

IN THE SUPREME COURT OF THE STATE OF NEVADA		Electronically Filed Aug 03 2023 05:26 PM Elizabeth A. Brown Clerk of Supreme Court
TKNR, INC., a California corporation,	Appellant,	Supreme Court Case No. 85620
vs.		District Court Case No. A-18-785917-C
WLAB INVESTMENT, LLC,	Respondent.	

Appeal from the Eighth Judicial District Court
District Court Case No. A-18-785917-C
Adriana Escobar, District Judge

RESPONDENT APPENDIX – Volume 5 of 10

KAEMPFER CROWELL
Lesley Miller, No. 7987
Elva Castaneda, No. 15717
1980 Festival Plaza Drive, Suite 650
Las Vegas, Nevada 89135
Telephone: (702) 792-7000
Facsimile: (702) 796-7181
Email: lmiller@kcnvlaw.com
Email: ecastaneda@kcnvlaw.com

Attorneys for Respondent WLAB Investment, LLC

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KAEMPFER CROWELL



Lesley B. Miller, No. 7987
Elva A. Castaneda No. 15717
1980 Festival Plaza Drive, Suite 650
Las Vegas, Nevada 89135

Attorneys for Respondent
WLAB Investment, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I electronically filed the foregoing **RESPONDENT APPENDIX** with the Clerk of the Court for the Supreme Court of the State of Nevada by using the electronic filing system to be delivered to the following registered user:

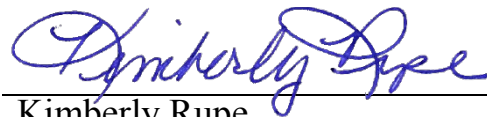
Michael B. Lee, Esq.
Michael Matthis, Esq.
Michael B. Lee, P.C.
1820 East Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
mike@mblnv.com
matthis@mblnv.com

Attorney for Appellant

James A. Kohl
Howard & Howard Attorneys PLLC
3800 Howard Hughes Pkwy, #1000
Las Vegas, Nevada 89169
jkohl@howardandhoward.com

Settlement Judge

DATED August 3, 2023



Kimberly Rupe
An employee of Kaempfer Crowell

EXHIBIT “2”

1 IN THE EIGHTH JUDICIAL DISTRICT COURT

2 CLARK COUNTY, NEVADA

3

4 WLAB INVESTMENT, LLC,)

5 Plaintiff,)

6 vs.)CASE NO.: A-18-785917-C

)DEPT NO.: 14

7 TKNR INC., a California)

8 Corporation, and CHI ON WONG))

9 aka CHI KUEN WONG, an)

10 individual, and KENNY ZHONG))

11 LIN, aka KEN ZHONG LIN aka)

12 KENNETH ZHONG LIN aka WHONG))

13 K. LIN aka CHING KENNY LIN)

14 aka ZHONG LIN, an)

15 individual, and LIWE HELEN)

16 CHEN aka HELEN CHEN, an)

17 individual and YAN QIU)

18 ZHANG, an individual, and)

19 INVESTPRO LLC dba INVESTPRO))

20 REALTY, a Nevada Limited)

21 Liability Company, and MAN)

22 CHAU CHENG, an individual,)

23 and JOYCE A. NICKRANDT, an)

24 individual, and INVESTPRO)

25 INVESTMENTS LLC, a Nevada)

26 Limited Liability Company,)

27 and INVESTPRO MANAGER LLC, a))

28 Nevada Limited Liability)

29 Company, and JOYCE A.)

30 NICKRANDT, an individual and))

31 Does 1 through 15 and Roe)

32 Corporation I-XXX,)

33 Defendants.)

34 _____)

35 Job Number. 697915

36 DEPOSITION OF FRANK MIAO

37

38

39

FRANK MIAO - 01/12/2021

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 DEPOSITION OF FRANK MIAO</p> <p>6 PERSON MOST KNOWLEDGABLE FOR WLAB INVESTMENT, LLC</p> <p>7</p> <p>8 Taken at Litigation Services</p> <p>9 on Tuesday, January 12, 2021</p> <p>10 at 9:00 a.m.</p> <p>11 at 3960 Howard Hughes Parkway, Suite 700</p> <p>12 Las Vegas, Nevada 89169</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 Reported by: Trina K. Sanchez, CCR No. 933, RPR</p> <p>25 Job No.: 697915</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES:</p> <p>2 For the Defendants via videoconference:</p> <p>3</p> <p>4 MICHAEL B. LEE, ESQ.</p> <p>5 MICHAEL B. LEE, P.C.</p> <p>6 1820 East Sahara Avenue, Suite 110</p> <p>7 Las Vegas, Nevada 89104</p> <p>8 (702) 477-7030</p> <p>9 mike@mblnv.com</p> <p>10</p> <p>11 For the Plaintiff:</p> <p>12</p> <p>13 BENJAMIN B. CHILDS, ESQ.</p> <p>14 318 South Maryland Parkway</p> <p>15 Las Vegas, Nevada 89101</p> <p>16 (702) 251-0000</p> <p>17 ben@benchilds.com</p> <p>18</p> <p>19 Also present via videoconference: Helen Chen</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 4</p> <p>1 I N D E X</p> <p>2 WITNESS: PAGE</p> <p>3 FRANK MIAO</p> <p>4 Examination by Mr. Michael Lee 7</p> <p>5</p> <p>6</p> <p>7 E X H I B I T S</p> <p>8 EXHIBITS DESCRIPTION PAGE</p> <p>9 EXHIBIT 1 Notice of Deposition of Person 10</p> <p>10 Most Knowledgeable for WLAB</p> <p>11 Investment, LLC</p> <p>12 EXHIBIT 2 Residential Purchase Agreement 147</p> <p>13 EXHIBIT 3 Seller's Real Property 200</p> <p>14 Disclosure Form</p> <p>15 EXHIBIT 4 Mold Notice & Waiver 212</p> <p>16 EXHIBIT 5 Trustee's Deed Upon Sale 216</p> <p>17 EXHIBIT 6 Email dated August 24, 2017 217</p> <p>18 EXHIBIT 7 Email chain dated August 17, 2017 217</p> <p>19 EXHIBIT 8 Invoice 0335107 224</p> <p>20 EXHIBIT 9 Declaration of Frank Miao in 224</p> <p>21 Support of Opposition to</p> <p>22 Defendant's Motion for Summary</p> <p>23 Judgment and Countermotions</p> <p>24 EXHIBIT 10 Permit/Application Status 249</p> <p>25 EXHIBIT 11 When do I need a permit? 260</p>	<p style="text-align: right;">Page 5</p> <p>1 A Homeowner's Guide</p> <p>2 EXHIBIT 12 Declaration of Amin Sani 266</p> <p>3 EXHIBIT 13 Photographs from GLVAR 268</p> <p>4 of 2132 Houston Drive</p> <p>5 EXHIBIT 14 HVAC Service Order Invoice 271</p> <p>6 EXHIBIT 15 Letter 272</p> <p>7 EXHIBIT 16 Flipping Fund - InvestPro Realty 274</p> <p>8 EXHIBIT 17 Email dated September 5, 2017 280</p> <p>9 EXHIBIT 18 Addendum No. 1 to Purchase 281</p> <p>10 Agreement</p> <p>11 EXHIBIT 19 Residential Purchase Agreement 282</p> <p>12 EXHIBIT 20 Authorization to Close Escrow 289</p> <p>13 EXHIBIT 21 Expert Testimony Report 289</p> <p>14 EXHIBIT 22 Penny Electric Estimate 298</p> <p>15 EXHIBIT 23 Cost to Repair documents 303</p> <p>16 EXHIBIT 24 ACLV Proposal 315</p> <p>17 EXHIBIT 25 Larkin Plumbing & Heating 315</p> <p>18 Proposal & Contract</p> <p>19 EXHIBIT 26 Home Depot Quote 316</p> <p>20 EXHIBIT 27 Neil D. Opfer Report 317</p> <p>21 EXHIBIT 28 Defendants' Request for Entry 334</p> <p>22 onto Land and for Inspection</p> <p>23 of Tangible Things Pursuant</p> <p>24 to NRCP 34</p> <p>25 EXHIBIT 29 Defendants' Amended Request for 334</p>

