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Electronically Filed  
Sep 14 2022 04:15 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

*Attorneys for Plaintiff*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

MMV INVESTMENTS LLC, a Delaware  
limited liability company,

Plaintiff,

vs.

DRIBBLE DUNK, LLC, a Nevada limited-  
liability company; ALL NET, LLC, a Nevada  
limited-liability company; JACKIE L.  
ROBINSON, an individual; DOES I through  
X inclusive; and ROES I through X,  
inclusive,

Defendants.

CASE NO.: A-21-844680-B  
DEPT. NO.: XVI

**NOTICE OF APPEAL**

**NOTICE OF APPEAL**

**PLEASE TAKE NOTICE** that Plaintiff MMV INVESTMENTS LLC hereby appeals  
from the following order and/or judgments:

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS OR IN THE  
ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT, entered

///

///

1 August 12, 2022; and any and all orders made appealable thereby.  
2  
3

4 KIRTON McCONKIE

5   
6

7 MATTHEW PRUITT, ESQ.  
8 Nevada Bar #12474  
9 D. ANDREW LAJOIE, ESQ.  
10 Nevada Bar #14901  
11 301 North 200 East, Suite 3A  
12 St. George, Utah 84770  
13 *Attorneys for Plaintiff, MMV Investments LLC*  
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 6th day of September, 2022, I did serve, via Case  
3 Management/Electronic Case Filing, a copy of the above and foregoing **NOTICE OF APPEAL**  
4 addressed to:

5 Attorneys for Defendants:

6 Renee M. Finch	<a href="mailto:rfinch@messner.com">rfinch@messner.com</a>
7 Winde Goldstein	<a href="mailto:wgoldstein@messner.com">wgoldstein@messner.com</a>
8 David Gould	<a href="mailto:dgould@messner.com">dgould@messner.com</a>
9 Caleb Meyer	<a href="mailto:cmeyer@messner.com">cmeyer@messner.com</a>
10 Susan Ramirez	<a href="mailto:sramirez@messner.com">sramirez@messner.com</a>

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12 \_\_\_\_\_  
13 An Employee of KIRTON McCONKIE  
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**CASE SUMMARY****CASE NO. A-21-844680-B**

MMV Investments LLC, Plaintiff(s)  
 vs.  
 Dribble Dunk, LLC, Defendant(s)

§  
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 §  
 §

Location: **Department 16**  
 Judicial Officer: **Williams, Timothy C.**  
 Filed on: **11/29/2021**  
 Cross-Reference Case Number: **A844680**

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

08/12/2022 Motion to Dismiss by the Defendant(s)

Case Type: **Uniform Commercial Code (NRS 104)**

Case Status: **08/12/2022 Dismissed**





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

Case Number A-21-844680-B  
 Court Department 16  
 Date Assigned 11/29/2021  
 Judicial Officer Williams, Timothy C.

**PARTY INFORMATION**













<b>Plaintiff</b>	<b>MMV Investments LLC</b>	<i>Lead Attorneys</i> <b>Pruitt, Matthew, ESQ</b> <i>Retained</i> 435-574-5672(W)
<b>Defendant</b>	<b>All Net, LLC</b> Removed: 08/12/2022 Dismissed	
	<b>Dribble Dunk, LLC</b>	<b>Finch, Renee M.</b> <i>Retained</i> 702-363-5100(W)
	<b>Robinson, Jackie L.</b> Removed: 08/12/2022 Dismissed	

**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

11/29/2021	 Complaint (Business Court) Filed By: Plaintiff MMV Investments LLC [1] Complaint
11/29/2021	 Summons Electronically Issued - Service Pending Party: Plaintiff MMV Investments LLC [2] Summons (Dribble Dunk, LLC)
11/29/2021	 Summons Electronically Issued - Service Pending [3] Summons (All Net, LLC)
11/29/2021	 Summons Electronically Issued - Service Pending Party: Plaintiff MMV Investments LLC [4] Summons (Jackie L. Robinson)













# CASE SUMMARY

CASE NO. A-21-844680-B

01/17/2022	 Affidavit of Service Filed By: Plaintiff MMV Investments LLC <i>[5] Affidavit Of Service (Jackie L. Robinson)</i>
01/17/2022	 Affidavit of Attempted Service Filed By: Plaintiff MMV Investments LLC <i>[6] Affidavit Of Attempted Service (Jackie L. Robinson)</i>
01/17/2022	 Affidavit of Service Filed By: Plaintiff MMV Investments LLC <i>[7] Affidavit Of Service (All Net, LLC)</i>
01/17/2022	 Affidavit of Attempted Service Filed By: Plaintiff MMV Investments LLC <i>[8] Affidavit Of Attempted Service (All Net, LLC)</i>
01/17/2022	 Affidavit of Service Filed By: Plaintiff MMV Investments LLC <i>[9] Affidavit Of Service (Dribble Dunk, LLC)</i>
01/17/2022	 Affidavit of Attempted Service Filed By: Plaintiff MMV Investments LLC <i>[10] Affidavit Of Attempted Service (Dribble Dunk, LLC)</i>
01/24/2022	 Default Filed By: Plaintiff MMV Investments LLC <i>[11] (8/11/22 Set Aside) Default - Dribble Dunk LLC</i>
01/24/2022	 Default Filed By: Plaintiff MMV Investments LLC <i>[12] (8/11/22 Set Aside) Default -All Net, LLC</i>
01/28/2022	 Demand for Security of Costs Filed By: Defendant Dribble Dunk, LLC <i>[13] Dribble Dunk, LLC's Demand for Security</i>
01/28/2022	 Demand for Security of Costs Filed By: Defendant All Net, LLC <i>[14] All Net, LLC's Demand for Security</i>
01/28/2022	 Demand for Security of Costs Filed By: Defendant Robinson, Jackie L. <i>[15] Jackie L. Robinson's Demand for Security</i>
01/28/2022	 Initial Appearance Fee Disclosure Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[16] Defendants' Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
02/09/2022	 Notice of Deposit Filed By: Plaintiff MMV Investments LLC <i>[17] Notice Of Security Deposit</i>











