

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 30 2023 07:33 AM
Elizabeth A. Brown
Clerk of Supreme Court

TODD ROBBEN,

Appellant,

vs.

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

Respondents.

RESPONDENTS' APPENDIX

Revised
Volume 3

Tara Flanagan, as Personal Representative of the Estate of Thomas J.
Harris and Trustee of the Thomas J. Harris Trust

By and through her Legal Counsel

Wallace & Millsap

F. McClure Wallace

Nevada Bar No. 10264

510 W. Plumb Lane, Suite A

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mcclure@wallacemillsap.com

Respondents, the Estate of Thomas J. Harris and the Thomas J. Harris Trust, by and through Tara Flanagan, in her capacity as the Personal Representative of the Estate of Thomas J. Harris and Trustee of the Thomas J. Harris Trust by and through her Legal Counsel hereby submits her Appendix in compliance with Nevada Rule of Appellate Procedure 30.

TITLE	DATE	BATE	VOL.
Declaration of Trust Known as the Thomas J. Harris Trust, dated June 12, 2019	6/12/2019	RA 7-42	1
Docketing Statement	2/3/2023	RA 815-825	11
Emergency Stay Request; Emergency Verified Motion to Reconsider; Request for Calcification; Notice of Non Hearsay Proof of Thomas Joseph and Olga Harris Living Trust	6/22/2022	RA 148-212	2
Last Will & Testament of Thomas Joseph Harris	6/12/2019	RA 1-6	1
Letters Testamentary	4/22/2021	RA 60-61	1
Limited Opposition to Petitioner's Motion for a Decision on the Pleadings; Petitioner's Motion Declining Oral Argument filed by The Estate of Thomas J. Harris and The Thomas J. Harris Trust	12/15/2022	RA 615-620	9
Memorandum of Temporary Assignment	8/5/2022	RA 359	5
Minutes of Hearing	1/6/2023	RA 776	10
Motion to Dismiss filed by the Estate of Thomas J. Harris	10/6/2022	RA 367-459	6
Notice of Appeal	6/27/2022	RA 213-214	3
Notice of Appeal filed by Todd Robben	2/3/2023	RA 812-814	11
Notice of Entry of Order	7/15/2022	RA 256-262	3

Notice of Entry of Order	2/16/2023	RA 838-853	11
Notice of Hearing	4/15/2022	RA 102-105	1
Notice of Motion for Continuance and Motion for Continuance	5/23/2022	RA 138-139	2
Objection to Petitioner Todd Robben's Verified Petition to Invalidate The Thomas J. Harris Will and Trust; Petitioner's Request for Appointment of Counsel Pursuant to NRS 136.200; Emergency Request for Stay of Final Distribution; Peremptory Challenge to Judge Nathan Tod Young filed by The Estate of Thomas J. Harris	12/15/2022	RA 621-708	9
Opposition to Emergency Verified Motion to Reconsider; Request for Calcification (SIC); Notice of Non Hearsay Proof of the Thomas Joseph and Olga Harris Living Trust; Opposition to Emergency Stay Request	7/1/2022	RA 215-232	3
Opposition to Petitioner's Motion to Strike Respondent's Objection, Motion to Dismiss and Motion for Summary Judgment filed by The Estate of Thomas J. Harris and The Thomas J. Harris Trust	12/30/2022	RA 743-753	10
Order	7/13/2022	RA 253-255	3
Order Appointing Special Administrator	3/11/2021	RA 58-59	1
Order Appointing Successor Executor and Issuing Successor Letters Testamentary	7/27/2021	RA 98-101	1
Order Confirming Transfer to Department 1	7/26/2022	RA 357-358	5
Order Dismissing Appeal	7/8/2022	RA 251-252	3
Order Granting Motion for Summary Judgment; Motion to Dismiss; & Deeming Petitioner a Vexatious Litigant	2/8/2023	RA 826-837	11

Order Granting Petition to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs	6/22/2022	RA 140-147	2
Order Granting Respondents' Motion to Continue Hearing	9/27/2022	RA 364-366	5
Order Setting Hearing	9/6/2022	RA 360-361	5
Order Setting Hearing	11/30/2022	RA 607-608	9
Order Shortening Time	9/19/2022	RA 362-363	5
Order to Proceed in Forma Pauperis	7/26/2022	RA 355-356	5
Order Transferring Case to Department I	7/26/2022	RA 353-354	5
Petition for Appointment of Successor Executor and for Issuance of Successor Letters Testamentary	6/25/2021	RA 67-74	1
Petition to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs	4/15/2022	RA 106-137	1
Petitioner Todd Robben's Objection to Respondent's Motion to Dismiss	10/21/2022	RA 471-514	7
Petitioner Todd Robben's Verified Objection to Respondent's Motion for Summary Judgment	10/21/2022	RA 515-556	7
Petitioner, Todd Robben's Notice and Affidavits in Support of the Pre-Existing Olga and Thomas J. Harris Living Trust with Petitioner Named Beneficiary	11/2/2022	RA 580-584	8
Petitioner, Todd Robben's Petition to Invalidate The Thomas J. Harris Will and Trust; Petitioner's Request for Appointment of Counsel Pursuant to NRS 136.200; Emergency Request for Stay of Final Distribution; Peremptory Challenge to Judge Nathan Tod Young filed by The Estate of Thomas J. Harris	7/26/2022	RA 263-352	4

Petitioner's First Amended Reply in Support of Motion to Strike Respondent's Objections, Motion to Dismiss and Motion for Summary Judgment	1/3/2023	RA 768-775	10
Petitioner's Motion for a Decision on the Pleadings; Petitioner's Motion Declining Oral Argument	12/8/2022	RA 609-614	9
Petitioner's Motion to Strike Respondent's Objections, Motion to Dismiss and Motion for Summary Judgment	12/23/2022	RA 717-725	10
Petitioner's Motion to Strike Respondent's Unlawful Surreply	11/7/2022	RA 591-595	8
Petitioner's Notice and Provisional Motion to Strike Respondent's Objections, Motion to Dismiss and Motion for Summary Judgment	1/3/2023	RA 754-767	10
Petitioner's Reply in Support of Emergency Stay Request & Emergency Verified Motion to Reconsider; Request for Clarification; Notice of Non Hearsay Proof of the Thomas Joseph and Olga Harris Living Trust	7/5/2022	RA 233-250	3
Petitioner's Reply in Support of Motion to Strike Respondents Unlawful Surreply	11/21/2022	RA 600-606	9
Petitioner's Verified Reply in Support of Motion for a Decision on the Pleadings; Petitioner's Motion Declining Oral Argument	12/23/2022	RA 726-742	10
Reply in Support of Motion to Dismiss	10/31/2022	RA 565-579	8
Request to Appear Remotely via Zoom for Court Appearance/Hearing	12/28/2022	RA 854-855	11
Resignation of Trustee and Acceptance by Successor Trustee of the Thomas J. Harris Trust dated June 12, 2019	5/17/2021	RA 62-66	1

Submission of Proposed Order Granting Motion for Summary Judgment; Motion to Dismiss; & Deeming Petitioner a Vexatious Litigant	1/10/2023	RA 800-811	11
The Thomas J. Harris Trust's Motion for Summary Judgment	10/6/2022	RA 460-470	7
The Thomas J. Harris Trust's Objection & Response to Todd Robben's Petition to Invalidate the Trust	12/15/2022	RA 709-716	10
The Thomas J. Harris Trust's Opposition to Motion to Strike	11/14/2022	RA 596-599	8
The Thomas J. Harris Trust's Reply Points & Authorities in Support of its Motion for Summary Judgment	10/31/2022	RA 557-564	8
The Thomas J. Harris Trust's Supplemental Brief to its Motion for Summary Judgment Addressing Fugitive Affidavits Filed by Petitioner Todd Robben	11/4/2022	RA 585-590	8
Thomas A. Harris's Response to Petition for Appointment of Successor Executor, Etc.	7/22/2021	RA 75-97	1
Transcript of January 6, 2023 Hearing	1/6/2023	RA 777-799	11
Verified Petition for Letters of Special Administration (NRS 140.010) and for Probate of Will and Issuance of Letters Testamentary (NRS 136.090)	3/10/2021	RA 43-57	1
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1 Todd Robben
2 In Pro per
3 PO Box 4251
4 Sonora, CA 95370
5 Robben.tv@gmail.com
6 (209)540-7713

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JUN 27 2022 JUN 27 PM 3:42

Douglas County BOBBIE R. WILLIAMS
District Court Clerk CLERK

Electronically Filed
Jun 29 2022 04:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8
9
10 IN RE: THE ESTATE OF THOMAS
11 JOSEPH HARRIS,

12
13 Deceased

CASE NO.: 2021 PB00034

NOTICE OF APPEAL

DEPARTMENT: 1

JUDGE: Nathan Tod Young

14
15
16
17 Petitioner, Todd C. Robben appeals the decision, order and judgment pursuant
18 to NRS §§ 155.190 from Judge Nathan Tod Young on June 21, 2022¹ denying
19 Petitioner counsel and granting the final accounting and final distribution in the above
20 titled case.

21 Respectfully,

22 

23
24 /s/ Todd Robben

25 06/27/2022

26
27 ¹ The order appears to be dated June 22, 2022.

