.

9 6. I will make reasonable efforts to meet and confer with Mr. Kynaston before
10 the opposition is due / before the hearing.

11 

12 F. PETER JAMES, ESQ.



DATE

13 **EDCR 5.510 DECLARATION**

14 I, F. Peter James, Esq., hereby declare and state under penalty of perjury
15 as follows:

16 1. I am a member in good standing of the State Bar of Nevada.

17 2. I am counsel for Plaintiff, Jaswinder Singh, in the above-entitled matter.

18 3. I have personal knowledge of the facts contained in this declaration, save
19 those stated upon information and belief, and, as to those matter, I believe
20 them to be true.

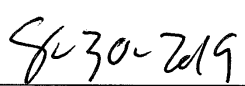
1 4. I am competent and willing to testify in a court of law as to the facts
2 contained herein.

3 5. I learned of the facts as to the improper disclosure of witnesses when I read
4 Defendant's disclosures, which was at or near the time they were served.

5 6. Other facts delineated in this Rule are in the above EDCR 5.501

6 Declaration.

7 
8 F. PETER JAMES, ESQ.

9 
10 DATE

11 **POINTS AND AUTHORITIES**

12 The Court should preclude Defendant from calling any witness not
13 properly identified in the disclosures. Further, the Court should award Plaintiff
14 attorney's fees and costs for having to bring this matter before the Court.

15 **A. THE COURT SHOULD PRECLUDE DEFENDANT'S WITNESSES**

16 The Court should preclude Defendant's witnesses as they were never
17 properly identified. EDCR 5.510 permits the filing of a motion in limine. Parties
18 are required to disclose the name, address, and phone numbers (if known) of all
19 witnesses who have information or knowledge relevant to the claims or defenses
20 at issue. *See* NRCP 16.2(e)(4). NRCP 16.2(g) authorizes the Court to preclude
Defendant from calling at trial witnesses who were never properly identified.

1 Here and on May 31, 2019 Defendant named eight witnesses other than
2 the parties, to wit:

- 3 • Jagtar Singh
- 4 • Sukhpal Singh Grewal
- 5 • Guriqbal Singh Pandher
- 6 • Satwant Kaur Cheema
- 7 • Rupinder Singh Grewal
- 8 • Randhir Singh Sohi
- 9 • Surinder Kaur Mundi

10 (*See* Exhibits at 2). As to each witness, Defendant stated that the contact
11 information was “To be provided” and that the witness was “anticipated to testify
12 as to their knowledge of the facts and circumstances regarding the matters
13 involved in the case.” (*Id.*).

14 On June 5, 2019, Defendant supplemented her disclosures, but did not
15 update the witness list. No contact information was provided for any witness.

16 Discovery closed August 29, 2019. At 4:39 pm on August 29, 2019,
17 Defendant updated her witness list in a supplemental disclosure. (*See* Exhibits at
18 17-24). Defendant updated the contact information for three witnesses, to wit:
19 Jagtoar Singh, Sukhpal Singh Grewal, and Guriqbal Singh Pander. (*Id.* at 18).
20 The other prior-disclosed witnesses were removed from the list. (*Id.*). The

1 updated contact information consisted only of their addresses. (*Id.*). Also
2 included were the statements that all of these witnesses were relatives of
3 Defendant. (*Id.*). No phone numbers were given. (*Id.*). It would be completely
4 incredible for Defendant to say she did not know the addresses of her relatives
5 until August 29, 2019 (the day discovery closed) and that she does not know their
6 phone numbers to this day.

7 The deadline to file a motion in limine was August 29, 2019. This motion
8 is being filed a day late due to the severely untimely identification (but still
9 incomplete disclosure) of the witnesses. The updated information was provided
10 to Plaintiff the day before this motion was filed—and near the close of business
11 at that. Plaintiff asks the Court to consider this motion in light of the late-filed
12 and still incomplete identification of the witnesses.

13 The purpose of the discovery rules is to take the surprise out of trials. *See*
14 *Washoe County Board of School Trustees v. Pirhala*, 84 Nev. 1, 5, 435 P.2d 756,
15 758 (1968) (purpose of discovery rules is the prevention of surprise at trial so the
16 relevant facts and information are ascertained prior to trial).

17 By refusing to comply with the simple process of identifying witnesses so
18 Plaintiff could contact them and, possibly, depose them. It is not Plaintiff's job
19 to tell Defendant the rules of litigation. This is an adversarial process. If a party
20

1 does not understand or comply with clear, simple, well-known rules, it is not the
2 other party's obligation to so inform them.

3 Defendant's counsel (Andrew Kynaston, Esq.) is a board-certified Family
4 Law Specialist and a Fellow of the American Academy of Matrimonial Lawyers
5 (AAML). Surely Defendant's counsel is familiar with NRC 16.2's disclosure
6 requirements—though everyone is presumed to know the law and this
7 presumption is not rebuttable. *See Smith v. State*, 38 Nev. 477, 151 P. 512, 513
8 (1915).

9 The failure to properly identify the witnesses by giving their addresses and
10 phone numbers is inexcusable. This failure prevented Plaintiff from contacting
11 these witnesses to learn what they would say prior to trial and from deposing
12 them if warranted. Plaintiff has no obligation to inform Defendant of their errors
13 in litigation. As stated, this is an adversarial process.

14 Defendant has failed to provide any contact information for her witnesses
15 until near the close of business the day discovery closed. Even at that, she only
16 provided a physical address and not phone numbers. These witnesses, as stated
17 in the disclosures, are her relatives. If she did not have their addresses and phone
18 numbers at the time she filed her initial witness list, she could reasonably have
19 gotten that information even two months later. Trial was even continued in this
20 matter, which provided more time for her to obtain this information. But to

1 provide only partial contact information near the end of business the day
2 discovery closed is inexcusable.

3 The discovery rules are in place to take the surprise out of trials. Litigants
4 are not permitted to play hide the ball with their evidence or with their witnesses.

5 The Court should preclude all of Defendant's witnesses, save the parties,
6 from testifying at trial.

7 **B. THE COURT SHOULD AWARD PLAINTIFF ATTORNEY'S FEES**
8 **AND COSTS**

9 The Court should award Plaintiff attorney's fees and costs for having to
10 bring this matter before the Court. NRS 18.010 allows the Court to liberally
11 award fees when a party maintains a frivolous position. EDCR 7.60 permits an
12 award of fees when a party unnecessarily protracts the litigation. EDCR 5.501
13 also permits an award of attorney's fees if the Court determines that the matter
14 should have been resolved without the Court's involvement. NRCP 16.2(g)
15 permits an award of fees for failing to comply with NRCP 16.2, along with other
16 sanctions.

17 Here, Defendant failed to properly disclose witnesses by failing to provide
18 any contact information for them whatsoever. Further, Defendant failed to
19 provide a timely statement as to what the witnesses would give testimony.

20

1 In determining the reasonableness of the fees to be awarded, the Court
2 must analyze the following factors:

- 3 • The qualities of the advocate: his ability, training, education, experience,
4 professional standing, and skill;
- 5 • The character of the work to be done: its difficulty, intricacy, importance,
6 the time and skill required, the responsibility imposed, and the prominence
7 and character of the parties where they affect the importance of the
8 litigation;
- 9 • The work actually performed by the lawyer: the skill, time, and attention
10 given to the work; and
- 11 • The result: whether the attorney was successful and what benefits were
12 derived.

13 *See Brunzell v. Golden State Nat. Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969);
14 *see also Miller v. Wilfong*, 121 Nev. 619, 623-24, 119 P.3d 727, 730 (2005). The
15 Court must also consider the relative income of the parties as this is a domestic
16 case. *Miller*, 121 Nev. at 623-24, 119 P.3d at 730. No one element should
17 predominate or be given undue weight. *Brunzell*, 85 Nev. at 349, 455 P.2d at 33.

18 As to the *Brunzell* factors, Counsel has successfully litigated countless
19 cases in the Family Division of this district court. Counsel has successfully
20 litigated numerous appeals and writ petitions at the Nevada Supreme Court.

1 Numerous Family Court judges have confirmed that Counsel's legal acumen
2 warranted charging \$400 per hour—with none disagreeing. Counsel is in his
3 thirteenth year of practice. Counsel is an AV Preeminent rated family law
4 attorney by Martindale Hubbell. In addition to numerous other accolades,
5 Counsel has been named one of the top family law attorneys in the state—and
6 received a hand-signed letter from former Sen. Harry Reid regarding the same.
7 Counsel is a court-approved Settlement Master whom the Family Courts appoints
8 cases for him to mediate on a pro bono basis. All of the substantive work in this
9 matter was performed by Counsel, not any junior associate or paralegal. What
10 work was done by a paralegal was billed at a lower rate and supervised / amended
11 by Counsel. The legal work did require review of the complex factual history
12 and of several key Nevada cases as to the issues presented. To satisfy *Miller*, the
13 filed Financial Disclosure Forms should evidence their respective income. As to
14 the result, that is up to the Court.

15 Should the Court be so inclined to award Plaintiff attorney's fees, he will
16 file a Memorandum of Fees and Costs with the redacted billing statements to
17 comply with *Love v. Love*.

18 ///

19 ///

20 ///

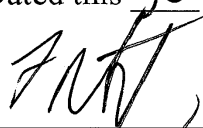
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CONCLUSION

Based on the foregoing, the Court should enter the following orders:

- Precluding Defendant from calling any witness not properly identified in the NRCP 16.2 disclosures; and
- Awarding Plaintiff attorney's fees and costs.

Dated this 30 day of August, 2019



LAW OFFICES OF F. PETER JAMES
F. Peter James, Esq.
Nevada Bar No. 10091
3821 W. Charleston Blvd., Suite 250
Las Vegas, Nevada 89102
702-256-0087
Counsel for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 I certify that on this 30 day of August, 2019, I caused the above and
3 foregoing document entitled **MOTION IN LIMINE** to be served as follows:

4 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)
5 and Administrative Order 14-2 captioned "In the Administrative
6 Matter of Mandatory Electronic Service in the Eighth Judicial
District Court," by mandatory electronic service through the
Eighth Judicial District Court's electronic filing system;

7 ☐ by placing same to be deposited for mailing in the United States
8 Mail, in a sealed envelope upon which first class postage was
prepaid in Las Vegas, Nevada;

9 ☐ pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile /
10 email;

11 to the attorney(s) / party(ies) listed below at the address(es), email address(es),
12 and/or facsimile number(s) indicated below:

13 Andrew L. Kynaston, Esq.
14 Kainen Law Group
15 3303 Novat Street, Suite 200
16 Las Vegas, Nevada 89129
702-823-4488 (fax)
Service@KainenLawGroup.com
Counsel for Defendant

17
18 By:



19 An employee of the Law Offices of F. Peter James, Esq., PLLC
20

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

JASWINDER SINGH
Plaintiff/Petitioner

v.
RAJWANT KAUR
Defendant/Respondent

Case No. 04D33977

Dept. P

**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
 - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
 - ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
- *☐ Other Excluded Motion (must specify) Procedural Motion.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
 - ☒ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

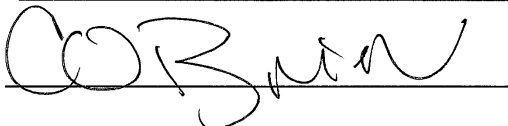
The total filing fee for the motion/opposition I am filing with this form is:


☒ \$0 ☐ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Plaintiff via F. Peter James, Esq.