# CASE SUMMARY

CASE NO. A-21-844680-B

02/18/2022	 Motion to Dismiss Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[18] Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement [Hearing Requested]</i>
02/18/2022	 Clerk's Notice of Hearing <i>[19] Notice of Hearing</i>
03/04/2022	 Opposition to Motion to Dismiss Filed By: Plaintiff MMV Investments LLC <i>[20] Plaintiff's Opposition to Defendants Motion to Dismiss or in the Alternative Motion for a More Definitive Statement</i>
03/08/2022	 Errata Filed By: Plaintiff MMV Investments LLC <i>[21] Errata To Plaintiff's Opposition To Motion To Dismiss</i>
03/28/2022	 Stipulation and Order Filed by: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[22] Stipulation and Order to Continue Motion to Dismiss</i>
03/29/2022	 Stipulation and Order <i>[23] Amended Stipulation and Order to Continue Motion to Dismiss</i>
03/29/2022	 Notice of Entry of Stipulation and Order Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[24] Notice of Entry of Amended Stipulation and Order to Continue Motion to Dismiss</i>
03/29/2022	 Substitution of Attorney Filed by: Plaintiff MMV Investments LLC <i>[25] Substitution Of Counsel</i>
04/20/2022	 Reply in Support Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[26] Reply in Support of Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement</i>
04/26/2022	 Ex Parte Motion for Default Judgment Filed By: Plaintiff MMV Investments LLC <i>[27] Ex Parte Application for Order Entering Default Judgment</i>
05/25/2022	 Notice of Hearing Filed By: Plaintiff MMV Investments LLC <i>[28] Notice of Prove-Up Hearing on Ex Parte Application for Order Entering Default Judgment</i>
05/25/2022	 Clerk's Notice of Hearing Party: Plaintiff MMV Investments LLC <i>[29] Notice of Hearing</i>
06/06/2022	 Order Shortening Time

# CASE SUMMARY

CASE NO. A-21-844680-B

	<i>[30] Motion to Set Aside Defaults Entered Against Dribble Dunk, LLC and All Net LLC on OST</i>
06/08/2022	 Stipulation and Order Filed by: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[31] Stipulation and Order to Continue Motion to Dismiss and Motion to Set Aside Default or in the Alternative Motion for a More Definite Statement</i>
06/08/2022	 Notice of Entry of Stipulation and Order Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[32] Notice of Entry of Stipulation and Order to Continue Motion to Dismiss and Motion to Set Aside Default or in the Alternative Motion for a More Definite Statement</i>
06/16/2022	 Opposition to Motion Filed By: Plaintiff MMV Investments LLC <i>[33] Plf's Opposition to Motion to Set Aside Defaults Entered Against Dribble Dunk, LLC and All Net, LLC (and Exhibits)</i>
07/05/2022	 Order Shortening Time <i>[34] Plaintiff MMV Investments LLC's Motion For Partial Summary Judgment on Order Shortening Time</i>
07/06/2022	 Reply in Support Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[35] Reply in Support of Motion to Set Aside Defaults Entered Against Dribble Dunk, LLC and All Net, LLC</i>
07/08/2022	 Errata Filed By: Plaintiff MMV Investments LLC <i>[36] Errata to Plaintiff MMV Investments LLC's Motion for Partial Summary Judgment on Order Shortening Time</i>
07/29/2022	 Order Shortening Time <i>[37] Motion to Withdraw as Attorney of Record for Defendants on Order Shortening Time</i>
08/01/2022	 Notice of Entry of Order Filed By: Defendant Dribble Dunk, LLC; Defendant All Net, LLC; Defendant Robinson, Jackie L. <i>[38] Notice of Entry of Order</i>
08/11/2022	 Order Granting <i>[39] Order Granting Motion to Set Aside Defaults Entered Against Dribble Dunk, LLC and All Net LLC</i>
08/12/2022	 Order Granting Motion <i>[40] Order Granting Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement</i>
08/16/2022	 Substitution of Attorney Filed by: Defendant Dribble Dunk, LLC <i>[41] Substitution of Counsel</i>
08/17/2022	 Notice of Entry

# CASE SUMMARY

CASE NO. A-21-844680-B

Filed By: Defendant Dribble Dunk, LLC  
[42] Notice of Entry of Order

09/06/2022



Notice of Appeal

Filed By: Plaintiff MMV Investments LLC  
[43] Notice of Appeal

## DISPOSITIONS

08/12/2022

**Order of Dismissal** (Judicial Officer: Williams, Timothy C.)

Debtors: MMV Investments LLC (Plaintiff)

Creditors: Dribble Dunk, LLC (Defendant), All Net, LLC (Defendant), Jackie L. Robinson (Defendant)

Judgment: 08/12/2022, Docketed: 08/15/2022

## HEARINGS

04/27/2022

**CANCELED Motion to Dismiss** (9:05 AM) (Judicial Officer: Williams, Timothy C.)

*Vacated*

*Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement*

04/27/2022



**Motion to Dismiss** (9:30 AM) (Judicial Officer: Williams, Timothy C.)

**04/27/2022, 07/13/2022**

*Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement*

Matter Continued;

Motion Granted; See 7/14/22 Minute Order

Matter Continued;

Motion Granted; See 7/14/22 Minute Order

Journal Entry Details:

*Hearing held live and by BlueJeans remote conferencing. Mr. Allison advised he and Mr.*

*Pruitt discussed continuance; requested matter reset to second week of June. COURT*

*ORDERED, matter CONTINUED to 6/15/22. 6/15/22 9:30 AM DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT;*

07/13/2022

**Motion** (9:30 AM) (Judicial Officer: Williams, Timothy C.)

*Motion to Set Aside Defaults Entered Against Dribble Dunk, LLC and All Net LLC on OST*

Motion Granted;

07/13/2022



**All Pending Motions** (9:30 AM) (Judicial Officer: Williams, Timothy C.)

Matter Heard;

Journal Entry Details:

*Hearing held in-person and by BlueJeans remote conferencing. MOTION TO SET ASIDE*

*DEFAULTS ENTERED AGAINST DRIBBLE DUNK, LLC AND ALL NET LLC ON OST*

*Arguments by counsel. COURT FINDS, good cause; therefore, ORDERED, Motion*

*GRANTED. Court directed Mr. Allison to prepare the order with findings specifically setting*

*forth good cause as argued. DEFENDANTS' MOTION TO DISMISS OR IN THE*

*ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT Arguments by counsel.*

*Court stated will review matter as pertains to all three parties; decision forthcoming.*

*Department Guideline: Proposed order(s) to be submitted to*

*DC16Inbox@clarkcountycourts.us.;*

07/14/2022



**Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order: Defendants' Motion to Dismiss or in the Alternative Motion for a More Definite Statement*

