# IN THE SUPREME COURT OF THE STATE OF NEVADA

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JESUS AREVALO,

Petitioner

S.C. No. 86607-COA
D.C. No. D-11-448-D

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Elizabeth A. Brown
Clerk of Supreme Court

v.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF CLARK
AND THE HONORABLE JUDGE
HOSKIN,

Respondents,

and

CATHERINE DELAO,

Real Party in Interest.

## REAL PARTY IN INTERESTS' APPENDIX

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**Petitioner in Proper Person:**
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VOLUME I

Docket 86607-COA Document 2023-19519

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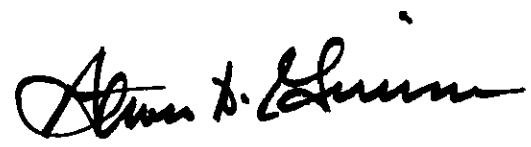

CLERK OF THE COURT


**NOTC**
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Attorney for Defendant


Eighth Judicial District Court
Family Division
Clark County, Nevada

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|---|---|
| JESUS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO,<br><br>Defendant. | Case No.: D-11-448514-D<br><br>Department: Q |

**NOTICE OF ENTRY OF DECREE OF DIVORCE**

PLEASE TAKE NOTICE that the Order from Divorce Trial of May 18, 2012, and Decree of Divorce from Decision of May 22, 2012 and Subsequent Hearing on October 30, 2012 was duly entered in the above-referenced matter. A true and correct copy of said Decree is attached hereto.

DATED Wednesday, February 27, 2013.

Respectfully Submitted,

THE ABRAMS LAW FIRM, LLC

Vincent Mayo, Esq.
Nevada State Bar Number: 8564
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Attorney for Defendant

## CERTIFICATE OF SERVICE

I hereby certify that on Wednesday, February 27, 2013, service of the above NOTICE OF ENTRY OF DECREE OF DIVORCE was made to the following interested parties, as set forth below:

☑ Via 1st Class U.S. Mail, postage fully prepaid, addressed to:

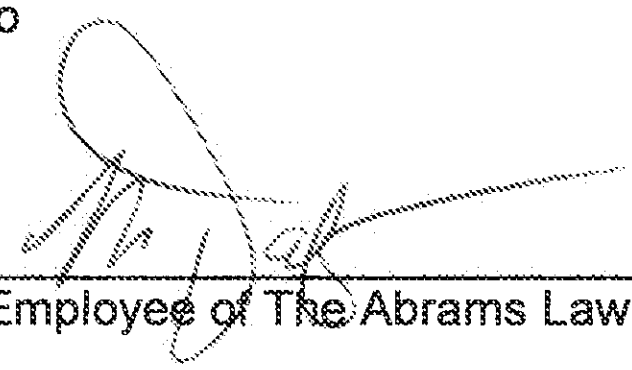
Valarie I. Fujii, Esq.
520 South Fourth Street
#340
Las Vegas, Nevada 89101
Attorney for Plaintiff

☐ Via facsimile pursuant to the Consent To Service Via Facsimile on file herein to:

Valarie I. Fujii, Esq.
Fax Number: (702) 734-6464

And, via 1st Class U.S. Mail, postage fully prepaid, addressed to:

Ms. Catherine M. Arevalo
Defendant



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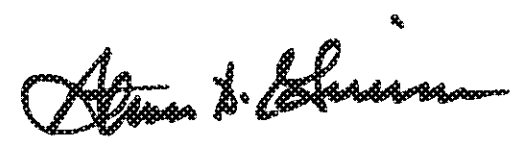

CLERK OF THE COURT


**DECD**
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Eighth Judicial District Court
Family Division
Clark County, Nevada

| | |
|---|---|
| JESUS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO,<br><br>Defendant. | Case No.: D-11-448514-D<br><br>Department: Q |

**ORDER FROM DIVORCE TRIAL OF MAY 18, 2012, AND DECREE OF DIVORCE FROM DECISION OF MAY 22, 2012 AND SUBSEQUENT HEARING ON OCTOBER 30, 2012**

**THIS CAUSE** having come on before this Honorable Court for a Divorce Trial on May 18, 2012, at 9:00 a.m., the Plaintiff JESUS AREVALO appearing in person and by and through his attorney of record, VALARIE I. FUJII, ESQ., and Defendant CATHERINE AREVALO appearing in person and by and through her attorney of record, VINCENT MAYO, ESQ., with Plaintiff's counsel Valarie I. Fujii, Esq. making and opening statement and Defendant's counsel Vincent Mayo, Esq. waiving his opening statement, the Court having heard testimony, exhibits being presented, closing arguments having been made by both counsel, the Court being fully advised

as to the law and facts of the case, finds that: this court has complete jurisdiction in the premises, both as to the subject matter, as well as the parties under Chapter 125 of the Nevada Revised Statutes; the Plaintiff and Defendant are actual bona fide residents of the County of Clark, State of Nevada, and were actually domiciled herein for more than six weeks immediately preceding the commencement of this action; all of the jurisdictional allegations contained in Plaintiff's Complaint and Defendant's Answer and Counter-Claim are true as therein alleged and the parties are entitled to a Decree of Divorce from one another on the grounds set forth by this Decree of Divorce, the terms of which are contained herein, which are hereby adopted by this Court as Orders, as follows:

THE FOLLOWING STIPULATION WAS PLACED ON THE RECORD BY COUNSEL DURING THE DIVORCE TRIAL OF MAY 18, 2012:

1. The PERS benefits earned during the marriage via Plaintiff's employment with the Las Vegas Metropolitan Police Department shall be divided pursuant to *Gemma* and *Fondi* and the time rule.

2. The items set forth in Defendant's Exhibit R, page 1, shall be awarded to the Defendant as her sole and separate property, with the exception of the electric mixer and the deep fryer (both listed under #5), which shall be awarded to the Plaintiff. Additionally, the Defendant shall be awarded the items listed in Defendant's Exhibit R, page 2, with the exception of the issues related to attorney's fees (please see correction in the Order below; this should state that Plaintiff, not Defendant, shall be awarded the items on page 2 of Exhibit R).

3. Defendant shall be awarded the 2000 Toyota Celica as her sole and separate property.

4. Plaintiff shall be awarded the 2005 Harley Davidson as his sole and separate property.

5. The 1976 Lincoln Continental Mark IV is a community asset to be awarded to Defendant.

6. The 1962 Chevrolet SS Impala is in dispute and shall be adjudicated by the Court.

7. The Defendant entered the marriage with the US Bank credit card (account number ending in 2016) having a balance of $15,377.99. This account has been paid down to approximately $12,100.00.

8. The USAA credit card (account number ending in 4280) had a balance of $13,801.00 on the date of separation. Since that time, approximately $4,200.00 has been added to that amount by the Defendant, which shall be her sole and separate responsibility (see #9 below).

9. Defendant shall be awarded the CD and any interest which may have accrued. This is in exchange of her taking the $4,200.00 amount in debt listed in #8 above.

10. Approximately $1,100.00 of the AT&T credit card was used to pay dog fees and is community debt. The remaining balance (approximately $17,900.00) was used by the Defendant towards her attorney's fees and the party's shall reserve argument on the allocation of this amount.

11. The medical debt (of approximately $833.00) shall be divided equally between the parties.

12. The parties shall file joint 2011 federal income tax returns. Any refund received shall be divided equally between the parties and there shall be no offset.

The party who receives the refund shall provide the other party with one-half of the amount received.

13. Bank accounts have already been divided, with names having been removed, and each party shall keep any bank accounts currently in his/her name.

14. Defendant shall maintain the name of CATHERINE AREVALO.

THE COURT ORDERED that a Decision Hearing is set for May 22, 2012, at 3:00 p.m.

At the time of the Decision Hearing before this Honorable Court on May 22, 2012, at 3:00 p.m., with the Plaintiff JESUS AREVALO appearing in person and by and through his attorney of record, VALARIE I. FUJII, ESQ., and the Defendant CATHERINE AREVALO appearing in person and by and through her attorney of record, VINCENT MAYO, ESQ., based upon the Court's Findings as set forth on the record, and good cause appearing therefor,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that, as of May 22, 2012, an absolute Decree of Divorce is GRANTED, and that the bonds of matrimony heretofore and now existing between Plaintiff JESUS AREVALO and Defendant CATHERINE AREVALO be, and the same are, hereby wholly dissolved, set aside, and forever held for naught, and that the parties are hereby awarded and decreed an absolute and final Decree of Divorce from one another, and that the parties hereto, and each of them, are hereby restored to the status of a single, unmarried person, with the issue of residency having been satisfied during testimony.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that although the Court issued its decision on May 22, 2012, a subsequent hearing was held on October 30, 2012. The Court's clarified orders from that hearing are incorporated

herein. To the extent there is a conflict between the orders from May 22, 2012 and October 30, 2012, the October 30, 2012 orders shall govern.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties shall maintain joint legal custody of the minor child herein, to wit: LUIS JESUS AREVALO, Date of Birth: August 28, 2009; the parties have not adopted any children during the marriage, and to the best of her knowledge, Defendant is not now pregnant. Legal custody is defined and consists of the following:

a. The parents shall consult and cooperate with each other in substantial questions relating to religious upbringing, educational programs, and health care of the child.

b. Both parents shall have input into the selection of all schools, health care providers, day care providers, and counselors for the child.

c. Each parent shall be empowered to obtain emergency health care for the child without the consent of the other parent. Each parent is to notify the other parent as soon as reasonably possible of any illness requiring medical attention or any emergency involving the child.

d. Each parent shall share with the other parent information concerning the well-being of the child, including, but not limited to: copies of report cards; school meeting notices; vacation schedules; class programs; requests for conferences; results of standardized or diagnostic tests; notices of activities involving the child; samples of school work; order forms for school pictures; all communications from health care providers; the names, addresses, and telephone numbers of all schools, health care providers, regular day care providers, and counselors.

///

e. Each parent is entitled to information regarding school, athletic and social events in which the child participates. Both parents may participate in activities for the child, such as open houses, attendance at athletic events, etc.

f. Each parent is entitled to reasonable telephone communication with the children. Each parent is restrained from unreasonably interfering with the children's rights to privacy during such telephone communications.

g. In the event that either parent takes the child out of Clark County on vacation, that parent shall specifically notify the other parent of the plans and provide, in writing, a telephone number and itinerary to the other parent.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Defendant's request to relocate with the minor child is denied and the minor child is to remain in Las Vegas, Nevada. In the event that the Defendant decides to relocate without the minor child, then the parties are to communicate regarding what contact she shall have with the child.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that it is in the minor child's best interest for the parties to be awarded joint physical custody.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the current parental timeshare shall remain in effect and there is no modification at this time. The current schedule is as follows: Plaintiff's custodial timeshare is from Wednesday at 8:00 a.m. to Saturday at 2:00 p.m., and Defendant's timeshare is from Saturday at 2:00 p.m. to Wednesday at 8:00 a.m., with the receiving parent providing the transportation for pick-up of the minor child at the other party's residence. This schedule allows both parties frequent, regular and routine contact with the minor child. Each party shall notify the other parent with information regarding any third

party caregiver for LUIS.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties are to exercise a holiday and vacation schedule similar to the schedule the Plaintiff shares with daughter McKenzee Roberts-Arevalo as follows (with the holiday beginning at 5:00 p.m. and ending at 7:00 p.m. so as to not disturb LUIS' normal schedule, and is subject to an alternate schedule upon agreement of the parties):

- Holidays and vacations shall take precedence over the regular custodial timeshare.
- The child shall reside with the Plaintiff on Memorial Day and with the Defendant on Labor Day. Memorial Day and Labor Day (three-day weekends) shall be defined as beginning at 5:00 p.m. on Friday and ending at 7:00 p.m. on the Monday holiday.
- One week before each of the following holidays, the parents shall discuss and decide how to have the child for half of the actual holiday: Easter, Independence Day (Fourth of July), Halloween, Thanksgiving, and Christmas. It has been agreed and understood between the parties that Plaintiff shall have his preference of holiday time during odd-numbered years, and the Defendant shall have her preference of holiday time during even-numbered years.
- The Defendant shall have the child every year for Mother's Day and the Plaintiff shall have the child every year for Father's Day. Mother's/Father's Day will begin at 5:00 p.m. the day before and end at 7:00 p.m. on the day of the holiday.

- The Plaintiff shall have the minor child on LUIS' birthday during the odd-numbered years, and the Defendant shall have the minor child on LUIS' birthday during the even-numbered years. LUIS' birthday will begin at 5:00 p.m. the day before and end at 7:00 p.m. on the day of the holiday.
- Any additional time with the child shall be by mutual agreement of the parties.
- Within a calendar year, both parents shall be allowed to have the child during their respective vacations, not to exceed two weeks, unless the extension of time is by mutual agreement of the parties. The vacation time can be taken in one block of time consisting of two weeks, or in two blocks of time consisting of one week each. As soon as possible, and no later than three weeks in advance, the parents shall discuss their individual vacation plans in order to make arrangements to have the child during their respective vacations. It has been agreed and understood between the parties that Plaintiff shall have his preference of vacation time during odd-numbered years, and the Defendant shall have her preference of vacation time during even-numbered years.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the State of Nevada is and will be the habitual residence of the minor child.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall notify the other parent when he/she takes the minor child LUIS outside of Clark County, Nevada (this is a notification requirement only, with the parent not required to obtain permission from the other parent).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to NRS 125.510(6), **PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER**

**IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130.** **NRS 200.359** provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a Category D felony as provided in NRS 193.130.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties are placed on notice of the mandatory provisions of NRS 125A.350, which reads as follows:

> Consent required from non-custodial parent to remove child from state; permission from court; change of custody
>
> If custody has been established and the custodial parent intends to move his/her residence to a place outside of this state and to take the child with him, he must, as soon as possible and before the planned move, attempt to obtain the written consent of the non-custodial parent to move the child from this state. If the non-custodial parent refuses to give that consent, the custodial parent shall, before he leaves the state with the child, petition the court for permission to move the child. The failure of a parent to comply with the provisions of this section may be considered as a factor if a change of custody is requested by the non-custodial parent.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties are also placed on notice of the provisions of NRS 125.510 (7) and (8) the terms of the Hague Convention of October 24, 1980, adopted by the 14th Session of the Hague Conference on Private International Law which reads as follows:

"Section 8. If the parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the Court shall include in the Order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in Subsection 7.

(b) Upon motion of the parties, the Court may order parent to post a bond if the Court determines that the parents poses an imminent risk wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the Court and may be used only to pay for the cost of locating the child and returning him to his concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses as imminent risk of wrongfully removing or concealing the child."