Date 8/30/2019

Signature of Party or Preparer





1 **EXHS**
2 LAW OFFICES OF F. PETER JAMES, ESQ.
3 F. Peter James, Esq.
4 Nevada Bar No. 10091
5 3821 West Charleston Boulevard, Suite 250
6 Las Vegas, Nevada 89102
7 Peter@PeterJamesLaw.com
8 702-256-0087
9 702-256-0145 (fax)
10 Counsel for Plaintiff

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. : 04D323977
DEPT. NO. : P

16 vs.

17 **EXHIBITS IN SUPPORT OF**
18 **MOTION IN LIMINE**

19 RAJWANT KAUR,
20 Defendant.

The attached exhibits are brought in support of Plaintiff's Motion in
Limine.

///

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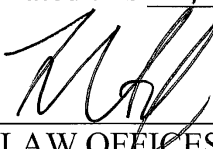
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Table of Exhibits

Exhibit Description	Bates Number
Defendant's Initial NRCP 16.2 Disclosures	1
Defendant's First Supplemental NRCP 16.2 Disclosures	9
Defendant's Second Supplemental NRCP 16.2 Disclosures	17

Dated this ^{30th} ~~29th~~ day of August, 2019



LAW OFFICES OF F. PETER JAMES
F. Peter James, Esq.
Nevada Bar No. 10091
3821 W. Charleston Blvd., Suite 250
Las Vegas, Nevada 89102
702-256-0087
Counsel for Plaintiff

1 **CERTIFICATE OF SERVICE**

2 I certify that on this 30 day of August, 2019, I caused the above and
3 foregoing document entitled **EXHIBITS IN SUPPORT OF MOTION IN**
4 **LIMINE** to be served as follows:

5 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)
6 and Administrative Order 14-2 captioned "In the Administrative
7 Matter of Mandatory Electronic Service in the Eighth Judicial
8 District Court," by mandatory electronic service through the
9 Eighth Judicial District Court's electronic filing system;


8 ☐ by placing same to be deposited for mailing in the United States
9 Mail, in a sealed envelope upon which first class postage was
prepaid in Las Vegas, Nevada;

10 ☐ pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile /
11 email;

12 to the attorney(s) / party(ies) listed below at the address(es), email address(es),
13 and/or facsimile number(s) indicated below:

14 Andrew L. Kynaston, Esq.
15 Kainen Law Group
16 3303 Novat Street, Suite 200
17 Las Vegas, Nevada 89129
18 702-823-4488 (fax)
19 Service@KainenLawGroup.com
20 Counsel for Defendant

18
19 By: _____


An employee of the Law Offices of F. Peter James, Esq., PLLC

KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

1 **16.2**
2 ANDREW L. KYNASTON, ESQ.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 PH: (702) 823-4900
8 Service@KainenLawGroup.com
9 Attorney for Defendant

DISTRICT COURT, FAMILY DIVISION

CLARK COUNTY, NEVADA

JASWINDER SINGH,

Plaintiff,

vs.

RAJWANT KAUR,

Defendant.

CASE NO. 04D323977
DEPT NO. P

Date of Hearing: N/A
Time of Hearing: N/A

DEFENDANT'S NRCP 16.2 PRODUCTION - 1

COMES NOW, Defendant, RAJWANT KAUR, by and through her attorney,
ANDREW L. KYNASTON, ESQ., of the KAINEN LAW GROUP, PLLC, and for his
Initial NRCP 16.2 Production produces the following documentation as bates stamp
numbers **(DEF001 - DEF0272)**.

WITNESS LIST

1. Plaintiff, Jaswinder Singh
c/o LAW OFFICES OF F. PETER JAMES, ESQ.
3821 West Charleston Boulevard, Ste 250
Las Vegas, Nevada 89102

Jaswinder is anticipated to testify as to his knowledge of the facts and
circumstances regarding the matters involved in this case.

...

...

...

2. Defendant, Rajwant Kaur
c/o KAINEN LAW GROUP, PLLC.
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129

Rajwant is anticipated to testify as to her knowledge of the facts and circumstances regarding the matters involved in this case.

3. Jagtar Singh
To be provided

Jagtar is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

4. Sukhpal Singh Grewal
To be provided

Sukhpal is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

5. Guriqbal Singh Pandher
To be provided

Guriqbal is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

6. Satwant Kaur Cheema
To be provided

Satwant is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

7. Jatinder Singh
To be provided

Jatinder is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

8. Rupinder Singh Grewal
To be provided

Rupinder is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

9. Randhir Singh Sohi
To be provided

Randhir is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

10. Surinder Kaur Mundi
To be provided

Surinder is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case.

DOCUMENT PRODUCTION

Appendix of Exhibits to Defendant's Motion to Set Aside Decree of Divorce

1. Petition for Dissolution of Marriage,
filed May 7, 2018 in Los Angeles County **DEF001 - DEF003**
2. Plaintiff's Response and Request for
Dissolution of Marriage **DEF004 - DEF006**
3. Stipulation Re: Respondent Filing An
Amended Response to Petition; and
Order Thereon **DEF007 - DEF012**
4. Joint Petition For Summary Decree of
Divorce, filed August 27, 2004 in
Clark County **DEF013 - DEF017**
5. Decree of Divorce, filed September 8,
2004 in Clark County **DEF018 - DEF020**
6. Affidavit of Resident Witness, filed
August 27, 2004 in Clark County. **DEF021 - DEF022**

Defendant's Supplemental Filing

7. Declaration in Support of Defendant's Reply to
Plaintiff's Opposition to Defendant's Motion
to Set Aside Decree of Divorce and Defendant's
Opposition to Plaintiff's Countermotion **DEF0023**
8. Sales Deed showing listing property to
Jaswinder Singth as a married man **DEF0024**
9. Experian and TransUnion Credit Report in
the name of Rajwant Kaur, showing
Jaswinder as spouse or co-applicant. **DEF0025 - DEF0043**

- 1 10. Aftercare instruction from Gastroenterology
- 2 Department for Jaswinder Singh, signed by
- 3 “Accompanying Adult” Rajwant Kaur, Wife. **DEF0044**
- 4 11. Copies of Healthcare Partners Medical
- 5 Group Referrals for Jaswinder Singh,
- 6 Showing Jaswinder’s home address in CA **DEF0045 - DEF0052**
- 7 12. Costco Wholesale receipt for Store number
- 8 48, located in Van Nuys, California, as well
- 9 as Member/Item Activity Print out
- 10 Showing purchases all at Store number 48 **DEF0053 - DEF0057**
- 11 13. Copy of Costco Credit Card Statement for
- 12 Rajwant Kaur, showing that Jaswinder
- 13 Singh has a card in his name under
- 14 this account. **DEF0058 - DEF0059**
- 15 14. Copies of both Jaswinder Singh and
- 16 Rajwant Kaur’s 2005 W-2, both showing
- 17 the same address. **DEF0060 - DEF0061**
- 18 15. Financial Agreement and Estimated Patient
- 19 Financial Responsibility Form, signed by
- 20 Jaswinder Singh, and Rajwant Kaur, as wife **DEF0062 - DEF0063**

21

22 **Proof of Residence**

- 23 16. Letter from SoCal Gas regarding service
- 24 dates at the Sepulveda Apartment **DEF0064**
- 25 17. Photo of Plaintiff’s Costco Card **DEF0065**
- 26 18. Costco Receipt from Store 48, dated
- 27 February 8, 2019 **DEF0066**

28 ...

1	19.	Photo of Defendant's CostCo Card	DEF0067
2	20.	CostCo statement dated February, 2019.	DEF0068
3			
4		Taxes	
5	21.	2007 U.S. Individual Income Tax Return	DEF0069 - DEF0075
6	22.	2006 U.S. Individual Income Tax Return	DEF0076 - DEF0089
7	23.	2005 U.S. Individual Income Tax Return	DEF0090 - DEF0100
8	24.	2004 U.S. Individual Income Tax Return	DEF0101 - DEF0108
9	25.	2003 U.S. Individual Income Tax Return	DEF0109 - DEF0118
10	26.	2002 U.S. Individual Income Tax Return	DEF0119 - DEF0131
11	27.	2001 U.S. Individual Income Tax Return	DEF0132 - DEF0143
12	28.	2000 U.S. Individual Income Tax Return	DEF0144 - DEF0159
13			
14		Employment Documents	
15	29.	Employment Memorandum dated March 1, 2001	
16		from Sherman Oaks Hospital and	
17		Health Center	DEF0160 - DEF0171
18	30.	Employment Personnel Action Forms from 2002	
19		through 2007	DEF0172 - DEF0242
20			
21		Bank Accounts	
22	31.	Copies of Check Ledger depicting miscellaneous	
23		expenses and address for the parties	DEF0243 - DEF0262
24	32.	Letter from Bank of America dated May 6, 2019	
25		explaining inability to provide statements	DEF0263
26	...		
27	...		
28	...		

KAINEN LAW GROUP, PLLC
 3303 Novat Street, Suite 200
 Las Vegas, Nevada 89129
 702.823.4900 • Fax 702.823.4488
 www.KainenLawGroup.com

Miscellaneous

33. Letter from SoCal Gas depicting service provided during period of September 1997 and December 2006 **DEF0264**
 34. Interinsurance Exchange of the Automobile Club Homeowners Insurance Billing Statement from April 2013 **DEF0265**
 35. Interinsurance Exchange of the Automobile Club Homeowners Insurance Cancellation Notice **DEF0266**
 36. Interinsurance Exchange of the Automobile Club Homeowners Insurance Renewal Notice **DEF0267**
 37. Copy of Quitclaim Deed for property in possession of Resident Witness, Pabla Balbinder **DEF0268 - DEF0270**
 38. Assessor's page print out of property in possession of Resident Witness, Pabla Balbinder, located at 2916 Jansen Avenue, Las Vegas, Nevada 89101 **DEF0271 - DEF0272**
- Dated this 31 day of May, 2019.

KAINEN LAW GROUP, PLLC

By:

ANDREW L. KYNASTON, ESQ.
 Nevada Bar No. 8147
 3303 Novat Street, Suite 200
 Las Vegas, Nevada 89129
 Attorney for Defendant

KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31 day of May, 2019, I caused to be served ***Defendant's NRCP 16.2 Production - 1*** to all interested parties as follows:

X BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

F. Peter James, Esq.
3821 W. Charleston Blvd., Ste 250
Las Vegas, Nevada 89102

___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Counsel for Plaintiff:

Peter@peterjameslaw.com
Courtney@peterjameslaw.com
Colleen@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC



KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

1 **16.2**
2 ANDREW L. KYNASTON, ESQ.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 PH: (702) 823-4900
8 Service@KainenLawGroup.com
9 Attorney for Defendant

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

JASWINDER SINGH,
Plaintiff,

vs.

RAJWANT KAUR,
Defendant.

CASE NO. 04D323977
DEPT NO. P

Date of Hearing: N/A
Time of Hearing: N/A

DEFENDANT'S NRCP 16.2 PRODUCTION - 2

COMES NOW, Defendant, RAJWANT KAUR, by and through her attorney,
ANDREW L. KYNASTON, ESQ., of the KAINEN LAW GROUP, PLLC, and for her
Second NRCP 16.2 Production produces the following documentation as bates stamp
numbers (DEF0273 - DEF0370_2).