1
2 **CERTIFICATE OF MAILING**
3

4 I, Stephen James Robben, declare under penalty of perjury under the law of the
5 State of Nevada that the following is true and correct copy of the filed document. That
6 on June 27, 2022, service of the document was made pursuant to NRCP 5(b) by
7 depositing a email to: F. McClure Wallace, counsel for Respondent,
8 mcclure@wallacemillsap.com
9

10 DATED this 27 day of June, 2022
11

12 Submitted By: /s/ Stephen James Robben
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Wallace & Millsap
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

1 CASE NO.: 2021 PB00034

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2 DEPT NO.: I

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3 Douglas County
4 District Court Clerk

DEBBIE R. WILLIAMS

K. WILFERT

BY DEPUTY

5 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF DOUGLAS

7 IN RE:

8 THE ESTATE OF THOMAS JOSEPH
9 HARRIS,

Deceased.

10 _____/

11 OPPOSITION TO EMERGENCY VERIFIED MOTION TO RECONSIDER;

12 REQUEST FOR CALCIFICATION (SIC); NOTICE OF NON HEARSAY

13 PROOF OF THE THOMAS JOSEPH AND OLGA HARRIS LIVING TRUST;

14 OPPOSITION TO EMERGENCY STAY REQUEST

15 TARA M. FLANAGAN, in her capacity as the Court appointed Successor
16 Executor of the Estate of Thomas Joseph Harris (the "Estate"), by and through her
17 attorneys Wallace & Millsap LLC, respectfully opposes and objects to the Emergency
18 Stay Request - Emergency Verified Motion to Reconsider; Request for Calcification
19 (sic); Notice of Non Hearsay Proof of the Thomas Joseph and Olga Harris Living Trust
20 filed by Todd Robben on June 22, 2022, as well as Mr. Robben's Supplemental Points
21 and Authorities filed on June 23, 2022 and Mr. Robben's associated Motion to
22 Expedite Stay Request Pending Reconsideration on June 24, 2022 (collectively
23 referred to as Mr. Robben's "Motion" or the "Motion to Reconsider"). This Response
24 is made and based upon all papers and pleadings on file herein, the following
25 Memorandum of Points and Authorities, and any oral argument the Court may wish
26 to entertain.

27 ///

28 ///

1 MEMORANDUM OF POINTS & AUTHORITIES

2 I. INTRODUCTION

3 On June 22, 2022, the Court held a continued hearing on Petition to Confirm
4 First and Final Accounting, Request for Final Distribution, and Request for Payment
5 of Professional's Fees and Costs previously filed by the Successor Executor (the
6 "Petition"). Days before the June 21, 2022 hearing, Mr. Robben filed a Request for
7 Appointment of Counsel in this matter. Mr. Robben also appeared at the June 21,
8 2022 hearing and presented argument in support of his Request. Mr. Robben's
9 Request for Counsel was opposed by the Successor Executor, by and through her
10 Counsel, during the June 21, 2022 hearing. No other response or objections to the
11 Petition were received.

12 After thoroughly considering all filings and oral argument, the Court granted
13 the Petition in full at the conclusion of the hearing. The Court codified and confirmed
14 its ruling by the entry of its written Order Granting Petition to Confirm First and
15 Final Accounting, Request for Final Distribution, and Request for Payment of
16 Professional's Fees and Costs on June 22, 2022 (the Court's "Order").

17 Mr. Robben now seeks reconsideration and a stay of the Court's June 22, 2022
18 Order. However, his Motion fails as a matter of law because Mr. Robben has no
19 standing upon which to assert any such request, as conclusively determined by this
20 Court.

21 II. APPLICABLE LAW

22 A motion for reconsideration must be presented in accordance with NJDCR
23 6(h) and DCR 13, and the determination of whether to grant reconsideration is
24 within "the sound discretion of the [district] court." *Navajo Nation v. Confederated*
25 *Tribes & Bands of the Yakama Indian Nation*, 331 F.3d 1041, 1046 (9th Cir. 2003;
26 *see also Riger v. Hometown Mortg., LLC*, 104 F.Supp. 3d 1092, 1095 (D. Nev. 2015).

27 Well-established Nevada authority governs reconsideration of previously
28 decided orders. In *Masonry & Tile Contractors Ass'n of S. Nevada v. Jolley, Urga &*

1 *Wirth, Ltd.*, the Nevada Supreme Court held a district court may reconsider a
2 previously decided ruling only if different evidence is subsequently introduced or the
3 decision is “clearly erroneous.” *See Masonry & Tile Contractors Ass’n*, 113 Nev. 737,
4 741, 941 P.2d 486, 489 (1997). Indeed, the Nevada Supreme Court has confirmed
5 that “only in *very rare* instances in which new issues of fact or law are raised
6 supporting a ruling contrary to the ruling already reached should a motion for
7 rehearing be granted. *Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244,
8 246 (1976) (emphasis added).

9 When a motion for reconsideration raises “no new issues of law and makes
10 reference to no new or additional facts,” reconsideration is “superfluous” and it
11 constitutes an “abuse of discretion” by the district court to entertain such a motion.
12 *Id.* As such, motions for reconsideration are granted in “rare instances.” *Id.*; *see also*
13 *Masonry & Tile Contractors Ass’n*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997).

14 **III. MR. ROBбен DOES NOT HAVE STANDING**

15 Mr. Robben seeks reconsideration of the Court’s determination that he is not
16 an interested person to this case. Specifically, the Court’s June 22, 2022 Order held
17 Mr. Robben is not an interested person in this matter, and does not have standing
18 to participate or appear in this case. *See* Court Order of June 22, 2022. *See Exhibit*
19 *1.* The Court’s ruling is correct, and as such Mr. Robben also has no standing upon
20 which he can seek reconsideration of the Court’s Order.

21 NRS 132.185 defines an “interested person” as “a person whose right or
22 interest under an estate or trust may be materially affected by a decision of a
23 fiduciary or a decision of the court.” Here, Mr. Robben is not an interested person to
24 this Estate proceeding because he is not a beneficiary of the Decedent’s Last Will
25 and Testament. Moreover, as a stepchild of the Decedent, Mr. Robben is not an
26 intestate heir under NRS Chapter 134. Therefore, Mr. Robben is not an interested
27 person to this case, has no standing to participate in this proceeding, and has no
28 right or ability to seek reconsideration or stay regarding the Court’s Order.

1 Procedurally, Mr. Robben's Motion presents no new issues of law or fact
2 regarding his complete lack of standing. As a result, Mr. Robben has failed to
3 provide a basis for reconsideration of this controlling issue and has provided no basis
4 upon which reconsideration of the Court's Order can be granted. *Masonry & Tile*
5 *Contractors Ass'n*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997); *see also Moore v. City*
6 *of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976).

7 **IV. MR. ROB BEN IS NOT ELEGIBLE TO RECEIVE THE APPOINTMENT**
8 **OF COUNSEL**

9 Mr. Robben also seeks reconsideration of the portion of the Court's Order
10 denying his request for appointment of Counsel. However, as an individual with no
11 standing, who is not an interested person to this matter, Mr. Robben is not able to
12 receive an appointment of Counsel.

13 Mr. Robben's Motion restates his previously denied argument for the
14 appointment of Counsel under NRS 136.200. Yet, as correctly determined by the
15 Court in its Order, Mr. Robben is not even eligible to receive an appointment of
16 Counsel in this matter. NRS 136.200 requires an individual, minor, or member of a
17 class, to be an interested person in an estate proceeding to be eligible to receive an
18 appointment of Counsel by the Court. *See* NRS 136.200. As found by the Court and
19 confirmed above, Mr. Robben is not an interested person, has no standing, and as
20 such cannot receive an appointment of Counsel in this matter under NRS 136.200.

21 Again, in seeking reconsideration of this issue, Mr. Robben's Motion presents
22 no new issues of law or fact, failing to provide a basis for reconsideration of the
23 Court's Order. *Masonry & Tile Contractors Ass'n*, 113 Nev. 737, 741, 941 P.2d 486,
24 489 (1997); *see also Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246
25 (1976).

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1 V. MR. ROBBEN DOES NOT OFFER ADMISSIBLE EVIDENCE, AND
2 THE DOCUMENT HE ATTACHES TO HIS MOTION IS NOT
3 RELEVANT

4 Finally, Mr. Robben seeks reconsideration of this Court's denial of his efforts
5 to present inadmissible hearsay evidence at the hearing held on June 21, 2022. The
6 Court's denial of Mr. Robben's attempt to admit hearsay evidence was correct, as Mr.
7 Robben was attempting to present undisclosed out-of-court statement(s) from third
8 parties. Moreover, Mr. Robben made this attempt without any foundational showing
9 of the relevance or admissibility of the alleged document(s) or testimony he referred
10 to for the first time at the June 21, 2022 hearing. *See generally* NRS 51; *see also*
11 NRS 51.065.

12 In an attempt to get around the Court's proper evidentiary ruling, Mr. Robben
13 now improperly attaches a document to his Motion for Reconsideration appearing to
14 be a copy of a letter from the law firm Blanchard, Kranser & French related to the
15 Thomas Harris Trust. While this document is inadmissible hearsay, and without
16 waiving its objection to the admission of this document, the Successor Executor notes
17 the document relates to the Thomas Harris Trust, which is not a part of this
18 proceeding, is not before this Court, and has never been under the jurisdiction of this
19 Court. The document does not refer to, or discuss, the Last Will and Testament of
20 Thomas A. Harris, and as such only highlights the absence of any legal basis upon
21 which Mr. Robben could be an interested person to this matter. Indeed, and
22 importantly, the entirety of the wholly unsupported factual allegations in Mr.
23 Robben's Motion relate solely to the Thomas Harris Trust, and the purported prior
24 Thomas Joseph and Olga Harris Trust – not the Last Will and Testament of Mr.
25 Harris long ago admitted to probate.