Minute Order - No Hearing Held;

Journal Entry Details:

*After review and consideration of the points and authorities on file herein, and oral argument*

*of counsel, the Court determined as follows: Mr. Robinson's email does not rise to the level to*

*create a new or continuing contract for indebtedness. Rather, it is a vague future promise to*

*pay. Consequently, Defendant's Motion to Dismiss shall be GRANTED. Counsel on behalf of*

*Defendant shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based*



*not only on the foregoing Minute Order but also on the record on file herein. This is to be*



EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-21-844680-B**

	submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. <i>CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;</i>
08/03/2022	<b>Motion for Prove Up of Default</b> (9:05 AM) (Judicial Officer: Williams, Timothy C.) <i>Notice of Prove-Up Hearing on Ex Parte Application for Order Entering Default Judgment Moot;</i>
08/03/2022	<b>Motion for Partial Summary Judgment</b> (9:05 AM) (Judicial Officer: Williams, Timothy C.) <i>Plaintiff MMV Investments LLC's Motion For Partial Summary Judgment on Order Shortening Time Moot;</i>
08/03/2022	 <b>All Pending Motions</b> (9:05 AM) (Judicial Officer: Williams, Timothy C.) Matter Heard; Journal Entry Details: <i>NOTICE OF PROVE-UP HEARING ON EX PARTE APPLICATION FOR ORDER ENTERING DEFAULT JUDGMENT PLAINTIFF MMV INVESTMENTS LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON ORDER SHORTENING TIME Hearing held in-person and by BlueJeans remote conferencing. Colloquy regarding whether today's matters are moot and certain dispute regarding proposed order on prior motion to dismiss. Court clarified the dismissal based on statute of limitations was in entirety and pertained to all three parties. COURT DIRECTED, objecting counsel to submit competing order for review. Upon Court's inquiry, Mr. Pruitt advised he will submit his order within one week; COURT SO NOTED. COURT ORDERED, today's matters are MOOT. Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.;</i>
08/10/2022	 <b>Motion to Withdraw as Counsel</b> (9:05 AM) (Judicial Officer: Williams, Timothy C.) <i>Motion to Withdraw as Attorney of Record for Defendants on Order Shortening Time Motion Granted;</i> Journal Entry Details: <i>APPEARANCES CONTINUED: David Gould, Esq. present for Deft. Hearing held in-person and by BlueJeans remote conferencing. Court noted no opposition. Ms. Caliguire advised there will be substitution and there is agreement. COURT ORDERED, Motion to Withdraw as Attorney of Record for Defendants GRANTED. Prevailing party to prepare the order. Ms. Caliguire further advised that of the two pending orders before the court, the motion to dismiss order is agreed upon and motion to set aside has a competing order. Court stated the orders will be reviewed and decided this afternoon. Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.;</i>

DATE	FINANCIAL INFORMATION																				
	<table> <tr> <td><b>Defendant</b> Dribble Dunk, LLC</td><td></td></tr> <tr> <td>Total Charges</td><td>669.00</td></tr> <tr> <td>Total Payments and Credits</td><td>669.00</td></tr> <tr> <td><b>Balance Due as of 9/8/2022</b></td><td><b>0.00</b></td></tr> <tr> <td><b>Plaintiff</b> MMV Investments LLC</td><td></td></tr> <tr> <td>Total Charges</td><td>1,554.00</td></tr> <tr> <td>Total Payments and Credits</td><td>1,554.00</td></tr> <tr> <td><b>Balance Due as of 9/8/2022</b></td><td><b>0.00</b></td></tr> <tr> <td><b>Plaintiff</b> MMV Investments LLC</td><td></td></tr> <tr> <td>Security Cost Bond Balance as of 9/8/2022</td><td><b>500.00</b></td></tr> </table>	<b>Defendant</b> Dribble Dunk, LLC		Total Charges	669.00	Total Payments and Credits	669.00	<b>Balance Due as of 9/8/2022</b>	<b>0.00</b>	<b>Plaintiff</b> MMV Investments LLC		Total Charges	1,554.00	Total Payments and Credits	1,554.00	<b>Balance Due as of 9/8/2022</b>	<b>0.00</b>	<b>Plaintiff</b> MMV Investments LLC		Security Cost Bond Balance as of 9/8/2022	<b>500.00</b>
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Total Charges	1,554.00																				
Total Payments and Credits	1,554.00																				
<b>Balance Due as of 9/8/2022</b>	<b>0.00</b>																				
<b>Plaintiff</b> MMV Investments LLC																					
Security Cost Bond Balance as of 9/8/2022	<b>500.00</b>																				

# BUSINESS COURT CIVIL COVER SHEET

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

**CASE NO: A-21-844680-B**  
**Department 16**

## I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
MMV INVESTMENTS LLC	DRIBBLE DUNK, LLC; ALL NET, LLC; JACKIE L. ROBINSON
c/o ALVERSON TAYLOR & SANDERS	2300 W Sahara Avenue, Suite 800
6605 GRAND MONTECITO PKWY, STE 200, LAS VEGAS, NV 89149	Las Vegas, NV 89102
Attorney (name/address/phone):	Attorney (name/address/phone):
MATTHEW PRUITT, ESQ.	Noah G. Allison
6605 GRAND MONTECITO PKWY, STE 200	3191 E. Warm Springs Road
LAS VEGAS, NV 89149	Las Vegas, NV 89120

## II. Nature of Controversy *(Please check the applicable boxes for both the civil case type and business court case type)*