WITNESS LIST

1. Plaintiff, Jaswinder Singh
c/o LAW OFFICES OF F. PETER JAMES, ESQ.
3821 West Charleston Boulevard, Ste 250
Las Vegas, Nevada 89102

Jaswinder is anticipated to testify as to his knowledge of the facts and
circumstances regarding the matters involved in this case.

...

...

...

- 1 2. Defendant, Rajwant Kaur
2 c/o KAINEN LAW GROUP, PLLC.
3 3303 Novat Street, Suite 200
4 Las Vegas, Nevada 89129

5 Rajwant is anticipated to testify as to her knowledge of the facts and
6 circumstances regarding the matters involved in this case.

- 7 3. Jagtar Singh
8 To be provided

9 Jagtar is anticipated to testify as to their knowledge of the facts and
10 circumstances regarding the matters involved in this case.

- 11 4. Sukhpal Singh Grewal
12 To be provided

13 Sukhpal is anticipated to testify as to their knowledge of the facts and
14 circumstances regarding the matters involved in this case.

- 15 5. Guriqbal Singh Pandher
16 To be provided

17 Guriqbal is anticipated to testify as to their knowledge of the facts and
18 circumstances regarding the matters involved in this case.

- 19 6. Satwant Kaur Cheema
20 To be provided

21 Satwant is anticipated to testify as to their knowledge of the facts and
22 circumstances regarding the matters involved in this case.

- 23 7. Jatinder Singh
24 To be provided

25 Jatinder is anticipated to testify as to their knowledge of the facts and
26 circumstances regarding the matters involved in this case.

- 27 8. Rupinder Singh Grewal
28 To be provided

Rupinder is anticipated to testify as to their knowledge of the facts and
circumstances regarding the matters involved in this case.

9. Randhir Singh Sohi
To be provided

Randhir is anticipated to testify as to their knowledge of the facts and
circumstances regarding the matters involved in this case.

10. Surinder Kaur Mundi
To be provided

Surinder is anticipated to testify as to their knowledge of the facts and
circumstances regarding the matters involved in this case.

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 Amended Response to Petition; and
 Order Thereon DEF007 - DEF012
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5. Decree of Divorce, filed September 8,
 2004 in Clark County DEF018 - DEF020
6. Affidavit of Resident Witness, filed
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Defendant's Supplemental Filing

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- 13 Singh has a card in his name under
- 14 this account. **DEF0058 - DEF0059**
- 15 14. Copies of both Jaswinder Singh and
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- 17 the same address. **DEF0060 - DEF0061**
- 18 15. Financial Agreement and Estimated Patient
- 19 Financial Responsibility Form, signed by
- 20 Jaswinder Singh, and Rajwant Kaur, as wife. **DEF0062 - DEF0063**

Proof of Residence

- 23 16. Letter from SoCal Gas regarding service
- 24 dates at the Sepulveda Apartment **DEF0064**
- 25 17. Photo of Plaintiff’s Costco Card **DEF0065**
- 26 18. Costco Receipt from Store 48, dated
- 27 February 8, 2019 **DEF0066**
- 28 ...

1	19.	Photo of Defendant's CostCo Card	DEF0067
2	20.	CostCo statement dated February, 2019.	DEF0068
3			
4	Taxes		
5	21.	2007 U.S. Individual Income Tax Return	DEF0069 - DEF0075
6	22.	2006 U.S. Individual Income Tax Return	DEF0076 - DEF0089
7	23.	2005 U.S. Individual Income Tax Return	DEF0090 - DEF0100
8	24.	2004 U.S. Individual Income Tax Return	DEF0101 - DEF0108
9	25.	2003 U.S. Individual Income Tax Return	DEF0109 - DEF0118
10	26.	2002 U.S. Individual Income Tax Return	DEF0119 - DEF0131
11	27.	2001 U.S. Individual Income Tax Return	DEF0132 - DEF0143
12	28.	2000 U.S. Individual Income Tax Return	DEF0144 - DEF0159
13			
14	Employment Documents		
15	29.	Employment Memorandum dated March 1, 2001	
16		from Sherman Oaks Hospital and	
17		Health Center	DEF0160 - DEF0171
18	30.	Employment Personnel Action Forms from 2002	
19		through 2007	DEF0172 - DEF0242
20	31.	Employment File for Country Villa	
21		Health Services, date of hire	
22		August 10, 2006.	DEF0273 - DEF0357_2
23			
24	Bank Accounts		
25	32.	Copies of Check Ledger depicting miscellaneous	
26		expenses and address for the parties	DEF0243 - DEF0262
27	33.	Letter from Bank of America dated May 6, 2019	
28		explaining inability to provide statements	DEF0263

Miscellaneous

34. Letter from SoCal Gas depicting service provided during period of September 1997 and December 2006 **DEF0264**
35. Interinsurance Exchange of the Automobile Club Homeowners Insurance Billing Statement from April 2013 **DEF0265**
36. Interinsurance Exchange of the Automobile Club Homeowners Insurance Cancellation Notice **DEF0266**
37. Interinsurance Exchange of the Automobile Club Homeowners Insurance Renewal Notice **DEF0267**
38. **Interinsurance Exchange of the Automobile Club Renewal Declarations from July 2008 DEF0358 - DEF0361_2**
39. **Interinsurance Exchange of the Automobile Club Renewal Declarations from July 2004 DEF0362 - DEF0364_2**
40. **Interinsurance Exchange of the Automobile Club Truth in Lending Information Billing Statement For Automobile Policy from July 2004 DEF0365 - DEF0366_2**
41. **Interinsurance Exchange of the Automobile Club Amendment of Automobile Insurance Declarations from August 2003. DEF0367 - DEF0368_2**
42. Copy of Quitclaim Deed for property in possession of Resident Witness, Pabla Balbinder **DEF0268 - DEF0270**
43. Assessor's page print out of property in possession of Resident Witness, Pabla Balbinder, located at 2916 Jansen Avenue, Las Vegas, Nevada 89101 **DEF0271 - DEF0272**

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KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5 day of June, 2019, I caused to be served ***Defendant's NRCP 16.2 Production - 2*** to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Counsel for Plaintiff:

Peter@peterjameslaw.com
Courtney@peterjameslaw.com
Colleen@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC

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3303 Novat Street, Suite 200
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1 **16.2**
2 ANDREW L. KYNASTON, ESQ.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
5 3303 Novat Street, Suite 200
6 Las Vegas, Nevada 89129
7 PH: (702) 823-4900
8 Service@KainenLawGroup.com
9 Attorney for Defendant

6 DISTRICT COURT, FAMILY DIVISION
7 CLARK COUNTY, NEVADA

8
9 JASWINDER SINGH,
10
11 Plaintiff,
12
13 vs.
14
15 RAJWANT KAUR,
16
17 Defendant.

CASE NO. 04D323977
DEPT NO. P

Date of Hearing: N/A
Time of Hearing: N/A

16 **DEFENDANT'S NRCP 16.2 PRODUCTION - 3**

17 COMES NOW, Defendant, RAJWANT KAUR, by and through her attorney,
18 ANDREW L. KYNASTON, ESQ., of the KAINEN LAW GROUP, PLLC, and for her
19 Third NRCP 16.2 Production produces the following documentation as bates stamp
20 numbers (DEF0371 - DEF0440 _3).

21 **WITNESS LIST**

- 22 1. Plaintiff, Jaswinder Singh
23 c/o LAW OFFICES OF F. PETER JAMES, ESQ.
24 3821 West Charleston Boulevard, Ste 250
25 Las Vegas, Nevada 89102

25 Jaswinder is anticipated to testify as to his knowledge of the facts and
26 circumstances regarding the matters involved in this case.
27 ...
28 ...

2. Defendant, Rajwant Kaur
 c/o KAINEN LAW GROUP, PLLC.
 3303 Novat Street, Suite 200
 Las Vegas, Nevada 89129

Rajwant is anticipated to testify as to her knowledge of the facts and circumstances regarding the matters involved in this case.

3. Jagtar Singh
 8220 Remmet Avenue
 Canoga Park, California 91304

Jagtar is Defendant's brother and the parties prior neighbor, and is anticipated to testify as to his knowledge of facts and circumstances regarding the matters involved in this case.

4. Sukhpal Singh Grewal
 2161 Clancy Court
 Simi Valley, California 93065

Sukhpal is Defendant's Nephew and is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case. Sukhpal has attended temple with the parties on a weekly basis.

5. Guriqbal Singh Pandher
 2623 Kadota Street
 Simi Valley, California 93063

Guriqbal is Sukhpal's Brother-in-Law and is anticipated to testify as to their knowledge of the facts and circumstances regarding the matters involved in this case. Sukhpal has attended temple with the parties on a weekly basis.

DOCUMENT PRODUCTION

Appendix of Exhibits to Defendant's Motion to Set Aside Decree of Divorce

1. Petition for Dissolution of Marriage,
 filed May 7, 2018 in Los Angeles County **DEF001 - DEF003**
2. Plaintiff's Response and Request for
 Dissolution of Marriage **DEF004 - DEF006**
3. Stipulation Re: Respondent Filing An
 Amended Response to Petition; and
 Order Thereon **DEF007 - DEF012**

...

...

4. Joint Petition For Summary Decree of Divorce, filed August 27, 2004 in Clark County **DEF013 - DEF017**
5. Decree of Divorce, filed September 8, 2004 in Clark County **DEF018 - DEF020**
6. Affidavit of Resident Witness, filed August 27, 2004 in Clark County. **DEF021 - DEF022**

Defendant's Supplemental Filing

7. Declaration in Support of Defendant's Reply to Plaintiff's Opposition to Defendant's Motion to Set Aside Decree of Divorce and Defendant's Opposition to Plaintiff's Countermotion **DEF0023**
8. Sales Deed showing listing property to Jaswinder Singh as a married man **DEF0024**
9. Experian and TransUnion Credit Report in the name of Rajwant Kaur, showing Jaswinder as spouse or co-applicant. **DEF0025 - DEF0043**
10. Aftercare instruction from Gastroenterology Department for Jaswinder Singh, signed by "Accompanying Adult" Rajwant Kaur, Wife. **DEF0044**
11. Copies of Healthcare Partners Medical Group Referrals for Jaswinder Singh, Showing Jaswinder's home address in CA **DEF0045 - DEF0052**
12. Costco Wholesale receipt for Store number 48, located in Van Nuys, California, as well as Member/Item Activity Print out Showing purchases all at Store number 48 **DEF0053 - DEF0057**

13. Copy of Costco Credit Card Statement for
Rajwant Kaur, showing that Jaswinder
Singh has a card in his name under
this account. **DEF0058 - DEF0059**
14. Copies of both Jaswinder Singh and
Rajwant Kaur's 2005 W-2, both showing
the same address. **DEF0060 - DEF0061**
15. Financial Agreement and Estimated Patient
Financial Responsibility Form, signed by
Jaswinder Singh, and Rajwant Kaur, as wife. **DEF0062 - DEF0063**

Proof of Residence

16. Letter from SoCal Gas regarding service
dates at the Sepulveda Apartment **DEF0064**
17. Photo of Plaintiff's Costco Card **DEF0065**
18. Costco Receipt from Store 48, dated
February 8, 2019 **DEF0066**
19. Photo of Defendant's Costco Card. **DEF0067**
20. Costco statement dated February, 2019 **DEF0068**
21. **Copy of Costco Membership activity for
card ending in 50001, from January 3,
2004, through December 19, 2004. DEF0371 - DEF0376_3**