<p style="text-align: right;">Page 6</p> <p>1 Entry onto Land and for Inspection 2 of Tangible Things Pursuant 3 to NRCP 34 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 7</p> <p>1 LAS VEGAS, NEVADA, TUESDAY, JANUARY 12, 2021; 2 9:00 A.M. 3 -000- 4 5 (In an off-the-record discussion held prior to the 6 commencement of the deposition proceedings, counsel 7 agreed to waive the court reporter requirements 8 under Rule 30(b)(5) of the Nevada Rules of Civil 9 Procedure.) 10 11 Whereupon, 12 FRANK MIAO, 13 having been first duly sworn to testify to the 14 truth, the whole truth and nothing but the truth, 15 was examined and testified as follows: 16 17 EXAMINATION 18 BY MR. LEE: 19 Q. Good morning, sir. Thank you for 20 appearing for your deposition today. You're 21 appearing as the 30(b)(6) or the person most 22 knowledgeable for this deposition; is that correct? 23 A. Yes. 24 Q. And you understand what that term means? 25 A. Yes.</p>
<p style="text-align: right;">Page 8</p> <p>1 Q. I think I saw you going through the 2 deposition exhibits. The top of the pile should 3 have been the 30(b)(6) notice. 4 Do you see that? 5 A. 30(b)(6)? I don't know what that -- what 6 document? 7 MR. LEE: For the record, Helen Chen, the 8 defendant, has just joined us for the deposition. 9 THE WITNESS: I haven't read that one yet. 10 MR. LEE: Ms. Court Reporter, can you help 11 him? 12 MADAM REPORTER: Yes. Let's go off the 13 record. 14 (A discussion was held of the record.) 15 BY MR. LEE: 16 Q. We're back on the record. It appears the 17 exhibits didn't get printed, but we'll go ahead and 18 wait for them to get printed. 19 During the interim, I'll just share my 20 screen so you can see what the exhibits are; okay? 21 A. Okay. 22 Q. Then I'll go over the rules of the 23 deposition. You're doing a good job right now. I 24 just want to get this PMK notice out of the way; 25 okay?</p>	<p style="text-align: right;">Page 9</p> <p>1 Did you have an audible response? 2 MADAM REPORTER: No. 3 BY MR. LEE: 4 Q. You need to say "yes" or "no." 5 Do you understand? 6 THE WITNESS: What did he ask? 7 MADAM REPORTER: He's -- 8 BY MR. LEE: 9 Q. "Audible" means out loud. 10 A. Can you speak a little slowly? Because if 11 you speak too quick, I -- I cannot catch up. 12 Q. Okay. So I just -- I'll go over the rules 13 of the deposition with you after I just do this PMK 14 notice; okay? 15 A. Okay. What's a "PMK" mean? 16 Q. "PMK" means person most knowledgeable. 17 A. Oh, okay. Okay. Yes. 18 Q. See right where I highlighted it, person 19 most knowledgeable? 20 A. Yeah, yeah, yeah. 21 Q. Okay. So for the record, what I'm doing 22 is showing you what will eventually be proposed 23 Exhibit 1 to the deposition, which is the notice of 24 deposition of the person most knowledgeable for WLAB 25 Investments, LLC.</p>

<p style="text-align: right;">Page 30</p> <p>1 now.</p> <p>2 Q. You were born in 1963 in Nanjing, China.</p> <p>3 A. Yeah.</p> <p>4 Q. Did you go to high school there?</p> <p>5 A. Yes, in China.</p> <p>6 Q. Did you -- what kind of education did you</p> <p>7 have after high school?</p> <p>8 A. I got a bachelor degree in chemical</p> <p>9 engineering in Beijing in Chemical University --</p> <p>10 Chemical Technology University.</p> <p>11 Then after that, I come to U.S. to pursue</p> <p>12 the advance degree, then I got the Ph.D. at Illinois</p> <p>13 Institute of Technology all in the engineering</p> <p>14 background.</p> <p>15 Q. Now, you got your bachelor's degree in</p> <p>16 Beijing in chemical engineering?</p> <p>17 A. Chemical Technology University, I think</p> <p>18 they call it, right.</p> <p>19 Q. Technology.</p> <p>20 What year?</p> <p>21 A. 1985. Then I come to U.S. 1986.</p> <p>22 Q. Okay. So you went to high school. Is</p> <p>23 that a four-year program or how long is it?</p> <p>24 A. Where?</p> <p>25 Q. In China --</p>	<p style="text-align: right;">Page 31</p> <p>1 A. In China, it's four-year bachelor degree.</p> <p>2 Q. Okay. So you went from high school, then</p> <p>3 you went to this college program in Beijing; is that</p> <p>4 correct?</p> <p>5 A. Beijing, yes, yes.</p> <p>6 Q. Okay. Then what year did you go to the</p> <p>7 Illinois Institute of Technology?</p> <p>8 A. I think it was 1986. 1986 to 19 -- oh,</p> <p>9 I'm sorry. 1987, January.</p> <p>10 Q. What?</p> <p>11 A. 1987.</p> <p>12 Q. To when?</p> <p>13 A. To all the way to the 1990, I guess.</p> <p>14 Q. You said this was a Ph.D. program?</p> <p>15 A. Yeah, yeah. I think it's only been four</p> <p>16 years to get my Ph.D. degree without master degree.</p> <p>17 Q. So you skipped the master's and just got a</p> <p>18 Ph.D. in three years?</p> <p>19 A. Four years. Around four years, yeah. By</p> <p>20 that time, they said I set a record for Chinese</p> <p>21 student at that time for fastest --</p> <p>22 Q. So between 1985 and 1987, what were you</p> <p>23 doing?</p> <p>24 A. I -- first, before I went to get some</p> <p>25 education for foreign language, study English a</p>
<p style="text-align: right;">Page 32</p> <p>1 little bit before come to U.S. Prepare English.</p> <p>2 When I first come to U.S. in 1986, I went</p> <p>3 to Ohio University. Then when I found out Ohio</p> <p>4 University in a small town, so very difficult to get</p> <p>5 some job employment for students enrolled in the</p> <p>6 school, so I moved to transfer to IIT, Illinois</p> <p>7 Institute of Technology. At that time, the</p> <p>8 professor have some of the Department of Energy</p> <p>9 program, the grant money, so they are looking for</p> <p>10 some research assistants, so I went --</p> <p>11 Q. What's the name of the college where you</p> <p>12 studied in Ohio?</p> <p>13 A. Called Ohio University.</p> <p>14 Q. Oh, just Ohio University --</p> <p>15 A. Yeah.</p> <p>16 Q. -- not, like, you know, any city, like</p> <p>17 Columbus?</p> <p>18 A. In Athens, Ohio.</p> <p>19 Q. I'm sorry, what city?</p> <p>20 A. Athens, just like -- A-N-T-H-E-N-S [sic],</p> <p>21 Athens.</p> <p>22 Q. Anthem?</p> <p>23 A. Athens, yeah.</p> <p>24 Q. Okay. When you got your Ph.D. from</p> <p>25 Illinois Institute, what was the Ph.D. in?</p>	<p style="text-align: right;">Page 33</p> <p>1 A. Huh?</p> <p>2 Q. What was the Ph.D. in?</p> <p>3 A. In engineering.</p> <p>4 Q. Chemical engineering?</p> <p>5 A. Yeah, engineering. Chemical and the</p> <p>6 mechanical both. It's, like -- also, they said is</p> <p>7 chemical but mostly is mechanical side.</p> <p>8 Q. And what was the course of your study</p> <p>9 work?</p> <p>10 A. Oh, study lot of work. Chemistry and also</p> <p>11 mechanical science, structure. Basically, my</p> <p>12 background is, like, in building the factory system</p> <p>13 design, engineering, that kind of thing.</p> <p>14 Q. So a large commercial building?</p> <p>15 A. Commercial building, factory, like a</p> <p>16 chemical plant, refinery plant, power plant. Build</p> <p>17 the power plant. Mostly power plant.</p> <p>18 So after that, most of my career is power</p> <p>19 plant.</p> <p>20 Q. So after 1990, what did you do?</p> <p>21 A. Huh? After the --</p> <p>22 Q. Like, in terms of work after 1990.</p> <p>23 A. After 1990, I working for the one company</p> <p>24 called the Gas Research Institute.</p> <p>25 Q. Gas Research Institute?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. Yeah. There is the company is sponsored 2 by the American gas company, like the Southwest Gas 3 Company or the Edison or the so called gas company. 4 They all contribute to many to do the research and 5 technology developed at that branch. So I working 6 for them.</p> <p>7 Q. I recently reviewed a document related to 8 the Edison group in California.</p> <p>9 A. Yeah.</p> <p>10 Q. So --</p> <p>11 A. Yeah.</p> <p>12 Q. -- how long did you work at the --</p> <p>13 A. I working there and here in 1995.</p> <p>14 Q. What was your job title?</p> <p>15 A. I was engineer and -- research engineer 16 and research --</p> <p>17 Q. What were you researching?</p> <p>18 A. Huh?</p> <p>19 Q. What were you researching?</p> <p>20 A. I was researching two fields. One is 21 gasification. It's to convert the natural -- 22 convert the coal to the natural gas. So it's a 23 program, you know. Sometimes before they shorten 24 the natural gas, so they think it can work from the 25 coal through the coal gasification to make the gas.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. I'm going to circle back.</p> <p>2 When you went to the Illinois Institute of 3 Technology, did you get a degree or a certificate 4 from there?</p> <p>5 A. Ph.D. degree.</p> <p>6 Q. Okay.</p> <p>7 A. Yeah, Ph.D. degree. It's highest 8 engineering degree. And actually, it's a field, the 9 gasification.</p> <p>10 Q. So after 1995, what did you do?</p> <p>11 A. Then I went to the company called the 12 Westinghouse, which is later the Siemens. The 13 German company called Siemens acquired the 14 Westinghouse Power Generation Group. That was 15 there. I was working -- I ended up working for the 16 Siemens corporation, which is one of the --</p> <p>17 Q. How long did you work there for?</p> <p>18 A. Huh?</p> <p>19 Q. How long did you work there for?</p> <p>20 A. I working for there for two years.</p> <p>21 Q. In 1997?</p> <p>22 A. Yeah. Then I moved -- that is --</p> <p>23 Q. Hold on one second.</p> <p>24 A. Mm-hmm.</p> <p>25 Q. One second.</p>
<p style="text-align: right;">Page 36</p> <p>1 What was your job title with Siemens?</p> <p>2 A. Siemens engineer.</p> <p>3 Q. What were your job duties?</p> <p>4 A. Our duties is just design the coal 5 gasification power plants and design the natural gas 6 combined circle power plant.</p> <p>7 Q. Then in 1997 -- let me go back.</p> <p>8 Why did you leave your position? What was 9 the name of the company you worked for in 1990?</p> <p>10 A. Gas Research Institute. Presently they're 11 called -- yeah, Gas Research. Before they call the 12 Institute of Gas Technology. It's also called IGT, 13 but it's Institute of Gas Technology.</p> <p>14 Then later, they change the name called 15 Gas Research Institute.</p> <p>16 Q. Why did you leave the Gas Research 17 Institute to go work for Siemens?</p> <p>18 A. Because I don't want to work in the 19 research academic; right? That is research 20 organization. I want to do the real -- build the 21 real plant, real commercial company, so I went to 22 the company, which is build the power plant, build 23 all the power system.</p> <p>24 Q. 1997, what did you do after that?</p> <p>25 A. Then I joined the company called the --</p>	<p style="text-align: right;">Page 37</p> <p>1 original they called it Combustion Engineering, then 2 they later called it ABB, ASEA Brown Boveri, which 3 is a Swiss and Sweden company. It is one of the 4 largest -- at that time, it was the largest power 5 generation company in the world.</p> <p>6 Q. How long did you work there for?</p> <p>7 A. I working there until -- later, this ABB 8 been acquired -- the power generation people is 9 acquired by the company -- French company called 10 Alstom, A-L-S-T-O-M.</p> <p>11 Then General Electric bought this Alstom. 12 So later, before I left -- it's General Electric. 13 So after that, I working for them until 2004 -- 14 2004.</p> <p>15 Q. So in 1997 to 2004, you started with ABB 16 who got acquired by other companies --</p> <p>17 A. Right.</p> <p>18 Q. -- until 2004?</p> <p>19 A. Yeah, 2004.</p> <p>20 Q. What was your position when you started?</p> <p>21 A. I was starting as a senior consulting 22 engineer, then later as a technical fellow, then as 23 a project manager and project director.</p> <p>24 Q. And what were your job duties?</p> <p>25 A. Was supervisor, build the power plant,</p>