☐ Arbitration Requested

Civil Case Filing Types		Business Court Filing Types
<p style="text-align: center;"><b>Real Property</b></p> <p><b>Landlord/Tenant</b></p> <p><input type="checkbox"/> Unlawful Detainer</p> <p><input type="checkbox"/> Other Landlord/Tenant</p> <p><b>Title to Property</b></p> <p><input type="checkbox"/> Judicial Foreclosure</p> <p><input type="checkbox"/> Foreclosure Mediation Assistance</p> <p><input type="checkbox"/> Other Title to Property</p> <p><b>Other Real Property</b></p> <p><input type="checkbox"/> Condemnation/Eminent Domain</p> <p><input type="checkbox"/> Other Real Property</p>	<p style="text-align: center;"><b>Torts</b></p> <p><b>Negligence</b></p> <p><input type="checkbox"/> Auto</p> <p><input type="checkbox"/> Premises Liability</p> <p><input type="checkbox"/> Other Negligence</p> <p><b>Malpractice</b></p> <p><input type="checkbox"/> Medical/Dental</p> <p><input type="checkbox"/> Legal</p> <p><input type="checkbox"/> Accounting</p> <p><input type="checkbox"/> Other Malpractice</p> <p><b>Other Torts</b></p> <p><input type="checkbox"/> Product Liability</p> <p><input type="checkbox"/> Intentional Misconduct</p> <p><input type="checkbox"/> Employment Tort</p> <p><input type="checkbox"/> Insurance Tort</p> <p><input type="checkbox"/> Other Tort</p> <p style="text-align: center;"><b>Civil Writs</b></p> <p><input type="checkbox"/> Writ of Habeas Corpus</p> <p><input type="checkbox"/> Writ of Mandamus</p> <p><input type="checkbox"/> Writ of Quo Warrant</p> <p><input type="checkbox"/> Writ of Prohibition</p> <p><input type="checkbox"/> Other Civil Writ</p>	<p style="text-align: center;"><b>CLARK COUNTY BUSINESS COURT</b></p> <p><input type="checkbox"/> NRS Chapters 78-89</p> <p><input type="checkbox"/> Commodities (NRS 91)</p> <p><input type="checkbox"/> Securities (NRS 90)</p> <p><input type="checkbox"/> Mergers (NRS 92A)</p> <p><input checked="" type="checkbox"/> Uniform Commercial Code (NRS 104)</p> <p><input type="checkbox"/> Purchase/Sale of Stock, Assets, or Real Estate</p> <p><input type="checkbox"/> Trademark or Trade Name (NRS 600)</p> <p><input type="checkbox"/> Enhanced Case Management</p> <p><input type="checkbox"/> Other Business Court Matters</p> <p style="text-align: center;"><b>WASHOE COUNTY BUSINESS COURT</b></p> <p><input type="checkbox"/> NRS Chapters 78-88</p> <p><input type="checkbox"/> Commodities (NRS 91)</p> <p><input type="checkbox"/> Securities (NRS 90)</p> <p><input type="checkbox"/> Investments (NRS 104 Art.8)</p> <p><input type="checkbox"/> Deceptive Trade Practices (NRS 598)</p> <p><input type="checkbox"/> Trademark/Trade Name (NRS 600)</p> <p><input type="checkbox"/> Trade Secrets (NRS 600A)</p> <p><input type="checkbox"/> Enhanced Case Management</p> <p><input type="checkbox"/> Other Business Court Matters</p>
<p style="text-align: center;"><b>Judicial Review/Appeal/Other Civil Filing</b></p> <p><b>Appeal Other</b></p> <p><input type="checkbox"/> Appeal from Lower Court</p> <p><b>Other Civil Filing</b></p> <p><input type="checkbox"/> Foreign Judgment</p> <p><input type="checkbox"/> Other Civil Matters</p>		

**11/29/2021**

Date



Signature of initiating party or representative

1 **ORDG**

2 THE ALLISON LAW FIRM CHTD.

3 Noah G. Allison (#6202)

4 Heather Caliguire Fleming (#14492)

2260 Corporate Circle, Suite 490

Henderson, Nevada 89074

Tel (702) 933-4444

Fax (702) 933-4445

[noah@allisonnevada.com](mailto:noah@allisonnevada.com)

[heather@allisonnevada.com](mailto:heather@allisonnevada.com)

*Attorneys for Defendants*

*Dribble Dunk, LLC, All Net, LLC, and Jackie L. Robinson*

8  
9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 MMV INVESTMENTS LLC, a Delaware  
12 limited liability company,

13 Plaintiff,

14 vs.

15 DRIBBLE DUNK, LLC, a Nevada limited-  
16 liability company; ALL NET, LLC, a Nevada  
17 limited-liability company; JACKIE L.  
18 ROBINSON, an individual DOES I through  
19 X, inclusive; and ROES I through X,  
inclusive,

Defendants.

Case No.: A-21-844680-B

Dept.: XVI

**ORDER GRANTING DEFENDANTS'  
MOTION TO DISMISS OR IN THE  
ALTERNATIVE MOTION FOR A MORE  
DEFINITE STATEMENT**

20 Defendant's Motion to Dismiss or in the Alternative Motion for a More Definite Statement came  
21 before this Court on July 13, 2022. The Court, having reviewed the pleadings and papers on file, being  
22 fully advised on the premises and having heard the arguments of counsel, for reasons stated on the record  
23 and good cause appearing therefore, rules as follows:

24 **FINDINGS OF FACT**

25 1. Plaintiff filed suit on November 29, 2021. The complaint included causes of action for breach of  
26 contract, breach of implied covenant of good faith and fair dealing, unjust enrichment, enforcement of  
27 promissory notes under NRS 104 Uniform Commercial Code, and fraud.

28 ///



2. Plaintiff's complaint alleged that, as a fundraising venture for a basketball arena in Las Vegas, Defendants approached Plaintiff for funding in May 2010.

3. Plaintiff's complaint further alleged it entered into multiple loan agreements and promissory notes with Defendants between May 21, 2010(?) and July 2012.

4. Plaintiff also alleged that Defendant Jackie Robinson ("Robinson") signed an individual continuing guaranty for the liabilities.

5. The loan agreements and promissory notes were for the following amounts and included the following due dates:

Alleged Document Date	Alleged Amount	Repayment Date on Found Agreements
May 21, 2010	\$4,500,000.00	Within 90 days
June 29, 2010	\$100,000.00	Within 30 days
July 7, 2010	\$2,000,000.00	Within 60 days
August 21, 2010	\$5,000,000.00	Within 20 days
May 27, 2011	\$30,000.00	Within 30 days
July 28, 2011	\$135,000.00	Within 120 days
January 23, 2012	\$250,000.00	Within 90 days
July 30, 2012	\$100,000.00	Within 90 days

6. Plaintiff filed its complaint on November 29, 2021, 3,319 days (9 years, 1 month and 1 day) after the repayment date on the July 30, 2012 promissory note.

7. Plaintiff claimed it was never paid anything toward these alleged debts.

8. On June 8, 2021, Robinson emailed Mark and Medi Vakili, Plaintiff's owners, and said that he anticipated additional funding for the project, and intended to pay his investors. This email did not contain new terms of repayment, a new payment schedule, acknowledge the amount due, and was not signed by Robinson.