Taxes

22. 2007 U.S. Individual Income Tax Return **DEF0069 - DEF0075**
23. 2006 U.S. Individual Income Tax Return **DEF0076 - DEF0089**
24. 2005 U.S. Individual Income Tax Return **DEF0090 - DEF0100**
25. 2004 U.S. Individual Income Tax Return **DEF0101 - DEF0108**

- 1 26. 2003 U.S. Individual Income Tax Return **DEF0109 - DEF0118**
- 2 27. 2002 U.S. Individual Income Tax Return **DEF0119 - DEF0131**
- 3 28. 2001 U.S. Individual Income Tax Return **DEF0132 - DEF0143**
- 4 29. 2000 U.S. Individual Income Tax Return **DEF0144 - DEF0159**

6 **Employment Documents**

- 7 30. Employment Memorandum dated March 1, 2001
- 8 from Sherman Oaks Hospital and
- 9 Health Center **DEF0160 - DEF0171**
- 10 31. Employment Personnel Action Forms from 2002
- 11 through 2007 **DEF0172 - DEF0242**
- 12 32. Employment File for Country Villa
- 13 Health Services, date of hire
- 14 August 10, 2006 **DEF0273 - DEF0357_2**
- 15 **33. Verification of employment letter from**
- 16 **Defendant's employer dated August 21, 2019 DEF0377_3**

18 **Bank Accounts**

- 19 34. Copies of Check Ledger depicting miscellaneous
- 20 expenses and address for the parties **DEF0243 - DEF0262**
- 21 35. Letter from Bank of America dated May 6, 2019
- 22 explaining inability to provide statements **DEF0263**

24 **Miscellaneous**

- 25 36. Letter from SoCal Gas depicting service provided
- 26 during period of September 1997 and
- 27 December 2006 **DEF0264**

28 ...

1	37.	Interinsurance Exchange of the Automobile Club	
2		Homeowners Insurance Billing Statement	
3		from April 2013	DEF0265
4	38.	Interinsurance Exchange of the Automobile Club	
5		Homeowners Insurance Cancellation Notice	DEF0266
6	39.	Interinsurance Exchange of the Automobile Club	
7		Homeowners Insurance Renewal Notice	DEF0267
8	40.	Interinsurance Exchange of the Automobile Club	
9		Renewal Declarations from July 2008	DEF0358 - DEF0361_2
10	41.	Interinsurance Exchange of the Automobile Club	
11		Renewal Declarations from July 2004	DEF0362 - DEF0364_2
12	42.	Interinsurance Exchange of the Automobile Club	
13		Truth in Lending Information Billing Statement	
14		For Automobile Policy from July 2004	DEF0365 - DEF0366_2
15	43.	Interinsurance Exchange of the Automobile Club	
16		Amendment of Automobile Insurance	
17		Declarations from August 2003	DEF0367 - DEF0368_2
18	44.	Copy of Quitclaim Deed for property in possession of	
19		Resident Witness, Pabla Balbinder	DEF0268 - DEF0270
20	45.	Assessor's page print out of property in possession of	
21		Resident Witness, Pabla Balbinder, located at 2916	
22		Jansen Avenue, Las Vegas, Nevada 89101	DEF0271 - DEF0272
23	46.	Letter from Costco/Ameriprise Auto & Home	
24		Insurance, dated January 30, 2009	DEF0369_2
25	47.	IDS Property Casualty Insurance Company	
26		Auto Insurance Quote from January 2009	DEF0370_2
27	48.	Copy of Defendant's Passport	DEF0378_3
28	...		

- 1 49. Contention Interrogatories Set No. One from
- 2 California case no. 18STFL05676. DEF0379 - DEF0386_3
- 3 50. Plaintiff's Response to Contention
- 4 Interrogatories Set No. 1, from California
- 5 case no. 18STFL05676. DEF0387 - DEF390_3
- 6 51. Conformed copy of Defendant's Income and
- 7 Expense Declaration, from California case
- 8 no. 18STFL05676. DEF0391 - DEF0395_3
- 9 52. Conformed Declaration Regarding Service of
- 10 Declaration of Disclosure and Income and
- 11 Expense Declaration, from California case
- 12 no. 18STFL05676. DEF0396_3
- 13 53. Conformed Petitioner's Evidentiary
- 14 Objections and Request to Strike (in preparing
- 15 this disclosure, we learned the this document
- 16 partially illegible, therefore a clean copy will be
- 17 supplemented as soon as we receive the same
- 18 from our California co-counsel) DEF0397 - DEF0413_3
- 19 54. Defendant's Declaration of Disclosure, filed in
- 20 California case no. 18STFL05676. DEF0414 - DEF0440_3
- 21 Dated this 29 day of August, 2019.

KAINEN LAW GROUP, PLLC

By. 

ANDREW L. KYNASTON, ESQ.
 Nevada Bar No. 8147
 3303 Novat Street, Suite 200
 Las Vegas, Nevada 89129
 Attorney for Defendant

KAINEN LAW GROUP, PLLC
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702.823.4900 • Fax 702.823.4488
www.KainenLawGroup.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of August, 2019, I caused to be served ***Defendant's NRCP 16.2 Production - 3*** to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

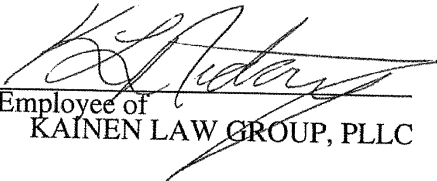
___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:


___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

 X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Counsel for Plaintiff:

Peter@peterjameslaw.com
Courtney@peterjameslaw.com
Colleen@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC



1 **EPAP**
2 LAW OFFICES OF F. PETER JAMES, ESQ.
3 F. Peter James, Esq.
4 Nevada Bar No. 10091
5 3821 West Charleston Boulevard, Suite 250
6 Las Vegas, Nevada 89102
7 Peter@PeterJamesLaw.com
8 702-256-0087
9 702-256-0145 (fax)
10 Counsel for Plaintiff

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JASWINDER SINGH,
14
15 Plaintiff,

CASE NO. : 04D323977
DEPT. NO. : P

16 vs.

**EX PARTE APPLICATION FOR
AN ORDER SHORTENING TIME
ON MOTION FOR LIMINE**

17 RAJWANT KAUR,
18
19 Defendant.

20 COMES NOW Plaintiff, Jaswinder Singh, by and through his counsel of
record, F. Peter James, Esq., who, on an ex parte basis, is applying for an Order
Shortening Time to hear Plaintiff's pending Motion for Limine filed on August
30, 2019.

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///

///

1 An Order Shortening Time is necessary for the reasons stated in counsel's

2 Declaration set forth herein.

3 Dated this 30 day of August, 2019

4 

5 LAW OFFICES OF F. PETER JAMES

F. Peter James, Esq.

6 Nevada Bar No. 10091

3821 W. Charleston Blvd., Suite 250

7 Las Vegas, Nevada 89102

702-256-0087

8 Counsel for Plaintiff

9 **DECLARATION OF F. PETER JAMES, ESQ.**

10 F. Peter James, Esq. declares, and states as follows:

- 11 1. I am a member in good standing with the State Bar of Nevada.
- 12 2. I am counsel for the Plaintiff, Jaswinder Singh, in the above-entitled
- 13 matter.
- 14 3. I am competent and willing to testify in a court of law as to the facts
- 15 containing herein.
- 16 4. I have personal knowledge of the facts contained in this declaration, save
- 17 those stated upon information and/or belief, and as to those matters, I
- 18 believe them to be true.
- 19 5. Good cause exists to shorten time on Plaintiff's motion at issue.

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6. Plaintiff currently has trial set for September 12, 2019 and September 13, 2019.

7. Plaintiff's Motion for Limine needs to be heard before the presently set trial.

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



F. PETER JAMES, ESQ.



Date

1 **CERTIFICATE OF SERVICE**

2 I certify that on this 30 day of August, 2019, I caused the above and
3 foregoing document entitled **EX PARTE REQUEST FOR AN ORDER**
4 **SHORTENING TIME** to be served as follows:

5 ☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D)
6 and Administrative Order 14-2 captioned "In the Administrative
7 Matter of Mandatory Electronic Service in the Eighth Judicial
District Court," by mandatory electronic service through the
Eighth Judicial District Court's electronic filing system;

8 ☐ by placing same to be deposited for mailing in the United States
9 Mail, in a sealed envelope upon which first class postage was
prepaid in Las Vegas, Nevada;

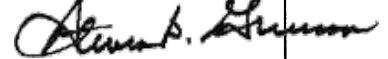
10 ☐ pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile /
11 email;

12 to the attorney(s) / party(ies) listed below at the address(es), email address(es),
13 and/or facsimile number(s) indicated below:

14 Andrew L. Kynaston, Esq.
15 Kainen Law Group
3303 Novat Street, Suite 200
16 Las Vegas, Nevada 89129
702-823-4488 (fax)
17 Service@KainenLawGroup.com
Counsel for Defendant

18
19 By: 

20 An employee of the Law Offices of F. Peter James, Esq., PLLC



1 **CSERV**
2 **LAW OFFICES OF F. PETER JAMES, ESQ.**
3 **F. Peter James, Esq.**
4 **Nevada Bar No. 10091**
5 **3821 West Charleston Boulevard, Suite 250**
6 **Las Vegas, Nevada 89102**
7 **Peter@PeterJamesLaw.com**
8 **702-256-0087**
9 **702-256-0145 (fax)**
10 **Counsel for Plaintiff**

11 **DISTRICT COURT, FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 **JASWINDER SINGH,**
14
15 **Plaintiff,**

16 **CASE NO. : 04D323977**
17 **DEPT. NO. : P**

18 **CERTIFICATE OF SERVICE**

19 **vs.**

20 **RAJWANT KAUR,**
Defendant.

I hereby certify, that on the 30th day of August, 2019 the following documents were served to opposing counsel:

- **MOTION IN LIMINE;**
- **EXHIBITS IN SUPPORT OF MOTION IN LIMINE; AND**
- **EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME ON MOTION FOR LIMINE.**

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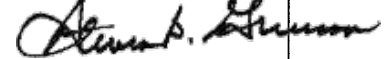
X pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned “In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court,” by mandatory electronic service through the Eighth Judicial District Court’s electronic filing system;

[] by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

[] pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile / email;

Andrew L. Kynaston, Esq.
Kainen Law Group
3303 Novat Street, Suite 200
Las Vegas, Nevada 89129
702-823-4488 (fax)
Service@KainenLawGroup.com
Counsel for Defendant


An employee of the Law Offices of F. Peter James, Esq., PLLC



PMEM
LAW OFFICES OF F. PETER JAMES, ESQ.
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3821 West Charleston Boulevard, Suite 250
Las Vegas, Nevada 89102
Peter@PeterJamesLaw.com
702-256-0087
702-256-0145 (fax)
Counsel for Plaintiff

**DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA**

JASWINDER SINGH,

Plaintiff,

vs.

RAJWANT KAUR,

Defendant.

CASE NO. : 04D323977
DEPT. NO. : P

**PLAINTIFF'S PRE-TRIAL
MEMORANDUM**

I.

STATEMENT OF ESSENTIAL FACTS

- A. Name of Plaintiff:** Jaswinder Singh (58)
B. Name of Defendant: Rajwant Kaur (age ?)
C. Date of Marriage: November 11, 1989
D. Date of Divorce: September 8, 2004
E. Children: None.