26 Therefore, the Court's evidentiary rulings were correct, and are only further
27 supported by Mr. Robben's inappropriate attempt to circumvent the Court's rulings
28 by attaching a fugitive document to his Motion. Mr. Robben is not an interested

1 person, and cannot change that decisive ruling through inadmissible evidence which
2 only further undermines his unsubstantiated allegations.

3 **VI. NO STAY IS WARRANTED OR PROPER**

4 Mr. Robben's Motion provides no legal or factual basis to warrant
5 reconsideration of the Court's Order, and as such no basis for the Court to stay its
6 Order. *Masonry & Tile Contractors Ass'n*, 113 Nev. 737, 741, 941 P.2d 486, 489
7 (1997); *see also Moore v. City of Las Vegas*, 92 Nev. 402, 405, 551 P.2d 244, 246 (1976).
8 Given the absence of standing Mr. Robben holds in this matter, any level of stay
9 would be highly prejudicial to those properly interested in the Estate and are legally
10 entitled to see its assets distributed and the administration concluded. Stated
11 otherwise, allowing an individual with no standing to prejudicially delay this
12 proceeding through filings lacking any legal merit would sanction a misuse of the
13 justice system to the detriment of those rightfully interested in this proceeding. Mr.
14 Robben's Motion raises no new issues of law or fact, nor identifies any relevant
15 admissible evidence upon which he could be found to be an interested person to this
16 matter. Therefore, any reconsideration of the Court's order would be "superfluous,"
17 and amount to an abuse of discretion. *See Moore v. City of Las Vegas*, 92 Nev. 402,
18 405, 551 P.2d 244, 246 (1976); *see also Masonry & Tile Contractors Ass'n*, 113 Nev.
19 737, 741, 941 P.2d 486, 489 (1997). Given the absence of any legal basis to consider,
20 let alone grant any reconsideration of the Court's Order, there is certainly no basis
21 to warrant a stay of the Court's Order – especially to an individual with no standing
22 in this proceeding.

23 However, if for any reason the Court were to consider a stay of its Order, it
24 should only do so upon requiring a significant bond in an amount which, at a
25 minimum, takes into account the total risk and prejudice and harm to those
26 rightfully interested in this proceeding. If any district court were to grant a stay, it
27 does so upon "such bond, undertaking, or conditions as it deems just or appropriate."
28 NRS 159.195. Here, the Successor Executor maintains no stay of the Court's Order

1 is warranted or appropriate. Still, if any such stay were granted it should be only
2 on the posting of a bond equal to the entire value of the Estate, as that amount would
3 be prejudicially withheld from those properly interested in the matter. In that vein,
4 no such stay should be effective until proof the bond is posted, and if the required
5 bond is not posted in fifteen (15) days the ability to effectuate a stay should expire.
6 With that said, at the risk of being repetitive, Mr. Robben has no standing to appear
7 in this matter, has presented no legal basis for reconsideration of the Court's Order,
8 and has presented no legal or practical justification for any stay of the Court's Order.

9 **VII. CONCLUSION**

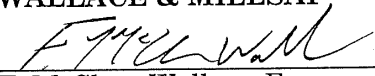
10 The Court carefully considered Mr. Robben's filings and oral presentation at
11 the June 21, 2022 hearing, and provided Mr. Robben due consideration in reaching
12 its June 22, 2022 Order. The Court's Order is correct, and as such, there is no basis
13 to grant any reconsideration of the Court's Order, nor any stay of that Order.
14 Moreover, Mr. Robben is not an interested person to this Estate, and has no standing
15 to seek any type of reconsideration or stay of the Court's June 22, 2022 Order.
16 Therefore, Mr. Robben's Motion and all associated filings are properly denied.

17 **AFFIRMATION**

18 The undersigned affirms this document does not contain the social security
19 number or legally private information of any person.

20 DATED this 30th day of June 2022.

21 **WALLACE & MILLSAP**

22 

23 F. McClure Wallace, Esq.

24 State Bar No.: 10264

25 Patrick R. Millsap, Esq.

26 Nevada Bar No.: 12043

27 510 W. Plumb Lane, Suite A

28 Reno, Nevada 89509

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patrick@wallacemillsap.com

Attorneys for Executor, Tara M. Flanagan

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510 W Plumb Ln., Reno, Nevada / (775) 683-9599

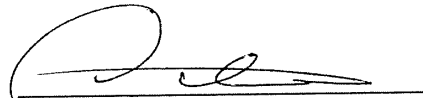
CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b)(2)(B), I hereby certify that I am an employee of
WALLACE & MILLSAP counsel for Tara M. Flanagan, Executor of the Estate of
Thomas Joseph Harris and that I caused to be served the foregoing document upon
the following persons by USPS First Class Priority Mail:

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

and via email to stephenrobbin@proton.me

Dated this 1st day of July 2022.


Caroline Carter

Wallace & Millar
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

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LIST OF EXHIBITS

Exhibit 1 - Order Granting Petition to Confirm First and Final Accounting,
Request for Final Distribution, and Request for Payment of
Professional's Fees and Costs

Exhibit 1

Exhibit 1

Wallace & Millsap
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

1 CASE NO.: 2021 PB00034

2 DEPT NO.: I

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JUN 22 2022

Douglas County
District Court Clerk

FILED

2022 JUN 22 AM 11:04

BORGIE R. WILLIAMS
CLERK

M. CARNEY JUDGE

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5 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR THE COUNTY OF DOUGLAS

7
8 IN RE:

9 THE ESTATE OF THOMAS JOSEPH
HARRIS,

10 Deceased
11

12 ORDER GRANTING PETITION TO CONFIRM FIRST AND FINAL
13 ACCOUNTING, REQUEST FOR FINAL DISTRIBUTION, AND REQUEST
14 FOR PAYMENT OF PROFESSIONAL'S FEES AND COSTS

15 Tara M. Flanagan, in her capacity as the Court appointed Personal
16 Representative (aka "Successor Executor") of the Estate of Thomas Joseph Harris
17 (the "Estate"), by and through her counsel of record, F. McClure Wallace and Patrick
18 R. Millsap of Wallace & Millsap, has presented her Petition to Confirm First and
19 Final Accounting, Request for Final Distribution and Request for Payment of
20 Professional Fees and Costs (the "Petition").

21 The Court conducted a properly noticed hearing on the Petition on May 24,
22 2022. The Court received no objections to the Petition. However, also on or about
23 May 24, 2022, Mr. Todd Robben filed a *Notice of Motion for Continuance and Motion*
24 *for Continuance* requesting up to a six-month continuance of the matter. Based on
25 the presentations of Mr. Robben and Counsel for the Estate at the hearing, the Court
26 granted Mr. Robben a short extension to demonstrate a basis upon which he could
27 assert any standing in this matter, continuing the hearing on the Petition to June 21,
28 2022. Thereafter, Mr. Robben filed a *Request for Appointment of Counsel* on June 15,

1 2022. The Court then conducted a continued hearing for approval of the Petition on
2 June 21, 2022. Again, the Court received no objections to the Petition beyond the
3 filings and presentation of Mr. Robben. Counsel for the Estate argued in favor of
4 granting the Petition and presented legal arguments in opposition to Mr. Robben's
5 filings and oral presentation, namely that Mr. Robben is not an interested person in
6 this matter as defined by NRS 132.185, and as such lacks standing to object to the
7 Petition or be appointed counsel by the Court pursuant to NRS 136.200.

8 Having considered the Personal Representative's Petition, Mr. Todd Robben's
9 filings, and having heard the presentation of the Personal Representative by and
10 through her Counsel, as well as the presentation of Mr. Todd Robben, appearing in
11 *pro per*, the Court finds as follows:

12 **FINDINGS AND ORDER**

13 1. Thomas Joseph Harris (the "Decedent") died on December 30, 2019, as
14 a resident of Douglas County, Nevada.

15 2. The Decedent's death was caused by a motor vehicle accident in Washoe
16 County, Nevada on or about December 19, 2019. The Decedent was not at fault for
17 the motor vehicle accident.

18 3. The Last Will and Testament of Thomas Joseph Harris was duly lodged
19 with this Court on April 6, 2021.

20 4. The Decedent's Last Will and Testament is a pour over will, identifying
21 the Decedent's Trust as the beneficiary of his Will. The Decedent's Trust is The
22 Declaration of Trust Known as the Thomas J. Harris Trust, Dated June 12, 2019 (the
23 "Decedent's Trust" or the "Trust").

24 5. The Decedent's Last Will and Testament identified the following line of
25 Executors: Jeff Robben, Scott Barton, and Tara Flanagan.

26 6. On March 10, 2021, Scott Barton filed his *Verified Petition for Letters of*
27 *Special Administration (NRS 140.010) and for Probate of Will and Issuance of Letters*
28 *Testamentary (NRS 136.090)*. Mr. Barton was the appropriate individual to seek

1 appointment as the Personal Representative of the Estate because the first
2 nominated executor, Mr. Robben, had passed away on November 11, 2020.