### **CONCLUSIONS OF LAW**

9. Defendants are entitled to dismissal of Plaintiff's claims pursuant to NRCP 12(b)(5) if the Plaintiff fails to allege any set of facts for which relief could not be granted. *Bergmann v. Boyce*, 109 Nev. 670, 675, 856 P.2d 560, 563 (1993).

10. The test for determining whether the allegations are sufficient to assert a claim for relief is whether the allegations give fair notice of the nature and basis of a legally sufficient claim and the relief requested. *Ravera v. City of Reno*, 100 Nev. 68, 70, 675 P.2d 407, 408 (1984); *Western States Constr. v. Michoff*, 108 Nev. 931, 840 P.2d 1220, 1223 (1992).

11. The Court may consider documents mentioned in the pleading when determining a motion to dismiss. “A statement in a pleading may be adopted by reference elsewhere in the same pleading or in any other pleading or motion. A copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes.” NRCP 10(c). Defendants may rely on a document referred to in the complaint as part of a motion to dismiss, even if the document is not attached to the complaint. *Branch v. Tunnell*, 14 F.3d 449, 453 (9<sup>th</sup> Cir. 1994), overruled on other grounds by *Galbraith v. County of Santa Clara*, 307 F.3d 1119 (9<sup>th</sup> Cir. 2002). “When the plaintiff fails to introduce a pertinent document as part of his pleading, the defendant may introduce the exhibit as part of his motion attacking the pleading.” *Id.* (*internal quotations omitted*). The Nevada Supreme Court has also held that the court can consider documents not attached to the complaint when the complaint explicitly refers to said documents. *Converse Prof'l Group v. Eighth Judicial Dist. Group (In re CityCenter Constr.)*, 129 Nev. 669, 676 fn 3, 310 P.3d 574, 579 (2013).

12. The statute of limitations for breach of contract is six years. NRS 11.190(1)(b). The six year clock begins to run when the cause of action accrues. A cause of action accrues when suit may be maintained thereon. *Clark v. Robinson*, 113 Nev. 949, 951, 944 P.2d 788, 790 (1997).

13. The statute of limitations for enforcement of promissory notes under NRS 104 is also six years. NRS 104.3118(1).

14. The statute of limitations on a contract is not tolled unless the debt accrued in the contract is reaffirmed. A contract is reaffirmed if it is “contained in some writing signed by the party to be charged thereby.” NRS 11.390; *see also Riff v. Kowall*, 76 Nev. 271, 273, 352 P.2d 819, 819 (1960) (holding that the statute of limitations is not tolled unless there is written acknowledgement of the debt); *Taylor v. Hendrie*, 8 Nev. 243, 245 (1873) (holding that a promissory note was unenforceable after the statute of limitations ran if there is insufficient “acknowledgement or promise to evidence a new or continuing contract.”).

15. Reaffirmation of a debt sufficient to toll a statute of limitations “must be clear, explicit and direct to the point that the debt is due.” *Wilcox v. Williams*, 5 Nev. 206, 209 (1869). Letters with vague future promises to pay are insufficient to toll a statute of limitations. *Id.*

///



1 16. The cause of action begins to accrue when the breach occurs. *Mobile Discount Corp v. Price*, 99  
2 Nev. 19, 21, 656 P.2d 851, 853 (1983). A tolling of the statute of limitations may only occur if the debtor  
3 makes a payment **and** acknowledges the debt. *Id.* An acknowledgement of debt must be clear, distinct,  
4 and unequivocal in order for the debt to be taken out of the statute of limitations. *Id.*

5 17. The statute of limitations for unjust enrichment is four years. NRS 11.490(3)(d).

6 18. The statute of limitations for breach of the implied covenant of good faith and fair dealing and for  
7 fraud is three years. NRS 11.190(3)(d); *Kahn v. Dodds (In re AMERCO Derivative Litig.)*, 127 Nev. 196,  
8 228, 252 P.3d 681, 703 (2011).

9 19. Allegations of fraud in a complaint must state with particularity the circumstances constituting  
10 the fraud. NRCP 9(b). The circumstances that must be detailed include averments to the time, the place,  
11 the identity of the parties involved, and the nature of the fraud. *Brown v. Kellar*, 97 Nev. 582, 584, 636  
12 P.2d 874, 874 (1981). Bare allegations that fraud occurred are insufficient.

13 20. A plaintiff must bring forth a suit as soon as the plaintiff “*knows or should know* of facts  
14 constituting a breach.” *Bemis v. Estate of Bemis*, 114 Nev. 1021, 1025, 967 P.2d 437, 440 (1998) (*emphasis*  
15 *in original*). The “plaintiff must use due diligence in determining the existence of a cause of action.” *Id.*

16 21. In this case, Plaintiff’s causes of action are time-barred. The causes of action for common law  
17 breach of contract and for breach under NRS 104 should have been brought within 6 years of signing the  
18 last promissory note. The cause of action for unjust enrichment should have been brought within 4 years  
19 of signing the last promissory note. The causes of action for fraud and for the breach of the implied  
20 covenant of good faith and fair dealing should have been brought within 3 years of signing the last  
21 promissory note.

22 22. Plaintiff knew or should have known that it had potential causes of action against Defendants  
23 before the statutes of limitations ran.

24 23. The email sent by Robinson on June 8, 2021 did not create a new or continuing contract for  
25 indebtedness. Rather, it is a vague future promise to pay and is insufficient to toll or restart the statute of  
26 limitations.

27 24. The guaranty Robinson signed is void under Nevada law because the obligations it guaranteed are  
28 time-barred by the statute of limitations.



**ORDER**

Based on the foregoing; the Court, being fully advised on the matter and good cause appearing, orders as follows:

**IT IS HEREBY ORDERED** Defendants' Motion to Dismiss is **GRANTED** and the case is **DISMISSED**.

**IT IS FURTHER ORDERED** Defendants' request for relief in the form of a More Definite Statement is **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that Plaintiff's Partial Motion for Summary Judgment, currently set for hearing on August 3, 2022, is **VACATED AS MOOT**.

**IT IS SO ORDERED.**

Dated this 12th day of August, 2022

District Court Judge

JM

**14A 1F1 4560 42E0**  
**Timothy C. Williams**  
**District Court Judge**

Submitted by:

THE ALLISON LAW FIRM CHTD.