<p style="text-align: right;">Page 38</p> <p>1 commercial power plant; training the licensee in 2 Asia; and mostly doing the competitive bid for the 3 new power plant in U.S. worldwide. 4 Q. These are gas or coal power plants? 5 A. Gas. Mostly it's combined cycle power 6 plant. 7 Q. So you mean gas. Does that mean, like, 8 natural gas or is there another type of gas? 9 A. One is coal gasification gas or natural 10 gas. Sometimes they also use diesel. Build a 11 diesel plant for the -- we call it peaker. It's a 12 simple cycle. Like the Las Vegas or the NV Energy, 13 they have some plant. On the 215, you'll see that 14 small plant. That is a simple cycle peaker. We 15 called it peaker. During the high demand season, 16 they running that kind of plant. 17 Q. Okay. 18 A. Yeah. 19 MADAM REPORTER: I'm sorry, Counsel. 20 Are you saying peak, P-E-A-K? 21 THE WITNESS: P-E-A-K, yeah. 22 MADAM REPORTER: Okay. Thanks. 23 THE WITNESS: Yeah, yeah. Because when in 24 the summer the electricity demand is high, so they 25 have running some simple cycle plant, yeah.</p>	<p style="text-align: right;">Page 39</p> <p>1 BY MR. LEE: 2 Q. Okay. This is 2004. What did you do 3 after that? 4 A. Then I come to California. I come to 5 California working with a company called Parsons 6 Engineering. 7 Q. Parson, P-A-R-S-O-N? 8 A. Yeah, P-A-R-S-O-N. Which at that time is 9 world's largest engineering company in West Coast 10 for the power generation and the refinery and the 11 chemical. 12 Q. How long did you work there for? 13 A. Until the 2008, I think. 2010. We do all 14 kinds. We design the power plant and we do the 15 refinery engineering. We do chemical plant 16 engineering. We do mining company engineering, 17 design. 18 Q. So what was your job title? 19 A. I was the supervisor -- senior supervisor. 20 Q. Did you provide (inaudible) -- 21 A. Huh? 22 Q. You were supervising? 23 A. Yeah. Supervise a whole bunch of 24 engineering doing this kind of design and also 25 project management. Project manager, project</p>
<p style="text-align: right;">Page 40</p> <p>1 director kind of, yeah. 2 Q. Okay. Then 2008, the recession, what did 3 you do after that? 4 A. After that, I just -- I don't want to work 5 for other people. I just working for myself. 6 Q. Okay. So what does that mean? 7 A. That means WLAB. We bought a lot of land 8 and a rental house, so we just collected rent. 9 Q. 2008 to the present, that's when you 10 formed and -- 11 A. Yeah, yeah, yeah. 12 Q. -- still are involved with WLAB; right? 13 A. Yeah, yeah, yeah, yeah. I forgot exactly 14 when we set up this WLAB lab, but we starting since 15 2008, 2010, that range. Not I -- exactly I don't 16 know when I start working for company. 17 The reason why the -- I stopped working at 18 company is the company want to assign me to the 19 Saudi for the supervisor design the one refinery in 20 Saudi. Then I found out, they said in the middle of 21 nowhere in the desert. 22 So at that time, my kids were too small in 23 the education, so I don't want to go there. So I 24 tell them I just rather working for myself. 25 Q. You don't want to go to Saudi Arabia, so</p>	<p style="text-align: right;">Page 41</p> <p>1 you decided to start your own business? 2 A. Yeah, yeah, yeah. 3 Q. Okay. Then you're already in California, 4 so you just stayed in California; correct? 5 A. Right, right, yeah. 6 Q. Okay. WLAB, what does WLAB stand for? 7 A. I forgot why it's called the name of WLAB, 8 you know. To be honest, maybe my wife choose the 9 name and -- yeah. I don't know why we call that 10 name. 11 Q. So your wife would be a little bit more 12 knowledgable related to some of the formation of 13 WLAB? 14 A. I think so. We both -- we have 15 50/50 percent share for that LLC right now, yeah. 16 Q. Okay. As part of the PMK notice, it does 17 specify Topic 13, which is formation of Plaintiff. 18 This would be something else that your wife would be 19 more knowledgable about? 20 A. Yeah. Maybe for that company, yeah. 21 MADAM REPORTER: Sorry. You broke up 22 there. 23 BY MR. LEE: 24 Q. You and your wife are the only partners or 25 members of WLAB; is that right?</p>