1 **F. Resolved Issues:** None.

2 **G. Unresolved Issues:**

- 3 • Setting aside Decree of Divorce
- 4 • Attorney's fees award to Plaintiff

5 **II.**

6 **THE SET ASIDE REQUEST SHOULD BE DENIED**

7 The Court should deny the set aside. Per the Court's order and per *Vaile*,
8 two things must be established—that Plaintiff never lived in Nevada as required
9 by Nevada law and that Plaintiff forced Defendant to sign the Decree of Divorce.

10 The party requesting a set aside has the burden of proof. *See Kahn v. Orme*,
11 108 Nev. 510, 513-14, 835 P.2d 790, 793 (1992), *overruled on other grounds by*
12 *Epstein v. Epstein*, 113 Nev. 1404, 1405, 950 P.2d 771, 773 (1997). Burden
13 shifting is improper. *See Francis v. Wynn Las Vegas*, 127 Nev. 657, 667 n. 5,
14 262 P.3d 702, 713 n. 5 (2011). In contradiction of Nevada law, the Court ordered
15 that Plaintiff prove he was a proper resident of Nevada at the relevant times. (*See*
16 *Order filed March 14, 2019*).

17 That issue aside, Defendant admitted in her deposition that she signed the
18 divorce papers due to her culture, not due to Plaintiff forcing her to do so. This
19 negates Defendant's claim that Plaintiff forced her to.

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III.

ATTORNEY'S FEES

The Court should award Plaintiff attorney's fees for having to defend against Defendant's untimely and non-meritorious motion. Defendant admitted that Plaintiff did not force her to sign—that her cultural beliefs did. Defendant should have dismissed the action right then.

IV.

LIST OF WITNESSES

Plaintiff intends on calling the following witnesses:

- The parties

VIII.

LIST OF EXHIBITS

Dad intends on introducing the following exhibits at Trial:

#	Description	Bates No. J. SINGH
1.	Executed release for employment records	000001
2.	Letter from Bank of America regarding records being unavailable	000002
3.	Grant Bargain Sale Deed in the name of Balbinder Singh Pabla for Nevada property	000003- 000005
4.	Payment receipts for the Law Office of F. Peter James, Esq. dated 1/16/19 and 2/26/19	000006- 000007
5.	Invoice # 2621, 2588, and 2606 from the Law Office of F. Peter James, Esq. (redacted)	000008- 000015
6.	Invoices from Constance Bessada, Esq. dated 6/13/18, 8/21/18, and 1/3/19 (redacted)	000016- 000018

7.	Retainer Agreement for Law Offices of F. Peter James, Esq.	000019-000022
8.	Retainer Agreement for Constance Bessada, Esq.	000023-000027
9.	Passport of Jaswinder Singh	000028-000030
10.	Documents disclosed by Defendant's counsel at the August 19, 2019 deposition	000031-000039
11.	India Marriage Certificate Jasvir Singh Dhaliwal and Rajwant Kaur	000040
12.	India Divorce Ruling	000041-000045
13.	Defendant's Deposition Transcript	
14.	Plaintiff's Interrogatories to Defendant	
15.	Defendant's responses to the Interrogatories	
16.	Plaintiff's Requests for Production of Documents to Defendant	
17.	Defendant's responses to Requests for Production of Documents	

IX.

UNUSUAL LEGAL OR FACTUAL ISSUES PRESENTED

Defendant never filed a Financial Disclosure Form. She is asking for financial relief in that she want the marriage reinstated so marital property may adjudicated. EDCR 5.506(a) mandates an FDF be filed in any matters involving money. Clearly, this is about money. The Court may properly deem that

1 Defendant is admitting her position is not meritorious and cause for entry of
2 orders adverse to Plaintiff's position. *See* EDCR 5.506(g).

3 Defendant also failed to properly identify her witnesses. (*See* Motion in
4 Limine filed August 30, 2019 and the Exhibits thereto). This hiding of witnesses
5 made it so Plaintiff could not contact any of them to ascertain their testimony /
6 depose them prior to trial. Specifically, Defendant did not provide any contact
7 information for her witnesses until 4:39pm the day discovery closed. Even then,
8 no phone numbers were provided. Further, Defendant did not give a brief
9 statement as to what subject matter the witnesses would testify—only the
10 allegations in the pleadings. This is cause for the Court to refuse Defendant to
11 call any of her witnesses to testify.

12 That Defendant waited 14.5 years to file her motion to set aside caused
13 proof problems. Banks and other facilities only keep records for 7 years.
14 Witnesses disappear. Witnesses no longer wish to participate. Parties forget who
15 would have knowledge of the events. This is why the Nevada Supreme Court
16 said 2 years is too long to wait to challenge a purportedly void order when the
17 moving party had actual knowledge of the order being entered.

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X.

LENGTH OF TRIAL


Plaintiff believes that trial in this matter will last one full day, if things go smoothly and when Defendant's witnesses are excluded.

XI.

FINANCIAL DISCLOSURE FORM

Plaintiff's Financial Disclosure Form filed date should be current. If not, it will be updated.

Dated this 5 day of September, 2019



LAW OFFICES OF F. PETER JAMES
F. Peter James, Esq.
Nevada Bar No. 10091
3821 W. Charleston Blvd., Suite 250
Las Vegas, Nevada 89102
702-256-0087
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on this 5 day of September, 2019, I caused the above and foregoing document entitled **PLAINTIFF'S PRE-TRIAL MEMORANDUM** to be served as follows:

☒ pursuant to EDCR 8.05(A), EDCR 8.05(F), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;


☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ pursuant to EDCR 7.26 / NEFCR 9, to be sent via facsimile / email;

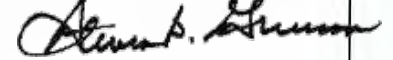
to the attorney(s) / party(ies) listed below at the address(es), email address(es), and/or facsimile number(s) indicated below:

Andrew L. Kynaston, Esq.
Kainen Law Group
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Counsel for Defendant

By:



An employee of the Law Offices of F. Peter James, Esq., PLLC



1 **PTM**
2 ANDREW L. KYNASTON, ESQ.
3 Nevada Bar No. 8147
4 KAINEN LAW GROUP, PLLC
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7 PH: (702) 823-4900
8 Service@KainenLawGroup.com
9 Attorney for Defendant

6 DISTRICT COURT, FAMILY DIVISION
7 CLARK COUNTY, NEVADA

8 JASWINDER SINGH,

9 Plaintiff,

10 vs.

11 RAJWANT KAUR,

12 Defendant.

CASE NO. 04D323977
DEPT NO. P


Date of Hearing: 9/12/19 @ 1:30 p.m.
9/13/19 @ 9:30 a.m.

13
14
15 **DEFENDANT'S PRE-TRIAL MEMORANDUM**

16 COMES NOW, the Defendant, RAJWANT KAUR, by and through her
17 attorney, ANDREW L. KYNASTON, ESQ., of the law firm of KAINEN LAW GROUP,
18 PLLC, and hereby submits her Pre-Trial Memorandum to this Court.

19 DATED this 5th day of September, 2019

20 KAINEN LAW GROUP, PLLC

21 By: 
22 ANDREW L. KYNASTON, ESQ.
23 Nevada Bar No. 8147
24 3303 Novat Street, Suite 200
25 Las Vegas, Nevada 89129
26 Attorneys for Defendant
27
28

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I.

STATEMENT OF ESSENTIAL FACTS

A. NAMES/AGES OF PARTIES:

Plaintiff, JASWINDER SINGH (hereinafter "Husband"), born May 5, 1961, age 58, Defendant, RAJWANT KAUR (hereinafter "Wife"), born June 8, 1957, age 62. The parties have no children.

B. DATE OF MARRIAGE:

Husband and Wife were married either on November 11, 1989, or December 31, 1989, in Punjab, India.¹ A Decree of Divorce was erroneously filed on September 27, 2004 in Las Vegas, Nevada based upon a fraudulently filed joint petition filed August 27, 2004, instigated by Husband and supported by a false and fraudulent claim of Nevada residency. Since August 2004, the parties continued to reside as husband and wife in their marital residence in California, and to this day are still jointly residing in the same residence in California. Wife initiated a divorce action in California in May of 2018 (Case No. 18STFL05676). Husband responded to the California divorce petition, and countersued for dissolution of the parties' marriage in California. However, nearly six months later, Husband filed an amended Response in the California case alleging the parties' were already divorced in 2004 in Nevada. Wife subsequently had to retain Nevada counsel and file a *Motion to Set Aside Decree of Divorce* before this Court on January 7, 2019, which Motion was heard by the Court on February 13, 2019.

C. RESOLVED ISSUES, INCLUDING AGREED RESOLUTIONS:

None.

D. STATEMENT OF UNRESOLVED ISSUES:

At the hearing held February 13, 2019, the Court made specific findings in relation to Wife's *Motion to Set Aside the Decree of Divorce* and determined that evidentiary proceedings would be necessary to make a determination regarding Wife's

¹ There is some discrepancy regarding the actual date of the parties' marriage.

1 request to declare void and set aside the August 2004 Nevada Decree of Divorce. The
2 Court, as set forth in detail in its Order filed March 14, 2019, determined that evidence
3 needed to be taken in regard to three specific issues, as follows:

4 1) Whether Husband satisfied the requirements of actual physical
5 presence for six weeks and the requisite intent to establish valid Nevada residency prior
6 to the filing of the Joint Petition for Divorce in August 2004, and, if not, that a fraud has
7 been perpetrated on the State of Nevada.² The Court further determined that it was
8 Husband's burden to prove he was a bona-fide resident of the State of Nevada at the time
9 of filing the Complaint for Divorce;

10 2) Whether Wife voluntarily participated or was otherwise complicit in
11 the fraud perpetrated by Husband on the State of Nevada; and

12 3) Whether the 2004 Nevada Decree of Divorce should be set aside and
13 declared void by the Court based upon the fraud upon the Court and the State of Nevada
14 as permitted by NRCP Rule 60(b), and consideration of the holding in Vaile v. Eighth
15 Judicial District Court, 118 Nev. 262, 44 P.3d 506 (2002).

16 II.

17 **BACKGROUND & LEGAL ARGUMENT**

18 Husband and Wife were married by arranged marriage in either November
19 or December 1989, in Punjab, India. Prior to their marriage, Wife, had immigrated from
20 India to Southern California in the United States and started working as a nurse in a
21 California hospital. After the parties' marriage in India, Husband also immigrated to the
22 United States in Southern California, where the parties have resided together as husband
23 and wife since that time for a period of nearly 30 years. Wife has worked as a certified
24 nurse for the duration of the parties' nearly 30 years together. Husband worked as a
25

26 ² The Court made it clear that it views the State of Nevada as the injured party, if the alleged fraud
27 regarding residency has been committed, and noted that the "State of Nevada does not know that a
28 fraud has been committed until it is brought to the Court's attention." (Court Order filed March 14,
2019, page 2, lines 8-11)

1 cashier at a 7-Eleven in Southern California between 1989 and 1993, when he was shot
2 at work, and was disabled for several years after that while recovering from his injuries.
3 Thereafter, in 1998, he started working for Interamerican Motor Corporation, where he
4 has been employed consistently since that time and presently works as a forklift operator.

5 The evidence presented at trial will overwhelmingly establish that Husband
6 was not (and never has been) a bona-fide resident of the State of Nevada prior to the
7 filing of the Joint Petition for Divorce on August 27, 2004, and that his claims (as well
8 of those of his “resident witness”) of Nevada residency were fraudulent. Upon hearing
9 the evidence, the Court should easily find that Husband completely lacks credibility in
10 this regard and that he has been unable to even keep his own story straight during the
11 discovery process. Further, that he has not and cannot prove actual physical presence in
12 the State of Nevada for the requisite six-week period prior to filing the Joint Petition, and
13 further that he has no credible evidence to support a claim that he possessed the requisite
14 intent to be a Nevada resident at the time the Nevada Divorce Decree was filed. The
15 Court made it clear at the hearing of February 13, 2019, that it is Husband’s burden to
16 prove Nevada residency.³ He has not produced any credible supporting evidence in this
17 regard, and appears to be solely depending on his own inconsistent testimony.

18 In Husband’s Answers to Interrogatories, served May 13, 2019, in response
19 to Interrogatory No. 7 – “*State the beginning and end dates for each period you resided*
20 *together with Defendant. State the address(es) where you resided together.*” – Husband
21 answered that the parties resided together at various addresses all in Southern California
22 between February 1993 and June 13, 2004; then again in California “from about mid
23 September 2004 for 2-3 months until November or December 2004, Starting again in
24 December of 2004, or January 2005 we resumed living together again, and continue to
25

26 ³ Wife is aware that Husband and his counsel are arguing that it was improper for the Court to state
27 that it is Husband’s legal burden to prove residency. While Wife and her counsel disagree with this
28 legal conclusion by Husband and his counsel, the evidence at trial will overwhelmingly show that
Husband did not establish the requisite Nevada residency whether the burden is his or not.

1 do so through today.” The inference from this response was that there was a period of
2 time between June 13, 2004 and mid-September 2004, that he claims the parties were not
3 residing together. Otherwise they have been living together at all other relevant times in
4 California. Husband also indicated that he took a leave of absence from his job in
5 California from June 13, 2004 through mid September 2004, during which time he claims
6 to have resided in Las Vegas. (See Answer to Interrogatory No. 17).⁴ The fact that he
7 claims to have only taken a leave of absence from his job in California, rather than quit,
8 demonstrates that his intentions were not to permanently relocate to Nevada.
9 Furthermore, in response to Wife’s *Request for Production of Documents to Plaintiff*
10 propounded in discovery, Husband was requested to produce “any and all documents
11 relating to any employment” since January 1, 2004. Husband’s response was to object
12 to the request as “unduly burdensome” and suggesting it was too long ago for him to be
13 able to produce records. He did produce a Release Form for his employment records, but
14 nothing else. (See Husband’s Response to Requests for Production to Plaintiff, Response
15 No. 1). As it is Husband’s burden to prove Nevada residency, it would have been in his
16 interests to try to obtain the employment records to demonstrate that he had taken a leave
17 of absence during the period he claims to have been residing in Nevada. Instead, he
18 flippantly objects, suggests the records likely don’t exist, and then provides a release
19 telling Wife to try to get the records from his employer if she wants them.

20 Later on in his Answers to Interrogatories, in response to Interrogatory No.
21 22 (“*Provide a detailed explanation of the period you claim to have been a Nevada*
22 *resident. State where you lived, where you worked, where you received medical*
23 *treatments or care. Please state when you obtained a Nevada drivers license and when*
24 _____

25 ⁴ When asked about “leaves of absence” from his work during his deposition, Husband initially only
26 talked about taking a sick day here or there or a vacation day. When asked more specifically about
27 any “extended leaves of absence” he spoke about taking extended leaves of absence in 2012 for a
28 pancreas surgery and a wrist injury. When further pressed about any extended leaves of absence
specifically in 2004, his response was “I do take a leave of absence. It’s a long time ago, like 14, 15,
years ago. I don’t recall exactly.” (See Deposition Transcript of Jaswinder Singh page 9, lines 4-22)

1 you registered to vote. Please also state where you did your banking in Nevada, and
2 where you buy groceries”, Husband answered, “I lived with Balbinder Singh at his house
3 at 2916 Jansen Ave. Las Vegas, Nevada 89101. I never obtained a job in Nevada, and
4 never received medical care in Nevada. I did not get a Nevada driver’s license, nor did
5 I register to vote. I banked through Bank of America. I did not buy groceries as I only
6 ate out.” In response to Interrogatory No. 12, he also responded that the house he stayed
7 in Las Vegas was 2-3 bedrooms, that he slept on a mattress on the floor in the living
8 room, and that he “paid for his food and nothing else.”

9 Conveniently, Husband doesn’t know the present whereabouts of his
10 resident witness, Balbinder Singh Pabla, about whom he claims in his Answers to
11 Interrogatories that he met “through a mutual friend when he was in Los Angeles...”
12 “about a year before [he] went to stay with Mr. Pabla in Las Vegas” (See, Answer to
13 Interrogatory No. 13). During his deposition testimony, Husband further testified
14 regarding Mr. Pabla, that “[h]e was a friend of a friend. It’s just like when we see each
15 other, we talk to each other in different places. He was a friend of another friend.”
16 (Deposition Transcript of Husband Singh, page 46, lines 12-15). Yet this is a person he
17 claims welcomed him into his home, and allowed him to spend approximately two
18 months sleeping on this “friend of a friend’s” living room floor (See, Answer to
19 Interrogatory No. 12). He further testified that both he and Wife stayed in Mr. Pabla’s
20 home during this time, along with Mr. Pabla’s wife and his children (Deposition
21 Transcript of Jaswinder Singh, page 46, line 5). Husband didn’t even know how many
22 children Mr. Pabla had at the time (*Id.* at page 46, lines 3-10), how many bedrooms were
23 in the house (*Id.*, at page 49, lines 6-8), what part of town the house is located in or the
24 major cross streets near the house (*Id.* at page 51, lines 24-25, and page 52, lines 1-5), or
25 that there was a large park (Freedom Park) nearby (*Id.* at 52, lines 22-25).

26 Several months after providing his Answers to Interrogatories, during his
27 deposition testimony on August 19, 2019, Husband’s testimony was wholly inconsistent
28 with his Answers to Interrogatories. For instance, for the first time ever in this case and

1 in the discovery process, he testified that not only he had resided in Nevada at least six
2 weeks prior to filing the Joint Petition, but that Wife had also resided with him in Nevada
3 during that period of time, as evidenced by the following testimony:

4 MR. KYNASTON: Why did you file for divorce in Nevada?

WITNESS: At that time, we were living in Nevada so we filed here.

5 MR. KYNASTON: Who was? Who was living in Nevada at that time?

WITNESS: We were living in Balbinder Pabla's house.

6 MR. KYNASTON: Who? Who was living in his house?

WITNESS: We both lived with him.

7 MR. KYNASTON: Your testimony is that you and Rajwant were living with him in a
house in Nevada?

8 WITNESS: Yes. Myself and Rajwant were living with Balbinder. (Deposition of
Jaswinder Singh, page 31, lines 14-25, and page 32, line 1)

9 So in his Answers to Interrogatories signed under oath in May 2019, he stated that the
10 parties did not jointly reside together between June 13, 2004 and mid September 2004.
11 Then in his deposition on August 19, 2019, he claimed that they had both resided together
12 in Mr. Pabla's house in Las Vegas during that period of time. This claim is completely
13 false, and Wife and several of her family members will testify that they both continued
14 to live in California throughout this period of time and she has never lived in Nevada.
15

16 Other evidence that will be presented at trial will further show that Husband
17 was not physically present in Nevada during at least a portion of the time he claims to
18 have resided in Las Vegas. Wife and other witnesses from the family will testify that
19 Husband was still living with Wife in the marital residence throughout the period of time
20 he claims he was residing in Las Vegas. Other evidence, such as the credit card records
21 reflect that he shopped at Costco in Van Nuys, California, multiple times between June
22 20, 2004 and August 15, 2004. When questioned about this, his response was to suggest
23 that someone else was using his Costco credit card. The following exchange during his
deposition is illustrative:

24 MR. KYNASTON: You previously testified that you lived in the Jansen Avenue house
25 for at least six weeks before you filed for divorce in Nevada?

WITNESS: Yes, yes, yes.

26 MR. KYNASTON: Isn't it true that you were a patron at Costco in Van Nuys, California
multiple times between June 20, 2004 and August 15, 2004?

27 INTERPRETER: And what's the question?

28 MR. KYNASTON: The question is isn't it true that he was a patron in Van Nuys,
California multiple times between June 20, 2004 and August 15, 2004.

1 WITNESS: The Costco card can be made available to anybody and anybody can go with
2 the card to the store and get whatever you want. If you give me your card, I can get it
charged here in Las Vegas.

3 MR. KYNASTON: So someone else was using your card during that period of time is
your testimony?

4 WITNESS: Yes. (Deposition Transcript of Jaswinder Singh, page 57, lines 4-25, and
page 58, line 1)

5 Again, Husband demonstrates that he has no regard for the truth. Wife will testify that
6 she was present with Husband at Costco when these transactions occurred. The idea that
7 someone else was using his Costco card is absurd and an obvious lie. Costco cards
8 include the photograph of the patron and they check your membership as you enter the
9 store and again when you check out, so the idea of another person using his card, while
10 he was claiming to be living in Nevada is clear evidence of Husband being caught in yet
11 another lie in the face of concrete evidence to the contrary.

12 In addition to showing actual physical presence in the state for the required
13 six weeks, equally important in determining Nevada residency is demonstrating the
14 requisite *intent* to make Nevada one's home. Latterner v. Latterner, 51 Nev. 285, 274 P.
15 194, 195 (1929), provides that:

16 The legal residence of a person is that place where he or she shall have been
17 actually, physically and corporeally present within the state or county, as the
18 case may be, during all of the period for which residency is claimed by him
19 or her; provided however, should any person have sent himself from the
jurisdiction of his residence with the intention of good faith to return
without delay and continue his residence, the time of such absence shall not
be considered in determining the fact of such residence.

20 "Intent," is the intent to make the place a home. Encompassed in that intent is the notion
21 that if the party leaves the state at any time during the claimed residency period, he/she
22 must also have the intent to return without delay. Wife believes that the evidence will
23 show that Husband was in Nevada less than a day when he filed the joint petition for
24 divorce, and then returned immediately to the parties' home in California. Also, that he
25 has no evidence to support any claim that he possessed the requisite intent to make
26 Nevada his home.

27 ...

28 ...

1 In McLaughlin v. McLaughlin, 48 Nev. 153, 238 P.402 (1925), the Nevada
2 Supreme Court stated that, “the best evidence of intention is to be ascertained from the
3 party’s (sic) declarations;” however, such “evidence of expressed intent has no
4 controlling weight if such intent is inconsistent with the acts and general conduct of the
5 person.” Later the Court further clarified what types of “acts and general conduct” would
6 provide indicia of intent of residency in Aldabe v. Aldabe, 84 Nev. 392, 441 P.2d 691
7 (1968). The factors set forth in Aldabe included such things as: (1) mailing address; (2)
8 voter registration; (3) school attendance; (4) medical care; (5) business and financial
9 affairs; (6) automobile and operators’ licenses; (7) taxes; (8) wills; (9) employment; (10)
10 daily activities; and (11) corroborating testimony of witnesses. Id. at 694. Husband has
11 established none of these indicia. In both his Answers to Interrogatories and in his
12 deposition testimony it is abundantly clear that he lacked any of the requisite intent to
13 make Nevada his home. During his deposition he testified, following a series of
14 questions regarding any indicia of residency he might be able to show, as follows:

15 MR. KYNASTON: So is it your testimony that you left your home in California, moved
16 to Las Vegas where you had no job, you slept on the floor in a house, and six weeks later,
17 you filed for divorce?