By: /s/ Heather Caliguire Fleming

Noah G. Allison (Bar #6202)

Heather Caliguire Fleming (#14492)

2260 Corporate Circle, Suite 490

Henderson, Nevada 89074

*Attorneys for Defendants*

*Dribble Dunk, LLC, All Net, LLC, and Jackie L. Robinson*

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 MMV Investments LLC,  
7 Plaintiff(s)

CASE NO: A-21-844680-B

8 vs.

DEPT. NO. Department 16

9 Dribble Dunk, LLC,  
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 8/12/2022

16 Michelle Allison, Esq.

michelle@allisonnevada.com

17 Nita MacFawn

nita@allisonnevada.com

18 Teresa Frey

teresa@allisonnevada.com

19 BreAnne Walker

breanne@allisonnevada.com

20 Noah Allison, Esq.

noah@allisonnevada.com

21 Matthew Pruitt

mpruitt@kmclaw.com

22 Kelly Burton, Esq.

kelly@allisonnevada.com

23 Heather Fleming, Esq.

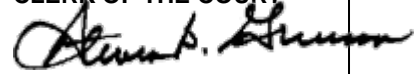
heather@allisonnevada.com

24 Tracy MacFawn

tmacfawn@battlebornlaw.com

25  
26  
27  
28





1 **NEO**

2 M. Caleb Meyer, Esq.  
3 Nevada Bar No. 13379

4 Renee M. Finch, Esq.  
5 Nevada Bar No. 13118

6 David M. Gould, Esq.  
7 Nevada Bar No. 11143

8 **MESSNER REEVES LLP**

9 8945 West Russell Road, Suite 300  
10 Las Vegas, Nevada 89148

11 Telephone: (702) 363-5100

12 Facsimile: (702) 363-5101

13 E-mail: [cmeyer@messner.com](mailto:cmeyer@messner.com)  
14 [rfinch@messner.com](mailto:rfinch@messner.com)  
15 [dgould@messner.com](mailto:dgould@messner.com)

16 *Attorneys for Defendants*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

14 MMV INVESTMENTS LLC, a Delaware  
15 limited liability company,

16 Plaintiff,

17 vs.

18 DRIBBLE DUNK, LLC, a Nevada limited  
19 liability company; ALL NET, LLC, a  
20 Nevada limited liability company; JACKIE  
21 L. ROBINSON, an individual; DOES I  
22 through X, inclusive; ROES I through IX,  
23 inclusive,

24 Defendants.

Case No. A-21-844680-B

Dept. No. 16

**NOTICE OF ENTRY OF ORDER**

25 PLEASE TAKE NOTICE that on August 12, 2022, an Order Granting Defendants' Motion  
26 to Dismiss in the above-captioned matter was entered on the Court Docket.

27 ///

1 A copy of the Order Granting Defendants' Motion to Dismiss in the above-captioned matter  
2 is attached hereto.  
3

4 DATED this 17<sup>th</sup> day of August, 2022.  
5

6 MESSNER REEVES LLP

7 /s/ David M. Gould

8 M. Caleb Meyer, Esq.  
9 Nevada Bar No. 13379  
10 Renee M. Finch, Esq.  
11 Nevada Bar No. 13118  
12 David M. Gould, Esq.  
13 Nevada Bar No. 11143  
14 8945 W. Russell Road Ste 300  
15 Las Vegas, Nevada 89148  
16 Telephone: (702) 363-5100  
17 Facsimile: (702) 363-5101  
18 *Attorneys for Defendants*  
19  
20  
21  
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26  
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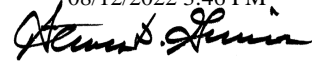
1 **CERTIFICATE OF SERVICE**

2 On this 17<sup>th</sup> day of August, 2022, pursuant to Administrative Order 14-2 and Rule 9 of the  
3 NEFCR, I caused the foregoing **NOTICE OF ENTRY OF ORDER** to be transmitted to the  
4 person(s) identified in the E-Service List for this captioned case in Odyssey E-File & Serve of the  
5 Eighth Judicial District Court, County of Clark, State of Nevada. A service transmission report  
6 reported service as complete and a copy of the service transmission report will be maintained with  
7 the document(s) in this office.

8  
9  
10 Matthew M. Pruitt, Esq.  
11 KIRTON MCCONKIE  
12 50 East South Temple, Suite 400  
13 Salt Lake City, Utah 84111  
14 *Attorneys for Plaintiff*

15 */s/ Susan Ramirez*

16 Employee of MESSNER REEVES LLP  
17  
18  
19  
20  
21  
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23  
24  
25  
26  
27  
28

  
CLERK OF THE COURT

**ORDG**

THE ALLISON LAW FIRM CHTD.

Noah G. Allison (#6202)

Heather Caliguire Fleming (#14492)

2260 Corporate Circle, Suite 490

Henderson, Nevada 89074

Tel (702) 933-4444

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[noah@allisonnevada.com](mailto:noah@allisonnevada.com)

[heather@allisonnevada.com](mailto:heather@allisonnevada.com)

*Attorneys for Defendants*

*Dribble Dunk, LLC, All Net, LLC, and Jackie L. Robinson*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

MMV INVESTMENTS LLC, a Delaware  
limited liability company,

Plaintiff,

vs.

DRIBBLE DUNK, LLC, a Nevada limited-  
liability company; ALL NET, LLC, a Nevada  
limited-liability company; JACKIE L.  
ROBINSON, an individual DOES I through  
X, inclusive; and ROES I through X,  
inclusive,

Defendants.

Case No.: A-21-844680-B

Dept.: XVI

**ORDER GRANTING DEFENDANTS'  
MOTION TO DISMISS OR IN THE  
ALTERNATIVE MOTION FOR A MORE  
DEFINITE STATEMENT**

Defendant's Motion to Dismiss or in the Alternative Motion for a More Definite Statement came before this Court on July 13, 2022. The Court, having reviewed the pleadings and papers on file, being fully advised on the premises and having heard the arguments of counsel, for reasons stated on the record and good cause appearing therefore, rules as follows:

**FINDINGS OF FACT**

1. Plaintiff filed suit on November 29, 2021. The complaint included causes of action for breach of contract, breach of implied covenant of good faith and fair dealing, unjust enrichment, enforcement of promissory notes under NRS 104 Uniform Commercial Code, and fraud.