3 7. On April 6, 2021, this Court entered its *Order Admitting Will to Probate*
4 *and Issuing Letters Testamentary* appointing Scott Barton to serve as the Personal
5 Representative of the Estate. Consistent with the Court's Order, Letters
6 Testamentary were issued to Scott Barton on April 22, 2021.

7 8. Upon information and belief, pursuant to his appointment as the
8 Estate's Personal Representative, Scott Barton began his efforts to administer the
9 Decedent's Estate. Namely for purposes of this Petition, Mr. Barton continued Mr.
10 Robben's previously initiated efforts to prosecute the wrongful death claims related
11 to the Decedent's death, including retaining Ms. Julie Throop, Esq. to represent the
12 Estate regarding the wrongful death of the Decedent.

13 9. By and through its retained litigation Counsel, the Estate was able to
14 reach a pre-litigation resolution of all claims regarding the wrongful death of the
15 Decedent, as discussed in greater detail below.

16 10. Thereafter, and before completing the negotiated settlement or gaining
17 Court approval of the settlement on behalf of the Estate, Scott Barton notified Tara
18 Flanagan he was resigning as the Personal Representative of the Estate.

19 11. Consistent with her nomination as the next named executor of the
20 Estate by the Decedent's Will, Ms. Flanagan filed her *Petition for Appointment of*
21 *Successor Executor and for Issuance of Letters Testamentary* on June 25, 2021.

22 12. On July 27, 2021, the Court entered its *Order Appointing Successor*
23 *Executor and Issuing Successor Letters Testamentary*, and on August 17, 2021, the
24 Court issued Letters Testamentary to Tara M. Flanagan.

25 13. Pursuant to her appointment as the Personal Representative of the
26 Estate, on August 30, 2021, Ms. Flanagan filed her Petition to Approve Settlement
27 (the "Petition"), seeking this Court's confirmation of the settlement negotiated by Mr.
28 Barton and Ms. Throop on behalf of the Estate regarding the Decedent's death, as

1 well as authorizing Ms. Flanagan, in her capacity as the Estate's Personal
2 Representative, to complete all remaining steps necessary to effectuate the
3 settlement for the benefit of the Estate.

4 14. Thereafter, the Court held a hearing on September 9, 2021 on the
5 Personal Representative's Petition. The hearing was attended by Thomas A. Harris,
6 Counsel for Mr. Thomas A. Harris, the Personal Representative, Counsel for the
7 Personal Representative, and the Estate's wrongful death Counsel, Julie Throop, Esq.
8 At the hearing the Judge heard from all Counsel regarding the issue of Ms. Throop's
9 attorney fees as raised by Mr. Thomas A. Harris by and through his Counsel. At the
10 conclusion of the hearing, Mr. Harris withdrew any objection he had previously
11 presented to Ms. Throop's fees incurred as wrongful death Counsel for the Estate. As
12 a result, there is no objection before the Court to the Petition to Approve the
13 Settlement filed by the Personal Representative, nor any objection to the settlement
14 placed before the Court for confirmation.

15 15. On September 9, 2021 the Court entered its *Order Granting Petition to*
16 *Approve Settlement.*

17 16. Pursuant to the Court's *Order Granting Petition to Approve Settlement*
18 Tara M. Flanagan, in her capacity as the Estate's Personal Representative, finalized
19 the settlement for the benefit of the Estate and deposited all settlement proceeds in
20 the Estate's bank account. The Court finds Ms. Flanagan's efforts in this regard to
21 have been dutifully and properly fulfilled.

22 17. On April 15, 2022, the Personal Representative filed the subject *Petition*
23 *to Confirm First and Final Accounting, Request for Final Distribution, and Request*
24 *for Payment of Professional's Fees and Costs.*

25 18. Shortly thereafter, the Estate's Inventory and Record of Value was
26 appropriately filed.

27 19. As reported in the Personal Representative's Petition, Notice to
28 Creditors was properly filed on April 22, 2021, and published in the Record Courier

1 on April 29, May 6, and May 13, 2021. Proof of Publication of the Notice to Creditors
2 was filed with the Court on May 20, 2021. No creditor's claims were filed against the
3 Estate.

4 20. All tax returns appropriately required of the Decedent have been filed.
5 A final estate tax return will be filed. There is no known liability due on this return.

6 21. The Administrator has received no other communication or inquiry from
7 any other taxing authority or any other claimant.

8 22. The acts of the Tara Flanagan, in her capacity as the Successor
9 Executor, are ordinary, necessary, and reasonable without exception.

10 23. After all administrative expenses, legal expenses, and claims have been
11 paid, all remaining assets, including any after discovered assets, will be distributed
12 to the Estate's sole beneficiary, the Thomas J. Harris Trust, dated June 12, 2019.

13 24. The time necessary for the Successor Executor to complete the tasks
14 required of her has been ordinary, necessary, and reasonable.

15 25. The gross value of the Estate for computing the Petitioner's Commission
16 is \$620,000.00.

17 26. Pursuant to NRS 150.020, the Petitioner is entitled to \$13,550.00 in
18 ordinary compensation.

19 27. Counsel has rendered valuable services to the Petitioner.

20 28. The rates charged by Wallace & Millsap LLC are ordinary, necessary,
21 and reasonable.

22 29. The services performed by Wallace & Millsap LLC are appropriate,
23 necessary, and reasonable without exception.

24 30. Wallace & Millsap LLC has requested the sum \$20,638.00 in attorney's
25 fees.

26 31. Wallace & Millsap LLC has requested the sum of \$994.78 for costs
27 advanced.

28 32. Finally, upon thorough review by this court, including review of Mr.

1 Robben's written filings and hearing Mr. Robben's oral presentation at both the May
2 24, 2022 hearing as well as the June 21, 2022 continued hearing, the Court
3 determines Mr. Robben is not an "interested person" in this Estate as defined by NRS
4 132.185, and as such has no standing to object to the Petition, be appointed Counsel,
5 or otherwise appear in this proceeding. Specifically, the Court heard from Mr.
6 Robben, and after giving him additional time, Mr. Robben was unable to present any
7 legal basis or admissible evidence to potentially allow a determination he is an
8 interested person in this Estate. Therefore, Mr. Todd Robben is not an interest
9 person to this Estate, and as such has no standing to oppose or object to the Petition,
10 or to otherwise appear in these proceedings.
11

12 WHEREFORE, as a result of the foregoing, considering the *Petition to*
13 *Confirm First and Final Accounting, Request for Final Distribution, and Request for*
14 *Payment of Professional's Fees and Costs* filed by the Personal Representative,
15 considering Mr. Todd Robben's *Notice of Motion for Continuance and Motion for*
16 *Continuance*, and hearing the presentation of Counsel and Mr. Robben, the Court
17 having good cause **ORDERS** as follows:

- 18 A. The First and Final Accounting of the Estate is approved without
19 exception.
20 B. The acts of the Personal Representative with respect to the
21 administration of the Estate are confirmed without exception
22 C. It was proper to generally administer this Estate.
23 D. There were no known prior distributions.
24 E. The Personal Representative's requested ordinary fees and costs are
25 necessary and reasonable in all respects.
26 F. The Personal Representative is authorized and directed to pay herself
27 \$13,550.00 in ordinary fees.
28

- 1 G. All actions and services rendered by Counsel for the Personal
2 Representative were reasonable and appropriate.
3 H. Counsel for the Personal Representative's requested fees and costs were
4 necessary and reasonable in all respects.
5 I. The Personal Representative is authorized and directed to pay the law
6 firm of Wallace & Millsap LLC, the sum of \$20,638.00 as compensation
7 for legal services rendered, and to be rendered by said attorney and
8 paralegal for the benefit of the Estate.
9 J. The Personal Representative is authorized and directed to pay the law
10 firm of Wallace & Millsap LLC, the sum of \$994.78 for costs advanced
11 and to be advanced in this Estate, for a total payment of fees and costs
12 in the amount of \$21,632.78.
13 K. The Personal Representative is authorized and directed to holdback
14 \$5,000.00 for completion of all the Estate's tax needs, including paying
15 the final accounting fees of the Estate.
16 L. After all administrative expenses and professional fees are paid, the
17 Personal Representative is authorized and directed to distribute the
18 Estate's remaining assets, including any after discovered assets to The
19 Declaration of Trust Known as the Thomas J. Harris Trust, Dated June
20 12, 2019, by and through Tara Flanagan as Successor Trustee.
21
22
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Wallace & Millsap
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

1 M. The Personal Representative shall complete any and all remaining task
2 necessary to complete the administration of this Estate, at which time
3 the Executor shall request her discharge from this Court.

4 N. Mr. Todd Robben is not an interested person in this matter, has no
5 standing in the proceedings, and as such his Request for Appointment
6 of Counsel is denied.

7
8
9 IT IS SO ORDERED this 22 day of June, 2022.