17 WITNESS: Yes. (Deposition Transcript of Jaswinder Singh, page 52, lines 6-11).

18 Even if the Court takes him at his word and gives him the full benefit of the doubt that
19 he was actually physically present for six weeks, all he claims is that he spent 6 weeks
20 sleeping on the living room floor of a guy he didn’t know very well, then filed for divorce
21 in Nevada, and shortly thereafter returned to California to the same home he left, to the
22 same job, and the same wife and life. These claims, even if true, only show that his sole
23 intent for being in Nevada was to be here six weeks so he could file for divorce and then
24 go back home to California.

25 The following exchange during Husband’s deposition testimony further
26 shows that he had no intention of residing in Nevada indefinitely or becoming a bona-fide
27 resident at the time the Joint Petition for Divorce was filed and the Nevada Decree
28 obtained:

1 MR. KYNASTON: When you moved to Nevada, did you obtain a Nevada driver's license?

2 WITNESS: No. I don't have it.

MR. KYNASTON: Did you register to vote?

3 WITNESS: No. I haven't transferred the vote from California. It's still there.

MR. KYNASTON: Did you move any of your property from California to Nevada?

4 WITNESS: No. Just our bags.

MR. KYNASTON: So you didn't move any furniture?

5 WITNESS: No.

MR. KYNASTON: Did you bring your cars?

6 WITNESS: Yes, we had a car.

MR. KYNASTON: Did you bring both cars?

7 WITNESS: We just brought one car.

MR. KYNASTON: Did you register that car in Nevada?

8 WITNESS: No.

MR. KYNASTON: Who was your doctor when you lived in Nevada?

9 WITNESS: No doctor.

MR. KYNASTON: Where did you go for your medical care when you were living here?

10 WITNESS: I didn't go anywhere.

MR. KYNASTON: Where did you work when you were living in Nevada?

11 WITNESS: I couldn't find a job here.

MR. KYNASTON: What places did you look for work?

12 WITNESS: I don't recall exactly which places, was it McDonald's or 7-eleven, but I didn't get a job I had to go back. (Deposition Transcript of Jaswinder Singh page 46, lines 19-25; page 47, lines 1-23)

13
14 In short, the evidence will clearly establish that Husband did not meet either
15 the actual physical presence requirement or the requisite intent requirement to establish
16 Nevada bona-fide residency. Rather, he clearly committed a fraud upon the Court and
17 the State of Nevada in claiming Nevada residency when the Nevada divorce action was
18 filed. Husband has not produced a solitary witness or concrete piece of documentary
19 evidence to collaborate his claims of Nevada residency. His sole named witness to
20 support his claims of Nevada residency is nowhere to be found.⁵ Husband has failed to
21 meet his legal burden in this regard and the Court made it clear at the last hearing that it
22 was his burden to prove residency rather than Wife's burden to prove he was not a
23 Nevada resident (although she will provide sufficient evidence of this at trial as well).

24 ...

25 ...

26 _____

27 ⁵ Husband testified during his deposition that he did not know where Mr. Pabla lives, he's no longer
28 in contact with him, and that he has no phone number for him. (Deposition Transcript of Jaswinder Singh page 50, lines 20-25, and page 51, lines 1-2)

1 In contrast to Husband's unsupportable claims, Wife will testify that on or
2 about August 27, 2004, Husband told her to get into the car and drove her to Las Vegas
3 from their home in California. Prior to that date, the parties had continued to jointly
4 reside in their marital home, pay the joint bills, and both parties continue to work at their
5 jobs in California. She will further testify that while in Las Vegas that day, he threatened
6 her and instructed her to sign the Nevada divorce papers before a notary public. Husband
7 claimed in his deposition testimony that the notary (who is also nowhere to be found)
8 prepared and filled out the self-help paperwork. Furthermore, neither party's English is
9 very good. Wife will testify that she wasn't even permitted to try to read the documents
10 and there was certainly no interpreter present to translate the documents she was forced
11 to sign. (Even Husband testified in his deposition that he cannot read or write in English.)
12 After signing the paperwork, Husband drove Wife back to California, where they have
13 continued to live together for the last 15 years.⁶

14 During that period of time, Husband continued to hold himself out as
15 married to Wife. When Wife later filed for divorce in California in 2018, he initially
16 responded to the Petition for Divorce filed by Wife in California, and counter-sued her
17 for divorce. In fact, in Husband's responses to the Contention Interrogatories propounded
18 in the California case in May 2018 and answered in June 2018, he responded "No" to an
19 interrogatory asking if the parties had terminated their marriage in 2004 in Nevada, and
20 then responded "Not applicable" to all of the follow-up interrogatories addressing a
21 Nevada divorce. (See, Contention Interrogatories Set No. One, page 3, lines 2-15; and
22 Response to Contention Interrogatories Set No 1, page 1, lines 27-28, and page 2, lines
23 1-3). Only many months later did he seek to amend his answer in the California case and
24 start asserting that the parties were already divorced in Nevada 14 years earlier in 2004.

25 ...

26 _____
27 ⁶ Husband even testified during his deposition that the parties had continued to engage in sexual
28 relations up until at least 5-6 years ago. (Deposition Transcript of Jaswinder Singh page 19, lines
23-25, page 20, lines 1-10)

1 By way of further evidence that Husband continued to hold himself out as
2 a married man, a copy of a Grant Deed recorded in California on September 24, 2009
3 (more than 5 years after the alleged divorce), granting an interest in real property located
4 in Los Angeles County, to “Jaswinder Singh, a married man as his sole and separate
5 property” will be put into evidence at trial. If Husband had been divorced, or believed
6 himself to be divorced, at that time, why would he take title to this real property as “a
7 married man?” This deed is a legal document, duly recorded in California. If Husband
8 did not believe himself to be married to Wife in September 2009, then he executed and
9 recorded a fraudulent deed.

10 Wife will further testify, that she never saw the Nevada Divorce Decree until
11 this action to set aside was commenced earlier this year. Further, she will testify that
12 Husband repeatedly assured her that it wasn’t a real divorce, but a “paper divorce” so that
13 he could make her marry his brother to try to get him to the United States.⁷ The Decree
14 itself is evidence that the divorce was illegitimate. It falsely claims that the parties had
15 no community property to divide and no community debts to divide. Yet, even according
16 to Husband’s own deposition testimony, he confirmed that at the time of the Nevada
17 divorce, the parties had at least one joint bank account, jointly owned vehicles, and
18 possibly a retirement account. He also testified that they had at least one joint credit card
19 (i.e., the Costco credit card he was using in California during the period he claims Nevada
20 residency). The Decree also included a waiver of alimony, a provision in the Decree that
21 was unwarranted and was unknown to Wife at the time of the Decree. It would be a great
22 miscarriage of justice to enforce this fraudulently obtained Decree of Divorce under these
23 circumstances.

24 . . .

25 _____
26 ⁷ It does appear that Husband did force Wife to go back to India to and marry his brother in late
27 2004. However, the evidence will show that Wife never lived with his brother, that she continued to
28 live with Husband in California throughout this period of time, and the marriage was later
terminated in 2008, after efforts to help his brother immigrate failed. It was a sham marriage for
immigration purposes.

Another glaring example of Husband's inability to be truthful is found in the fact that representations were made by Husband through his attorney at the hearing before this Court on February 13, 2019, that both parties had remarried. (See Court Minutes and Video Transcript from Hearing of February 13, 2019). This was a false statement. First, he clearly knew that the sham marriage of Wife to his brother had been terminated ten years earlier in 2008, so it was a blatant lie to claim that Wife was remarried. Second, Husband's claims at the hearing that he had also remarried someone else was also later learned to be false, as evidenced by Husband's deposition testimony:

MR. KYNASTON: Are you remarried?

WITNESS: I didn't actually marry anybody, but I am engaged with somebody since 2018. We have the same house, but we live in separate quarters.

MR. KYNASTON: So your fiancée is also living in the house?

WITNESS: She is in India.

MR. KYNASTON: She is in India? Have you gone through a marriage ceremony with her?

WITNESS: No, not yet.

MR. KYNASTON: You haven't obtained a marriage license?

WITNESS: No, not yet.

MR. KYNASTON: Did you ever tell Rajwant that you had gotten married again?

WITNESS: Her – to tell you the truth, since we broke up with each other, I didn't tell her. (Deposition Transcript of Jaswinder Singh page 19, lines 5-22).

Wife anticipates that at trial Husband and his counsel will seek to distract the Court from the facts showing Husband's complete lack of credibility and the clear fraud he perpetrated against the State of Nevada and this Court, and try to assert multiple legal theories to suggest that Wife's request to set aside or declare void the fraudulently obtained Nevada Divorce from more than 15 years ago is time barred, or that she was complacent or complicit in the fraud and should therefore not be entitled to relief sought. For example, Husband may seek to argue that Wife's Motion is time barred by the six month time restriction imposed by NRCP Rule 60(b). While NRCP Rule 60(b) does include language regarding a six month time frame, for bringing motions to set aside, this is not a black and white rule without exceptions or room for considerations of equity and fairness. The rule provides that such motions shall be made "within a reasonable time," and for reasons (1) (i.e., *mistake, inadvertence, surprise or excusable neglect*), (2) (i.e., *newly discovered evidence which by due diligence could not have been discovered in time*

1 to move for a new trial under Rule 59(b)), and (3) (i.e., *fraud (wether heretofore*
2 *denominated intrinsic or extrinsic), mis- representation or other misconduct of an*
3 *adverse party*), before defining reasonable time as “not more than 6 months after the
4 proceeding was taken or the date that written notice of entry of the judgment or order was
5 served.” However, omitted from Husband’s arguments in this regard, and critical to the
6 analysis is this important caveat to the Rule 60(b), which provides “[t]his rule does not
7 limit the power of a court to entertain an independent action to relieve a party from
8 a judgment, order, or proceeding, or to set aside a judgment for fraud upon the
9 court.” This is exactly what occurred in this case. The evidence will show that the fraud
10 upon this Court was Husband’s false and unsupportable claims regarding Nevada
11 residency, which if known by the Court at the time would have made clear that this Court
12 did not have jurisdiction to enter the Nevada Divorce Decree upon which he now wishes
13 to rely in order to cheat his wife and companion of nearly 30 years out of what she would
14 otherwise be entitled to, but for the fraudulently obtained divorce! The rule is clear that
15 there is no limitation on the Court's power in this case when there has been a “fraud upon
16 the court,” so the six month provision is inapplicable.

17 Furthermore, as was discussed at the hearing of February 13, 2019, there is
18 a distinction between a void and a voidable order. In this case it would be a great
19 miscarriage of justice for the Court not to set aside or declare void the Nevada Decree,
20 which is clearly voidable at the discretion of this court. Vaile v. Eighth Judicial District
21 Court, 118 Nev. 262, 44 P.3d 506 (2002), stands for principal that while a Decree of
22 Divorce may not be *void* when it is later established that the Husband was not a bona fide
23 resident of Nevada, it is still *voidable* at the discretion of the Court.⁸ Vaile makes it clear

24
25 ⁸ The Nevada Supreme Court stated:

26 We realize that the posture of this case is unusual and unique since we are refusing to
27 void a decree which was entered, as it turns out, by a court which had no jurisdiction
28 over the parties. However, we reiterate, the decree was entered when the court believed
it has jurisdiction. Any person who might review the district court filing would have not
reason but to trust the validity of the court's decree. Under these circumstances, the law

1 that it is a facts-driven analysis. Based upon the facts of this case, the Court should
2 exercise its discretion and declare the 2004 Nevada Decree of Divorce void. To do
3 otherwise would result in Wife being deprived of her interests in the community assets
4 acquired over the course of a 30-year marriage/relationship, and the enforcement of a
5 Decree that falsely declares there was not community property, no community debts, and
6 no right to alimony.

7 It is important to note that in the Vaile case, one critical factor for the Court
8 in upholding the Decree and not exercising discretion to void it -- notwithstanding the
9 evidence that the residency requirements were not met -- was because the district Court
10 had determined that the defendant was not operating under duress and was not coerced,
11 but voluntarily signed the answer. Vaile, 118 Nev. at 274. It was based upon this finding
12 that they court held that judicial estoppel was applicable and determined not to exercise
13 its discretion to void the Decree.⁹ In this case easily distinguished, as there was clearly
14 duress and coercion by Husband to force Wife to sign the false statements. There will
15 also be evidence present to demonstrate that Wife had little to no knowledge about what
16 she was forced to sign, was never provided a copy, and was written in a language in
17 which she has only rudimentary knowledge. She was also repeatedly told by Husband
18 that it wasn't a real divorce, but a paper divorce that didn't mean anything as far as the
19 relationship was concerned. This is certainly the type of case where the Court should
20 exercise its discretion in the interest of justice to declare the Decree void and set it aside.
21 Husband should not be permitted to benefit from his fraud upon the State of Nevada and
22 this Court to the detriment of Wife.

23 ...

24 _____
25 and policies which support it permit no result other than that the decree is voidable, not
26 void. As mentioned and for the reasons stated, we decline to declare the decree void.
Vaile v. Eighth Judicial District Court, 118 Nev. 262, 274, 44 P.3d 506 (2002).

27 ⁹ The Court in Vaile further noted that the defendant in that case had clearly relied on the divorce
28 decree because she decided to remarry. Id. Conversely in the case at bar, Wife and Husband both
continued to hold themselves out as married for the next 14 years.

1 In previous arguments in this case, Husband has also argued that Wife's
2 claims should be barred by the doctrine of *in pari delicto*, by arguing that Wife was
3 culpable or a participant in the fraud perpetrated on this Court and the State of Nevada.
4 Again, such arguments are baseless under the facts of this case and are not supported by
5 any evidence. Rather, the evidence will demonstrate that Wife had no ability to resist
6 Husband's demands that she sign the paperwork that he placed before her. She wasn't
7 even allowed to read the documents, she has no access to an interpreter, and was told that
8 she must sign them upon threats from Husband. Culturally, the parties are Indian and part
9 of an arranged marriage. In that culture (and in this relationship in particular) Wife
10 essentially became Husband's chattel, with no independent rights. She was required to
11 comply with whatever demands were made upon her by her husband. Wife acted under
12 severe duress and coercion, and ignorance of what she was doing or the ramifications
13 thereof. Any suggestion that she participated voluntarily or was complicit in Husband's
14 fraud is false.

15 Based upon the foregoing, and after hearing the evidence that will be
16 presented at the time of the evidentiary hearing, Wife respectfully requests that the Court
17 exercise its clear discretion and declare the 2004 Nevada Decree of Divorce void, so that
18 the pending California divorce action may proceed.

19 III.

20 **ATTORNEY'S FEES**

21 Wife requests that she be awarded attorney's fees and costs and that other
22 appropriate sanctions be imposed based upon Husband's fraudulent behaviors. Wife has
23 had to incur substantial attorney's fees to bring this matter to the Court's attention,
24 completing discovery, and preparing for these evidentiary proceedings. It is clear that
25 Husband has not acted in good faith, either at the time of the fraudulently obtained
26 divorce, or in the present case, when his repeated lies have caused this matter to be
27 extended and the costs to be exponentially increased.

28 . . .

The Nevada Supreme Court addressed the issue of attorney's fees in the case of Miller v. Wilfong, 121 Nev. 619, 119 P.3d 727 (2005). The Court stated:

[W]hile it is within the trial court's discretion to determine the reasonable amount of attorney fees under a statute or rule, in exercising that discretion, the court must evaluate the factors set forth in Brunzell v. Golden Gate National Bank [85 Nev. 345, 455 P.2d 31 (1969)]. Under Brunzell, when courts determine the appropriate fee to award in civil cases, they must consider various factors, including the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the results obtained. We take this opportunity to clarify our jurisprudence in family law cases to require trial courts to evaluate the Brunzell factors when deciding attorney fee awards. Additionally, the Wright v. Osburn [114 Nev. 1367, 1370, 970 P.2d 1071, 1073 (1998)], this court stated that family law trial courts must also consider the disparity in income of the parties when awarding fees. Therefore, parties seeking attorney fees in family law cases must support their fee request with affidavits or other evidence that meets the factors in Brunzell and Wright.

The Brunzell factors adopted by the Nevada Supreme Court were derived from an Arizona case, Schartz v. Schwerin, 336 P.2d 144, 146 (Ariz. 1959). Schartz classified the factors into four general areas:

"(1) *the qualities of the advocate*: his ability, his training, education, experience, professional standing and skill; (2) *the character of the work to be done*: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation; (3) *the work actually performed by the lawyer*: the skill, time and attention given to the work; (4) *the result*: whether the attorney was successful and what benefits were derived. Furthermore, good judgment would dictate that each of these factors be given consideration by the trier of fact and that no one element should predominate or be given undue weight. (citations omitted).

In the case at bar, the Court should consider the following in applying the factors set forth

1. Qualities of Wife's Advocate

Andrew Kynaston, has excellent credentials. He is an AV rated attorney, a Fellow of the American Academy of Matrimonial Lawyers, a Nevada Board Certified Family Law Specialist, and Board Certified in Family Trial Law by the National Board of Trial Advocacy (NBTA). He has been engaged in the exclusive practice of family law for more than seventeen years. For the past ten years he has been named a Mountain States "Super Lawyer" (2014 -2019) or a "Rising Star" (2010-2013) by Super Lawyers magazine. He served on the publications development board of the ABA Section of

1 Family Law from 2002 -2010. He has been a presenter at various CLE conferences.

2 Clearly, Wife's attorney is well trained and qualified in relation to the fees
3 charged for his services in this matter. Mr. Kynaston's billable rate is \$475 per hour.

4 **2. The Character of the Work Done**

5 Under the circumstances of this case the character of the work completed
6 and yet to be completed certainly justifies the fees incurred.

7 **3. The Work Actually Performed**

8 Wife's attorney has made every effort to be as efficient as possible in
9 completing the necessary work to obtain favorable results for Wife in this case.

10
11 **4. The Results**

12 The finally factor adopted in Brunzell, is whether the attorney was successful
13 and what benefits were derived. Wife is confident that the results in this case will be
14 favorable to her. Wife has not taken any unreasonable positions in the case but has
15 simply sought for fairness and justice.

16 **IV.**

17 **LIST OF WITNESSES**

- 18 1. Jaswinder Singh, Plaintiff
19 2. Rajwant Kaur, Defendant
20 3. Jagtar Singh, Defendant's brother
21 4. Sukhpal Singh Grewal, Defendant's nephew
22 5. Guriqbal Singh Pandher, Mr. Grewal's brother-in-law
23 6. Any and all other witnesses listed by Plaintiff.
24 7. Rebuttal witnesses as necessary.

V.

LIST OF EXHIBITS

1. Decree of Divorce, filed September 8,
 2004 in Clark County **DEF018 - DEF020**
2. Joint Petition For Summary Decree of
 Divorce, filed August 27, 2004 in
 Clark County **DEF013 - DEF017**
3. Affidavit of Resident Witness, filed
 August 27, 2004 in Clark County **DEF021 - DEF022**
4. Petition for Dissolution of Marriage,
 filed May 7, 2018 in Los Angeles County **DEF001 - DEF003**
5. Plaintiff's Response and Request for
 Dissolution of Marriage **DEF004 - DEF006**
6. Plaintiff's Amended Response to Petition **DEF010- DEF012**
7. Order from Hearing Held February 13,
 2019, filed March 14, 2019 in Clark County
8. Minutes from Hearing Held February
 13, 2019
9. Plaintiff's Response to Defendant's First
 Set of Interrogatories to Plaintiff, e-served
 May 13, 2019
10. Plaintiff's Response to Defendant's First
 Request for Production of Documents to
 Plaintiff, e-served May 13, 2019
11. Copy of Plaintiff's Costco Membership Card **DEF0065**
12. Copy of Defendant's Costco Membership Card **DEF0067**
13. Costco Receipt showing that Store No. 48
 is located in Van Nuys, CA **DEF0066**

14. Copy of Costco Membership activity for
card ending in 50001, from January 3,
2004, through December 19, 2004 **DEF0371 - DEF0376_3**
15. Contention Interrogatories Set No. One from
California case no. 18STFL05676 **DEF0379 - DEF0386_3**
16. Plaintiff's Response to Contention
Interrogatories Set No. 1, from California
case no. 18STFL05676 **DEF0387 - DEF390_3**
17. Sales Deed showing listing property to
Jaswinder Singh as a married man **DEF0024**
18. Experian and TransUnion Credit Report in
the name of Rajwant Kaur, showing
Jaswinder as spouse or co-applicant **DEF0025 - DEF0043**
19. Aftercare instruction from Gastroenterology
Department for Jaswinder Singh, signed by
"Accompanying Adult" Rajwant Kaur, Wife **DEF0044**
20. Verification of employment letter from
Defendant's employer dated August 21, 2019 **DEF0377_3**
21. Letter from SoCal Gas regarding service
dates at the Sepulveda Apartment **DEF0064**
22. Interinsurance Exchange of the Automobile Club
Renewal Declarations from July 2004 **DEF0362 - DEF0364_2**
23. Interinsurance Exchange of the Automobile Club
Truth in Lending Information Billing Statement
For Automobile Policy from July 2004 **DEF0365 - DEF0366_2**
24. Plaintiff's Deposition Transcript
25. Defendant's Deposition Transcript

VI.

UNUSUAL LEGAL OR FACTUAL ISSUES PRESENTED

Any unusual legal or factual issues have been briefed in the above Statement of Facts and Legal Arguments.

VII.

LENGTH OF TRIAL

Length of trial: One and one-half days.

Respectfully submitted,

KAINEN LAW GROUP, PLLC

By: 

ANDREW L. KYNASTON, ESQ.

Nevada Bar No. 8147

KAINEN LAW GROUP, PLLC

3303 Novat Street, Suite 200

Las Vegas, Nevada 89129

Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5 day of September, 2019, I caused to be served ***Defendant's Pretrial Memorandum*** filed, to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:


___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Peter@peterjameslaw.com

Claudia@peterjameslaw.com

Colleen@peterjameslaw.com


An Employee of
KAINEN LAW GROUP, PLLC