///



2. Plaintiff's complaint alleged that, as a fundraising venture for a basketball arena in Las Vegas, Defendants approached Plaintiff for funding in May 2010.

3. Plaintiff's complaint further alleged it entered into multiple loan agreements and promissory notes with Defendants between May 21, 2010(?) and July 2012.

4. Plaintiff also alleged that Defendant Jackie Robinson ("Robinson") signed an individual continuing guaranty for the liabilities.

5. The loan agreements and promissory notes were for the following amounts and included the following due dates:

Alleged Document Date	Alleged Amount	Repayment Date on Found Agreements
May 21, 2010	\$4,500,000.00	Within 90 days
June 29, 2010	\$100,000.00	Within 30 days
July 7, 2010	\$2,000,000.00	Within 60 days
August 21, 2010	\$5,000,000.00	Within 20 days
May 27, 2011	\$30,000.00	Within 30 days
July 28, 2011	\$135,000.00	Within 120 days
January 23, 2012	\$250,000.00	Within 90 days
July 30, 2012	\$100,000.00	Within 90 days

6. Plaintiff filed its complaint on November 29, 2021, 3,319 days (9 years, 1 month and 1 day) after the repayment date on the July 30, 2012 promissory note.

7. Plaintiff claimed it was never paid anything toward these alleged debts.

8. On June 8, 2021, Robinson emailed Mark and Medi Vakili, Plaintiff's owners, and said that he anticipated additional funding for the project, and intended to pay his investors. This email did not contain new terms of repayment, a new payment schedule, acknowledge the amount due, and was not signed by Robinson.

### **CONCLUSIONS OF LAW**

9. Defendants are entitled to dismissal of Plaintiff's claims pursuant to NRCP 12(b)(5) if the Plaintiff fails to allege any set of facts for which relief could not be granted. *Bergmann v. Boyce*, 109 Nev. 670, 675, 856 P.2d 560, 563 (1993).

10. The test for determining whether the allegations are sufficient to assert a claim for relief is whether the allegations give fair notice of the nature and basis of a legally sufficient claim and the relief requested. *Ravera v. City of Reno*, 100 Nev. 68, 70, 675 P.2d 407, 408 (1984); *Western States Constr. v. Michoff*, 108 Nev. 931, 840 P.2d 1220, 1223 (1992).

11. The Court may consider documents mentioned in the pleading when determining a motion to dismiss. “A statement in a pleading may be adopted by reference elsewhere in the same pleading or in any other pleading or motion. A copy of a written instrument that is an exhibit to a pleading is a part of the pleading for all purposes.” NRCP 10(c). Defendants may rely on a document referred to in the complaint as part of a motion to dismiss, even if the document is not attached to the complaint. *Branch v. Tunnell*, 14 F.3d 449, 453 (9<sup>th</sup> Cir. 1994), overruled on other grounds by *Galbraith v. County of Santa Clara*, 307 F.3d 1119 (9<sup>th</sup> Cir. 2002). “When the plaintiff fails to introduce a pertinent document as part of his pleading, the defendant may introduce the exhibit as part of his motion attacking the pleading.” *Id.* (*internal quotations omitted*). The Nevada Supreme Court has also held that the court can consider documents not attached to the complaint when the complaint explicitly refers to said documents. *Converse Prof'l Group v. Eighth Judicial Dist. Group (In re CityCenter Constr.)*, 129 Nev. 669, 676 fn 3, 310 P.3d 574, 579 (2013).

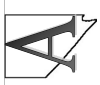
12. The statute of limitations for breach of contract is six years. NRS 11.190(1)(b). The six year clock begins to run when the cause of action accrues. A cause of action accrues when suit may be maintained thereon. *Clark v. Robinson*, 113 Nev. 949, 951, 944 P.2d 788, 790 (1997).

13. The statute of limitations for enforcement of promissory notes under NRS 104 is also six years. NRS 104.3118(1).

14. The statute of limitations on a contract is not tolled unless the debt accrued in the contract is reaffirmed. A contract is reaffirmed if it is “contained in some writing signed by the party to be charged thereby.” NRS 11.390; *see also Riff v. Kowall*, 76 Nev. 271, 273, 352 P.2d 819, 819 (1960) (holding that the statute of limitations is not tolled unless there is written acknowledgement of the debt); *Taylor v. Hendrie*, 8 Nev. 243, 245 (1873) (holding that a promissory note was unenforceable after the statute of limitations ran if there is insufficient “acknowledgement or promise to evidence a new or continuing contract.”).

15. Reaffirmation of a debt sufficient to toll a statute of limitations “must be clear, explicit and direct to the point that the debt is due.” *Wilcox v. Williams*, 5 Nev. 206, 209 (1869). Letters with vague future promises to pay are insufficient to toll a statute of limitations. *Id.*

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21 promissory note.

22 22. Plaintiff knew or should have known that it had potential causes of action against Defendants  
23 before the statutes of limitations ran.

24 23. The email sent by Robinson on June 8, 2021 did not create a new or continuing contract for  
25 indebtedness. Rather, it is a vague future promise to pay and is insufficient to toll or restart the statute of  
26 limitations.

27 24. The guaranty Robinson signed is void under Nevada law because the obligations it guaranteed are  
28 time-barred by the statute of limitations.



**ORDER**

Based on the foregoing; the Court, being fully advised on the matter and good cause appearing, orders as follows:

**IT IS HEREBY ORDERED** Defendants' Motion to Dismiss is **GRANTED** and the case is **DISMISSED**.

**IT IS FURTHER ORDERED** Defendants' request for relief in the form of a More Definite Statement is **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that Plaintiff's Partial Motion for Summary Judgment, currently set for hearing on August 3, 2022, is **VACATED AS MOOT**.

**IT IS SO ORDERED.**

Dated this 12th day of August, 2022

District Court Judge

JM

**14A 1F1 4560 42E0**  
**Timothy C. Williams**  
**District Court Judge**

Submitted by:

THE ALLISON LAW FIRM CHTD.

By: /s/ Heather Caliguire Fleming

Noah G. Allison (Bar #6202)

Heather Caliguire Fleming (#14492)

2260 Corporate Circle, Suite 490

Henderson, Nevada 89074

*Attorneys for Defendants*

*Dribble Dunk, LLC, All Net, LLC, and Jackie L. Robinson*



1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 MMV Investments LLC,  
7 Plaintiff(s)

CASE NO: A-21-844680-B

8 vs.