10
11
12 
District Court Judge

13 Submitted by:

14
15 WALLACE & MILLSAP

16 /s / F. McClure Wallace

17 F. MCCLURE WALLACE, ESQ.

18 State Bar No. 10264

19 PATRICK R. MILLSAP, ESQ.

20 State Bar No. 12043

21 WALLACE & MILLSAP LLC

510 West Plumb Lane, Suite A

22 Reno, Nevada 89509

(775) 683-9599 Telephone

(775) 683-9597 Fax

23 Attorneys for Petitioner
24
25
26
27
28

RECEIVED


JUL - 5 2022

Douglas County
District Court Clerk

FILED

2022 JUL -5 AM 8:04

BOBBIE R. WILLIAMS
CLERK

BY  DEPUTY

Todd Robben
In Pro per
PO Box 4251
Sonora, CA 95370
Robben.ty@gmail.com
(209)540-7713

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN RE: THE ESTATE OF THOMAS
JOSEPH HARRIS,

Deceased

CASE NO.: 2021 PB00034

PETITIONER'S REPLY IN SUPPORT
OF EMERGENCY STAY REQUEST &
EMERGENCY VERIFIED MOTION TO
RECONSIDER; REQUEST FOR
CLARIFICATION; NOTICE OF NON
HEARSAY PROOF OF THE THOMAS
JOSEPH AND OLGA HARRIS LIVING
TRUST

DEPARTMENT: 1

JUDGE: Nathan Tod Young

Hearing Date: Not Set

Petitioner, Todd C. Robben submits his reply in support of reconsideration.
The Respondent's opposition completely fails to oppose the new facts and law
presented to the court by the Petitioner, an interested person, that prove a *prima facie*
case of undisputed presumed undue influence.

1 The Petitioner also corrects the title of the motion to replace the typo
2 "CALCIFICATION" with "CLARIFICATION"

3
4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5
6 **I. INTRODUCTION**

7
8 The Respondent incorrectly claims no new facts or law are presented in the
9 Motion to Reconsider, this claim is out of hand and completely false. The motion
10 speaks for itself. This court certainly may reconsider its decisions and orders in light of
11 the overwhelming facts, evidence and law.

12 The Respondent, in a confession of error, rehashes the same argument it used
13 at the June 21st 2022 hearing (lack of standing) and fails to argue the facts and points
14 of authorities argued by this Petitioner.

15 In Polk v. State, 233 P. 3d 357 – Nev. Supreme Court 2010 the Court states
16 "We have also determined that a party confessed error when that party's answering
17 brief effectively failed to address a significant issue raised in the appeal. See Bates v.
18 Chronister, 100 Nev. 675, 681-82, 691 P.2d 865, 870 (1984) (treating the
19 respondent's failure to respond to the appellant's argument as a confession of error);
20 A Minor v. Mineral Co. Juv. Dep't, 95 Nev. 248, 249, 592 P.2d 172, 173 (1979)
21 (determining that the answering brief was silent on the issue in question, resulting in a
22 confession of error); Moore v. State, 93 Nev. 645, 647, 572 P.2d 216, 217 (1977)
23 (concluding that even though the State acknowledged the issue on appeal, it failed to
24 supply any analysis, legal or otherwise, to support its position and "effect[ively] filed no
25 brief at all," which constituted confession of error), overruled on other grounds by
26 Miller v. State, 121 Nev. 92, 95-96, 110 P.3d 53, 56 (2005)."

"[a] point not urged in the trial court, unless it goes to the jurisdiction of that court, is deemed to have been waived and will not be considered on appeal." Old Aztec Mine, Inc. v. Brown, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981); see also Wolff v. Wolff, 112 Nev. 1355, 1363-64, 929 P.2d 916, 921 (1996). One purpose of this rule is to allow the lower tribunal the first opportunity to decide the issue.

II. PETITIONER HAS STANDING

The Respondent relies on NRS 132.185 to wrongfully assert the Petitioner lacks standing. The statute clearly states an "Interested person means a person whose right or interest under an estate or trust may be materially affected by a decision of a fiduciary or a decision of the court. The fiduciary or court shall determine who is an interested person according to the particular purposes of, and matter involved in, a proceeding."

In this instant case, the Petitioner has a right and interest to both the estate and trust which is be materially affected by a decision of a fiduciary or a decision of the court.

The Respondent offer no points of authority, nor any precedent or case law to support its argument and NRS 132.185 is inapposite to the Respondent's argument.

The Nevada Legislature amended NRS 132.185 in 2015SB 185. The Legislative intent is explained in the SENATE BILL NO. 484–COMMITTEE ON JUDICIARY CHAPTER 524¹ [Approved: June 10, 2015] AN ACT relating to personal financial administration; revising provisions relating to the distribution and administration of the estate of a deceased person; revising provisions governing certain nonprobate transfers; revising provisions relating to the creation and administration of trusts; providing for the creation and administration of public benefit

¹ (Added to NRS by 1999, 2252; A 2007, 2395; 2011, 1435; 2015, 3526)
https://www.leg.state.nv.us/Statutes/78th2015/Stats201532.html#Stats201532_CH524

1 trusts; revising the powers that may be exercised by a trustee; revising provisions
2 relating to directed trusts; revising provisions relating to the jurisdiction of a court in
3 cases concerning the administration of the estate of a deceased person and the
4 administration of trusts; and providing other matters properly relating thereto.

5 Legislative Counsel's Digest: Existing law defines the term "interested person"
6 for the purpose of determining who is entitled to receive notice of, and participate in, a
7 proceeding relating to the estate of a deceased person. (NRS 132.185) Sections 9
8 and 11 of this bill amend this definition to include all persons whose interest in an
9 estate or trust will be materially affected by a decision of a fiduciary or a decision of
10 the court and that a person's status as an interested person is determined according
11 to the particular purposes of, and the matter involved in, each proceeding.

12 The previous version stated:

13 NV Rev Stat § 132.185 (2013)

14 1. Interested person includes, without limitation, an heir, devisee, child,
15 spouse, creditor, settlor, beneficiary and any other person having a
16 property right in or claim against a trust estate or the estate of a decedent,
17 including, without limitation, the Director of the Department of Health and
18 Human Services in any case in which money is owed to the Department of
19 Health and Human Services as a result of the payment of benefits for
20 Medicaid. The term includes a person having priority for appointment as a
21 personal representative and other fiduciaries representing interested
persons. The meaning as it relates to particular persons must be
determined according to the particular purposes of, and matter involved in,
a proceeding.

22 2. The term does not include:

23 (a) After a will has been admitted to probate, an heir, child or spouse who
24 is not a beneficiary of the will, except for purposes of NRS 133.110,
133.160 and 137.080.

25 (b) A person with regard to a motion, petition or proceeding that does not
26 affect an interest of that person.

1 (c) A creditor whose claim has not been accepted by the personal
2 representative if the enforcement of the claim of the creditor is barred
3 under the provisions of chapter 11 or 147 of NRS or any other applicable
4 statute of limitation.

5 (Added to NRS by 1999, 2252; A 2007, 2395; 2011, 1435)

6 Also, according to NRS 137.010 (1), "the attorney general or any interested
7 person, including a devisee under a former will, may contest the will by filing written
8 grounds of opposition to the probate thereof at any time before the hearing of the
9 petition for probate." Here, the Petitioner is an "interested person" and "a devisee
10 under a former will".

11 By failing to argue the Petitioner's points and authority, the Respondent has
12 conceded this point as an admission of error. See Bates v. Chronister, supra
13 (treating the respondent's failure to respond to the appellant's argument as a
14 confession of error); A Minor v. Mineral Co. Juv. Dep't, supra (determining that the
15 answering brief was silent on the issue in question, resulting in a confession of error)

16 Additionally, the Petitioner has the right to challenge the validity of the trust
17 pursuant to NRS 30.040 Questions of construction or validity of instruments,
18 contracts and statutes:

19 1. Any person interested under a deed, written contract or other
20 writings constituting a contract, or whose rights, status or other legal
21 relations are affected by a statute, municipal ordinance, contract or
22 franchise, may have determined any question of construction or validity
23 arising under the instrument, statute, ordinance, contract or franchise and
24 obtain a declaration of rights, status or other legal relations thereunder.

25 II. NRS CHAPTER 134 IS INAPPOSITE

26
27
28

1 The Respondent incorrectly asserts the Petitioner lacks standing because
2 "Moreover, as a stepchild of the Decedent, Mr. Robben is not an intestate heir under
3 NRS Chapter 134." See Opposition page3 line 26-27.

4 Webster's dictionary definition of intestate² is "having made no valid will". The
5 Respondent's argument and reliance on NRS 134 is inapposite since there was a will
6 and trust called the Thomas J. Harris Trust, and a previous will/trust called the Thomas
7 Joseph and Olga Harris Living Trust. The Petitioner is the son of Olga Harris and
8 stepson of Thomas J. Harris.

9 Conversely, according to NOLO³, "Stepchildren inherit when both spouses die
10 without a will. If you have children from a previous relationship and die without a will
11 and then your spouse later dies without a will, your spouse's property goes to your
12 children. Nev. Rev. Stat. Ann. § 134.210."

13 NRS 134.210 states "Vesting of estate if both spouses die intestate.
14 Whenever one spouse dies intestate, leaving heirs, if the other spouse dies intestate
15 after the first spouse, without heirs, leaving property, the estate of the second spouse
16 to die vests in the heirs of the first spouse to die, subject to expenses of administration
17 and payment of legal debts against the estate."

18 19 **III. PETITIONER IS ELIGIBLE FOR APPOINTMENT OF COUNSEL**

20
21 The Respondent states only states the first part of NRS 136.200 in its
22 opposition on page 4 line 16-18 "Appointment of attorney to represent minors,
23
24

25 ² <https://www.merriam-webster.com/dictionary/intestate>

26
27 ³ <https://www.nolo.com/legal-encyclopedia/intestate-succession-nevada.html>

1 unborn members of interested class". Conveniently, the Respondent fails to include
2 the rest of the statute title which states "or *nonresidents*" and the statute itself states

3 NRS 136.200 (1): "If a will is offered for probate and it appears there
4 are minors or unborn members of a class who are interested, *or if it*
5 *appears there are other interested persons who reside out of the county*
6 *and are unrepresented*, the court may, whether there is a contest or not,
7 appoint an attorney for them."

8 This Petitioner argued that he was a nonresident of Douglas County Nevada
9 and entitled to the appointment of counsel as a "statutory right" as stated by the
10 Nevada Supreme Court "there is no statutory right to appointment of counsel for
11 appellate review in this type of civil case as there is in criminal cases and other types
12 of civil cases. ...NRS 136.200" Casper v. Huber, 456 P. 2d 436 – Nev. Supreme Court
13 1969. "being non-residents — Judge Waters appointed appellant Flangas as their
14 counsel pursuant to NRS 136.200." Matter of Estate of Herrmann, 677 P. 2d 594 -
15 Nev. Supreme Court 1984

16 **IV. EVIDENCE OF THE THOMAS JOSEPH AND OLGA HARRIS**
17 **LIVING TRUST IS ADMISSIBLE**

18 The Respondent claims the courts refusal to admit proof of the Thomas Joseph
19 and Olga Harris Living Trust was correct despite failing to argue the overwhelming law
20 presented by the Petitioner that demonstrates that the evidence and sworn testimony
21 was admissible and not hearsay and/or was exempt from any hearsay limitations.

22 By failing to argue the Petitioner's points and authority, the Respondent has
23 conceded this point as an admission of error. See Bates v. Chronister, *supra*
24 (treating the respondent's failure to respond to the appellant's argument as a
25 confession of error); A Minor v. Mineral Co. Juv. Dep't, *supra* (determining that the
26 answering brief was silent on the issue in question, resulting in a confession of error)
27
28

1 NRS 48.015 "Relevant evidence" defined. As used in this chapter, "relevant
2 evidence" means evidence having any tendency to make the existence of any fact that
3 is of consequence to the determination of the action more or less probable than it
4 would be without the evidence. Also see NRS 48.025:
5

6 Relevant evidence generally admissible; irrelevant evidence inadmissible:
7

8 1. All relevant evidence is admissible, except:

9 (a) As otherwise provided by this title;

10 (b) As limited by the Constitution of the United States or of the State
11 of Nevada; or

12 (c) Where a statute limits the review of an administrative
13 determination to the record made or evidence offered before that
14 tribunal.

15 2. Evidence which is not relevant is not admissible.

16 On June 22, 2022 this Petitioner was denied by Judge Young the ability to
17 email the evidence to Judicial Assistant – Kelly Wagstaff: kwagstaff@douglas.nv.gov
18 or other court clerk, and/or share the screen for an in-camera display of the
19 confidential evidence.

20 The relevant material evidence proffered by the Petitioner was not, and is not,
21 "hearsay" as wrongfully stated by Judge Nathan Tod Young and supported by Nevada
22 statute NRS §§ 51 and controlling case law.

23 NRS 51.035 "Hearsay" defined. "Hearsay" means a statement offered
24 in evidence to prove the truth of the matter asserted unless:

25 1. The statement is one made by a witness while testifying at
26 the trial or hearing;
27
28

1 **2. The declarant testifies at the trial or hearing and is subject to**
2 **cross-examination concerning the statement, and the**
3 **statement is:**

- 4 (a) Inconsistent with the declarant's testimony;
- 5 (b) Consistent with the declarant's testimony and offered to rebut an
- 6 express or implied charge against the declarant of recent
- 7 fabrication or improper influence or motive;
- 8 (c) One of identification of a person made soon after perceiving the
- 9 person; or
- 10 (d) A transcript of testimony given under oath at a trial or hearing or
- 11 before a grand jury; or

12 **3. The statement is offered against a party and is:**

- 13 (a) The party's own statement, in either the party's individual or a
- 14 representative capacity;
- 15 (b) A statement of which the party has manifested adoption or belief in
- 16 its truth;
- 17 (c) A statement by a person authorized by the party to make a
- 18 statement concerning the subject;
- 19 (d) A statement by the party's agent or servant concerning a matter
- 20 within the scope of the party's agency or employment, made
- 21 before the termination of the relationship; or
- 22 (e) A statement by a coconspirator of a party during the course and in
- 23 furtherance of the conspiracy.

24 Even if the Petitioner is wrong, the evidence of the Thomas Joseph and Olga

25 Harris Living Trust is exempt from Nevada hearsay law pursuant to the following

26 statutes:

27 NRS 51.075 General exception; other exceptions illustrative.

- 28 1. A statement is not excluded by the hearsay rule if its nature and
- the special circumstances under which it was made offer assurances of

1 accuracy not likely to be enhanced by calling the declarant as a witness,
2 even though the declarant is available.

3
4 NRS 51.105 Then existing mental, emotional or physical condition.

5 1. A statement of the declarant's then existing state of mind,
6 emotion, sensation or physical condition, such as intent, plan, motive,
7 design, mental feeling, pain and bodily health, is not inadmissible under
8 the hearsay rule.

9 2. A statement of memory or belief to prove the fact remembered or
10 believed is inadmissible under the hearsay rule unless it relates to the
11 execution, revocation, identification or terms of declarant's will.

12 NRS51.135 Record of regularly conducted activity. A memorandum,
13 report, record or compilation of data, in any form, of acts, events,
14 conditions, opinions or diagnoses, made at or near the time by, or from
15 information transmitted by, a person with knowledge, all in the course of a
16 regularly conducted activity, as shown by the testimony or affidavit of the
17 custodian or other qualified person, is not inadmissible under the hearsay
18 rule unless the source of information or the method or circumstances of
19 preparation indicate lack of trustworthiness.

20 NRS51.215 Records of documents affecting interest in property. The
21 record of a document purporting to establish or affect an interest in
22 property, as proof of the content of the original recorded document and its
23 execution and delivery by each person by whom it purports to have been
24 executed, is not inadmissible under the hearsay rule if the record is a
25 record of a public office and an applicable statute authorized the recording
26 of documents of that kind in that office.

27 NRS51.225 Statement in document affecting interest in property. A
28 statement contained in a document purporting to establish or affect an
interest in property is not inadmissible under the hearsay rule if the matter
stated was relevant to the purpose of the document, unless dealings with
the property since the document was made have been inconsistent with
the truth of the statement or the purport of the document.

Statements in ancient documents. Statements in a
document more than 20 years old whose authenticity is established are
not inadmissible under the hearsay rule.

1 NRS 51.315 General exception; other exceptions illustrative.

2 1. A statement is not excluded by the hearsay rule if:

3 (a) Its nature and the special circumstances under which it was made
4 offer strong assurances of accuracy; and

5 (b) The declarant is unavailable as a witness.

6
7 2. The provisions of NRS 51.325 to 51.355, inclusive, are illustrative
8 and not restrictive of the exception provided by this section.

9 In this case, the Petitioner has a letter from Abigail G. Stephenson, Esq. dated
10 March 6, 2020 from Blanchard, Krasner & French acknowledging the existence of the
11 August 26, 1998 trust known as the Thomas Joseph and Olga Harris Living Trust.
12 Please see EXHIBIT A.

13 Ms. Stephenson is a witness and a lawyer and officer of the court. As a
14 declarant was unavailable as a witness pursuant to NRS 51.075 and NRS
15 51.315(1)(a)(b).

16 Any transactions and conversations with or actions the Petitioner or others had
17 with Olga Harris is admissible. NRS 48.075 Transactions and conversations with or
18 actions of deceased person. Evidence is not inadmissible solely because it is
19 evidence of transactions or conversations with or the actions of a deceased person.

20 The Petitioner doesn't even need to prove the existence or contents of the
21 former Thomas Joseph and Olga Harris Living Trust to render the current Thomas J.
22 Harris Trust null & void based on a prima facie case of presumed undue influence
23 based on the undisputed facts that Jeff D. Robben, the brother of the Petitioner, was
24 1: The caretaker of Thomas J. Harris; 2: The Financial advisor for Thomas J. Harris; 3:
25 Helped create the current Thomas J. Harris trust; 4. Had "undue influence" and
26 "presumed undue influence" of Thomas J. Harris; 5: Jeff D. Robben influenced
27 Thomas J. Harris to disinherit based on the animus and vexation of Jeff D. Robben.

1 "A rebuttable presumption of undue influence is raised if the testator and the
2 beneficiary shared a fiduciary relationship, but undue influence may also be proved
3 without raising this presumption." *In re Estate of Bethurem*, 313 P. 3d 237, 241 (2013),
4 at 329. "The essence of a fiduciary or confidential relationship is that the parties do not
5 deal on equal terms, since the person in whom trust and confidence is reposed and
6 who accepts that trust and confidence is in a superior position to exert unique
7 influence over the dependent party." *Hoopes v. Hammargren*, 725 P. 2d 238, 242
8 (1986) quoting *Barbara A. v. John G.*, 145 Cal.App.3d 369, 193 Cal.Rptr. 422, 432
9 (1983). "Once raised, a beneficiary may rebut such a presumption by clear and
10 convincing evidence." *Betherum*, at 241.

11 If it turns out the Thomas Joseph and Olga Harris Living Trust is lost or
12 destroyed, the Petitioner can produce two witnesses, Todd C. Robben and Stephen J.
13 Robben to attest to the existence and contents of the Thomas Joseph and Olga Harris
14 Living Trust. A third witness may include Abigail G. Stephenson, Esq since the
15 Thomas Joseph and Olga Harris Living Trust was addressed by Abigail G.
16 Stephenson, Esq. dated March 6, 2020 from Blanchard, Krasner & French
17 acknowledging the existence of the August 26, 1998 trust known as the Thomas
18 Joseph and Olga Harris Living Trust. Please see EXHIBIT A

19 Further research will determine if a copy of the Thomas Joseph and Olga
20 Harris Living Trust exists. If not, Petitioner can produce two witnesses, Todd C.
21 Robben and Stephen J. Robben to attest to the existence and contents of the Thomas
22 Joseph and Olga Harris Living Trust pursuant to [1] NRS 136.240(3) which provides:
23 No will shall be allowed to be proved as a lost or destroyed will unless the same shall
24 be proved to have been in existence at the death of the person whose will it is claimed
25 to be, or be shown to have been fraudulently destroyed in the lifetime of such person,
26 nor unless its provisions shall be clearly and distinctly proved by at least two credible
27 witnesses.

1 Todd C. Robben and Stephen J. Robben could have attested under oath that
2 Olga Harris, the mother of Petitioner Todd C. Robben spoke of the will/trust several
3 times, including Petitioner's wedding day. The beneficiaries included Thomas J.
4 Harris's son Todd Harris, note Thomas A. Harris was *not* a beneficiary and
5 disinherited; Olga Harris's sons Jeff D. Robben and Todd C. Robben. Each was to
6 receive one third.

7 If the court decides otherwise, the case goes to probate with only two
8 remaining blood hairs, Thomas. A. Harris and Petitioner, Todd C. Robben.

9 This Petitioner has stated and will state again in simple terms that he desires a
10 situation either by settlement, or court order, to remedy the matter to include the
11 Petitioner into to trust with a reasonable percentage and to include a full accounting of
12 any and all assets, money, expenses, etc. A complete transparent paper trail of the
13 money trail. Where are the contents of the missing safe deposit box addressed as
14 "Exhibit "A" to Declaration of Trust by Thomas J. Harris". See EXHIBIT B.

15
16 **1. Safe Deposit Box:** All of Trustor's right, title and interest in and to all
17 contents in the safe deposit box located at Wells Fargo Bank in Carson
18 City, NV, branch office, including but not limited to cash, bonds, stock,
19 securities, and tangible property therein.

20 **2. Bank Accounts:** All cash, bonds, stock, securities and other property
21 held with Wells Fargo Bank, including but not limited to account
22 #####1233.

23 **3. All Other Personal Property:** All of Trustor's right, title, and interest
24 subject to all liabilities attached thereto in all automobiles, boats, airplanes,
25 vehicles, trailers, silverware, chinaware, wine, books, pictures, paintings,
26 works of art, household furniture and furnishings, clothing, jewelry, pets,
27 assets in digital form for which Trustor is the owner or author, including
28 without limitation, lists of passwords, user account information, social
media sites, blogs, e-books, and other Web-hoster materials, all digital
albums and videos, websites on which Trustor conducts business
transactions, and all other personal property (together with any insurance
on such property) now owned or acquired later during Trustor's lifetime.

1 It is undisputed that the house in Minden, Nevada on Pebble Beach Court was
2 transferred into the name of Jeff D. Robben and/or Jeff D. Robben Trust or sub trust.
3 Said house of Thomas J. Harris was worth approximately \$450,000.00 dollars and the
4 money should be put back into the Thomas J. Harris Trust to be distributed to the
5 beneficiaries. There are questions as to another home on April Drive in South Lake
6 Tahoe worth approximately \$1, 500,000.00 dollars that should have been in the
7 Thomas J. Harris trust.

8 This Petitioner believes the estate and trust value of the Thomas J. Harris Trust
9 is grossly undervalued because of the fraud and theft that has occurred to transfer
10 assets into other accounts to defraud the Thomas J. Harris beneficiaries of millions of
11 dollars when just the two homes are added back in addition to the missing contents on
12 the safe deposit box. Furthermore, Petitioner must see all insurance (death and life
13 insurance payouts), Pension and 401K information in addition to at least the least
14 twenty years of IRS and state tax returns
15

16 V. A STAY IS WARRANTED AND PROPER

17
18 This Petitioner has made a *prima facie* case on all fronts including the facts,
19 and as a matter of law, the Petitioner is an interested person in this matter. The
20 Respondent has also conceded to the points and authorities raised by the Petitioner.

21 The Petitioner has, without counsel, provided the complete legal roadmap of
22 facts, evidence and law that show he is entitled to relief including the *prima facie* case
23 of presumed undue influence of Jeff D. Robben over Thomas J. Harris to disinherit the
24 Petitioner Todd C. Robben. A stay will preserve the money and assets to pay the
25 Petitioner and any legal costs and attorney fees.

26 The undisputed undue influence also forced Thomas J. Harris into transferring
27 his \$450K home on Pebble Beach Court in Minden, NV to Jeff D. Robben.
28

1 The stay creates a bond for the Respondent if the court appoints counsel, the
2 money can be deducted from the expected recovery of the Petitioner by adding
3 attorney fees on top of any recovery.

4 The Petitioner is indigent and unable to produce a bond.
5

6 CONCLUSION

7

8 Reconsideration is appropriate in this rear case because of the overwhelming
9 new facts, admissible evidence, law, controlling case law and the fact the Respondent
10 has conceded to the merits of the instant Motion to Reconsider, and everything else
11 presented and argued by the Petitioner.

12 The Petitioner filed written and noticed motions to the court prior to both the
13 May 24th 2022 hearing and the June 21, 2022 hearing. The Respondent was served
14 and no complaints, objections or issue was ever brought up by the Respondent or the
15 court as to service/notice... The Respondent never filed a written opposition to the
16 Petitioner filings/motions. From the beginning, the Responded has conceded to the
17 Petitioner's motions and points of authority.

18 By failing to argue the Petitioner's points and authority, the Respondent has
19 conceded this point as an admission of error. See Bates v. Chronister, *supra*
20 (treating the respondent's failure to respond to the appellant's argument as a
21 confession of error); A Minor v. Mineral Co. Juv. Dep't, *supra* (determining that the
22 answering brief was silent on the issue in question, resulting in a confession of error)

23 "[t]he failure of the opposing party to file a memorandum of points and
24 authorities in opposition to any motion shall constitute a consent to the granting of the
25 motion." Ghazali v. Moran, 46 F. 3d 52 - Court of Appeals, 9th Circuit 1995

26 The Petitioner has, without counsel, provided the complete legal roadmap of
27 facts, evidence and law that show he is entitled to relief including the *prima facie* case
28

1 of presumed undue influence of Jeff D. Robben over Thomas J. Harris to disinherit the
2 Petitioner Todd C. Robben. The Respondent has conceded and cannot overcome this
3 presumption of undue influence and has conceded. The issue is decided and
4 Responded is precluded to any further argument by *res judicata*. The Thomas J.
5 Harris Trust is null & void.

6 This Petitioner has stated he prefers to settle this matter with the Respondent's
7 pursuant in part to NRS 132.185⁴ with the Respondents instead of rendering the
8 Thomas J. Harris Trust null & void and disenfranchise the beneficiaries or cause any
9 beneficiaries to lose money.

10 The Petitioner's demand for a full accounting and transparency of the Thomas
11 J. Harris Trust and Jeff D. Robben and any related trusts will prove the undue
12 influence of Jeff D. Robben caused money and assets to be transferred/stolen from
13 the Thomas J. Harris trust. Said money and assets must be put back into the Thomas
14 J. Harris trust or a trust/account to be determined. The value of the Thomas J. Harris
15 trust would increase and cover any money paid to this Petitioner. Possibly all
16 beneficiaries will receive additional money even with the Petitioner receiving at least
17 what Thomas A. Harris (the son of Thomas J. Harris) received.

18 This court can appoint counsel to help remedy this ungodly situation and keep
19 everyone calm since this is a very, very contentious case which involves multiple
20 trusts including both the Thomas J. Harris Trust, and the Thomas J. and Olga Harris
21 Living Trust ...It also includes any trust, estate or will related to Jeff D. Robben since
22 there was fraud and theft. There is potentially millions of dollars of money and assets
23
24

25
26 ⁴ "Interested person means a person whose right or interest under an estate or trust may
27 be materially affected by a decision of a fiduciary or a decision of the court. The fiduciary
28 or court shall determine who is an interested person according to the particular purposes
of, and matter involved in, a proceeding."

1 that are missing. Interestingly, the Respondents' do not even deny the criminal
2 allegations in this Petitioner's verified motions.

3 Despite this instant case being filed in relation to the Thomas J. Harris "estate"
4 rather than "trust", this court has jurisdiction⁵ to make orders and provide declaratory
5 relief in both matters. For the record, this Petitioner was never provided any legal
6 notice of the Thomas J. Harris trust or any related probate. The same for Jeff D.
7 Robben and the Petitioner only learned of the death of his brother Jeff D. Robben in
8 May 2022 despite Jeff passing away in November 2020.
9

10
11
12 Respectfully,

13 
14

15 /s/ Todd Robben

16 07/02/2022
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27 ⁵ Nevada Constitution Article 6, Section 6.
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CERTIFICATE OF MAILING

I, Stephen James Robben, declare under penalty of perjury under the law of the State of Nevada that the following is true and correct copy of the filed document. That on July 02, 2022, service of the document was made pursuant to NRCP 5(b) by depositing a email to: F. McClure Wallace, counsel for Respondent, mcclure@wallacemillsap.com

DATED this 02 day of July, 2022

Submitted By: /s/ Stephen James Robben

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 84948

TODD ROBBEN,

Appellant,

vs.

TARA FLANAGAN, IN HER CAPACITY
AS THE COURT APPOINTED
PERSONAL REPRESENTATIVE,
Respondent.

FILED

JUL 08 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order entered in a probate matter. Ninth Judicial District Court, Douglas County; Nathan Tod Young, Judge.

Review of the notice of appeal and documents before this court reveals a jurisdictional defect. NRAP 3A(a) allows only an aggrieved party to appeal. Generally, a party is a person who has been named as a party to the lawsuit and who has been served with process or appeared. *Valley Bank of Nev. v. Ginsburg*, 110 Nev. 440, 447, 874 P.2d 729, 734 (1994). It does not appear that appellant was named as a party in the proceedings below. And while any "interested person" may participate in probate actions, an "interested person" is defined as someone "whose right or interest under an estate or trust may be materially affected by a decision of a fiduciary or a decision of the court. The fiduciary or court shall determine who is an interested person according to the particular purposes of, and matter involved in, a proceeding." NRS 132.185; *see also* NRS 132.390.

Here, the district court determined that appellant was not an interested person in the underlying matter under NRS 132.185 and thus lacked standing to object to the probate petition or otherwise appear in the proceedings. Under these circumstances, it appears appellant lacks standing to appeal under NRAP 3A(a). Accordingly, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.

Silver, J.
Silver

Cadish, J.
Cadish

Pickering, J.
Pickering

cc: Hon. Nathan Tod Young, District Judge
Todd Robben
Wallace & Millsap LLC
Douglas County Clerk

RECEIVED

JUL 13 2022

Douglas County
District Court Clerk

FILED

2022 JUL 13 AM 10:59

BOBBIE R. WILLIAMS
CLERK

C. WALKER
BY DEPUTY

1 Case No. 2021-PB-00034

2 Dept. No. 1

3
4
5 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6
7 IN AND FOR THE COUNTY OF DOUGLAS
8

9 In Re:

10 The Estate of

11 THOMAS JOSEPH HARRIS,

12 Deceased.
13 _____/

ORDER

14 THIS MATTER comes before the court upon the following filings: "Emergency
15 Stay Request[;] Emergency Verified Motion to Reconsider; Request for Calcification;
16 Notice of Non Hearsay Proof of The Thomas Joseph and Olga Harris Living Trust" filed
17 on June 22, 2022; Supplemental Points and Authorities filed on June 23, 2022; "Motion to
18 Expedite Stay Request Pending Reconsideration[;] Request for Submission" filed on June
19 24, 2022; an opposition filed on July 1, 2022; and "Petitioner's Reply in Support of
20 Emergency Stay Request & Emergency Verified Motion to Reconsider; Request for
21 Clarification; Notice of Non Hearsay Proof of The Thomas Joseph and Olga Harris Living
22 Trust" filed on July 5, 2022.
23

24 Having examined all relevant pleadings and papers on file herein, the court now
25 enters the following order, good cause appearing:
26

27 THAT the requests set forth above are DENIED.

28 An "Order Granting Petition to Confirm First and Final Accounting, Request for

HON. NATHAN TOD YOUNG
9th JUDICIAL DISTRICT JUDGE
DOUGLAS COUNTY
P.O. BOX 218
MINDEN, NV 89423

1 Final Distribution, and Request for Payment of Professional's Fees and Costs" was entered
2 in writing on June 22, 2022. A Notice of Appeal was filed on June 27, 2022, by Todd
3 Robben, with a Case Appeal Statement filed on June 28, 2022. An Order Dismissing
4 Appeal issued on July 8, 2022, by the Supreme Court of the State of Nevada.

5 Separate from the appeal, Todd Robben requests this court reconsider the ruling set
6 forth within the Order dated June 22, 2022. "A district court may reconsider a previously
7 decided issue if substantially different evidence is subsequently introduced or the decision
8 is clearly erroneous." *Masonry and Tile Contractors Ass'n of S. Nev. v. Jolley, Urga &*
9 *Wirth, Ltd.*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997). Reviewing the filings entered
10 after the written order issued on June 22, 2022, the court does not find substantially
11 different evidence subsequently introduced or that the court's decision is clearly erroneous.
12 Therefore, the motion to reconsider is denied.
13

14
15 Tod Robben also requests this court's order dated June 22nd be stayed. The
16 Supreme Court of the State of Nevada considers the following factors in deciding whether
17 to issue a stay:

- 18 (1) whether the object of the appeal will be defeated if the stay is denied;
19 (2) whether appellant will suffer irreparable or serious injury if the stay is denied;
20 (3) whether respondent will suffer irreparable or serious injury if the stay is granted; and
21 (4) whether appellant is likely to prevail on the merits in the appeal.

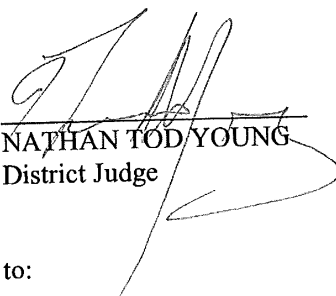
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25 than the others, although *Fritz Hansen A/S v District Court* recognizes that if one or two
26 factors are especially strong, they may counterbalance other weak factors." *Mikohn*
27
28

1 *Gaming Corp.*, 120 Nev. at 251, 89 P.3d at 38.

2 Considering the appeal has now been dismissed, it does not appear likely that
3 appellant is to prevail on the merits given that the object of the appeal has already been
4 defeated. The court finds this to be an especially strong factor. Balancing the relevant
5 considerations, the court finds insufficient reason to grant the requested stay.
6

7 IT IS SO ORDERED.

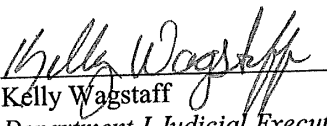
8 Dated this 13 day of July, 2022.


NATHAN TOD YOUNG
District Judge

11 Copies served by mail this 13 day of July, 2022, to:

12 Wallace & Millsap
13 510 W. Plumb Lane, Suite A
14 Reno, NV 89509

15 Todd Robben
16 P.O. Box 4251
17 Sonora, CA 95370


Kelly Wagstaff
Department I Judicial Executive Assistant

Wallace & Millsap
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

RECEIVED

JUL 15 2022

FILED

CASE NO.: 2021 PB00034

DEPT NO.: I

Douglas County
Probate Court Clerk

2022 JUL 15 PM 3:00

BOBBIE R. WILLIAMS
CLERK

C. WALKER
DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

IN RE:

THE ESTATE OF THOMAS JOSEPH
HARRIS,

Deceased.

NOTICE OF ENTRY OF ORDER

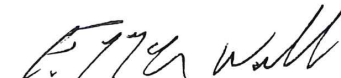
PLEASE TAKE NOTICE that on July 13, 2022, this Court entered an
Order, a copy of which is attached hereto as **Exhibit 1**.

AFFIRMATION

The undersigned affirms this document does not contain the social security
number or legally private information of any person.

DATED this 14th day of July 2022.

WALLACE & MILLSAP



F. McClure Wallace, Esq.

State Bar No.: 10264

Patrick R. Millsap, Esq.

Nevada Bar No.: 12043

510 W. Plumb Lane, Suite A

Reno, Nevada 89509

Ph: (775) 683-9599

mcclure@wallacemillsap.com

patrick@wallacemillsap.com

Attorneys for Executor, Tara M. Flanagan

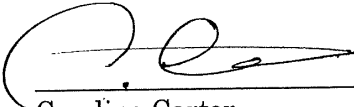
Wallace & Millsap
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b)(2)(B), I hereby certify that I am an employee of
WALLACE & MILLSAP counsel for Tara M. Flanagan, Executor of the Estate of
Thomas Joseph Harris and that I caused to be served the foregoing document upon
the following:

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

Dated this 14th day of July 2022.


Caroline Carter

Wallace & Millar
510 W Plumb Ln., Reno, Nevada / (775) 683-9599

LIST OF EXHIBITS

Exhibit 1 - Order

Exhibit 1

Exhibit 1

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Douglas County
District Court Clerk

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2022 JUL 13 AM 10:59

BOBBIE R. WILLIAMS
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C. WALKER
BY _____ DEPUTY

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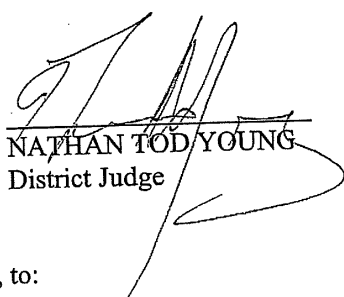
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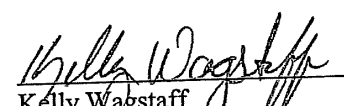
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