<p style="text-align: right;">Page 42</p> <p>1 A. At this moment, yes.</p> <p>2 Q. Okay. I believe that you presented an</p> <p>3 operating agreement related to eventually doing a</p> <p>4 1031 exchange for the property.</p> <p>5 Do you recall if that's the same operating</p> <p>6 agreement that you have in place today?</p> <p>7 A. Yes, yes.</p> <p>8 Q. Have you ever amended your operating</p> <p>9 agreement?</p> <p>10 A. I don't know. My wife usually doing that</p> <p>11 kind of hard work, you know. I'm not sure.</p> <p>12 Q. Is your wife a little bit better -- what</p> <p>13 does your wife do?</p> <p>14 A. My wife, well, she's also engineering</p> <p>15 background. Actually, we met in Chicago. Then</p> <p>16 she -- she's an engineering Ph.D. too, but she's</p> <p>17 more focused on the biotech side. So later, she</p> <p>18 just -- when we purchase this property, she's the</p> <p>19 CEO for the company in San Diego.</p> <p>20 Q. I'm sorry. You said you purchased a</p> <p>21 company. What company did you purchase?</p> <p>22 A. No. We purchased the property, the --</p> <p>23 the -- currently the 2132 Houston Drive. At that</p> <p>24 time, she's the CEO of the one biotech company in</p> <p>25 San Diego.</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. What's the name of the biotech company?</p> <p>2 A. I don't know. You got to -- in Chinese is</p> <p>3 MabPlex, MabPlex, MabPlex, yeah.</p> <p>4 MADAM REPORTER: What is it?</p> <p>5 THE WITNESS: It's MabPlex, M-I -- I don't</p> <p>6 know how to spell that. Her company is in China</p> <p>7 company, and one branch is subsidiary in San Diego.</p> <p>8 She own -- the CEO for that company.</p> <p>9 BY MR. LEE:</p> <p>10 Q. Okay. So in 2017 or so, 2018, she was the</p> <p>11 CEO of this biotech company in San Diego; correct?</p> <p>12 A. Right, right, yeah.</p> <p>13 Q. And at the same time, she was also a</p> <p>14 managing member of WLAB; is that correct?</p> <p>15 A. Right, right. She's the managing member</p> <p>16 of this WLAB, but she don't do the daily operation.</p> <p>17 I'm the mostly person doing the daily operation.</p> <p>18 Q. Okay. But she's the one who handled,</p> <p>19 like, the underlying transactional documents for</p> <p>20 WLAB such as your operating agreement; is that fair?</p> <p>21 A. I think so. Maybe, yeah.</p> <p>22 Q. Did you -- were you also involved in the</p> <p>23 drafting of the operating agreement?</p> <p>24 A. Yes, yes. I -- I cannot remember very</p> <p>25 clearly. Actually, we went to the one accounting</p>
<p style="text-align: right;">Page 44</p> <p>1 firm in Monterey Park, Los Angeles, and working with</p> <p>2 this accounting firm to set up the company. Then I</p> <p>3 get the seal, all the documents together. Then</p> <p>4 accounting firm continued to the accountants.</p> <p>5 Every year we file the tax returns through</p> <p>6 the company firm. I think they called the Southern</p> <p>7 California Accounting something company.</p> <p>8 Q. A California accounting company?</p> <p>9 A. Yeah, California company. It's actually</p> <p>10 we set up through that company.</p> <p>11 Q. What's the name of the company?</p> <p>12 A. Southern California Accounting.</p> <p>13 Q. Oh, okay.</p> <p>14 A. Yeah. If you go to the Chinese newspaper,</p> <p>15 you will see that advertise, yeah, from the Chinese</p> <p>16 newspaper, local newspaper.</p> <p>17 Q. So I went through your work history. You</p> <p>18 know, like, 1990 to 2008, you were working in a, you</p> <p>19 know -- capacity as an engineer supervisor. Did you</p> <p>20 have to review many contracts during that time?</p> <p>21 A. Yes, yes. Yeah.</p> <p>22 Q. Okay. And then you understood the</p> <p>23 importance of reading contracts; is that fair?</p> <p>24 A. Yes, yes.</p> <p>25 Q. How many of these contracts led to the</p>	<p style="text-align: right;">Page 45</p> <p>1 development or building of buildings?</p> <p>2 A. I'll be very honest with you, I like</p> <p>3 building, building the house. My family, all my</p> <p>4 kids, my wife live in the house I build. So since</p> <p>5 the one we have ability to buy the house, instead of</p> <p>6 buying or leasing a house, we always build the</p> <p>7 house, so we --</p> <p>8 Q. So this is the Sewanee --</p> <p>9 A. Yeah. I build that house too. That house</p> <p>10 I build. That one in Connecticut, we build the</p> <p>11 house too. So we go through all this document.</p> <p>12 And the Sewanee name, the house, I bought</p> <p>13 all the house that he tear down immediately, then I</p> <p>14 build that house.</p> <p>15 Q. So Sewanee is a house that you built and</p> <p>16 constructed.</p> <p>17 A. Yeah.</p> <p>18 Q. Did you act as the general contractor?</p> <p>19 A. Yes, yes.</p> <p>20 Q. You acted as the project manager?</p> <p>21 A. Yes, yeah.</p> <p>22 Q. Did you hire contractors to help you</p> <p>23 construct it?</p> <p>24 A. Yeah. We hire -- we negotiate the -- we</p> <p>25 doing the -- first we solicited the subcontract and</p>

<p style="text-align: right;">Page 46</p> <p>1 then we evaluate the subcontractor code and also the</p> <p>2 qualification and then submit to the subcontract</p> <p>3 doing the work, then doing the quality control.</p> <p>4 Q. Quality control.</p> <p>5 During that process, this was -- how many</p> <p>6 homes have you constructed?</p> <p>7 A. Huh?</p> <p>8 Q. How many homes have you constructed?</p> <p>9 MADAM REPORTER: You keep breaking up,</p> <p>10 Counsel.</p> <p>11 THE WITNESS: I cannot hear you.</p> <p>12 BY MR. LEE:</p> <p>13 Q. How many homes have you constructed?</p> <p>14 A. Oh, boy. Probably three or four. Yes,</p> <p>15 because -- yeah, because some houses we completed</p> <p>16 from starting all the way together I do my own. But</p> <p>17 at the beginning, we build a house. It's through</p> <p>18 the Nacka ne ma (phonetic) or some other company;</p> <p>19 right? So we sign the contract after the company to</p> <p>20 build the house.</p> <p>21 Just like in Las Vegas from the home</p> <p>22 builder, you go to their site -- community, you sign</p> <p>23 the contract, you participate in the building</p> <p>24 together, then they build it for you.</p> <p>25 Q. Okay. So let's do this: With the Quiet</p>	<p style="text-align: right;">Page 47</p> <p>1 Cove property in Las Vegas, is it a residential</p> <p>2 property?</p> <p>3 A. Yes, yeah.</p> <p>4 Q. Okay. Did you improve upon it or it's as</p> <p>5 is?</p> <p>6 A. I bought this one. Actually, it's from</p> <p>7 auction. What happened -- done the remodeling. I</p> <p>8 bought this one from the homeowners association</p> <p>9 auction.</p> <p>10 Q. When did you buy this?</p> <p>11 A. October 2019.</p> <p>12 Q. Recently?</p> <p>13 A. Yeah.</p> <p>14 Q. It was a foreclosure; correct?</p> <p>15 A. Yes, yeah.</p> <p>16 Q. Did it have damage or it was just a</p> <p>17 foreclosure?</p> <p>18 A. Damage. It's -- the second floor, one</p> <p>19 room is burned.</p> <p>20 Q. You were living in a burned home?</p> <p>21 A. The second floor.</p> <p>22 Q. Okay. So you're just living in the --</p> <p>23 A. First floor.</p> <p>24 Q. The habitable places is where you're</p> <p>25 residing?</p>
<p style="text-align: right;">Page 48</p> <p>1 A. Right, right, right. Right now I put in</p> <p>2 the second floor. I clean the second floor, all the</p> <p>3 burned stuff, and started doing the remodeling.</p> <p>4 Q. You're doing that yourself?</p> <p>5 A. No. It's also through some people.</p> <p>6 Q. Who are you contracting?</p> <p>7 A. Right now it's -- I interview contractor,</p> <p>8 yeah. I haven't done the -- complete the remodeling</p> <p>9 yet because we -- last year we have some issue and</p> <p>10 the -- for the company homeowners association hired</p> <p>11 the attorney to do foreclosure. Then we have some</p> <p>12 issues. So we waiting for the -- until that one</p> <p>13 settle down, then we can do...</p> <p>14 Q. So you bought this by an HOA foreclosure</p> <p>15 or a bank foreclosure?</p> <p>16 A. HOA foreclosure.</p> <p>17 Q. Okay. So it was, like, a superpriority</p> <p>18 lien? Do you understand what that means?</p> <p>19 A. I don't know. I tell you what's happened</p> <p>20 we found out last year. It's -- actually, HOA</p> <p>21 only -- that house own -- actually, previous owner</p> <p>22 owe actually about \$6,000. Actually put in auction</p> <p>23 for that property. That I pay 85,000 cash for that</p> <p>24 property.</p> <p>25 Then we found out this lien about \$70,000.</p>	<p style="text-align: right;">Page 49</p> <p>1 That legal -- the County and the City are going to</p> <p>2 foreclose on the house again, so we are trying to</p> <p>3 use that, actually gather the \$85,000 so they have</p> <p>4 access to proceeding. So want to use that access of</p> <p>5 proceedings to pay off for the County and the City</p> <p>6 name. That's --</p> <p>7 Q. Do you have an attorney that's</p> <p>8 representing you for this action right now?</p> <p>9 A. Yeah, yeah. It's Mr. Lee -- Ben.</p> <p>10 Q. Ben Childs. I'm Mr. Lee.</p> <p>11 A. Yeah, yeah.</p> <p>12 Q. That's your attorney; right?</p> <p>13 A. Yeah.</p> <p>14 Q. Okay. It sounds like basically the public</p> <p>15 works utility liens is something that he's trying to</p> <p>16 help you resolve; is that fair?</p> <p>17 A. Yes, yeah.</p> <p>18 Q. Mr. Childs is shaking his head no.</p> <p>19 A. Huh?</p> <p>20 Q. Maybe you guys can confer about that</p> <p>21 later.</p> <p>22 MR. CHILDS: It's tax liens.</p> <p>23 THE WITNESS: Tax lien.</p> <p>24 BY MR. LEE:</p> <p>25 Q. A tax lien. Thank you.</p>

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1 heating -- or heater is not light up, so I call the
 2 AC company -- or they call the AC company then to
 3 fix the other one. They give me the receipt. Then
 4 I just keep the receipt, then I pay them.
 5 **Q. Do you have a property management company**
 6 **that manages the property for you or do you do it?**
 7 A. No. That one, no. No property manager.
 8 Just I do it.
 9 **Q. And then for the handyman work or the**
 10 **maintenance of it, how do you resolve that?**
 11 A. I just hire the -- from the -- the yellow
 12 page or the Google, found the local people and call
 13 them, ask them to go there to fix things.
 14 **Q. Are they -- like, what kind of people?**
 15 **Like, handyman?**
 16 A. No. Usually it's a company. Licensed
 17 contractor, not a handyman. I never hire handyman.
 18 Mostly it's go to the yellow pages, found the
 19 plumber. Go to the local plumber, licensed plumber
 20 to do that. Actually, I say call the licensed --
 21 actually, I say to do that.
 22 **Q. Well, like, in 2009, it's fair to say that**
 23 **you understood the difference between a licensed**
 24 **contractor and a handyman?**
 25 A. Yes, yes.

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1 contractor showing you a permit?
 2 A. In California, that one, I don't think so.
 3 They don't apply the permit. Because this is --
 4 since they need to do immediately, how you get a
 5 permit? You know, the tenant said today, I don't
 6 have hot water. I need to replace. So I call the
 7 plumber go there to the place. How you get a tenant
 8 the permit even in the weekend? No, I don't think
 9 so.
 10 **Q. So if you hire, like, a contractor, you**
 11 **understand that they'll take care of any permitting**
 12 **issues that there will be?**
 13 A. Depends. Sometimes with the contractor
 14 need me to work with them to get the permit. They
 15 cannot directly by themselves. But my understanding
 16 for the water heater in California, no permit is
 17 required.
 18 **Q. Well, if a permit was required, would you**
 19 **expect that the contractor will take care of that**
 20 **for you?**
 21 A. Yes, but usually I know that sometimes the
 22 permit -- I need to apply for permit, they need my
 23 information from contractor. Contractor need my
 24 information, and my -- some documents that they can
 25 apply the permit. I gave them my authority.

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1 **Q. How many times do you think you have to**
 2 **hire a contractor to address issues with the Bundy**
 3 **property on a yearly basis?**
 4 A. Not very many. Maybe one year one time.
 5 I currently have a tenant living there for more than
 6 three years. They only call me one time.
 7 **Q. And what was that issue?**
 8 A. They said it's a -- water heater is not
 9 light up, so he text me and said that the -- he
 10 needed me to come over and take a look and fix that.
 11 I said, Go ahead and fix that and send me the bill,
 12 and we just deduct from the rent.
 13 **Q. For the water heater, did you hire a**
 14 **plumber or did you just hire, like, a company to**
 15 **give you a new water heater and install --**
 16 A. Plumber, plumber. In California, usually
 17 you hire the plumber. They sell you the -- they go
 18 to replace the water heater.
 19 **Q. Do you have an understanding that a water**
 20 **heater requires permit work for replacement?**
 21 A. I don't think so. Water heater don't need
 22 a permit. In California, no, no permit.
 23 (Two speakers at once.)
 24 **Q. Okay. Clark County -- it should be**
 25 **subject to a permit. Would you insist on a**

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1 **Q. After the work is performed, do you ever**
 2 **ask the contractor to show you the permits they**
 3 **obtained?**
 4 A. Yes. Sometimes I need. I ask for it
 5 before.
 6 **Q. Does that also mean sometimes you don't**
 7 **ask for one?**
 8 A. Some -- in California, that house, I just
 9 said -- you asked me in California, the house, I
 10 didn't -- I don't think I asked them to permit for
 11 the -- for water heater replacement.
 12 **Q. So just in general, not just for water**
 13 **heaters, but if a contractor does work for you, are**
 14 **there times where you don't ask to see any related**
 15 **permits?**
 16 A. To my knowledge, I don't think so. I
 17 probably doing that. If they required a permit, I
 18 will ask them to show me permit and also ask them to
 19 show me the inspection and the inspection result.
 20 Because that is your duty, you know. You pay the
 21 contractor to do the work. Then when they performed
 22 the work, you need to gather the certain party to
 23 inspect, make sure they're doing it safely and meet
 24 law requirement; right?
 25 **Q. Okay. So when you asked, you know, for**

<p style="text-align: right;">Page 138</p> <p>1 someone to do the work, you want -- you would 2 usually follow up and ask to see the permit and 3 inspection? 4 A. Yes, I will do that. 5 Q. Okay. So after Bundy, what else did you 6 guys buy? 7 A. We buy a lot of property in California. 8 Q. In general, how many properties do you 9 own? 10 A. A lot. More than ten. But I cannot count 11 exactly right now. 12 Q. More than ten in California or in total? 13 A. In California. 14 Q. So we know you own eight or nine here in 15 Vegas and that you own more than ten in California; 16 right? 17 A. Right, right, right. 18 Q. And then the properties that WLAB owns, 19 are there separate properties that you and Marie own 20 that aren't part of WLAB? 21 A. Yes, yes. We -- we thinking in the -- 22 sometimes they use my wife name because she's get a 23 W-2. She can get a loan, so -- but some we change 24 the title. I went to the County recording office 25 and change the title because time to move to the</p>	<p style="text-align: right;">Page 139</p> <p>1 WLAB now. Some haven't -- 2 Q. How many properties do you and Marie own 3 that are outside of what WLAB owns? 4 A. I don't -- I don't know. Usually when my 5 wife file the tax return, they think it's mostly 6 WLAB for rental property. 7 Q. So this is an area that Marie would know 8 better than you would? 9 A. I think so. She's the person involved in 10 more that. 11 Q. In general with the properties that you 12 purchased, walk me through the process of how you go 13 through it. Like, do you find it on Zillow? Do you 14 find it on some type of listing agreement? How does 15 this work? 16 A. In general, it's I found the property from 17 the Redfin or Zillow; right? Then I contact the 18 listing agent, then I make the listing agent 19 appointment with the listing agent, then go to the 20 property, take a look at the property, do some 21 inspection, then I recording all that by myself and 22 say what's the -- and that property. 23 Then after that, I make the offer to 24 the -- ask my wife make the offer, then sign the 25 purchase agreement after negotiation the price.</p>
<p style="text-align: right;">Page 140</p> <p>1 Q. So in terms of the inspection, like, in 2 general, have you ever used a professional 3 inspection company to do those for you? 4 A. I did some. One or two. Not much. 5 Because we did some work, buy some property in Yuca 6 Valley. I think I hired an inspector to do that. 7 Then later I found out, you know, what later 8 inspector report is not much different than what I 9 found. So later, we just didn't hire the 10 professional inspector doing this work. 11 Q. Can you spell Yucca Valley? Is that 12 Y-U-C-C-A? 13 A. Yeah, Y-U-C-C-A. Yeah. 14 Q. So you've only hired a professional 15 inspector once or twice. Do you recall which years 16 that would have been when you did that? 17 A. 2014, something like that. It's -- yeah, 18 early 2014, 2015. Let me see. 19 Q. Have you ever hired a professional 20 inspection company in Clark County, Nevada? 21 A. No. That's -- like I said, in the Nevada, 22 all the property is multi-family rental property, 23 so -- multi-family rental property usually don't 24 need professional inspector to do that. 25 Q. Do you know if there's professional</p>	<p style="text-align: right;">Page 141</p> <p>1 inspectors that will inspect multi-tenant 2 residential properties that have six units or less? 3 A. I -- I think some of the advertisement 4 they can do that, but I contact the -- they tried to 5 log money, but also we found out that you don't need 6 to do that. According to -- I talk to the other 7 landlord, them said it's a -- you know, if you have 8 lot of unit in that apartment, you cannot do the 9 inspection. 10 Then also the law is -- what they said for 11 the multi-family rental property, the seller must 12 provide a good, safe, and healthy environment for 13 tenant. So that is a burden is on the seller to 14 make sure that everything is safe. 15 The tenant is not going to inspect -- hire 16 an inspector to do the inspection before they rented 17 the building or the room; right? Then it's also -- 18 Q. First of all, what is the law that you're 19 referencing in your discussion? 20 A. This is -- even you take a look at the -- 21 here on this one, what's the deed of permit 22 inspection, is on the tenant and the landlord they 23 said this way. Yeah, they said you -- you have to 24 provide in the tenant. You have to provide healthy, 25 well-being facility for the tenant.</p>

<p style="text-align: right;">Page 338</p> <p>1 of things report that we don't need to go to the 2 inside the building. It's wall cracking. It's 3 outside. You can see. 4 Q. Okay. So it's open and obvious for them? 5 A. Yeah. You can see always outside. 6 Q. So is there any information that you want 7 to provide that I haven't asked you about? 8 A. No. 9 Q. No? Okay. 10 Would you like to revise or supplement any 11 of your prior answers? 12 A. Yes. I need to read this description, 13 the -- what's it called? 14 MR. CHILDS: Transcript. 15 THE WITNESS: Transcript, yeah. 16 BY MR. LEE: 17 Q. Okay. So I presume you guys are going to 18 buy a copy of the transcript. You'll need to let 19 the court reporter know. If you are, they'll mail 20 you a copy. If not, you're going to have to go to 21 the court reporter's office to review it; okay? 22 A. Yeah. We just buy one. 23 Q. Okay. And then in terms of the areas that 24 we covered that was based on your experience or your 25 speculation, are you planning on offering those</p>	<p style="text-align: right;">Page 339</p> <p>1 opinions at the time of trial? 2 A. Yes, yes. 3 Q. Okay. 4 MR. LEE: I don't have any further 5 questions, so we can go off record and -- or 6 actually, I pass the witness. How about that? 7 MR. CHILDS: No questions. 8 THE WITNESS: No questions. 9 MR. LEE: Okay. Then I'll release you 10 subject to any disclosure of any additional 11 documents that we haven't received at this time, but 12 I thank you for your time today; okay? 13 THE WITNESS: Thank you. 14 MADAM REPORTER: Counsel, would you like a 15 copy of the transcript? 16 MR. CHILDS: Yeah, I think -- 17 THE WITNESS: Yeah, yeah. 18 MADAM REPORTER: Do you want electronic? 19 MR. CHILDS: Sure. 20 MR. LEE: I only want an e-copy with 21 exhibits. 22 MADAM REPORTER: Okay. 23 (The deposition concluded at 5:26 p.m.) 24 25</p>
<p style="text-align: right;">Page 340</p> <p>1 CERTIFICATE OF WITNESS 2 PAGE LINE CHANGE REASON 3 _____ 4 _____ 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 * * * * * 17 18 I, FRANK MIAO, witness herein, do hereby 19 certify and declare under the penalty of perjury the 20 within and foregoing transcription to be my 21 deposition in said action; that I have read, 22 corrected and do hereby affix my signature to said 23 deposition. 24 _____ 25 FRANK MIAO 25 Witness Date</p>	<p style="text-align: right;">Page 341</p> <p>1 REPORTER'S CERTIFICATE 2 STATE OF NEVADA) 3) ss 4 COUNTY OF CLARK) 5 I, Trina K. Sanchez, a duly certified 6 court reporter licensed in and for the State of 7 Nevada, do hereby certify: 8 That I reported the taking of the 9 deposition of the witness, FRANK MIAO, at the time 10 and place aforesaid; 11 That prior to being examined, the witness 12 was by me duly sworn to testify to the truth, the 13 whole truth, and nothing but the truth; 14 That I thereafter transcribed my shorthand 15 notes into typewriting and that the typewritten 16 transcript of said deposition is a complete, true 17 and accurate record of testimony provided by the 18 witness at said time to the best of my ability. 19 I further certify (1) that I am not a 20 relative, employee or independent contractor of 21 counsel or of any of the parties; nor a relative, 22 employee or independent contractor of the parties 23 involved in said action; nor a person financially 24 interested in the action; nor do I have any other 25 relationship with any of the parties or with counsel of any of the parties involved in the action that may reasonably cause my impartiality to be questioned; and (2) that transcript review pursuant to NRCPC 30(e) was requested. IN WITNESS WHEREOF, I have hereunto set my hand in the County of Clark, State of Nevada, this 23rd day of January, 2021. <i>Trina K. Sanchez</i> 24 TRINA K. SANCHEZ, RPR, CCR NO. 933 25</p>

<p>Page 342</p> <p>1 HEALTH INFORMATION PRIVACY & SECURITY: CAUTIONARY NOTICE</p> <p>2 Litigation Services is committed to compliance with applicable federal</p> <p>3 and state laws and regulations ("Privacy Laws") governing the</p> <p>4 protection and security of patient health information. Notice is</p> <p>5 hereby given to all parties that transcripts of depositions and legal</p> <p>6 proceedings, and transcript exhibits, may contain patient health</p> <p>7 information that is protected from unauthorized access, use and</p> <p>8 disclosure by Privacy Laws. Litigation Services requires that access,</p> <p>9 maintenance, use, and disclosure (including but not limited to</p> <p>10 electronic database maintenance and access, storage, distribution/</p> <p>11 dissemination and communication) of transcripts/exhibits containing</p> <p>12 patient information be performed in compliance with Privacy Laws.</p> <p>13 No transcript or exhibit containing protected patient health</p> <p>14 information may be further disclosed except as permitted by Privacy</p> <p>15 Laws. Litigation Services expects that all parties, parties'</p> <p>16 attorneys, and their HIPAA Business Associates and Subcontractors will</p> <p>17 make every reasonable effort to protect and secure patient health</p> <p>18 information, and to comply with applicable Privacy Law mandates,</p> <p>19 including but not limited to restrictions on access, storage, use, and</p> <p>20 disclosure (sharing) of transcripts and transcript exhibits, and</p> <p>21 applying "minimum necessary" standards where appropriate. It is</p> <p>22 recommended that your office review its policies regarding sharing of</p> <p>23 transcripts and exhibits - including access, storage, use, and</p> <p>24 disclosure - for compliance with Privacy Laws.</p> <p>25 © All Rights Reserved. Litigation Services (rev. 6/1/2019)</p>	

EXHIBIT “3”



RA000481



RA000482



RA000483



RA000484



RA000485



RA000486



RA000487



RA000488

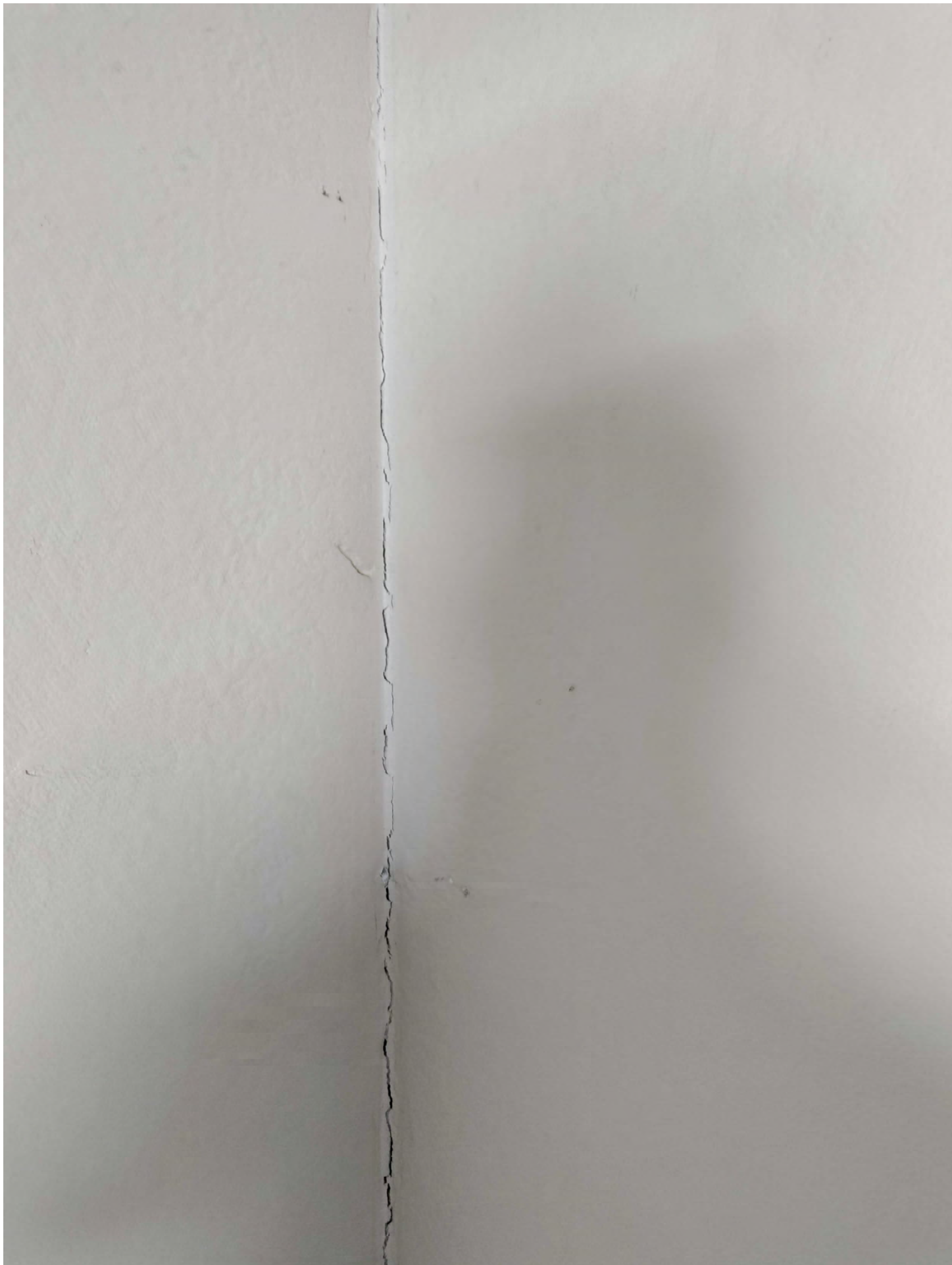


RA000489



RA000490

EXHIBIT “4”



RA000492



RA000493

EXHIBIT “5”

Flipping Fund Iv - InvestPro Realty

[Statement]



FLIPPING FUND
INVESTPRO INVESTMENTS I LLC
PRESENT BY INVESTPRO MANAGER LLC



KENNY LIN
Phone: +1 (702) 726-0000
Email: zhong.kenny@gmail.com
中国境内 联系电话 95013515588 x 88855



恒興地產

WLAB Investment v. TKNR
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Page 2 of 166

cricket
无服务

63% 下午2:56

Investment Op



1. 周期: 1-3 年。
2. 投资门槛: 最少\$5万, 每股\$1000。
2. 用途: 在拉斯维加斯短炒住宅。
3. 回报: 每年先付8%的红利, 按季度付, 然后在所有本金收回后, 纯利润的75%给投资人, 25%给管理公司。
5. 退出: 头12 个月不可退出, 过后可以自行买卖或由公司买回。

截止日期: 2015年12月31日

1. TERM: 1-3 YEARS
2. MINIMUM UNITS: \$50,000 MINIMUM, \$1000 PER UNIT.
3. USE OF FUND: FLIPPING RESIDENTIAL PROPERTIES IN LAS VEGAS.
4. RETURNS: 8 % PREFERRED PER ANNUL PAYS EVERY QUARTER, THEN AFTER ALL MONEY RETURNED TO INVESTORS, THE NET PROCEED SPLIT 75% TO INVESTORS AND 25 % TO MANAGER LLC.
5. WITHDRAW: NO WITHDRAW WITHIN 1ST 12 MONTH , AFTER THAT YOU CAN RESALE YOUR SHARE OR COMPANY WILL BUY IT BACK.

CLOSE OUT DATE: DEC. 31,2015



WHAT's FLIPPING FUND? 所谓 | 短炒基金

FLIPPING FUND IS ESTABLISHED BY INVESTPRO INVESTMENTS FOUNDATION. THE FUND WILL BE INVESTED ON PURCHASING VALUE INCREASING REAL ESTATES IN LAS VEGAS. ONCE REACHED THE TERM, THE PROPERTY WILL BE SOLD OUT. PROFITS WILL BE PUT BACK INTO THE FUND FOR INVESTING ANOTHER PROPERTY.

「短炒基金」是由恒 兴投资基金建立的一个投资 资金池，用于在拉斯维加斯 买入预期升值的房产项目。 短期获利后，迅速抛售套现 离场，所获利资金再次用于 投资其他相似房产项目，以 此循环获利。

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SUCCESSFUL
PROJECTS

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已运作项目
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09
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FLIPPING
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资金分配
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11
投资回报
PROFIT
CONTRA

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案例分析
SUCCESSFUL
PROJECTS

4320 NOLAN LN
LAS VEGAS NV

03/02
2015

102天/DAY

06/12
2015

增值 INCREASE
IN VALUE

HOW LONG's THE FLIPPING TERM? 多久 | 短炒周期

134 DAY. WE SET THE FLIPPING TERM AS 130 DAYS. IT IS A ESTIMATED NUMBER BASED ON THE PROPERTIES WE ARE OPERATING NOW. WE AVERAGE THE TERM BETWEEN PURCHASE AND SOLD, THEN PLUS 15 ACQUISITION DAYS. THEREFORE IN 365 DAYS, ALL OF FUNDS WILL BE FLIPPED FOR 2.72 TIMES

「134天」我们将短炒周期设定为134天，这是以我们目前已运作房产项目，从买入至卖出所用天数的平均值（119天）加上购置周期（15天），所得出的一个平均短炒周期数。若全年以365天计，资金将用于短炒2.72次/年

年盈利率

PROFIT PER FLIP
每次利润
8.71 %

FLIPS PER YEAR
年短炒次数
2.72

=

23.69 %

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资金分配
INVESTMENTS
& EXPENSES

MINIMUM PLAN

项目启动门槛
\$1,000,000

Legal Expenses
法务支出成本: \$12,500

1%

94%

5%

Pro-forma acquisition cost of properties
实际投入金额: \$937,500

working capital and reserves
备用流动资金: \$50,000

Proceeds Available
\$987,500
可投入金额

MAXIMUM PLAN

最高融资门槛
\$2,500,000

Legal Expenses
法务支出成本: \$12,500

1%

98%

2%

Pro-forma acquisition cost of properties
实际投入金额: \$2,437,500

working capital and reserves
备用流动资金: \$50,000

Proceeds Available
\$2,487,500
可投入金额

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投资回报率
PRO
FORMA

MINIMUM PLAN

项目启动门槛
\$1,000,000

可投入金额

年盈利率

资金成长

年固定
回报额

基金管理
年费

总利余资本



相关政策

TERMS & CONDITIONS

1. 周期: 1-3 年。
2. 投资门槛: 最少\$5万, 每股\$1000。
3. 用途: 在拉斯维加斯短炒住宅。
3. 回报: 每年先付8%的红利, 按季度付, 然后在所有本金收回后, 纯利润的75%给投资人, 25%给管理公司。
5. 退出: 头12 个月不可退出, 过后可以自行买卖或由公司买回。

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 5. WITHDRAW: NO WITHDRAW WITHIN 1ST 12 MONTH , AFTER THAT YOU CAN RESALE YOUR SHARE OR COMPANY WILL BUY IT BACK.

CLOSE OUT DATE: DEC. 31, 2015

(<http://investprorealty.net/wp/wp-content/uploads/2015/12/13.jpg>)



CONTACT
联系我们



KENNY LIN
 Phone: +1 (702) 726-0000
 Email: zhong.kenny@gmail.com
 中国境内 联系电话 95013515588 x 88855

InvestPro REALTY 恆興地產

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Investment Opportunities - InvestPro Realty



Introducing



WLAB Investment v. TKNR
Case # A-18-785917-C
Page 10 of 166

Management Team

Professional team
to optimize your fund



Kenny Lin [more>](#)

Over 20-years experience in real estate investment industry.
Specialize in Auctions, Investments, Luxury homes, High raise
condo, Residential, Commercial, Apartment, Property
Management, New Construction, Development Land.

Languages: English, Mandarin, Cantonese, Fuzhou dialect
Service Area: Las Vegas NV, Summerlin NV, Henderson NV

(<http://investprorealty.net/agents/kenny-lin/>)



FLIPPING FUND

Las Vegas

Flipping Fund is for investing on value
increasing real estates in Las Vegas.

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WLAB Investment v. TKNR

Case # A-18-785917-C

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EXHIBIT “6”



SELLER'S REAL PROPERTY DISCLOSURE FORM

In accordance with Nevada Law, a seller of residential real property in Nevada must disclose any and all known conditions and aspects of the property which materially affect the value or use of residential property in an adverse manner (see NRS 113.130 and 113.140).

Date August 2nd, 2017

Do you currently occupy or have you ever occupied this property? ☐ YES ☒ NO

Property address 2132 HOUSTON DR

LAS VEGAS NV 89104

Effective October 1, 2011: A purchaser may not waive the requirement to provide this form and a seller may not require a purchaser to waive this form. (NRS 113.130(3))

Type of Seller: ☐ Bank (financial institution); ☐ Asset Management Company; ☐ Owner-occupier; ☒ Other: Investor

Purpose of Statement: (1) This statement is a disclosure of the condition of the property in compliance with the Seller Real Property Disclosure Act, effective January 1, 1996. (2) This statement is a disclosure of the condition and information concerning the property known by the Seller which materially affects the value of the property. Unless otherwise advised, the Seller does not possess any expertise in construction, architecture, engineering or any other specific area related to the construction or condition of the improvements on the property or the land. Also, unless otherwise advised, the Seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. This statement is not a warranty of any kind by the Seller or by any Agent representing the Seller in this transaction and is not a substitute for any inspections or warranties the Buyer may wish to obtain. Systems and appliances addressed on this form by the seller are not part of the contractual agreement as to the inclusion of any system or appliance as part of the binding agreement.

Instructions to the Seller: (1) ANSWER ALL QUESTIONS. (2) REPORT KNOWN CONDITIONS AFFECTING THE PROPERTY. (3) ATTACH ADDITIONAL PAGES WITH YOUR SIGNATURE IF ADDITIONAL SPACE IS REQUIRED. (4) COMPLETE THIS FORM YOURSELF. (5) IF SOME ITEMS DO NOT APPLY TO YOUR PROPERTY, CHECK N/A (NOT APPLICABLE). EFFECTIVE JANUARY 1, 1996, FAILURE TO PROVIDE A PURCHASER WITH A SIGNED DISCLOSURE STATEMENT WILL ENABLE THE PURCHASER TO TERMINATE AN OTHERWISE BINDING PURCHASE AGREEMENT AND SEEK OTHER REMEDIES AS PROVIDED BY THE LAW (see NRS 113.150).

Systems / Appliances: Are you aware of any problems and/or defects with any of the following:

	YES	NO	N/A
Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plumbing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewer System & line	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Septic tank & leach field	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Well & pump	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Yard sprinkler system(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fountain(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Heating system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooling system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Solar heating system	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fireplace & chimney	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wood burning system	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Garage door opener	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water treatment system(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
owned.. <input type="checkbox"/> leased.. <input type="checkbox"/>			
Water heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Toilet(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bathub(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shower(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sink(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sauna / hot tub(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Built-in microwave	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Range / oven / hood-fan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dishwasher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garbage disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trash compactor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Central vacuum	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alarm system	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
owned.. <input type="checkbox"/> leased.. <input type="checkbox"/>			
Smoke detector	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Data Communication line(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Satellite dish(es)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
owned.. <input type="checkbox"/> leased.. <input type="checkbox"/>			
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EXPLANATIONS: Any "Yes" must be fully explained on page 3 of this form.

Kenny Lin
Seller(s) Initials

MZ

Buyer(s) Initials

Nevada Real Estate Division
Replaces all previous versions

Page 1 of 5

Seller Real Property Disclosure Form 547
Revised 07/25/2017

This form presented by Kenny Lin | Investpro Realty | 702-997-3832 | zhong.kenny@gmail.com

WLAB Investment v. TKNR

Case # A-18-785917-C

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RA000507

Property conditions, improvements and additional information:

YES NO N/A

Are you aware of any of the following?:

1. **Structure:**
- (a) Previous or current moisture conditions and/or water damage? ☐ YES ☒ NO
- (b) Any structural defect? ☐ YES ☒ NO
- (c) Any construction, modification, alterations, or repairs made without required state, city or county building permits? ☒ YES ☒ NO
- (d) Whether the property is or has been the subject of a claim governed by NRS 40.600 to 40.695 (construction defect claims)? ☐ YES ☒ NO
(If seller answers yes, FURTHER DISCLOSURE IS REQUIRED)
2. **Land / Foundation:**
- (a) Any of the improvements being located on unstable or expansive soil? ☐ YES ☒ NO
- (b) Any foundation sliding, settling, movement, upheaval, or earth stability problems that have occurred on the property? ☐ YES ☒ NO
- (c) Any drainage, flooding, water seepage, or high water table? ☐ YES ☒ NO
- (d) The property being located in a designated flood plain? ☐ YES ☒ NO
- (e) Whether the property is located next to or near any known future development? ☐ YES ☒ NO
- (f) Any encroachments, easements, zoning violations or nonconforming uses? ☐ YES ☒ NO
- (g) Is the property adjacent to "open range" land? ☐ YES ☒ NO
(If seller answers yes, FURTHER DISCLOSURE IS REQUIRED under NRS 113.065)
3. **Roof:** Any problems with the roof? ☐ YES ☒ NO
4. **Pool/spa:** Any problems with structure, wall, liner, or equipment? ☐ YES ☒ NO
5. **Infestation:** Any history of infestation (termites, carpenter ants, etc.)? ☐ YES ☒ NO
6. **Environmental:**
- (a) Any substances, materials, or products which may be an environmental hazard such as but not limited to, asbestos, radon gas, urea formaldehyde, fuel or chemical storage tanks, contaminated water or soil on the property? ☐ YES ☒ NO
- (b) Has property been the site of a crime involving the previous manufacture of Methamphetamine where the substances have not been removed from or remediated on the Property by a certified entity or has not been deemed safe for habitation by the Board of Health? ☐ YES ☒ NO
7. **Fungi / Mold:** Any previous or current fungus or mold? ☐ YES ☒ NO
8. Any features of the property shared in common with adjoining landowners such as walls, fences, road, driveways or other features whose use or responsibility for maintenance may have an effect on the property? ☐ YES ☒ NO
9. **Common Interest Communities:** Any "common areas" (facilities like pools, tennis courts, walkways or other areas co-owned with others) or a homeowner association which has any authority over the property? ☐ YES ☒ NO
- (a) Common Interest Community Declaration and Bylaws available? ☐ YES ☒ NO
- (b) Any periodic or recurring association fees? ☐ YES ☒ NO
- (c) Any unpaid assessments, fines or liens, and any warnings or notices that may give rise to an assessment, fine or lien? ☐ YES ☒ NO
- (d) Any litigation, arbitration, or mediation related to property or common area? ☐ YES ☒ NO
- (e) Any assessments associated with the property (excluding property taxes)? ☐ YES ☒ NO
- (f) Any construction, modification, alterations, or repairs made without required approval from the appropriate Common Interest Community board or committee? ☐ YES ☒ NO
10. Any problems with water quality or water supply? ☐ YES ☒ NO
11. **Any other conditions** or aspects of the property which materially affect its value or use in an adverse manner? ☐ YES ☒ NO
12. **Lead-Based Paint:** Was the property constructed on or before 12/31/77? ☒ YES ☐ NO
(If yes, additional Federal EPA notification and disclosure documents are required)
13. **Water source:** Municipal ☒ Community Well ☐ Domestic Well ☐ Other ☐
If Community Well: State Engineer Well Permit # _____ Revocable ☐ Permanent ☐ Cancelled ☐
Use of community and domestic wells may be subject to change. Contact the Nevada Division of Water Resources for more information regarding the future use of this well.
14. **Conservation Easements** such as the SNWA's Water Smart Landscape Program: Is the property a participant? ☐ YES ☒ NO
15. **Solar panels:** Are any installed on the property? ☐ YES ☒ NO
If yes, are the solar panels: Owned ☐ Leased ☐ or Financed ☐
16. **Wastewater disposal:** ☒ Municipal Sewer ☐ Septic System ☐ Other ☐
17. This property is subject to a Private Transfer Fee Obligation? ☐ YES ☒ NO

EXPLANATIONS: Any "Yes" must be fully explained on page 3 of this form.

Seller(s) Initials

Buyer(s) Initials

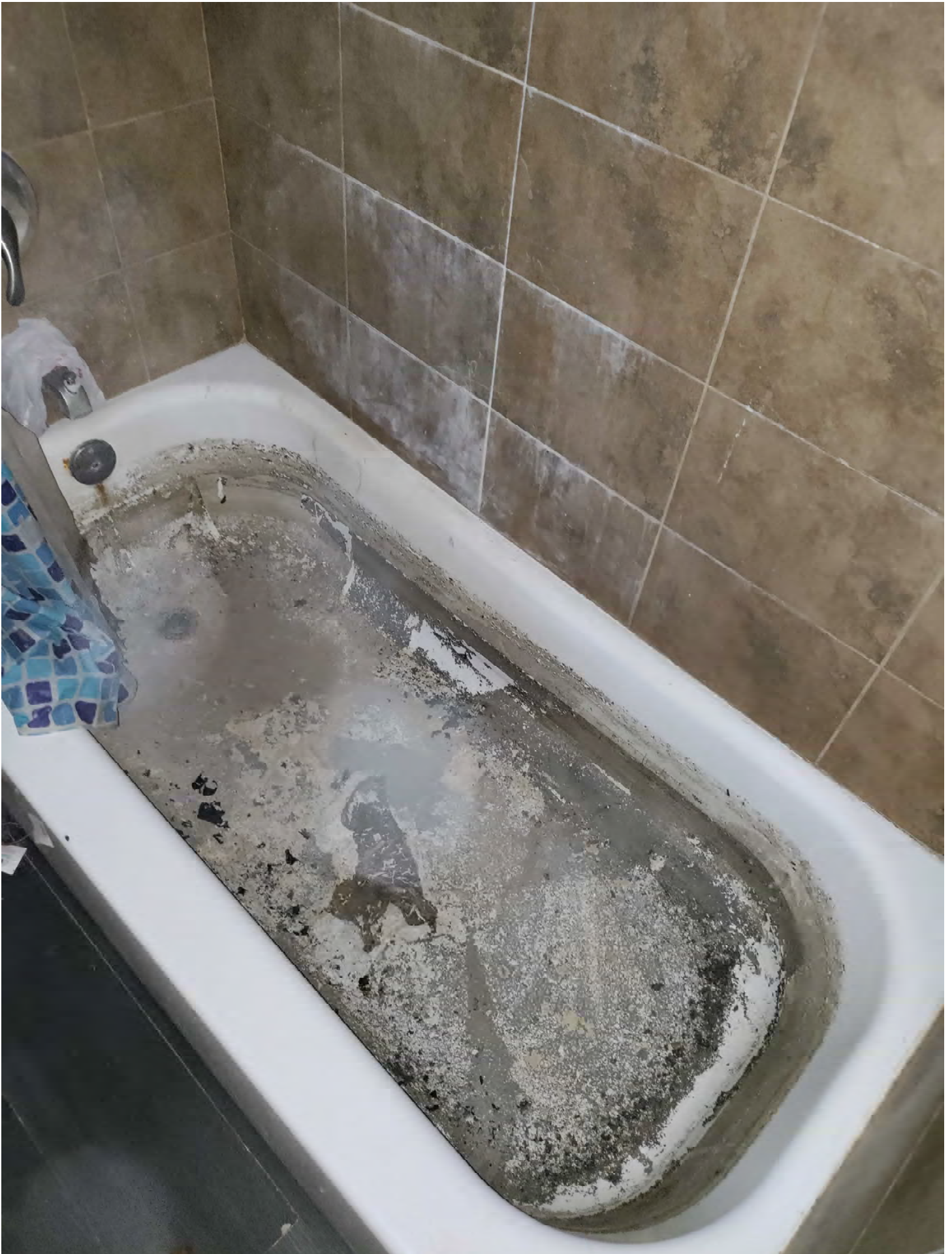
EXPLANATIONS: Any "Yes" to questions on pages 1 and 2 must be fully explained here.
Attach additional pages if needed.

one of the unit has brand new kitchen cabinet installed
all 3 Units has brand new AC installed within 3 months.
all 3 bathrooms are redone within 2 years.
sprinkler for landscaping doesn't work, all pipes are broken;
Please consider that there are no sprinkler system.
AC units are installed by Licensed contractor, all other work
are done by owner's handyman.
owner never reside in the property, and never ~~live~~ visited
the property. @


Seller(s) Initials


Buyer(s) Initials

EXHIBIT “7”



RA000511