DEPT. NO. Department 16

9 Dribble Dunk, LLC,  
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 8/12/2022

16 Michelle Allison, Esq.

michelle@allisonnevada.com

17 Nita MacFawn

nita@allisonnevada.com

18 Teresa Frey

teresa@allisonnevada.com

19 BreAnne Walker

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20 Noah Allison, Esq.

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21 Matthew Pruitt

mpruitt@kmclaw.com

22 Kelly Burton, Esq.

kelly@allisonnevada.com

23 Heather Fleming, Esq.

heather@allisonnevada.com

24 Tracy MacFawn

tmacfawn@battlebornlaw.com

25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Uniform Commercial Code  
(NRS 104)**

**COURT MINUTES**

**April 27, 2022**

---

A-21-844680-B      MMV Investments LLC, Plaintiff(s)  
vs.  
Dribble Dunk, LLC, Defendant(s)

---

**April 27, 2022      9:30 AM      Motion to Dismiss**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Christopher Darling

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

**PRESENT:** Allison, Noah G.      Attorney

**JOURNAL ENTRIES**

- Hearing held live and by BlueJeans remote conferencing. Mr. Allison advised he and Mr. Pruitt discussed continuance; requested matter reset to second week of June. COURT ORDERED, matter CONTINUED to 6/15/22.

6/15/22 9:30 AM DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Uniform Commercial Code  
(NRS 104)**

**COURT MINUTES**

**July 13, 2022**

---

A-21-844680-B	MMV Investments LLC, Plaintiff(s)
	vs.
	Dribble Dunk, LLC, Defendant(s)

---

**July 13, 2022                      9:30 AM                      All Pending Motions**

**HEARD BY:** Williams, Timothy C.                      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Christopher Darling

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Allison, Noah G.	Attorney
	Pruitt, Matthew, ESQ	Attorney

**JOURNAL ENTRIES**

- Hearing held in-person and by BlueJeans remote conferencing.

MOTION TO SET ASIDE DEFAULTS ENTERED AGAINST DRIBBLE DUNK, LLC AND ALL NET LLC ON OST

Arguments by counsel. COURT FINDS, good cause; therefore, ORDERED, Motion GRANTED. Court directed Mr. Allison to prepare the order with findings specifically setting forth good cause as argued.

DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT

Arguments by counsel. Court stated will review matter as pertains to all three parties; decision forthcoming.

Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Uniform Commercial Code  
(NRS 104)**

**COURT MINUTES**

**July 14, 2022**

---

A-21-844680-B	MMV Investments LLC, Plaintiff(s)
	vs.
	Dribble Dunk, LLC, Defendant(s)

---

**July 14, 2022                      3:00 AM                      Minute Order**

**HEARD BY:** Williams, Timothy C.                      **COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- After review and consideration of the points and authorities on file herein, and oral argument of counsel, the Court determined as follows:

Mr. Robinson s email does not rise to the level to create a new or continuing contract for indebtedness. Rather, it is a vague future promise to pay. Consequently, Defendant s Motion to Dismiss shall be GRANTED.

Counsel on behalf of Defendant shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Uniform Commercial Code  
(NRS 104)**

**COURT MINUTES**

**August 03, 2022**

---

A-21-844680-B	MMV Investments LLC, Plaintiff(s)
	vs.
	Dribble Dunk, LLC, Defendant(s)

---

**August 03, 2022      9:05 AM      All Pending Motions**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Christopher Darling

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Caliguire, Heather M.	Attorney
	Pruitt, Matthew, ESQ	Attorney

**JOURNAL ENTRIES**

- NOTICE OF PROVE-UP HEARING ON EX PARTE APPLICATION FOR ORDER ENTERING  
DEFAULT JUDGMENT  
PLAINTIFF MMV INVESTMENTS LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON  
ORDER SHORTENING TIME

Hearing held in-person and by BlueJeans remote conferencing. Colloquy regarding whether today's matters are moot and certain dispute regarding proposed order on prior motion to dismiss. Court clarified the dismissal based on statute of limitations was in entirety and pertained to all three parties. COURT DIRECTED, objecting counsel to submit competing order for review. Upon Court's inquiry, Mr. Pruitt advised he will submit his order within one week; COURT SO NOTED. COURT ORDERED, today's matters are MOOT.

Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Uniform Commercial Code  
(NRS 104)**

**COURT MINUTES**

**August 10, 2022**

---

A-21-844680-B	MMV Investments LLC, Plaintiff(s)
	vs.
	Dribble Dunk, LLC, Defendant(s)

---

<b>August 10, 2022</b>	<b>9:05 AM</b>	<b>Motion to Withdraw as Counsel</b>
------------------------	----------------	--

**HEARD BY:** Williams, Timothy C.                      **COURTROOM:** RJC Courtroom 16C

**COURT CLERK:** Christopher Darling

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

**PRESENT:**        Caliguire, Heather M.                      Attorney

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: David Gould, Esq. present for Deft.

Hearing held in-person and by BlueJeans remote conferencing. Court noted no opposition. Ms. Caliguire advised there will be substitution and there is agreement. COURT ORDERED, Motion to Withdraw as Attorney of Record for Defendants GRANTED. Prevailing party to prepare the order. Ms. Caliguire further advised that of the two pending orders before the court, the motion to dismiss order is agreed upon and motion to set aside has a competing order. Court stated the orders will be reviewed and decided this afternoon.

Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.



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

**BMATTHEW PRUITT**  
**301 N. 200<sup>TH</sup> EAST, STE 3A**  
**ST. GEORGE, UT 84770**

**DATE: September 8, 2022**  
**CASE: A-21-844680-B**

**RE CASE:** MMV INVESTMENTS, LLC vs. DRIBBLE DUNK, LLC; ALL NET, LLC; JACKIE L. ROBINSON

NOTICE OF APPEAL FILED: September 6, 2022

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

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

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

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

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

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

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



# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE MOTION FOR A MORE DEFINITE STATEMENT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MMV INVESTMENTS, LLC,

Plaintiff(s),

vs.

DRIBBLE DUNK, LLC; ALL NET, LLC;  
JACKIE L. ROBINSON,

Defendant(s),

Case No: A-21-844680-B

Dept No: XVI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 8 day of September 2022.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk