

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
ESTATE OF THOMAS JOSEPH
HARRIS, DECEASED.

Case No. 86096

Electronically Filed
Aug 28 2023 11:25 AM
Elizabeth A. Brown
Clerk of Supreme Court

TODD ROBBERN,

Appellant,

vs.

THE ESTATE OF THOMAS
JOSEPH HARRIS; AND THE
THOMAS J. HARRIS TRUST,

Respondents.

**SUPPLEMENT TO NOTICE OF ABUSIVE LITIGATION
TACTICS AND
MOTION FOR SANCTIONS**

COMES NOW, the Estate of Thomas J. Harris ("the Estate") and the Thomas J. Harris Trust (the "Trust"), by and through its Counsel the law firm Wallace & Millsap, and hereby supplements the previously filed Notice of Abusive Litigation Tactics perpetrated by Appellant Todd Robben.

In the Respondents' prior Notice, improper and abusive conduct by Mr. Robben was disclosed to this Court. Concerningly, Mr. Robben's conduct has continued in a manner requiring further notice to this Court.

Specifically, Mr. Robben continues to send disconcerting and threatening correspondence to Counsel for the Respondents. See Declaration of F. McClure Wallace attached as **Exhibit 1** and Exhibit A-C attached thereto. Given Mr. Robben's ongoing behavior, the Respondents reiterate their request for the Court to exercise its discretion and issue sanctions the Court deems appropriate to prevent abusive and threatening communication, or other conduct, by Mr. Robben.

DATED this 28th day of August 2023.

By: /s/ F. McClure Wallace.

F. McClure Wallace, Esq., NSB 10264

Patrick R. Millsap, Esq., NSB 12043

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Attorneys for Tara M. Flanagan, as

Personal Representative for the

Estate of Thomas J. Harris, and

as Successor Trustee of the

Thomas J. Harris Trust

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am an employee of *WALLACE & MILLSAP* that I am over the age of eighteen (18) years, and that I am not a party to, nor interested in this action. On this date, I caused to be served a true and correct copy of the foregoing document on all parties to this action by placing an original or true copy thereof in a sealed envelope placed for collection and mailing by the United States Postal Service, at Reno, Nevada postage paid, following the ordinary course of business practices as follows:

Todd Robben
P.O. Box 4251
Sonora, California 95370

DATED this 28th day of August 2023.

By: /s/ Caroline Carter.
Employee of Wallace & Millsap

Exhibit 1

DECLARATION OF F. MCCLURE WALLACE, ESQ.

F. McClure Wallace, being of sound mind and over the age of 18 years declares the following facts are true and correct to the best of my knowledge and belief:

I am an attorney at law admitted to practice before the Courts of the State of Nevada, and counsel of record for the Honorable Tara M. Flannigan in her capacity as the Successor Trustee of the Thomas J. Harris Trust and as the Court appointed Successor Executor of the Estate of Thomas J. Harris in the matter of Todd Robben vs. The Thomas J. Harris Trust and the Estate of Thomas J. Harris, in Nevada Supreme Court Appeal No. 86096.

This Declaration is based on my personal knowledge, except for those matters stated on information and belief, and as to those items I believe them to be true.

This Declaration is made in support of the Respondents' Supplement to Notice of Abusive Litigation Tactics and Request for Sanctions, filed on August 27, 2023, and represents my testimony if called on to present same in court. All statements of fact in the Notice of Abusive Litigation Tactics and Request for Sanctions are true and correct to the best of my knowledge.

Attached hereto as **Exhibit A**, is a true and correct copy of an email I received from Todd Robben on August 25, 2023 at 11:56 am, through my law firm's email. I have no reason to believe that Exhibit A is anything other than what it purports to be.

Attached hereto as **Exhibit B**, is a true and correct copy of an email I received from Todd Robben on August 25, 2023 at 1:22 pm, through my law firm's email. I have no reason to believe that Exhibit B is anything other than what it purports to be.


Attached hereto as **Exhibit C**, is a true and correct copy of an email I received from Todd Robben on August 25, 2023 at 1:28 pm, through my law firm's email. I

1 have no reason to believe that Exhibit C is anything other than what it purports to
2 be.

3 I have also received additional threatening and concerning emails and voice
4 messages from Mr. Robben in the past.

5 I declare under penalty of perjury under the laws of the State of Nevada that
6 the foregoing is true and correct to the best of my knowledge and belief at the time of
7 executing this Declaration.

8 DATED this 27th day of August 2023.

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11 F. McClure Wallace, Esq.
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Exhibit A

Subject:

From: Ty Robben <robben.ty@gmail.com>

Sent: Friday, August 25, 2023 11:56 AM

To: McClure Wallace <McClure@wallacemillsap.com>

Subject: Fwd: Successful transmission to 17756841601. Re: Emergency filing

I faxed the Supreme Court too to make sure they have my filings.

Fred, this case will be the end of your legal career. There is no way out. It will come to an abrupt end very soon and the best you can do is cooperate now and maybe receive less harsh treatment and same with the criminal charges that you may experience. Rest assured you have crossed the line, I am confident the Supreme Court will agree. And if not, you are still done. Like I said cho-mo, you might as well have molested my kid in front of my face, made eye contact with me and winked as you pleased yourself. If I were you, I know what I would do. All you have to do is be corporate and explain what we all know happened and provide the paper trail. Maybe you will get a deal and the others take the hit.

Exhibit B

From: Ty Robben <trobben.ty@gmail.com>

Sent: Friday, August 25, 2023 1:22 PM

To: McClure Wallace <McClure@wallacemillsap.com>

Subject: Watching every move you make Fred... every single move you make 24 hours a day

Fred:

This is not going to save you, it just makes matters worse for you. You are caught and running to your mommy will not save you. Just bringing attention to your crimes. Suicide looks good now, maybe your only way out Fred. Leave a note so we all know the story of Fred.

08/25/2023	Notice/Incoming	Filed Notice Notice of Abusive Litigation Tactics & Motion for Sanctions	23-27807
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Exhibit C

From: Ty Robben <trobben.ty@gmail.com>

Sent: Friday, August 25, 2023 1:28 PM

To: McClure Wallace <McClure@wallacemillsap.com>

Subject: Re: Watching every move you make Fred... every single move you make 24 hours a day

You have admitted to the theft legally and you try bullshit to try and cover your ass. The paper trail I have proves theft. You are stealing in front of my face. You know the rules, you I come from prison and don't fuck around and you still taunt me. Wrong fucking move Fred. Wrong fucking move. Just leave a note pai after you fuck yourself off.