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Jesus is not to consume alcohol while the minor child is in his care.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Plaintiff's child support obligation is set at $650.00 per month, which includes a deviation for the support of another child, and is inclusive of the offset for the monthly health insurance premium for LUIS paid by JESUS. Said child support payments shall be paid in two equal monthly installments on the first and the fifteenth of each month. The Court shall specifically allow child support to be collected by wage withholding. Pursuant to NRS 125.450(2), the wages and commissions of the parent responsible for paying support shall be subject to assignment or withholding for the purpose of payment of the foregoing obligation of support as provided in NRS 31A.020 through 31A.240, inclusive.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that notice is hereby given pursuant to NRS 125B.145, that the Court is required to review child support obligations upon request by the parent, legal guardian or an attorney every three (3) years to determine if the support being paid is within the formula of NRS 125B.070.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff is to continue to provide medical/health insurance coverage for the minor child through his employment with the Las Vegas Metropolitan Police Department, until said minor child reaches the age of majority, marries, emancipates, or becomes sooner self-supporting. Any unreimbursed medical, dental, optical, orthodontic or other health-related expense incurred for the benefit of the minor child LUIS JESUS AREVALO is to be divided equally between the parties. Either party incurring an out of pocket medical expenses for the child shall provide a copy of the paid invoice/receipt to the other party within 30 days of incurring said expense. If not tendered within the 30 day period, the Court may consider it as a waiver of reimbursement. The other party will then have 30 days from receipt within which to dispute the expense in writing or reimburse the incurring party for one-half of the out of pocket expense. If not disputed or paid within the 30 days, the party may be subject to a finding of contempt and appropriate sanctions.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant shall be awarded spousal support in the amount of $1,500.00 per month for a period of three months commencing in June 2012. Thereafter, Defendant shall be awarded spousal support in the amount of $500.00 per month for a period of nine months. Spousal support shall terminate upon the death of either party or the Defendant's

1 remarriage. Said spousal support payments shall be paid in two equal monthly
2 installments on the first and the fifteenth of each month.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party
4 shall keep any bank accounts in his/her own name.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the USAA
6 Bank savings account for the minor child's benefit shall remain in the child's name.

7 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant
8 shall be awarded the 2000 Toyota Celica as her sole and separate property.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall
10 be awarded the 2005 Harley Davidson as his sole and separate property.

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the 1962
12 Chevrolet SS Impala was sold by Plaintiff to his brother, with Defendant being
13 entitled to $5,000.00, which represents her one-half share from the proceeds of the
14 sale. This amount shall be reduced to judgment with interest accruing, however,
15 Jesus shall not be obligated to begin payment towards this amount until alimony
16 ceases with the understanding that interest is accruing. Once the term of alimony
17 expires, which should be with the month of June 2013, then he shall continue to pay
18 five hundred dollars ($500.00) per month towards this amount until the $5,000.00
19 plus interest has been satisfied. (Court Minutes October 30, 2012 Paragraph 10,
20 page 2)

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the items set
22 forth in Defendant's Exhibit R, page 1, shall be awarded to the Defendant as her
23 sole and separate property, with the exception of the electric mixer and the deep
24 fryer (both listed under #5), which shall be awarded to the Plaintiff. Additionally, the

Plaintiff shall be awarded the items listed in Defendant's Exhibit R, page 2, with the exception of the issues related to attorney's fees (this is a correction to stipulated item #2 in the Court Minutes from May 18, 2012, which was misstated in Court). A copy of Exhibit R is attached hereto.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, based upon Defendant's wishes and preference, Plaintiff shall receive the items listed in the "A" list in a letter received from Defendant's counsel on June 7, 2012, to wit: brown sectional couch, leather ottoman, coffee table, throw rug, 62" television, and television stand, all of which are in Plaintiff's possession. Further, based upon Defendant's wishes and preference, Defendant shall receive the items listed in the "B" list in a letter received from Defendant's counsel on June 7, 2012, to wit: LUIS's crib/day bed/full bed in one, which is currently in Plaintiff's possession and which Plaintiff will break down and deliver to Defendant, and the 5 drawer dresser, which is currently in Defendant's possession.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the 1976 Lincoln Continental Mark IV is awarded to Defendant, with Defendant signing the Bill of Sale releasing Plaintiff of all legal obligation regarding the Lincoln at the time of the delivery of the vehicle to Defendant's residence by Plaintiff. Plaintiff shall drop off the Lincoln to the defendant by October 31, 2012. This is in exchange for the shotgun, which Defendant wished to retain from her "B" List and which Plaintiff sold prior to the Divorce Trial herein.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Davis P32 firearm is awarded to the Defendant as her sole and separate property.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the PERS benefits shall be divided pursuant to *Gemma* and *Fondi*. Mike Levy shall prepare the Qualified Domestic Relations Order (QDRO), with the parties equally sharing in the cost of the QDRO and with each party to pay his/her one-half share prior to the preparation of the QDRO as required by Mr. Levy. The trial date of May 18, 2012, shall be used as the line of demarcation. Per stipulation, in lieu of Defendant receiving a survivor benefit on Plaintiff's PERS, Plaintiff has agreed to obtain a life insurance policy with the Defendant as the beneficiary. Defendant shall have ownership of the Plaintiff's life insurance policy with the Plaintiff being responsible for the annual, quarterly, or monthly premiums, whichever applies. The Court retains jurisdiction over this issue.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff's vacation and sick leave accrued during the marriage shall be divided between the parties. The trial date of May 18, 2012, shall be used as the line of demarcation. The approximate amount owed to Defendant is approximately $2,833.00, according to proof, and is reduced to judgment with interest accruing, however, Plaintiff shall not be obligated to begin payment towards this amount until alimony ceases with the understanding that interest is accruing. Once the term of alimony expires (and / or the $5,000.00 payment for interest in the Impala has been satisfied per the payment schedule above), then Plaintiff shall continue to pay five hundred dollars ($500.00) per month towards this amount until the $2,833.33 plus interest has been satisfied.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Defendant shall be fully responsible for the US Bank debt (account ending in 2016) which had a balance of $12,937.05 as of September 30, 2011.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the USAA credit card (account ending in 4280) had a balance of $13,801.00 at the date of separation. Since that time, approximately $4,200.00 has been added to that amount by the Defendant which shall be her sole and separate responsibility. The remaining balance, less the $4,200.00, shall be equally divided between the parties (Plaintiff's responsibility is $6,900.50, and Defendant's responsibility is $11,100.50).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant shall be awarded the CD and any interest which may have accrued. This is in exchange for her taking the $4,200.00 amount listed above (see Court Minutes from trial of May 18, 2012).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the medical debt of $833.00 shall be equally divided between the parties.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties shall file joint 2011 federal income tax returns. Any refund received shall be divided equally between the parties and there shall be no offset. The party who receives the refund shall provide the other party with one-half of the amount received (see Court Minutes from trial of May 18, 2012).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall have the benefit of claiming the minor child LUIS as a taxable dependent and exemption for all tax purposes during even-numbered years beginning with tax year 2012, until the minor child can no longer be claimed as an exemption due to his age and/or status; Defendant shall have the benefit of claiming the minor child LUIS as a taxable dependent and exemption for all tax purposes during odd-numbered years

beginning with tax year 2013, until the minor child can no longer be claimed as an exemption due to his age and/or status.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the parties have agreed that $1,100.00 of the AT&T credit card is community debt and shall be divided equally between the parties. The remaining balance on the card was used by the Defendant towards her attorney's fees and the Court shall issue a separate Order as to how this debt shall be divided by way of the attorney's fees the Court shall award.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Court is retaining jurisdiction on all property issues in this matter.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall pay to Defendant the sum of $10,500.00 as and for attorney's fees, which are reduced to judgment in Defendant's favor, with interest accruing at the legal rate. Monthly payments towards this obligation will be paid by Plaintiff to Defendant beginning on the month following the final monthly payment for the monthly payments listed above to be paid at $100 per month.

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///

///

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant shall maintain her current name of CATHERINE AREVALO.

DATED this 26th day of February, 2013.

DISTRICT COURT JUDGE

THE ABRAMS LAW FIRM, LLC

Vincent Mayo, Esq.
Nevada State Bar Number: 8564
6252 South Rainbow Blvd., Suite 100
Las Vegas, Nevada 89118
Tel: (702) 222-4021
Fax: (702) 248-9750
Attorney for Defendant

VALARIE I. FUJII & ASSOCIATES

Valarie I. Fujii, Esq.,
Nevada Bar Number: 5955
520 South Fourth Street, #340
Las Vegas, Nevada
Tel: (702) 341-6464
Fax: (702) 734-6464
Attorney for Plaintiff

# EXHIBIT R

Property

1. 2005 Dyna Wide Glide Harley Davidson (Jesus' House)
2. Bedroom Set(Jesus' House)
    - Queen Size Bed
    - Armoir
    - 2 Night Stands

3. Living Room Set(Jesus' House)
    - Grey Sofa
    - Grey Love Seat
    - Glass End Tables

4. Dining Room(Jesus' House)
    - Glass Table & 6 Chairs
5. Kitchen(Jesus' House)
    - Dishes (plates, Bowls, etc.) White, Round
    - Set of Glasses
    - Utinsils
    - Cookware
    - Blender
    - Appliances
        1. Refridgerator
        2. Washer & Dryer
        3. Stove
        4. Dishwasher
6. Electronics(Jesus' House)
    - 32" TV (Grey)
    - Playstation 2 (w/ 2 Remotes)
    - Surround Sound System
    - DVD Player
    - TiVo
    - Playstation 3 (w/ remotes)
7. Misc(Jesus' House)
    - DVDs
    - CDs
    - Video Games

Debt

Valarie Fujii Attorney Fees

Property

1. 2000 Toyota Celica (Current Value $3,000.00) (Catherine's possession)
2. Bedroom Set (Current Value $500.00)(Catherine's Apartment / Storage)
    - Full Size Bed
    - Dresser
    - Vanity Table
    - Vanity Mirror
    - End Table
    - Lamp
3. Office (Current Value $700.00)(Catherine's Apartment / Storage)
    - Dell Desk Top Computer
    - 3 Piece Wood / Glass Office Desk
    - Matching Bookcase
    - Printer
4. Electronics (Current Value $200.00)(Catherine's Apartment / Storage)
    - 32" RCA TV
    - 35" Vizio TV
    - Small DVD Player
    - VHS
    - Playstation 2 (w/ 2 remotes)
5. Kitchen (Current Value $750.00) (Catherine's Apartment / Storage)
    - 2 Sets of Dishes (Plates, Bowls, etc) both black, 1 round, 1 octagon
    - Set of Glasses
    - One Set of Silverware
    - Cookware (Pots & Pans)
        1. Calphalon (Mother's Day Gift While Pregnant in Iowa)
        2. Set from Before Marriage
    - Crock Pot
    - Electric Mixer
    - Deeep Fryer
    - Kitchen Utinsils
6. Misc. (Catherine's Apartment / Storage)
    - Wall Decorations
    - Pictures
    - Statues
    - Figurines
    - Books
    - DVDs
    - VHS Tapes
    - Video Games & Cheat Books
    - CDs
    - 1-50LB Weight Set

# 2

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Steven D. Grierson
CLERK OF THE COURT

**DISTRICT COURT**
**CLARK COUNTY, NEVADA**
* * *

| | |
|---|---|
| Jesus Luis Arevalo, Plaintiff<br>vs.<br>Catherine Marie Arevalo,<br>Defendant. | Case No: D-11-448514-D<br>Department E |

## NOTICE OF ENTRY OF ORDER

Please take notice that an ORDER AFTER REMAND SETTING BRIEFING was entered in the foregoing action and the following is a true and correct copy thereof.

Dated: May 11, 2021

_____*/s/ Sherri Estes*_____
Sherri Estes
Judicial Executive Assistant
Department E

## CERTIFICATE OF SERVICE

I hereby certify that on the above file stamp date:

☐ I placed a copy of the foregoing NOTICE OF ENTRY OF ORDER in the appropriate attorney folder located in the Clerk of the Court's Office of:

☒ I provided the foregoing NOTICE OF ENTRY OF ORDER to:

Jesus Luis Arevalo
wrath702@gmail.com

Marshal Shawn Willick, Esq.
email@willicklawgroup.com

___*/s/ Sherri Estes*_____
Sherri Estes
Judicial Executive Assistant
Department E

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Steven D. Grierson
CLERK OF THE COURT

ORDR

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

| | |
|---|---|
| AREVALO, JESUS LUIS,<br>Plaintiff,<br><br>v.<br><br>AREVALO, CATHERINE MARIE,<br>Defendant. | Case No.: D-11-448514-D<br>Dept.: E |

## ORDER AFTER REMAND SETTING BRIEFING

The court of appeals having entered an *Order Affirming in Part, Reversing in Part, Dismissing in Part and Remanding* on March 30, 2021 and this Court receiving their *Remittitur* dated May 5, 2021; This Court, after reviewing the Order from the Court of Appeals, orders as follows.

IT IS HEREBY ORDERED that the parties are directed to brief the issue regarding whether it is appropriate for the child to attend the charter school, proposed by Plaintiff, including all factors this Court must consider pursuant to *Arcella v. Arcella*, 133 Nev. 868, 407 P.3d 341 (2017).

IT IS FURTHER ORDERED that the parties are also directed to brief the issue regarding when the statute of limitations began to run for the issue

CHARLES J. HOSKIN
DISTRICT JUDGE
FAMILY DIVISION, DEPT. F
LAS VEGAS, NV 89101-2408

of the life insurance policy in lieu of receiving the survivor benefit under the PERS retirement plan. Certainly those briefs may include arguments concerning any actions which would constitute "evidence of indebtedness."

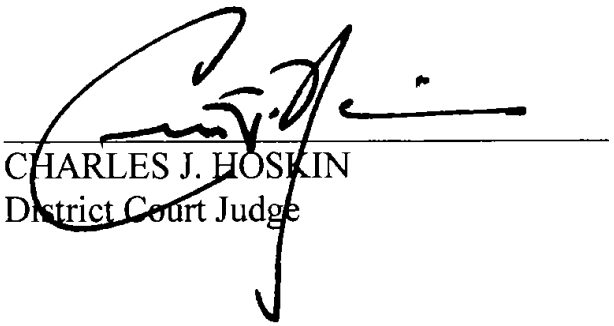
IT IS FURTHER ORDERED that, should this Court determine that the statute of limitations has not yet run, it will be, once again, placing a value on that policy. Defendant provided a value for that policy. This Court previously provided Plaintiff an opportunity to present any evidence concerning his position on that value. Plaintiff failed to comply with the prior deadline and, to this date, has not provided any supported value. However, this Court will permit Plaintiff to provide a reasonable value for the Court to consider, in the event that this Court determines that the statute of limitations has not yet run on the life insurance issue. That information shall also be contained within Plaintiff's brief for the Court's consideration.

IT IS FURTHER ORDERED that, in order to clarify the Court's award of $2,850.00 in attorney's fees within the June 9, 2020 Order; such was entered based upon all information presented and after considering NRS 18.010(2)(a), NRS 22.100(3) and the disparity of the parties income pursuant to *Wright v. Osburn*, 114 Nev. 1367, 970 P.2d 1071 (1998). The award of attorney's fees was appropriate, given all information presented.

CHARLES J HOSKIN
DISTRICT JUDGE
FAMILY DIVISION DEPT E
LAS VEGAS NV 89101-2408

IT IS FURTHER ORDERED that the aforementioned briefs are to be filed with the Court on or before **June 11, 2021**. Following the submission of those briefs, this Court will determine whether further proceedings are necessary to resolve the issues remanded by the appellate court. If further proceedings are necessary, a hearing shall be set by the Court and noticed to all parties. If not, this Court will issue a written decision.

IT IS SO ORDERED this 11th day of May, 2021



CHARLES J. HOSKIN
District Court Judge

CHARLES J HOSKIN
DISTRICT JUDGE
FAMILY DIVISION DEPT E
LAS VEGAS NV 89101-2408

# 3

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Steven D. Grierson
CLERK OF THE COURT

**MEMO**
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
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Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

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

| | |
|---|---|
| JESUS LUIS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO<br>n/k/a CATHERINE DELAO<br><br>Defendant. | CASE NO: D-11-448514-D<br>DEPT. NO: E<br><br><br><br>DATE OF HEARING:3/23/21<br>TIME OF HEARING: 9:00 A.M. |

# DEFENDANT'S MEMORANDUM OF FEES AND COSTS

This *Memorandum of Fees and Costs* in the above referenced case is provided to the Court indicating fees and costs expended by the Defendant, Catherine Delao, between August 14, 2020, through May 13, 2021 pursuant to the *Order from the March 23, 2021 Hearing*.[1]

## I. FEES AND COSTS INCURRED

1. Marshal S. Willick, Esq., is the Principal Attorney for the WILLICK LAW GROUP and has produced this *Memorandum of Fees and Costs*.

2. Catherine's billing records in the above referenced case from August 14, 2020, through May 13, 2021, reflect the following time entries from WILLICK LAW GROUP staff, a detailed summary of which is attached as Exhibit "A":

[1] ,These do not include the fees requested from the August 13, 2020 hearing, which were requested in Court on August 13, 2020, and deferred to after the appeal was concluded.

| | | | | |
|---|---|---|---|---|
| Paralegal time non-billable: | 6.1 | @ | $0.00 | $0.00 |
| Paralegal time: | 37.9 | @ | $175.00 | $6,632.50 |
| Associate time: | 3.7 | @ | $250.00 | $925.00 |
| Associate time: | 4.2 | @ | $375.00 | $1,575.00 |
| Associate time: | 4.4 | @ | $400.00 | $1,760.00 |
| Associate time non-billed: | 6.0 | @ | $0.00 | $0.00 |
| Mr. Willick's time: | 11.9 | @ | $600.00 | $7,140.00 |
| Mr. Willick's non-billed time: | 6.1 | @ | $0.00 | $0.00 |

**TOTAL SERVICES**

| | | |
|---|---|---|
| 3. | Total Hours Expended Case to Date: | 80.3 hours |
| 4. | Total Costs Case to Date: | $199.05 |
| 5. | Total Fees Case to Date: | $18,032.50 |
| 6. | Total Interest Case to Date: | $0.00 |
| 7. | Total Fees, Costs, and Interest Case to Date: | $18,231.55 |

8. Time designated as "No Charge" on Catherine's billing statement was not charged to Catherine by her counsel, and is not included in the total amounts of attorneys' fees incurred by Catherine, as set forth above.

## II. LIMITED LEGAL ARGUMENT

The fees requested are reasonable after considering the argument and documents presented by Catherine, and after considering NRS 18.010(2)(a), and NRS 22.100(3).

With specific reference to Family Law matters, the Court has adopted "well-known basic elements," which in addition to hourly time schedules kept by the

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attorney, are to be considered in determining the reasonable value of an attorney's services qualities, commonly referred to as the *Brunzell*[2] factors:

1. *The Qualities of the Advocate*: his ability, his training, education, experience, professional standing and skill.

2. *The Character of the Work to Be Done*: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation.

3. *The Work Actually Performed by the Lawyer*: the skill, time and attention given to the work.

4. *The Result*: whether the attorney was successful and what benefits were derived.

Each of these factors should be given consideration, and no one element should predominate or be given undue weight.[3] Additional guidance is provided by reviewing the "attorney's fees" cases most often cited in Family Law.[4]

The *Brunzell* factors require counsel to make a representation as to the "qualities of the advocate," the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained.

First, respectfully, we suggest that the supervising counsel is A/V rated, a peer-reviewed and certified (and re-certified) Fellow of the American Academy of Matrimonial Lawyers, and a Certified Specialist in Family Law.[5]

---

[2] *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).

[3] *Miller v. Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

[4] Discretionary Awards: Awards of fees are neither automatic nor compulsory, but within the sound discretion of the Court, and evidence must support the request. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v. Levy*, 96 Nev. 902, 620 P.2d 860 (1980); *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d 889 (1987).

[5] Per direct enactment of the Board of Governors of the Nevada State Bar, and independently by the National Board of Trial Advocacy. Mr. Willick was privileged (and tasked) by the Bar to write the examination that other would-be Nevada Family Law Specialists must pass to attain that status.

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As to the "character and quality of the work performed," we ask the Court to find our work in this matter to have been adequate, both factually and legally; we have diligently reviewed the applicable law, explored the relevant facts, and believe that we have properly applied one to the other.

The fees charged by paralegal staff are reasonable, and compensable, as well. The tasks performed by staff in this case were precisely those that were "some of the work that the attorney would have to do anyway [performed] at substantially less cost per hour."[6] As the Nevada Supreme Court reasoned, "the use of paralegals and other nonattorney staff reduces litigation costs, so long as they are billed at a lower rate," so "'reasonable attorney's fees' . . . includes charges for persons such as paralegals and law clerks."

Mallory Yeargan, paralegal with the WILLICK LAW GROUP, was assigned to Catherine's case. Mallory has been a paralegal for a total of 17 years, and has assisted attorneys in complex family law cases for several years.

Finally, as evidenced by the Court's findings and orders issued on March 23, 2021, the work performed by the WILLICK LAW GROUP was successful and resulted in Catherine receiving nearly all of what she requested.

**DATED** this 17th day of May, 2021.

Respectfully Submitted By:
WILLICK LAW GROUP

*/s/ Lorien K. Cole*

MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 2515
LORIEN K. COLE, ESQ.
Nevada Bar No. 11912
3591 E. Bonanza, Suite 200
Las Vegas, Nevada 89110-2101
(702) 438-4100 Fax (702) 438-5311
Attorneys for Defendant

[6] *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d 503 (2013) citing to *Missouri v. Jenkins*, 491 U.S. 274 (1989).

## DECLARATION OF ATTORNEY

1. I, Lorien K. Cole, Esq., declare that I am competent to testify to the facts contained in the preceding filing.

2. I am an attorney duly licensed to practice law in the State of Nevada, I am employed by the WILLICK LAW GROUP, and I am one of the attorneys representing the Defendant, Catherine Delao.

3. I have personal knowledge of the above costs and disbursements expended, and the items contained in the above memorandum are true and correct to the best of my knowledge and belief. In addition, said disbursements have been necessarily incurred and paid in this action.

**I declare under penalty of perjury, under the laws of the State of Nevada and the United States (NRS 53.045 and 28 U.S.C. § 1746), that the foregoing is true and correct.**

EXECUTED this 17th day of May, 2021.

*/s/ Lorien K. Cole*

**LORIEN K. COLE, ESQ.**

WILLICK LAW GROUP
3591 East Bonanza Road
Suite 200
Las Vegas, NV 89110-2101
(702) 438-4100

## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the WILLICK LAW GROUP and that on this 17th day of May, 2021, I caused the above and foregoing document to be served as follows:

[X] Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

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

[ ] pursuant to EDCR 7.26, to be sent via facsimile, by duly executed consent for service by electronic means;

[ ] by hand delivery with signed Receipt of Copy.

To the litigant(s) listed below at the address, email address, and/or facsimile number indicated below:

Mr. Jesus Luis Arevalo
4055 Box Canyon Falls
Las Vegas, NV 89085
wrath702@gmail.com

Jesus Arevalo
6935 Aliante Pkwy., Ste. 104 #286
N. Las Vegas, NV 89084

Jesus Arevalo
5612 N. Decatur Blvd., Ste. 130
P.O. Box 321
Las Vegas, NV 89031

*/s/ Mallory Yeargan*

An Employee of the Willick Law Group

P:\wp19\DELAO,C\DRAFTS\00490008.WPD/my

WILLICK LAW GROUP
3591 East Bonanza Road
Suite 200
Las Vegas, NV 89110-2101
(702) 438-4100

# EXHIBIT “A”

# EXHIBIT “A”

# EXHIBIT “A”

Willick Law Group
3591 E. Bonanza Rd., Suite 200
Las Vegas, Nevada 89110-2101
Web page: www.willicklawgroup.com
Billing Q&A faith@willicklawgroup.com

May 14, 2021

Ms. Catherine Delao

RE: Delao adv. Arevalo, Jesus
D-11-448514-D

Statement of Account for Services Rendered Through May 14, 2021

Professional Services

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, August 14, 2020 | | | |
| Thursday, August 20, 2020 | | | |
| Friday, August 21, 2020 | | | |
| MY | Office meeting with Lorien re: email from Jesus | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.30 | 180.00 |
| Monday, August 24, 2020 | | | |
| Wednesday, August 26, 2020 | | | |
| MY | Begin drafting opposition to motion to stay financial orders; Begin drafting opposition to motion to extend time | 1.20 | 210.00 |
| MY | Download and save motion to extend time to MyCase NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, September 3, 2020 | | | |
| MY | Read and save motion to hold Defendant and Marshal Willick in Contempt of Court, et. al., to MyCase NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Lorien re: Order from August 13, 2020 | 0.10 | 17.50 |
| MY | Email to Catherine re: Jesus's motion to hold Catherine and Marshal in contempt | 0.10 | 17.50 |
| MY | Calendar due date for opposition to motion to hold Catherine and Marshal in contempt NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: motion filed by Jesus | 0.10 | 17.50 |
| MY | Read email from Cat re: Jesus's email NO CHARGE | 0.10 | N/C |
| MY | Read email from Catherine re: Luis assessment NO CHARGE | 0.10 | N/C |
| MSW | Read most recent drivel from Arevelo. Associated emails. | 0.20 | 120.00 |
| LKC | Correspondence and review of Jesus's most recent harassing motion. Conference with Mallory re: doing the PERS subpoena. | 0.20 | 75.00 |
| Tuesday, September 8, 2020 | | | |
| Wednesday, September 9, 2020 | | | |
| MY | Office meeting with Marshal re: opposition to motion | 0.10 | 17.50 |
| MY | Begin drafting Opposition to Motion to Hold Defendant, and her attorney Marshal S. Willick, Esq., in Contempt, et. al. | 0.40 | 70.00 |
| MY | Begin drafting Subpoena to PERS | 0.20 | 35.00 |
| Friday, September 11, 2020 | | | |
| MY | Office meeting with Lorien re: Order | 0.10 | 17.50 |
| MY | Per Marshal, search for orders from 2013 and prior GOAD denial re: Jesus Arevalo NO CHARGE | 0.50 | N/C |
| MY | Continue drafting opposition to motion to hold Defendant and her attorney, Marshal S. Willick; Pass to Marshal for his edits | 0.30 | 52.50 |
| MY | Draft Subpoena Duces Tecum; Draft letter to PERS for Lorien's review | 0.60 | 105.00 |
| Sunday, September 13, 2020 | | | |
| MSW | Review most recent and 2013-2015 filings; begin Opposition. Instructions to staff. | 0.30 | 180.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 0.50 | N/C |
| Monday, September 14, 2020 | | | |
| MY | Office meeting with Marshal re: opposition due date | 0.10 | 17.50 |
| MSW | Review and Revise Opposition (start); associated emails. | 0.20 | 120.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Tuesday, September 15, 2020 | | | |
| MY | Read email between Jesus and Marshal re: Financial Disclosure Form NO CHARGE | 0.10 | N/C |
| MY | Update address file NO CHARGE | 0.10 | N/C |
| MY | Proofread opposition to motion to hold Defendant and her attorney in contempt | 0.10 | 17.50 |
| MSW | Review and Revise Opposition. Circulate for comments. | 1.60 | 960.00 |
| Wednesday, September 16, 2020 | | | |
| MY | Office meeting with Marshal re: opposition | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email from Catherine | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: motion for ready for filing | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: facts in opposition | 0.10 | 17.50 |
| MY | Prepare and submit Opposition to Motion to Hold Defendant and her Attorney for filing | 0.30 | 52.50 |
| MY | Prepare opposition for mailing to Jesus Arevalo | 0.20 | 35.00 |
| MSW | Review and Revise opposition after brief email traffic. Instructions to file. | 0.30 | 180.00 |
| Thursday, September 17, 2020 | | | |
| MY | Office meeting with Lorien and Marshal re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Email to Cat re: updated Financial Disclosure Form | 0.10 | 17.50 |
| Friday, September 18, 2020 | | | |
| LKC | Reviewed client's proposed Financial Disclosure Form, sent back to Mallory for filing. | 0.10 | 37.50 |
| LKC | Reviewed and signed the subpoena duces tecum to PERS and sent for service on PERS. | 0.10 | 37.50 |
| Monday, September 21, 2020 | | | |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Letter to PERS | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: letter to PERS | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum to PERS | 0.10 | 17.50 |
| Tuesday, September 22, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: response from Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Order from August 13, 2020 | 0.10 | 17.50 |
| MY | Prepare and submit Order from August 13, 2020, Hearing for Judge's signature | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Wednesday, September 23, 2020 | | | |
| MY | Update Financial Disclosure Form for Catherine Delao | 0.20 | 35.00 |
| MY | Office meeting with Faith re: billing amount for Financial Disclosure Form NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| Thursday, September 24, 2020 | | | |
| MY | Email to Catherine re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Review and respond to email from Cat re: updating internet/cable | 0.10 | 17.50 |
| Friday, September 25, 2020 | | | |
| | | | |
| Monday, September 28, 2020 | | | |
| | | | |
| LKC | Conference with Mr. Willick re: error on the PERS paperwork reviewed the file to get the correct infromation to verify for PERS. | 0.20 | 75.00 |
| Tuesday, September 29, 2020 | | | |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| Thursday, October 1, 2020 | | | |
| LKC | Reviewed all case documents and sent a response to client re: the PERS confusion with the marriage dates. | 0.20 | 75.00 |
| Monday, October 5, 2020 | | | |
| | | | |
| Tuesday, October 6, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Wednesday, October 7, 2020 | | | |
| MY | Save motion for extension filed by Jesus Arevalo and uploaded to MyCase NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Thursday, October 8, 2020 | | | |
| MY | Update calendar re: Blue Jeans invite for hearing on October 15th NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, October 9, 2020 | | | |
| MY | Emial to Catherine re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form for filing | 0.20 | 35.00 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form for filing | 0.20 | 35.00 |
| MY | Email to Jesus Arevalo re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Email to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Hearing on October 15, 2020 | 0.10 | 17.50 |
| LKC | Reviewed client's Financial Disclosure Form and approved for filing. | 0.10 | 37.50 |
| Monday, October 12, 2020 | | | |
| MSW | Review and annotate Reply. | 0.20 | 120.00 |
| Tuesday, October 13, 2020 | | | |
| MY | Office meeting with Marshal re: reply filed by Jesus | 0.10 | 17.50 |
| Thursday, October 15, 2020 | | | |
| MY | Attend hearing on October 15, 2020 | 1.50 | 262.50 |
| MY | Office meeting with Lorien re: hearing on October 15, 2020 | 0.10 | 17.50 |
| MY | Request hearing video from October 15, 2020 | 0.10 | 17.50 |
| MSW | Prepare for and attend hearing in Dept. E. | 0.60 | 360.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Friday, October 16, 2020 | | | |
| MY | Calendar due dates for motion/opposition due dates | 0.20 | 35.00 |
| Monday, October 26, 2020 | | | |
| MY | Office meeting with Lorien re: Update letter to PERS | 0.10 | 17.50 |
| MY | Watch hearing video and verify due dates NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Second office meeting with Marshal re: transcripts | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: transcripts | 0.10 | 17.50 |
| Wednesday, October 28, 2020 | | | |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum | 0.10 | 17.50 |
| MY | Prepare and submit Subpoena Duces Tecum [PERS] for service | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: email to Jesus | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: letter to PERS | 0.10 | 17.50 |
| MY | Prepare and submit letter to PERS for mailing re: subpoena duces tecum | 0.10 | 17.50 |
| MY | Prepare letter to PERS for service | 0.20 | 35.00 |
| MY | Prepare and submit letter and Subpoena Duces Tecum for mailing to Jesus Arevalo | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MSW | Instructions to staff. | 0.10 | 60.00 |
| Thursday, October 29, 2020 | | | |
| MY | Draft Certificate of Service | 0.10 | 17.50 |
| MY | Prepare and submit Certificate of Service for filing | 0.20 | 35.00 |
| MY | Calendar due date re: Subpoena Duces Tecum | 0.10 | 17.50 |
| Monday, November 2, 2020 | | | |
| MY | Office meeting with Lorien re: supplemental filing from Jesus Arevalo | 0.10 | 17.50 |
| LKC | Review supplemental reply filed by Jesus to determine how/if to respond, reviewed court minutes from last hearing, discussed with Mallory, determined his latest filing does not warrant a response and doing so would only increase client costs and not be necessary as Jesus failed to file the motion to recuse the Judge (so no opposition is required) and the lastest supplement addresses the vexatious litigant claims only. | 0.20 | 75.00 |
| Thursday, November 5, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Friday, November 6, 2020 | | | |
| MY | Office meeting with Marshal re: certification of transcript | 0.10 | 17.50 |
| MY | Office meeting with Justin re: transcripts NO CHARGE | 0.10 | N/C |
| MY | Save and upload transcripts to MyCase portal NO CHARGE | 0.40 | N/C |
| Monday, November 9, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Tuesday, November 10, 2020 | | | |
| MY | Office meeting with Lorien re: case status | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Telephone Conference with Dept. E re: hearing on November 19th | 0.10 | 17.50 |
| MY | Review and respond to email from Dept. E re: hearing on November 19th | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: hearing date | 0.10 | 17.50 |
| Thursday, November 12, 2020 | | | |
| MY | Review and respondt to email from Catherine re: hearing date/vacation time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: case status | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | | | |

Friday, November 13, 2020

| | | | |
|---|---|---|---|
| | | | |
| MY | Office meeting with Marshal and Lorien re: Motion for order to show cause | 0.10 | 17.50 |
| | | | |

Saturday, November 14, 2020

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|---|---|---|---|
| | | | |

Monday, November 16, 2020

| | | | |
|---|---|---|---|
| | | | |

Tuesday, November 17, 2020

| | | | |
|---|---|---|---|
| MY | Office meeting with Lorien and Marshal re: order from the court | 0.10 | 17.50 |
| MY | Read and save order from Dept. E NO CHARGE | 0.10 | N/C |
| MY | Email to Catherine re: order from Judge Hoskin | 0.10 | 17.50 |
| MY | Vacate/calendar upcoming hearing dates NO CHARGE | 0.10 | N/C |
| MY | Upload PERS documents to MyCase NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: disclosure | 0.10 | 17.50 |
| LKC | Reviewed the PERS subpoena information, gave instruction to Mallory to prepare a supplement, reached out to Marshal and Rick re: getting the arrears calculated. Discuss PERS arrears with Rick and get dates in question, send correspondence to client re: PERS and doing collections. | 0.30 | 112.50 |

Wednesday, November 18, 2020

| | | | |
|---|---|---|---|
| MY | Read email between Lorien and Cat re: collections NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, November 19, 2020 | | | |
| | | | |
| Monday, November 23, 2020 | | | |
| | | | |
| Monday, November 30, 2020 | | | |
| | | | |
| Tuesday, December 1, 2020 | | | |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Draft letter to Jesus Arevalo re: subpoena response | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: subpoena response from PERS | 0.10 | 17.50 |
| Wednesday, December 2, 2020 | | | |
| MY | Office meeting with Lorien re: motion for contempt | 0.10 | 17.50 |
| MY | Begin drafting Motion for Order to Show | 0.50 | 87.50 |
| LKC | Meeting with Asst attorney Bower re: all pending actions: letter, collections, and motion for further contempt and indemnification QDRO, detailed all next steps and reviewed and pulled information. | 0.40 | 150.00 |
| DB | Office conference with Attorney Lorien, Re: next steps in collecting arrears owed to client. No charge per the Firm Administrator. NO CHARGE | 0.70 | N/C |
| Thursday, December 3, 2020 | | | |
| DB | Draft EDCR 5.501 Letter of Notice for Motion to collect arrears | 1.00 | 250.00 |
| Friday, December 4, 2020 | | | |
| DB | Continue draft EDCR 5.501 Letter of Notice for Motion to collect arrears NO CHARGE | 0.50 | N/C |
| MY | Office meeting with Lorien and Darcy Bower re: letters to Jesus Arevalo | 0.10 | 17.50 |
| LKC | Reviewed 5.501 letter and provided comments. | 0.10 | 37.50 |
| Monday, December 7, 2020 | | | |
| MY | Read email from Darcy re: changes to letter to Jesus Arevalo NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: 5.501 letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: changes to letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Edit Demand Letter to Jesus Arevalo re: arrears | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| LKC | Review and edit the letter to Jesus Arevalo demanding payment of all obligations, sent to Mallory to serve. Discuss next steps re: collections and drafting the motion. | 0.20 | 75.00 |
| DB | Review and edit EDCR 5.501 letter to opposing party NO CHARGE | 1.30 | N/C |
| Tuesday, December 8, 2020 | | | |
| MY | Prepare and submit letter to Jesus Arevalo re: send pursuant to EDCR 5.501 | 0.20 | 35.00 |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick NO CHARGE | 0.70 | N/C |
| MY | Combine arrearage calculation to letter to Jesus Arevalo NO CHARGE | 0.10 | N/C |
| Wednesday, December 9, 2020 | | | |
| MY | Edit letter to Jesus Arevalo re: subpoena records | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: subpoean records | 0.10 | 17.50 |
| DB | Research/look through directory for Motion for Indemnification of QDRO to mirror NO CHARGE | 0.70 | N/C |
| Thursday, December 10, 2020 | | | |
| DB | Review case file prior to drafting Order to Show Cause documents NO CHARGE | 0.50 | N/C |
| DB | Review case file prior to drafting Order to Show Cause documents | 1.20 | 300.00 |
| DB | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Friday, December 11, 2020 | | | |
| DB | Draft Order to Show Cause documents | 0.40 | 100.00 |
| MY | Prepare and submit letter to Jesus Arevalo re: Subpoena response from PERs for e-service | 0.40 | 70.00 |
| Tuesday, December 15, 2020 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | | | |

Wednesday, December 16, 2020

| | | | |
|---|---|---|---|
| MY | Office meeting with Marshal re: letter from Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Our Family Wizard | 0.10 | 17.50 |
| MY | Read emails betwen Marshal and Catherine; Read emails between Marshal and Jesus Arevalo NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Marshal re: Our Family Wizard | 0.10 | 17.50 |
| MY | Email to Catherine re: Our Family Wizard username/password | 0.10 | 17.50 |
| MSW | Review and respond to Emails. Instructions to staff. | 0.90 | 540.00 |
| LKC | Time spent discussing the motion for contempt, review and respond re: demands to Jesus. | 0.10 | 37.50 |

Thursday, December 17, 2020

Friday, December 18, 2020

Monday, December 21, 2020

Tuesday, December 22, 2020

Thursday, December 24, 2020

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, December 25, 2020 | | | |
| MSW | Review and Revise contempt paperwork. Return for some further staff work. | 0.40 | 240.00 |
| Monday, December 28, 2020 | | | |
| Wednesday, December 30, 2020 | | | |
| DB | Edit Motion for OSC | 0.60 | 150.00 |
| Thursday, December 31, 2020 | | | |
| DB | Edits made to Order to Show Cause documents | 0.50 | 125.00 |
| MSW | Review and Revise contempt documents, second pass. | 1.10 | 660.00 |
| LKC | Edited the contempt motions/applications and added exhibits. | 0.30 | 112.50 |
| Wednesday, January 6, 2021 | | | |
| MY | Office meeting with Lorien re: Re-Notice of opposition and countermotion | 0.10 | 17.50 |
| MSW | Review and Revise contempt filings (final edits) and directions on vexatious litigant filing, etc. | 0.80 | 480.00 |
| Thursday, January 7, 2021 | | | |
| MY | Office meeting with Lorien re: Motion for Order to Show Cause | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine Delao re: Motion for Order to Show Cause | 0.10 | 17.50 |
| Friday, January 8, 2021 | | | |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| Monday, January 11, 2021 | | | |
| MY | Office meeting with Lorien re: motion for contempt | 0.10 | 17.50 |
| MY | Email to Cat re: signed declaration | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: signed declaration from Catherine | 0.10 | 17.50 |
| Tuesday, January 12, 2021 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Wednesday, January 13, 2021 | | | |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| LKC | Updated motion to include another claim for medical bills, added to the ex parte application and proposed order, discussed with Cat, did MLAW calculation for some of the arrears. | 1.00 | 375.00 |
| Thursday, January 14, 2021 | | | |
| MY | Office meeting with Lorien re: Motion for filing | 0.10 | 17.50 |
| MY | Draft Exhibits to Motion for Order to Show Cause, et. al. | 0.40 | 70.00 |
| MY | Office meeting with Lorien re: exhibits to motion for order to show cause | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Edit to Motion for Order to Show Cause | 0.10 | 17.50 |
| Friday, January 15, 2021 | | | |
| MY | Edit Exhibits to Motion for Order to Show Cause; Edit Motion for Order to Show Cause | 0.20 | 35.00 |
| MY | Prepare and submit Motion for Order to Show and corresponding exhibits for filing | 0.30 | 52.50 |
| MY | Read emails between Lorien and Catherine re: taxes NO CHARGE | 0.10 | N/C |
| MY | Calendar hearing/due dates for Jesus' motion to reconsider December 28, 2020, rder, et. al. | 0.10 | 17.50 |
| MY | Edit Ex Parte Application for Order to Show Cause | 0.10 | 17.50 |
| MY | Prepare and submit Ex Parte Application for an Order to Show Cause, et. al. for filing | 0.30 | 52.50 |
| Wednesday, January 20, 2021 | | | |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Notice of Hearing | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: Notice of Hearing | 0.10 | 17.50 |
| MY | Draft Notice of Hearing | 0.10 | 17.50 |
| MY | Prepare and submit Notice of Hearing for filing | 0.20 | 35.00 |
| LKC | Review and sign notice of hearing; edit same. | 0.10 | 37.50 |
| Friday, January 22, 2021 | | | |
| Monday, January 25, 2021 | | | |
| MY | Office meeting with Lorien re: motion for order to show cause | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: amended motion | 0.10 | 17.50 |
| MY | Edit Motion for Order to Show Cause; Edit Exhibits for Motion for Order to Show Cause; Edit Proposed Order to Show Cause NO CHARGE | 0.10 | N/C |
| MY | Prepare and re-submit amended motion; amended exhibits; and order to show cause NO CHARGE | 0.20 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Second office meeting with Lorien re: amended motion | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Marshal re: vexatious litigant | 0.10 | 17.50 |

Tuesday, January 26, 2021

| | | | |
|---|---|---|---|
| MY | Prepare and submit Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order for filing | 0.30 | 52.50 |
| MY | Prepare and submit Order to Show Cause for Judge's signature | 0.20 | 35.00 |
| MY | Email to Dept. E Law Clerk re: courtesy copy of Ex Parte Application for Order to Show Cause, et. al. | 0.10 | 17.50 |
| MY | Office meeting with Marshal and Lorien re: case status | 0.10 | 17.50 |
| MY | Draft Amended Certificate of Service | 0.10 | 17.50 |
| MY | Prepare and submit Amended Certificate of Service | 0.20 | 35.00 |

Wednesday, January 27, 2021

| | | | |
|---|---|---|---|
| MY | Calendar hearing date for Motion for Order to Show Cause | 0.10 | 17.50 |

Monday, February 1, 2021

| | | | |
|---|---|---|---|
| MY | Office meeting with Lorien re: case status | 0.10 | 17.50 |
| MY | Read emails between Lorien; Catherine; and Marshal re: Jesus' request for extension NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Tuesday, February 2, 2021 | | | |
| MY | Draft Re-Notice of Opposition and Countermotion for Vexatious Litigant | 0.20 | 35.00 |
| Wednesday, February 3, 2021 | | | |
| MY | Review and respond to email from Catherine re: hearing dates | 0.10 | 17.50 |
| Monday, February 8, 2021 | | | |
| MY | Office meeting with Lorien re: reply | 0.10 | 17.50 |
| Tuesday, February 9, 2021 | | | |
| MY | Begin drafting Opposition to Motion to Open Discovery and Related Relief | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: Opposition to Motion to Open Discovery and Related Relief | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| Thursday, February 11, 2021 | | | |
| MY | Begin drafting Reply to Opposition to Motion for Order to Show Cause, et. al. | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: Reply to Motion for Order to Show Cause | 0.10 | 17.50 |
| Sunday, February 14, 2021 | | | |
| MSW | Review and Revise Opposition to motion and reply to opposition. Associated emails. | 1.80 | 1,080.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Tuesday, February 16, 2021 | | | |
| MY | Office meeitng with Marshal re: Jesus' Financial Disclosure Form | 0.10 | 17.50 |
| MY | Read emails between Marshal and Catherine re: reply NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Marshal re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Second office meeting with Marshal re: reply | 0.10 | 17.50 |
| MY | Review and respond to email to Catherine re: hearing video | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Re-Notice of Motion | 0.10 | 17.50 |
| MY | Update address file NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | | | |

Wednesday, February 17, 2021

| | | | |
|---|---|---|---|
| | | | |
| MY | Review and respond to email from Dept. E re: Order to Show Cause | 0.10 | 17.50 |
| MY | Prepare and submit Order to Show Cause, et. al. for Judge's signature | 0.20 | 35.00 |
| MY | Email to Dept. E re: Ex Parte Application for Order to Show Cause | 0.10 | 17.50 |

Thursday, February 18, 2021

| | | | |
|---|---|---|---|
| | | | |
| MY | Second office meeting with Marshal re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| | | | |

Friday, February 19, 2021

| | | | |
|---|---|---|---|
| MY | Email to Cat re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Cat's Financial Disclosure Form | 0.10 | 17.50 |
| MY | Proofread Reply to Opposition to Motion for Order to Show Cause | 0.20 | 35.00 |
| | | | |
| MSW | Review and Revise current motion filings; circulate and instruct | 1.20 | 720.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | filing. | | |
| Monday, February 22, 2021 | | | |
| MY | Message with Cat re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit opposition to motion to open discovery et. al. | 0.20 | 35.00 |
| MY | Email to Catherine re: reply & opposition | 0.10 | 17.50 |
| MY | Save documents from Catherine NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Draft Financial Disclosure Form | 0.40 | 70.00 |
| MY | Office meeting with Marshal and Lorien re: changes to opposition/Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Opposition to Motion to Open Discovery; and Reply to Opposition to Motion for Order to Show Cause, et. al., for filing | 0.40 | 70.00 |
| MY | Email to Sara Kopjo re: Order to Show Cause | 0.10 | 17.50 |
| MY | Telephone Conference with Dept. E re: Order to Show Cause | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal and Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: filing reply and opposition | 0.10 | 17.50 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: proofreading opposition | 0.10 | 17.50 |
| MY | Second Telephone Conference with Dept. E re: Order to Show Cause | 0.10 | 17.50 |
| LKC | Conference with Mallory re Financial Disclosure Form, review same. | 0.10 | 37.50 |
| MSW | Review and respond to Emails. | 0.10 | 60.00 |
| Tuesday, February 23, 2021 | | | |
| | | | |
| MY | Office meeting with Lorien re: Cat's Financial Disclosure Form | 0.10 | 17.50 |
| MY | Second office meeting with Trevor re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit Amended Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: cancelling submission of Financial Disclosure Form | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MSW | Review and Revise filings; associated emails. | 0.10 | 60.00 |
| LKC | Meeting with staff re the social security issues, edited the amended Financial Disclosure Form and circulated for approval. | 0.50 | 187.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| TMC | Office conference with Ms. Cole concerning amendments to Financial Disclosure Form and potential impact of Social Security death benefits on child support; amend Financial Disclosure Form accordingly and circulate for review. | 0.60 | 240.00 |
| Wednesday, February 24, 2021 | | | |
| MY | Office meeting with Lorien re: Re-Notice of Motion | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: hearing rescheduled | 0.10 | 17.50 |
| MY | Draft Ex Parte Application for Order to Show Cause for Marshal's review | 0.30 | 52.50 |
| MY | Edit Re-Notice of Opposition and Countermotion, et. al., | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: re-notice of countermotion | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit Re-Notice of Opposition and Countemotion, et. al. | 0.10 | 17.50 |
| MY | Edit Certificate of Service | 0.10 | 17.50 |
| MY | Edit Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form; and Re-Notice of Defendant's Opposition to "Motion to Hold Defendant and her Attorney Marshal S. Willick, Esq., in Contempt of Court; for Sanctions; Award of Fees and Costs; and Related Relief" and Countermotion for lIsting as a Vexatious Litigant and Related Relief, and for Attorney's Fees and Costs for filing | 0.30 | 52.50 |
| MY | Office meeting with Lorien and Marshal re: Order to Show Cause | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Order to Show Cause | 0.10 | 17.50 |
| MSW | Emails re: Financial Disclosure Form after reviewing revisions. | 0.30 | 180.00 |
| LKC | Respond again to Mr. WIlick and team re the Social Security issue to ensure the Financial Disclosure Form is accurate. | 0.10 | 37.50 |
| Thursday, February 25, 2021 | | | |
| MY | Prepare and submit Order to Show Cause; Ex Parte Application for Order to Show Cause for service on Jesus Arevalo | 0.20 | 35.00 |
| MY | Prepare and submit Notice of Entry of Order Show Cause for filing | 0.20 | 35.00 |
| Friday, February 26, 2021 | | | |
| MY | Office meeting with Marshal re: service of Order to Show Cause | 0.10 | 17.50 |
| Tuesday, March 2, 2021 | | | |
| MY | Telephone Conference with Junes Legal Service re: service of Order to Show Cause | 0.10 | 17.50 |
| MY | Telephone Conference with process server: re: service of Order to Show Cause on Jesus Arevalo | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Telephone Conference with Catherine re: service on Jesus Arevalo | 0.10 | 17.50 |
| MY | Second Telephone Conference with the process server re: service of Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien and Marshal re: service of Order to Show Cause on Jesus | 0.10 | 17.50 |
| | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Telephone Conference with Clerk of Court re: Re-Notice of Opposition and Countemotion | 0.40 | 70.00 |
| MY | Office meeting wiith Lorien re: Telephone Conference with Clerk of Court | 0.10 | 17.50 |
| | | | |
| MY | Second Telephone Conference with Clerk of Court re: countermotion for vexatious litigant | 0.20 | 35.00 |
| MY | Begin drafting Motion to List Plaintiff as Vexatious Litigant | 0.20 | 35.00 |
| MY | Review and respond to email from Cat re: serving Jesus at visitation exchange | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: providing process server with Cat's cell phone number | 0.10 | 17.50 |
| MY | Telephone Conference with Process Server re: serving Jesus at McDonald's | 0.10 | 17.50 |
| Wednesday, March 3, 2021 | | | |
| MY | Telephone Conference with the Process Server re: Jesus Arevalo served with the Order to Show Cause | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email from Jesus | 0.10 | 17.50 |
| MY | Read OFW messages between Catherine and Jesus re: visitation exchanges NO CHARGE | 0.30 | N/C |
| MY | Finish shelling Motion to List Plaintiff as Vexatious Litigant for Marshal's review | 0.60 | 105.00 |
| | | | |
| Friday, March 5, 2021 | | | |
| MY | Prepare and submit Affidavit of Service for filing | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: Affidavit of Service | 0.10 | 17.50 |
| Saturday, March 6, 2021 | | | |
| MSW | Review and Revise vexatious litigant motion. Circulate for comments; associated emails. | 0.40 | 240.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 0.50 | N/C |
| Monday, March 8, 2021 | | | |
| MY | Proofread and edit Motion to List Plaintiff as Vexatious Litigant, et. al. | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Draft cover sheet for Motion to List PLaintiff as Vexatious Litigant | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Motion | 0.10 | 17.50 |
| MY | Prepare and submit Defendant's Motion to List Plaintiff as a Vexatious Litigant and Related Relief, and for Attorney's Fees and Costs for filing | 0.20 | 35.00 |
| MY | Prepare and submit Motion to List Plaintiff as Vexatious Litigant for mailing to Jesus Arevalo | 0.20 | 35.00 |
| MSW | Review and respond to Emails; review/annotate most recent submissions. | 0.10 | 60.00 |
| Tuesday, March 9, 2021 | | | |
| MY | Edit Ex Parte Application for Order Shortening Time | 0.20 | 35.00 |
| MY | Edit the Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Ex Parte Application for Order Shortening Time | 0.10 | 17.50 |
| MSW | Review flurry of filings; review/revise ex parte applications for OST, etc. | 0.30 | 180.00 |
| Wednesday, March 10, 2021 | | | |
| MY | Prepare and submit Order Shortening Time for Judge’s signature | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: Order Shortening Time | 0.10 | 17.50 |
| MY | Email to Dept. E re: Ex Parte Application for Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Order Shortening Time | 0.10 | 17.50 |
| MY | Update calendar for hearings on March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Order Shortening Time | 0.10 | 17.50 |
| MY | Review and respond to email from Cat re: Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Order Shortening Time | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Decision and Order | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Decision and Order | 0.10 | 17.50 |
| MY | Second office meeting with Marshal re: Decision and Order | 0.10 | 17.50 |
| Friday, March 12, 2021 | | | |
| MY | Shell Reply to Opposition to Motion to List Plaintff as Vexatious Litigant Marshal's review | 0.20 | 35.00 |
| Monday, March 15, 2021 | | | |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| Wednesday, March 17, 2021 | | | |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Update calendar with bluejeans meeting information | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, March 19, 2021 | | | |
| MY | Office meeting with Marshal re: pleadings for hearing on March 23, 2021 | 0.40 | 70.00 |
| Tuesday, March 23, 2021 | | | |
| MY | Office meeting with Lorien re: schedule of arrears | 0.10 | 17.50 |
| MY | Attend hearing on March 23, 2021 | 1.30 | 227.50 |
| MY | Office meeting with Marshal and Lorien re: Hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Request hearing video from March 23, 2021 | 0.10 | 17.50 |
| MSW | Prepare for and attend hearing in Dept. E. | 1.20 | 720.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| LKC | Conference with Mallory re: arrears and interest, discuss the same with Marshal, make a plan for the requests for arrears. Review and respond to Marshal during the hearing re questions on the FDF. | 0.20 | 75.00 |
| Wednesday, March 24, 2021 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Request transcript from March 23, 2021 | 0.20 | 35.00 |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Download and save transcript from March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: transcript from March 23, 2021 | 0.10 | 17.50 |
| Thursday, March 25, 2021 | | | |
| MY | Begin preparing Order from March 23, 2021, Hearing | 0.20 | 35.00 |
| MY | Begin drafting Memorandum of Fees and Costs | 0.30 | 52.50 |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| Monday, March 29, 2021 | | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Tuesday, March 30, 2021 | | | |
| Wednesday, March 31, 2021 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, April 1, 2021 | | | |
| | [redacted] | | |
| Friday, April 2, 2021 | | | |
| | [redacted] | | |
| Wednesday, April 14, 2021 | | | |
| | [redacted] | | |
| Thursday, April 15, 2021 | | | |
| | [redacted] | | |
| Tuesday, April 20, 2021 | | | |
| MY | Draft Order from March 23, 2021 | 0.40 | 70.00 |
| | [redacted] | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| | [redacted] | | |
| Monday, May 3, 2021 | | | |
| MY | Office meeting with Lorien re: Memorandum of Fees and Costs | 0.10 | 17.50 |
| Thursday, May 6, 2021 | | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: billing | 0.10 | 17.50 |
| | [redacted] | | |
| LKC | Drafted the Order from the March 23, 2021, went through entire transcript to make sure the orders were complete, sent to Jesus to review. | 1.80 | 720.00 |

Summary of Services

| | | | | | |
|---|---|---|---|---|---|
| DB | Darcy Bower | 6.50 hrs | @ 0.00 | | N/C |
| DB | Darcy Bower | 6.60 hrs | @ 250.00 | $ | 1,650.00 |
| LKC | Lorien K. Cole | 5.20 hrs | @ 375.00 | $ | 1,950.00 |
| LKC | Lorien K. Cole | 2.80 hrs | @ 400.00 | $ | 1,120.00 |
| MSW | Marshal S. Willick | 20.10 hrs | @ 600.00 | $ | 12,060.00 |
| MSW | Marshal S. Willick | 6.80 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 11.90 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 52.60 hrs | @ 175.00 | $ | 9,205.00 |
| RLC | Rick L. Crane | 2.10 hrs | @ 400.00 | $ | 840.00 |
| TMC | Trevor M. Creel | 0.60 hrs | @ 400.00 | $ | 240.00 |
| | Unspecified atty | 0.10 hrs | @ 0.00 | | N/C |

Total Professional Services $ 27,065.00

Costs and Disbursements

| Date | Description | Amount |
|---|---|---|
| 08/25/20 | Efiling of document(s): Notice of Entry of Qualified Domestic Relations Order | 3.50 |
| 09/16/20 | Efiling of document(s): Opposition [Motion for OSC] | 3.50 |
| 09/16/20 | Efiling of document(s): Motion for Order to Show Cause | 28.75 |
| 10/05/20 | Efiling of document(s): Notice of Entry of Order from 8/13/20 Hearing | 3.50 |
| 10/09/20 | Efiling of document(s): Amended General Financial Disclosure Form | 3.50 |
| 10/29/20 | Efiling of document(s): Certificate of Service | 3.50 |
| 01/15/21 | Efiling of document(s): Defendant's Motion for Order to Show Cause why Plaintiff Should Not Be Held in Contempt of Court for Failure to Abide by the Court's February 19, 2020, Order and May 6, 2020 Order and Motion for Idemnification of Plaintiff's Qualified Domestic Relations Order; Exhibits to Defendant's Motion | 3.50 |
| 01/19/21 | Efiling of document(s): Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order | 3.50 |
| 01/20/21 | Efiling of document(s): Notice of Hearing | 3.50 |
| 01/25/21 | Efiling of document(s): Exhibits to Amended Motion | 3.50 |
| 01/26/21 | Efiling of document(s): Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order | 3.50 |
| 02/22/21 | Efiling of document(s): Opposition and Countermotion re "Motion to Open Discovery and Related Relief"; Reply to "Opposition to Defendant's Motion for Order to Show Cause" | 3.50 |
| 02/24/21 | Efiling of document(s): Re-Notice of Opposition to "Motion to Hold Defendant | 3.50 |

| Date | Description | Amount |
|---|---|---|
| | in Contempt of Court; Amended Financial Disclosure Form | |
| 02/25/21 | Efiling of document(s): Notice of Entry of Order to Show Cause | 3.50 |
| 03/05/21 | Efiling of document(s): Affidavit of Service | 3.50 |
| 03/08/21 | Efiling of document(s): Motion to List Plaintiff as a Vexatious Litigant | 3.50 |
| 03/10/21 | Efiling of document(s): Ex Parte Application for Order Shortening Time | 3.50 |
| 03/10/21 | Efiling of document(s): Notice of Entry of Order Shortening Time; Notice of Entry of Decision and Order | 3.50 |
| 03/15/21 | Junes Legal Service: Personal service on Jesus Arevalo of Order to Show Cause documents; EP167787 | 50.80 |
| 03/25/21 | Rev.com: transcription of 3/23/21 Hearing | 60.00 |
| | Total Costs and Disbursements | $ 247.05 |
| TOTAL NEW CHARGES | | $ 27,312.05 |

PREBILL FOR FILE 19-078.UNBUNDPOST PREPARED 05/14/21 FOR ACTIVITY FROM 08/14/20 THROUGH 05/14/2

Ms. Catherine Delao

Home Phone: (702)
Business Phone: (702)
Fax Number: (702)
Cell Phone: (702)

| Ref # | Date | Atty | Description | Hours | Rate | Amount |
|---|---|---|---|---|---|---|
| 641765 | 05/11/21 | MY | Office meeting with Marshal re: Order from the Court | 0.10 | 175 | 17.50 |
| 641825 | 05/11/21 | LKC | Responded to Jesus re: changes to the order, reviewed the scheduling order and comments re same, drafted a letter to the department with the order. | 0.30 | 400 | 120.00 |
| 641934 | 05/12/21 | MY | Office meeting with Lorien re: Memorandum of Fees and Costs | 0.10 | 175 | 17.50 |
| 642053 | 05/13/21 | LKC | Review and respond to Jesus on his multiple questions/changes to the order. Explain over and over to Jesus the order and send him the transcript multiple times. | 0.20 | 400 | 80.00 |
| 642054 | 05/13/21 | LKC | Redacted billing and drafted memo of fees and costs. | 1.50 | 400 | 600.00 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 642055 | 05/13/21 | MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 175 | 17.50 |
| 642072 | 05/13/21 | MY | Office meeting with Lorien re: billing | 0.10 | 175 | 17.50 |

Summary of Services

| | | | | | |
|---|---|---|---|---|---|
| LKC | Lorien K. Cole | 2.30 hrs | @ 400.00 | $ | 920.00 |
| MSW | Marshal S. Willick | 0.40 hrs | @ 600.00 | $ | 240.00 |
| MY | Mallory Yeargan | 0.10 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 0.90 hrs | @ 175.00 | $ | 157.50 |

Total Professional Services 3.70 $ 1,317.50

TOTAL NEW CHARGES $ 1,317.50

PAYMENTS AND CREDITS

Applied from Retainer to fee charges -1,317.50

Total Payments and Credits $ -1,317.50

Retainer Account

Retainer Balance Forward $ 4,308.20

05/14/21 Applied from Retainer to fee charges -1,317.50

New Retainer Account Balance $ 2,990.70

Please remit an additional $2009.30 to replenish your retainer account balance

SUMMARY OF ACCOUNT

| | |
|---|---|
| Balance Forward | $ 0.00 |
| Total New Charges | 1,317.50 |
| Payments, credits, and/or retainer used | -1,317.50 |
| Additional Retainer Due | $ 2,009.30 |
| **TOTAL AMOUNT DUE** | **$ 2,009.30** |

| | |
|---|---|
| Total Hours to Date | 271.30 |
| Total Fees Case to Date | 65,795.00 |
| Total Costs Case to Date | 557.80 |
| Total Payments Case to Date | 66,227.80 |
| Total Credits Case to Date | 125.00 |

Email addresses: [staff member's first name]@willicklawgroup.com
Be well; stay safe.

# 4

4

ELECTRONICALLY SERVED
5/19/2021 9:26 AM

Electronically Filed
05/19/2021 9:26 AM
CLERK OF THE COURT

**ORDR**
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 2515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorney for Defendant

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

| | |
|---|---|
| JESUS LUIS AREVALO,<br>Plaintiff,<br>vs.<br>CATHERINE AREVALO<br>n/k/a CATHERINE DELAO,<br>Defendant. | CASE NO: D-11-448514-D<br>DEPT. NO: E<br><br>DATE OF HEARING:<br>TIME OF HEARING: |

## ORDER FROM MARCH 23, 2020 HEARING

This matter came on for hearing on March 23, 2021, before the Honorable Charles Hoskin, District Court Judge, Family Division, Department E. Plaintiff, Jesus Arevalo, was present in proper person, Defendant, Catherine Delao, was present and represented by counsel, Marshal S. Willick, Esq., of the WILLICK LAW GROUP.

The Court, having reviewed the pleadings and papers filed herein, after hearing argument of counsel, made the following findings and orders as follows:

*****

**THE COURT HEREBY FINDS:**

1. This case is still on appeal, which limits the Court's jurisdiction regarding what it can or cannot do. The Court does have the ability to indicate that it's inclined to take certain action that may have an effect on the appeal.
2. The decisions the Court made today are either going to be deferred based upon that appeal, or they are going to be indications that the Court is inclined to grant certain relief or deny certain relief that can be taken up under *Honeycutt* and can be remanded back if the appellate courts believe they'd like the Court to deal with those kinds of issues.
3. Jesus asks to reopen discovery due to an allegation that Catherine did not list the $2,130 she is receiving, but those funds were listed on her *Financial Disclosure Form*. Therefore, the Court cannot find a basis to go on a fishing expedition with regard to income if that is the only argument to reopen discovery for that purpose. Therefore, the request to reopen discovery in the middle of an appeal is denied.
4. The Court has no idea what it would set trial on, so the request to set a trial is denied.
5. One of the pending *Motions* wanted the Court to acknowledge the statute of limitations with regard to the pension, to stay the collection pending appeal, to stay the QDRO pending appeal. All of those were decided previously, and are being re-argued in the middle of an appeal where those issues are on appeal. So, regarding the list of the findings the Court needs to make with regard to vexatious litigant, these are how the litigant's actions constitute vexatiousness.
6. The frivolous and harassing nature of the ongoing and continuous requests for relief that have either already been resolved by the Court, or have been resolved by the Court and are currently pending on appeal. It continues to



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come back before the court for those kinds of issues. So, all of that is denied, just as it was back in August 2020, which was another indication. So the Court is inclined to deny all of that relief moving forward.

7. With regard to the *Countermotion* to declare Jesus a vexatious litigant, the requirement for "reasonable notice" has been satisfied. October, 2020 until today's date was where we are looking at as far as notice is concerned, on whether Jesus is vexatious. Certainly, he has had an opportunity to oppose that for that entire time frame.

8. Jesus is arguing that the motion was on an *Order Shortening Time*, but the *Motion* has been pending since before the motion to disqualify was filed. So certainly, there has been plenty of notice as far as the orders are concerned.

9. As the Court has indicated at almost every hearing, this case has been so over-litigated and certainly, the argument that Catherine is litigating it as well.

10. If what Catherine is asking for is a show cause to hold Jesus in contempt for not complying with court orders, that doesn't constitute vexatiousness, especially when Jesus continues to not comply with court orders. So, as far as that is concerned, the record is clear.

11. The argument that Jesus was denied his rights because he wasn't given enough opportunity to do the things that he should have been able to do is belied by the previous record in this case. The Court is not going to relitigate that record, because we have done it too many times in the past, and certainly the record is what it is, and the Court has no problem with that record.

12. While the Court is inclined to declare Jesus vexatious, what that results in is his inability to simply straight file any documents with the Court. Any motions or relief that he is looking to request can still be submitted, but they are submitted to chambers for approval or disapproval prior to them being filed



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and requiring Catherine to respond. So, that is how the Court is inclined to narrowly tailor to allow Jesus to still exercise the rights that he's guaranteed to obtain relief. What we are trying to do is limit the effect it has on litigation and on the other party. The Court is inclined to grant that request.

13. With regard to the show cause, the Court did issue an *Order to Show Cause*. As far as the life insurance, Jesus is in violation, it has been litigated over and over and over again, and it is a clear *Order* that has not been complied with. The question is whether there's willful lack of compliance. While the Court would agree that Jesus does not currently have an ability to make that happen, over the last many, many years that order has been put in place, he did have the ability. So, the Court is inclined to find Jesus in contempt for failure to carry that life insurance policy that he was ordered to carry so many years ago, and an order that was not challenged until recently.

14. As far as the reimbursed medical expenses, that list has been provided, and there is a 30/30 rule in place. The Court has some concerns with regard to the willfulness in order to make that finding. So while those obligations continue, and it appears that they have not been complied with, the Court cannot find contempt based upon the current financial circumstance that Jesus finds himself in.

15. With regard to the fees awards, as the Court indicated previously, they have already been reduced to judgment and can be executed upon. The Court is not sure it's appropriate to find contempt once an amount has been reduced to judgment. It plays in similarly with regard to the pension arrears. Certainly, those are appropriate. They are going to be bearing interest, but the Court does not think it can find contempt with regard to that. Certainly, the Court cannot



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sanction with incarceration because Jesus is not represented by counsel under the *Davis* case.

16. Sanctions are appropriate, and although they may be uncollectible, I think the sanctions for the attorney's fees, should be awarded. This will require Mr. Willick an affidavit of fees and costs, and an *Affidavit of Fees and Costs*, a *Brunzell Affidavit,* and a blank in an *Order* for the Court to include an award of fees that the Court will as Mr. Willick to prepare.

17. As far as the indemnification QDRO, while the Court would be inclined to consider that relief, it does not think it is able to do so with the pendency of the appeal, so the Court is inclined, and it can be deferred pending a determination of whether the Supreme Court would like this Court to go forward with that.

18. As far as the request to modify child support, it does appear under the financial information that the Court has before it currently that it is appropriate for the court to review child support. It looks like there is more than a 20% swing since the April 2020 *Financial Disclosure Forms* were filed. If child support was reviewed, the Court would be inclined to modify the child support. Based on the financial information, gross monthly income of Catherine is $4,116.00. The gross monthly income of Jesus is $2518.00. Applying NAC 425 would result in child support of $255.00 a month to Jesus, and the Court is inclined to make that modification, but doesn't know that it has the ability with the pendency of the appeal, but certainly that can be taken up to the appellate courts, and they can make that determination at that point.

19. Certainly, the parties need to share in out-of-pocket costs, including premiums for the support of the child, and that is an offset that needs to be applied.



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20. If no one gets a *Honeycutt Order*, the Court would entertain an accounting *Motion* to go over all the potential offset issues at the time of the conclusion of the appeal if there is not a partial remand for that purpose.

21. Under NAC 425.025, a benefit on behalf the child is not calculated as part of income for calculation for child support.

**THE COURT IS INCLINED TO ORDER THE FOLLOWING:**

1. Jesus's *Motion for Discovery on Defendant's Income* is denied.
2. Jesus's request to set the matter for trial is denied.
3. Jesus's request for the Court to acknowledge the statute of limitations with regard to the pension is denied.
4. Jesus's request for the Court to stay the collection pending appeal is denied.
5. Jesus's request for the Court to stay the QDRO pending appeal is denied.
6. Catherine's *Countermotion* to declare Jesus a "vexatious litigant" is granted for filings made between October, 2020 to today's hearing. Jesus shall be unable to directly file any documents with the Court. All of Jesus's requests for relief (in the form of documents submitted to the court in any form) must be submitted to chambers for approval or disapproval prior to them being filed, and prior to requiring Catherine to respond.
7. With regard to Jesus's failure to carry a life insurance policy on himself pursuant to the *Decree of Divorce* filed February 26, 2013, and reiterated in the *Order from the May 6, 2020* hearing, as listed in the *Order to Show Cause* issued on February 24, 2021, Jesus is in contempt.
8. With regard to the unreimbursed medical expenses pursuant to the 30/30 rule, as listed in the *Decree of Divorce* filed February 26, 2013, and reiterated in the *Order from the May 6, 2020* hearing, as listed in the *Order to Show Cause*



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issued on February 24, 2021, the Court cannot find contempt based upon the current financial circumstance that Jesus finds himself in.

9. With regard to the fees awards, tax reimbursements and the PERS arrears, as listed in the *Order to Show Cause* issued on February 24, 2021, they have already been reduced to judgment, continue bearing interest, and can be executed upon.

10. Sanctions against Jesus are appropriate in the form of fees. The Willick Law Group shall submit an *Affidavit of Fees and Costs*, a *Brunzell Affidavit,* and a blank in an order for the Court to include an award of fees.

11. As far as the indemnification QDRO, the Court will not rule on that issue until the Supreme Court renders its decision on appeal.

12. As far as the request to modify child support, Jesus can take the request up to the appellate courts given the appeal is pending, and they can make that determination at that point.

13. The parties need to share in out-of-pocket costs, including premiums for the support of that child, and that is an offset that needs to be applied.

**THE COURT ORDERS THE FOLLOWING:**

14. Attorney's fees and costs are awarded from Jesus to Catherine in the amount of $_____, ~~due on or before~~ _____, and are reduced to judgment and collectible by all lawful means.

15. ~~Sanctions are awarded from Jesus to Catherine in the amount of $_____, due on or before _____, and are reduced to judgment and collectible by all lawful means.~~



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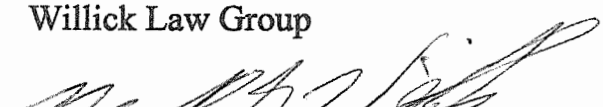
16. Mr. Willick is to prepare the *Order*.

Dated this 19th day of May, 2021

**C5A 87B 50A0 C08A**
**Charles J. Hoskin**
**District Court Judge**

Respectfully Submitted By:

Willick Law Group



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Attorney for Defendant

P:\wp19\DELAO,C\DRAFTS\00490001.WPD/my

Reviewed as to Form & Content

JESUS AREVALO
4055 Box Canyon Falls
Las Vegas, NV 89085



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(702) 438-4100

**CSERV**

DISTRICT COURT
CLARK COUNTY, NEVADA

| | |
|---|---|
| Jesus Luis Arevalo, Plaintiff<br><br>vs.<br><br>Catherine Marie Arevalo, Defendant. | CASE NO: D-11-448514-D<br><br>DEPT. NO. Department E |

**AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 5/19/2021

| | |
|---|---|
| Lorien Cole | lorien@willicklawgroup.com |
| Marshal Willick | marshal@willicklawgroup.com |
| Reception Reception | email@willicklawgroup.com |
| Mallory Yeargan | Mallory@willicklawgroup.com |
| Jesus Arevalo | wrath702@gmail.com |
| Jesus Arevalo | vinni702@yahoo.com |
| Charles Hoskin | deptelc@clarkcountycourts.us |

# 5

5

Electronically Filed
6/11/2021 11:04 AM
Steven D. Grierson
CLERK OF THE COURT

JESUS LUIS AREVALO
5612 N. Decatur Blvd. Ste 130
PO Box #321
Las Vegas, NV 89131
(702) 813-1829
Plaintiff in Proper Person

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

| | |
|---|---|
| JESUS LUIS AREVALO,<br>Plaintiff,<br>vs.<br>CATHERINE AREVALO,<br>Defendant. | Case No. D-11-448514-D<br>Dept No. E |

**PLAINTIFF'S BRIEF AFTER REMAND**

COMES NOW Plaintiff, in Proper Person, and respectfully files his Brief After Remand as follows:

**LIFE INSURANCE POLICY**

**1. Statute of Limitations as to Life Insurance Policy**

The court ordered that Plaintiff file a Life Insurance Policy at the hearing on 10/30/12, which was set forth in the Decree of Divorce dated 2/26/13.

Defendant raised the issue of Plaintiff failing to provide a life insurance policy in the motion dated January, 2020. The matter was heard on 2/19/20, and the Order from this Hearing was filed on 3/24/2020.

Pursuant to NRS 18.190(1)(a), the statute of limitations tolls in six (6) years. Plaintiff believes the Statute of Limitations has tolled. The Date of the Decree of Divorce [2/26/13] is more than six (6) years prior to the Motion raising the issue in January, 2020 - in fact it is seven (7) years after.

**2. Value of Life Insurance Policy if Court Determines the Statute of Limitations has not tolled.**

To evaluate a Life Insurance Policy, it is imperative that the value of the pension for which it is to secure be first determined.

The court must acknowledge that Plaintiff is retired due to a disability, and that his pension is reduced due to these facts.

Pursuant to the documents provided by Defendant, the total value of the PERS retirement earned during the marriage is $112,000. Thus, Defendant's portion would be approximately a total of $56,000.

However, 78.6% of Plaintiff's disability medical retirement pension is his sole and separate property, pursuant to *Powers v. Powers*, 779 P.2d 91 (1989). The holding in Powers was:

> Community property jurisdictions have generally determined that disability retirement benefits may contain two components....In the instant case, the district court determined that Robert's disability benefits contained two components, one of which was a retirement benefit.

In this case, there are two components. Retirement - the 78.6% disability portion = the community property retirement benefit that is subject to division.

Pursuant to this formula, Defendant's proportionate share after the 78.6% disability is around $12,000 total.

Exhibit "1" shows documents in support of the value of the pension, including page 50 from Defendant's Subpoenaed documents from PERS,

**Section III** shows the Benefit Calculation; and **Section VI** shows the Early Retirement Deduction.

**During your marriage you earned 3.8742 years of service credit. The estimated benefit to your former spouse is $92.64 as of December 1, 2012**

**VI. Early Retirement Reduction:**

**Benefit Minus Early Retirement Reduction: $2,408.98 - 78.60 % $ 515.52 Unmodified Option I**

This shows that Plaintiff's benefit was reduced by 78.6% due to the disability, which sum, likewise, is deducted from Defendant's award.

That is, Defendant's total lifetime benefit for this marriage was approximately $12,000. She was to receive this at the rate of $92.64 per month - according to the calculation only 10 months prior to retirement. Instead, based upon Defendant's calculations - baldly accepted by this court without any evidence whatsoever - which this court itself defined as accepted "because it was the only calculate presented" - the court executed a QDRO without Plaintiff's countersignature, not only wrongfully allowed Defendant access to Plaintiff's pension (See Exhibit "2"), but also awarding Defendant the monthly sum of $488.58.

Thus, it is appropriate that this court calculate Defendant's total benefit to date, and offset this sum from $12,000 to determine Defendant's remaining interest in Plaintiff's pension.

Further, upon finding the proper calculation for the Insurance, the court should correct the QDRO to reflect the appropriate calculation for Defendant's interest in the PERS pension, blindly signed by the court without allowing Plaintiff ten (10) days for review.

The court cannot properly calculate the value of the life insurance policy without considering NRS 125.155, which is written directly relating to PERS pensions.

**NRS 125.155** Pension or retirement benefit provided by Public Employees' Retirement System or Judicial Retirement Plan: Determination of value of interest or entitlement; disposition; termination of obligation to pay. Unless the action is contrary to a premarital agreement between the parties which is enforceable pursuant to chapter 123A of NRS or is prohibited by specific statute:

1. In determining the value of an interest in or entitlement to a pension or retirement benefit provided by the Public Employees' Retirement System pursuant to chapter 286 of NRS or the Judicial Retirement Plan established pursuant to NRS 1A.300, the court:

(a) Shall base its determination upon the number of years or portion thereof that the contributing party was employed and received the interest or entitlement, beginning on the date of the marriage and ending on the date on which a decree of legal separation or divorce is entered; and

(b) Shall not base its determination upon any estimated increase in the value of the interest or entitlement resulting from a promotion, raise or any other efforts made by the party who contributed to the interest or entitlement as a result of his or her continued employment after the date of a decree of legal separation or divorce.

2. The court may, in making a disposition of a pension or retirement benefit provided by the Public Employees' Retirement System or the Judicial Retirement Plan, order that the benefit not be paid before the date on which the participating party retires. To ensure that the party who is not a participant will receive payment for the benefits, the court may:

(a) On its own motion or pursuant to an agreement of the parties, require the participating party to furnish a performance or surety bond, executed by the participating party as principal and by a corporation qualified under the laws of this state as surety, made payable to the party who is not a participant under the plan, and conditioned upon the payment of the pension or retirement benefits. The bond must be in a principal sum equal to the amount of the determined interest of the nonparticipating party in the pension or retirement benefits and must be in a form prescribed by the court.

(b) On its own motion or pursuant to an agreement of the parties, require the participating party to purchase a policy of life insurance. The amount payable under the policy must be equal to the determined interest of the nonparticipating party in the pension or retirement benefits. The nonparticipating party must be named as a beneficiary under the policy and must remain a named beneficiary until the participating party retires.

(c) Pursuant to an agreement of the parties, increase the value of the determined interest of the nonparticipating party in the pension or retirement benefit as compensation for the delay in payment of the benefit to that party.

(d) On its own motion or pursuant to an agreement of the parties, allow the participating party to provide any other form of security which ensures the payment of the determined interest of the nonparticipating party in the pension or retirement benefit.

3. If a party receives an interest in or an entitlement to a pension or retirement benefit which the party would not otherwise have an interest in or be entitled to if not for a disposition made pursuant to this section, the interest or entitlement and any related obligation to pay that interest or entitlement terminates upon the death of either party unless pursuant to:

(a) An agreement of the parties; or

(b) An order of the court,

a party who is a participant in the Public Employees' Retirement System or the Judicial Retirement Plan provides an alternative to an unmodified service retirement allowance pursuant to NRS 1A.450 or 286.590.

**CHARTER SCHOOL ISSUE**

Pursuant to *Arcella v. Arcella*, 133 Nev. Adv. Op. 104, it is appropriate that the court chose which school is in the best interest of the child to attend when more than one school is at issue. In this matter, the parties share joint physical custody, and there is the issue of which parent has the better school district as the minor child advances to middle school. In addition, there is also the issue of CHARTER SCHOOLS.

Plaintiff has older children. He is aware of the ADVANTAGES of a Charter School in the Clark County Schools. This is Defendant's only child.

Plaintiff is also aware that, in hindsight, students are happy they had the opportunity to attend a Charter School, including Plaintiff's other children.

Defendant has no such point of reference and she adamantly desires the child to attend the school near her home, even through it is rated only THREE STARS.

The average middle school class is 45 students. The child's class prior to COVID19 had 38 students. See Exhibit "1," where teacher tells how many students in the class.

The average charter school class is 25 students. This is a conversation that is NECESSARY and is in THE BEST INTEREST OF THE CHILD.

Defendant had an education who is not a doctor evaluated for dyslexia - in spite of the fact that the child was never on the radar for a learning disability or behavioral issue in all his elementary school years, where he achieved A's, B's and C's. In his first year in middle school, with distance learning and all, he received 2 A's, 1 B and a C. Even if the child has dyslexia because the educator that wants to sell a $2,500

tutoring program, it appears the child has a handle on it.

Charter Schools follow the same rule as public schools IF a student has special needs. They have the 504 program to assist students with learning or other disabilities. Charter Schools also have smaller class sizes and more resources to help students that are struggling or have such disability.

The child has friends in the Charter School. His siblings at Plaintiff's home attend this school.

Further, it appears that Defendant will be relocating, as the owners of the home she is living in are likely going to take over the home. It is likely that Defendant will no longer be in the same school zone that she has the child in due to this court's refusal to consider the Charter School as he entered middle school.

It is well known that a charter school in middle school will help prepare the child for acceptance into a tech charter school for high school, which Plaintiff believes is of great importance.

Defendant resisted agreeing to sent the child to charter school SOLELY BECAUSE IT WAS PLAINTIFF'S IDEA. That is not appropriate grounds.

The factors to consider under *Arcella* are as follows:

(1) Wishes of the child, to the extent the child is of sufficient age and capacity to form an intelligent preference.

(2) The child's educational needs and each school's ability to meet them;

(3) The curriculum, method of teaching and quality of instruction at each school;

(4) The child's past scholastic achievement and predicted performance at each school;

(5) The child's medical needs and each school's ability to meet them;

(6) The child's extracurricular interests and each school's ability to satisfy

them;

(7) Whether leaving the child's current school would disrupt the child's academic progress.

(8) The child's ability to adapt to an unfamiliar environment;

(9) The length of commute to each school and other logistical concerns;

(10) Whether enrolling the child at a school is likely to alienate the child from a parent.

*In this case,* Plaintiff would indicate the following:

(1) Wishes of the child, to the extent the child is of sufficient age and capacity to form an intelligent preference.

The child is 10 years old, and would prefer to attend school with his siblings, from Plaintiff's residence, and to attend classes with his friends. He is on the wait list at **Somerset Skypointe**. This is especially true if Defendant moves out of the area.

(2) The child's educational needs and each school's ability to meet them;

The child is alleged to have dyslexia; however, he has had no bad grades or behavioral issues from this, so it must be mild. However, a Charter School has smaller classes to deal better with any special needs, and following the same rules using a 504 program if the child needs it.

(3) The curriculum, method of teaching and quality of instruction at each school;

Somerset Academy has developed a multi-tier system (management, assessment and instruction and professional development) that integrates technology within the core curriculum and achieves increased performance across all student populations and subgroups.

In high school, students have the opportunity for "dual enrollment" with CSN, to obtain a head start on college credits from Somerset Academy.

There is before and after school care.

Parents are informed weekly of events on line, rather than in the students backpack that may get to one or neither of the parties timely.

The students have chaperoned field trips annually.

The students learn to perform community service.

These are all advantages in Somerset Skypointe.

(4) The child's past scholastic achievement and predicted performance at each school;

The child has done well with no special needs at his prior schools. The smaller classes can only benefit him.

(5) The child's medical needs and each school's ability to meet them;

The child has no special medical needs to be addressed by either school.

(6) The child's extracurricular interests and each school's ability to satisfy them;

The child is not involved in extracurricular activities through the school.

(7) Whether leaving the child's current school would disrupt the child's academic progress.

Leaving the current school, after a year of COVID and distance learning, will not hurt the child.

(8) The child's ability to adapt to an unfamiliar environment;

The child has no issue adapting to a new school - especially when his siblings and friends also attend the school. Further, this charter school goes through 12th grade, so he would not need to change schools in the future.

(9) The length of commute to each school and other logistical concerns;

There are no restricting logistically issues as both parents are close to the school (unless Defendant moves far away to thwart this effort). Plaintiff is willing

to transport the child if necessary, because he is home full time.

(10) Whether enrolling the child at a school is likely to alienate the child from a parent.

Enrolling the child will NOT alienate the child from either parent.

**CHILD SUPPORT**

While the matter was pending Appeal, Plaintiff requested the court review child support due to the extremely significant changes in financial circumstances that occurred during the lengthy period of the appeal. The court indicated that it was "inclined" to modify the child support. Thereafter, the Decision came down from the Court of Appeals. Thus, Plaintiff herein desires that the court address the child support order, retroactive to the date Plaintiff filed his motion and the court acknowledged it was inclined to agree to such child support modification.

The record shows that in April, 2019, Defendant perjured herself on her FDF, showing only the $428 per week unemployment income, but omitting entirely the $540 per week COVID Federal unemployment benefit. However, not only did her FDF fail to include the $540 per week from the Federal Unemployment, but she also failed to show she was receiving $2,130 due to her husband's death per month; and $2,130 for the parties' child; she was also collecting an IBM pension benefit of $1,083 -totaling $5,342 per month to her husband's death benefit. Defendant's total monthly income from 4/19 - 9/19 with her unemployment income, was $9,654.40. See Exhibit "2" Thus it was WILLFUL FRAUD and PERJURY to omit all this income from her FDF.

Defendant's income from October, 2019 to March 23, 2021 is $6,396 per month. Defendant should have been paying Plaintiff child support in the monthly sum of $662,71 plus $69 per month for the child's medical insurance. This is not including the $2,130 that Defendant has been collecting for the minor child.

**ATTORNEY FEES**

While it is not completely unexpected that the court would just wash over the issue of attorney fees and allege that it considered the difference in income of the parties, it is clear the court did not. Had it done so, using the actual income of the parties as set forth above, it would be clear to the court that Defendant's income is two to three times that of Plaintiff. Now the court, without calculations, simply says it considered finances of the parties in making the award of attorney fees to rubber stamp its prior decision without any consideration for the actual income of the parties, or the fact that Plaintiff's Appeal had merit.

Plaintiff requests the court reconsider the attorney fees award, and indicate, using numbers, how it arrived at the sum presented, as it relates to the income of the parties.

**VEXATIOUS LITIGANT**

Plaintiff herein requests the court acknowledge that the Court of Appeals found MERIT in Plaintiff's appeal, and therefore the label of vexatious litigant, was, itself, vexatious. Plaintiff sought to address issues relating to his case that where completely within his rights to do. Therefore, restricting Plaintiff from exercising his rights with this court is inappropriate. Plaintiff respectfully requests this court acknowledge the validity of his appeal, as the Court of Appeals has done, and remove the vexatious litigant label at this time.

DATED and DONE this 11th day of June , 2021.

/s/ Jesus Luis Arevalo

JESUS LUIS AREVALO
Plaintiff in Proper Person

# PERS Documents
# Exhibit "1"

Public Employees' Retirement System of Nevada
693 W. Nye Lane, Carson City, NV 89703 (775) 687-4200, Fax (775) 687-5131
5820 S. Eastern Ave., Suite 220, Las Vegas, NV 89119 (702) 486-3900, Fax (702) 678-6934
7455 W. Washington Ave., Suite 150, Las Vegas, NV 89128 (702) 486-3900, Fax (702) 304-0697
Toll Free 1-866-473-7768 Website www.nvpers.org

# Estimate Calculation for Service Retirement

**I. Member Information:**

Jesus L Arevalo | SSN: xxx-x | Date of Birth: 08/14/1977

**II. Beneficiary Information:**

Catherine Arevalo | Relationship: Beneficiary | Date of Birth: 08/03/1976

**III. Benefit Calculation Effective Dates and Special Notations:**

Termination Date: 11/30/2012
Retirement Date: 12/01/2012

Your benefit has been reduced from age 55 for early retirement.
Your service credit has been projected based on fulltime employment. Service credit is not earned for any periods of leave taken without pay.
Questions concerning insurance coverage and/or premiums should be addressed to your employer or the administrator of your plan.
During your marriage you earned 3.8742 years of service credit. The estimated benefit to your former spouse is $92.64 as of December 1, 2012.

**IV. Benefit Calculation Formula:**

Total Service Credit Earned before July 1, 2001 X 2.5% = Service Time Factor.
Total Service Credit Earned after July 1, 2001 X 2.67% = Service Time Factor.
Total of Service Time Factors X Average Monthly Compensation (36 Highest Consecutive Months of Salary) = Service Retirement Allowance. (Your benefit when you are fully eligible to retire)

**V. Benefit Calculation:**

| Employee Group | Total Service Credit | Total Service Time Factor | Average Compensation | Service Retirement Allowance |
|---|---|---|---|---|
| Regular | .64 | .000% | $ .00 | $ .00 |
| Police/Fire | 10.14 | 28.783% | $ 8369.43 | $ 2408.98 |

Total Service Retirement Allowance = $ 2408.98

**VI. Early Retirement Reduction:**

Benefit Minus Early Retirement Reduction: $ 2408.98 - 78.60 % = $ 515.52 Unmodified Option 1

(Your early retirement reduction is based on the years, months, and days you are under your retirement age.)

**VII. Optional Monthly Benefits:**

Member Actuarial Retirement Age: 35 Beneficiary Actuarial Retirement Age: 36

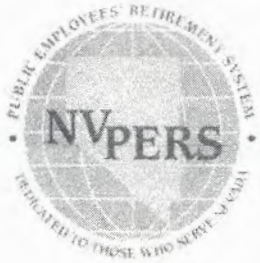
| | Retiree | Beneficiary | Age Factors | Comments |
|---|---|---|---|---|
| Unmodified Option 1 | $ 515.52 | $ 0.00 | N/A | No Beneficiary Benefit Available |
| Option 2 | $ 487.37 | $ 487.37 | 94.54% | Beneficiary receives upon retiree death. |
| Option 3 | $ 501.03 | $ 250.52 | 97.19% | Beneficiary receives 50% upon retiree death. |
| Option 4 | $ 495.83 | $ 495.83 | 96.18% | Beneficiary receives at age 60. |
| Option 5 | $ 503.56 | $ 251.78 | 97.68% | Beneficiary receives 50% at age 60. |
| Option 6 | $ 0.00 | $ 0.00 | 0.00% | Beneficiary receives specified amount upon request. |
| Option 7 | $ 0.00 | $ 0.00 | 0.00% | Beneficiary receives specified amount at age 60 upon request. |

This is an estimate only. Your final benefit calculation may differ from what is presented today due to service credit variations or average compensation variations.

Generated by: LMA

Estimate No: E668544
Calc Dt: 11/02/2012

(page 50)




**Welcome Back,** JESUS AREVALO
**SSN :** *** - ** - 0274_
**EMAIL :** wrath702@gmail.com
**Last Login :** Monday, March 8, 2021 @ 12:04 AM

**Owner :** JESUS AREVALO
**Type :** RETIREE
**Relation :** OWNER
**Plan :** P/F

## Your Retirement Account

Click Here To: Change Password/ Update Email Address/Go Paperless

NVPERS Home
Log Off
*to view general information*

Current Account
Recipient Account
Mailing Address & Phone
Deduction Vendors
Direct Deposit
Federal Income Tax
1099R
User Settings
View EFT Notices
Income Verification Letter

Other Recipient Accounts
Recipient Forms
Recipient Newsletters
Pension Check Dates
Help
Video Tutorials
Help Desk FAQs
FAQs
Glossary of Terms
Contact Us

**Account Owner:** JESUS AREVALO ***-**-0274
**Retirement Date:** 10/17/2013
**Retirement Type:** Disability **Retirement Option:** Unmodified

**Recipient Information**

**Mailing Address**

JESUS AREVALO ***-**-0274
STE 104 #286
6935 ALIANTE PKWY
NORTH LAS VEGAS NV 89084

**Phone:**
702- 813- 1829

Change Address/Phone

**Next Check Information**

**Direct Deposit Instructions:**

| | | |
|---|---|---|
| Bank: | CLARK CO CU | Change Bank Info |
| Route #: | 322484113 | |
| Acct Type: | Checking | |
| Acct #: | **0374 | |

**Monthly Benefit Breakdown:** View Vendor Info

| | |
|---|---|
| Taxable Base Benefit : | $2303.70 |
| PRI : | $289.88 |
| Federal Tax : | (-)$126.00 |

Change Tax Info

Net Benefit Amount : $2467.58

**Post Retirement Increase Month (PRI)**

November

YouTube

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Page 70 CPERS

**Retirement Board**

Mark R. Vincent
Chairman
Chris Collins
Vice Chairman

Al Martinez
Rusty McAllister
Audrey Noriega
David Olsen
Katherine Ong

**Executive Staff**

Tina M. Leiss
Executive Officer

Vacant
Operations Officer

Steve Edmundson
Investment Officer

September 19, 2013

Jesus Arevalo
7539 Rolling River Drive
Las Vegas, NV 89131

Dear Mr. Arevalo:

The Retirement Board approved your application for total and permanent disability at the September 18, 2013, meeting. The effective date of your retirement will be the day following your last day of employment or the day following the expiration of your service credit, whichever is later. Your employer is required to submit a termination notice to PERS before your account can be activated. You must terminate employment and begin drawing benefits within 60 calendar days after the date of Board approval or remain on sick leave for the entire period from Board approval to termination. **It is your responsibility to contact your personnel office to arrange for the termination of your employment if you have not already done so. We cannot activate your retirement account until this information is received.**

Nevada Revised Statutes require that you complete and return a Statement of Employment and Earnings Form on an annual basis so that staff can monitor any earnings you may have received after the effective date of your disability retirement. This form will be provided to you at the appropriate time.

If you have been awarded a workers' compensation benefit due to the same disability, please contact us so that we may determine how it may affect your disability benefit from PERS. **As a disability retiree, you must apply for and receive PERS Board approval before accepting any reemployment, either public or private. Upon request, a form will be provided for you to use to apply for approval.**

Should you have any questions, please contact us and ask to speak with a Counseling Services representative.

Sincerely,

Cindy Yadon

Cindy Yadon, Manager
Production Services Division

cc: Las Vegas Metropolitan Police Department
Attn: Judy Bleak
400B S. Martin Luther King Boulevard
Las Vegas, NV 89106

5820 S. Eastern Avenue, Suite 220
Las Vegas, NV 89119
(702) 486-3900
Fax: (702) 678-6934

693 W. Nye Lane
Carson City, NV 89703
(775) 687-4200
Fax: (775) 687-8131

7455 W. Washington Avenue, Suite 150
Las Vegas, NV 89128
(702) 486-3900
Fax: (702) 486-3697

Toll Free: 1-866-172-7769 Website: www.nvpers.org

* Box #7: Distribution code(s)
3 - Disability

www.irs.gov/form1099r

**Form 1099-R** ☐ CORRECTED (if checked)

OMB No. 1545-0119 **2020**

**Distributions From Pensions, Annuities Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.**

| | |
|---|---|
| 1 Gross distribution $ 34764.87 | 2a Taxable amount $ 34764.87 |
| 2b Taxable amount not determined ☐ | Total distribution ☐ |

PAYER'S name, street address, city, state, and ZIP code

PUBLIC EMPLOYEES'RETIREMENT SYSTEM
693 WEST NYE LANE
CARSON CITY NV 89703

| | |
|---|---|
| PAYER'S federal identification number 88-6001993 | RECIPIENT'S identification number [redacted]-0274 |
| 3 Capital gain (included in box 2a) $ | 4 Federal income tax withheld $ 1968.00 |
| 5 Employee contributions /Designated Roth contributions or insurance premiums $ 0.00 | |
| 6 Net unrealized appreciation in employer's securities $ | 7 Distribution code(s) 3 |
| IRA/ SEP/ SIMPLE | 8 Other $ % |
| 9a Your percentage of total distribution % | 9b Total employee contributions $ 0.00 |

RECIPIENT'S name and street address (incl. apt. no.), city, state, and ZIP code

JESUS L AREVALO
6935 ALIANTE PKWY STE 104 # 286
NORTH LAS VEGAS NV 89084-5819

| | | |
|---|---|---|
| Account number (see instructions) [redacted]0274OW[redacted]0274 | 11 1st year of desig. Roth contrib. | 10 Amount allocable to IRR within 5 years $ |
| 12 State tax withheld $ | 13 State/Payer's state no. | 14 State distribution $ |
| 15 Local tax withheld $ | 16 Name of locality | 17 Local distribution $ |

Copy 2
File this copy with your state, city, or local income tax return, when required.

Department of the Treasury
Internal Revenue Service


www.irs.gov/form1099r

**Form 1099-R** ☐ CORRECTED (if checked)

OMB No. 1545-0119 **2020**

**Distributions From Pensions, Annuities Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.**

| | |
|---|---|
| 1 Gross distribution $ 34764.87 | 2a Taxable amount $ 34764.87 |
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PAYER'S name, street address, city, state, and ZIP code

PUBLIC EMPLOYEES'RETIREMENT SYSTEM
693 WEST NYE LANE
CARSON CITY NV 89703

| | |
|---|---|
| PAYER'S federal identification number 88-6001993 | RECIPIENT'S identification number [redacted]-0274 |
| 3 Capital gain (included in box 2a) $ | 4 Federal income tax withheld $ 1968.00 |
| 5 Employee contributions /Designated Roth contributions or insurance premiums $ 0.00 | |
| 6 Net unrealized appreciation in employer's securities $ | 7 Distribution code(s) 3 |
| IRA/ SEP/ SIMPLE | 8 Other $ % |
| 9a Your percentage of total distribution % | 9b Total employee contributions $ 0.00 |

RECIPIENT'S name and street address (incl. apt. no.), city, state, and ZIP code

JESUS L AREVALO
6935 ALIANTE PKWY STE 104 # 286
NORTH LAS VEGAS NV 89084-5819

| | | |
|---|---|---|
| Account number (see instructions) [redacted]0274OW[redacted]0274 | 11 1st year of desig. Roth contrib. | 10 Amount allocable to IRR within 5 years $ |
| 12 State tax withheld $ | 13 State/Payer's state no. | 14 State distribution $ |
| 15 Local tax withheld $ | 16 Name of locality | 17 Local distribution $ |

Copy 2
File this copy with your state, city, or local income tax return, when required.

Department of the Treasury
Internal Revenue Service

2. WITH THIS SIDE UP, SLIDE FINGER BETWEEN FRONT AND MIDDLE PANEL, SLIDE FINGER UP TO OPEN
3. BEFORE DETACHING 1099R'S SLIDE FINGER UP BETWEEN MIDDLE PANEL AND SHORT PANEL TO REMOVE

IRA contributions. If the amount shown is your basis in a designated Roth account, the year you first made contributions to that account may be entered in box 11.

**Box 6.** If you received a lump-sum distribution from a qualified plan that includes securities of the employer's company, the net unrealized appreciation (NUA) (any increase in value of such securities while in the trust) is taxed only when you sell the securities unless you choose to include it in your gross income this year. See Pub. 575 and Form 4972. If you roll over the distribution to a designated Roth account in the same plan or to a Roth IRA, see the instructions for box 2a. For a direct rollover to a designated Roth account in the same plan or to a Roth IRA, the NUA is included in box 2a. If you didn't receive a lump-sum distribution, the amount shown is the NUA attributable to employee contributions, which isn't taxed until you sell the securities.

**Box 7.** The following codes identify the distribution you received. For more information on these distributions, see the instructions for your tax return. Also, certain distributions may be subject to an additional 10% tax. See the instructions for Form 5329.

1— Early distribution, no known exception (in most cases, under age 59½).
2— Early distribution, exception applies (under age 59½).
3— Disability.
4— Death.
5— Prohibited transaction.
6— Section 1035 exchange (a tax-free exchange of life insurance, annuity, qualified long-term care insurance, or endowment contracts).
7— Normal distribution.
8— Excess contributions plus earnings/excess deferrals (and/or earnings) taxable in 2020.
9— Cost of current life insurance protection.
A— May be eligible for 10-year tax option (see Form 4972).
B— Designated Roth account distribution.
**Note:** If code B is in box 7 and an amount is reported in box 11, see the instructions for Form 5329.
C— Reportable death benefits under section 6050Y.
D— Annuity payments from nonqualified annuities that may be subject to tax under section 1411.
E— Distributions under Employee Plans Compliance Resolution System (EPCRS).
F— Charitable gift annuity.
G— Direct rollover of a distribution to a qualified plan, a section 403(b) plan, a governmental section 457(b) plan, or an IRA.
H— Direct rollover of a designated Roth account distribution to a Roth IRA.
J— Early distribution from a Roth IRA, no known exception (in most cases, under age 59½).
K— Distribution of traditional IRA assets not having a readily available FMV.
L— Loans treated as distributions.
M— Qualified plan loan offset.
N— Recharacterized IRA contribution made for 2020 and recharacterized in 2020.
P— Excess contributions plus earnings/excess deferrals (and/or earnings) taxable in 2019.
Q— Qualified distribution from a Roth IRA.
R— Recharacterized IRA contribution made for 2019 and recharacterized in 2020.
S— Early distribution from a SIMPLE IRA in first 2 years, no known exception (under age 59½).
T— Roth IRA distribution, exception applies.
U— Dividend distribution from ESOP under section 404(k).
**Note:** This distribution isn't eligible for rollover.
W— Charges or payments for purchasing qualified long-term care insurance contracts under combined arrangements.
If the IRA/SEP/SIMPLE box is checked, you've received a traditi IRA, SEP, or SIMPLE distribution.

**Box 8.** If you received an annuity contract as part of a distribution, l value of the contract is shown. It isn't taxable when you receive it a shouldn't be included in boxes 1 and 2a. When you receive periodic payments from the annuity contract, they're taxable at that time. If t distribution is made to more than one person, the percentage of the annuity contract distributed to you is also shown. You'll need this information if you use the 10-year tax option (Form 4972). If charges made for qualified long-term care insurance contracts under combi arrangements, the amount of the reduction in the investment (but no below zero) in the annuity or life insurance contract is reported here.

**Box 9a.** If a total distribution was made to more than one person, th percentage you received is shown.

**Box 9b.** For a life annuity from a qualified plan or from a section 403 plan (with after-tax contributions), an amount may be shown for the employee's total investment in the contract. It is used to compute th taxable part of the distribution. See Pub. 575.

**Box 10.** If an amount is reported in this box, see the instructions for 5329 and Pub. 575.

**Box 11.** The first year you made a contribution to the designated Ro account reported on this form is shown in this box.

**Box 12.** If box 12 is checked, the payer is reporting on this Form 10 satisfy its chapter 4 account reporting requirement under FATCA. Yo also have a filing requirement. See the instructions for Form 8938.

**Box 13.** Shows the date of payment for reportable death benefits un section 6050Y.

**Boxes 14–19.** If state or local income tax was withheld from the distribution, boxes 16 and 19 may show the part of the distribution subject to state and/or local tax.

**Additional information.** You may want to see:
**Form W-4P, Form 4972, Form 5329, Form 8606**
Pub. 525, Taxable and Nontaxable Income
Pub. 560, Retirement Plans for Small Business
Pub. 571, Tax-Sheltered Annuity Plans
Pub. 575, Pension and Annuity Income
Pub. 590-A, Contributions to IRAs
Pub. 590-B, Distributions from IRAs
Pub. 721, U.S. Civil Service Retirement Benefits
Pub. 939, General Rule for Pensions and Annuities
Pub. 969, HSAs and Other Tax-Favored Health Plans

## Instructions for Recipient

Generally, distributions from retirement plans (IRAs, qualified plans, section 403(b) plans, and governmental section 457(b) plans), insurance contracts, etc., are reported to recipients on Form 1099-R.

**Qualified plans and section 403(b) plans.** If your annuity starting date is after 1997, you must use the simplified method to figure your taxable amount if your payer didn't show the taxable amount in box 2a. See the instructions for your tax return.

**IRAs.** For distributions from a traditional individual retirement arrangement (IRA), simplified employee pension (SEP), or savings incentive match plan for employees (SIMPLE), generally the payer isn't required to compute the taxable amount. See the instructions for your tax return to determine the taxable amount. If you're at least age 70½ by the end of 2019 (age 72 by the end of later years), you must take minimum distributions from your IRA (other than a Roth IRA). If you don't, you're subject to a 50% excise tax on the amount that should've been distributed. See Pub. 590-A and Pub. 590-B for more information on IRAs.

**Roth IRAs.** For distributions from a Roth IRA, generally the payer isn't required to compute the taxable amount. You must compute any taxable amount on Form 8606. An amount shown in box 2a may be taxable earnings on an excess contribution.

**Loans treated as distributions.** If you borrow money from a qualified plan, section 403(b) plan, or governmental section 457(b) plan, you may have to treat the loan as a distribution and include all or part of the amount borrowed in your income. There are exceptions to this rule. If your loan is taxable, code L will be shown in box 7. See Pub. 575.

**Recipient's taxpayer identification number (TIN).** For your protection, this form may show only the last four digits of your TIN (SSN, ITIN, ATIN, or EIN). However, the payer has reported your complete TIN to the IRS.

**Account number.** May show an account, policy, or other unique number the payer assigned to distinguish your account.

**Box 1.** Shows the total amount you received this year. The amount may have been a direct rollover, a transfer or conversion to a Roth IRA, a recharacterized IRA contribution; or you may have received it as periodic payments, nonperiodic payments, or a total distribution. Report the amount on Form 1040, 1040-SR, or 1040-NR on the line for "IRAs, pensions, and annuities" (or the line for "Taxable amount") and on Form 8606, as applicable. However, if this is a lump-sum distribution, see Form 4972. If you haven't reached minimum retirement age, report your disability payments on the line for "Wages, salaries, tips, etc." on your tax return. Also report on that line permissible withdrawals from eligible automatic contribution arrangements and corrective distributions of excess deferrals, excess contributions, or excess aggregate contributions except if the distribution is of designated Roth contributions or your after-tax contributions or if you're self-employed.

If a life insurance, annuity, qualified long-term care, or endowment contract was transferred tax free to another trustee or contract issuer, an amount will be shown in this box and code 6 will be shown in box 7. If a charge or payment was made against the cash value of an annuity contract or the cash surrender value of a life insurance contract for the purchase of qualified long-term care insurance, an amount will be shown in this box and code W will be shown in box 7. You need not report these amounts on your tax return. If code C is shown in box 7, the amount shown in box 1 is a receipt of reportable death benefits t taxable in part.

**Box 2a.** This part of the distribution is generally taxable. If there is no in this box, the payer may not have all the facts needed to figure the taxable amount. In that case, the first box in box 2b should be check You may want to get one of the free publications from the IRS to help figure the taxable amount. See *Additional information* on the back of 2. For an IRA distribution, see *IRAs and Roth IRAs*, earlier. For a direc rollover, other than from a qualified plan, sec. 403(b) plan, or governm sec. 457(b) plan to a designated Roth account in the same plan or to Roth IRA, zero should be shown and you must enter zero (-0-) on the "Taxable amount" line of your tax return. If you roll over a distribution (other than a distribution from a designated Roth account) from a qua plan, sec. 403(b) plan, or governmental sec. 457(b) plan to a designat Roth account in the same plan or to a Roth IRA, you must include on "Taxable amount" line of your tax return the amount shown in this box plus the amount in box 6, if any.

If this is a total distribution from a qualified plan and you were born before January 2, 1936 (or you're the beneficiary of someone born be January 2, 1936), you may be eligible for the 10-year tax option. See t Form 4972 instructions for more information.

If you're an eligible retired public safety officer who elected to excl from income distributions from your eligible plan used to pay certain insurance premiums, the amount shown in box 2a hasn't been reduce the exclusion amount. See the instructions for your tax return for more information.

**Box 2b.** If the first box is checked, the payer was unable to determine taxable amount and box 2a should be blank, except for an IRA. It's yo responsibility to determine the taxable amount. If the second box is checked, the distribution was a total distribution that closed out your account.

**Box 3.** If you received a lump-sum distribution from a qualified plan ar were born before January 2, 1936 (or you're the beneficiary of someor born before January 2, 1936), you may be able to elect to treat this amount as a capital gain on Form 4972 (net on Schedule D (Forms 10 and 1040-SR)). See the Form 4972 instructions. For a charitable gift annuity, report as a long-term capital gain as explained in the instructi for Form 8949.

**Box 4.** Shows federal income tax withheld. Include this amount on you income tax return as tax withheld, and if box 4 shows an amount (othe than zero), attach Copy B to your return. Generally, if you receive payments that aren't eligible rollover distributions, you can change you withholding or elect not to have income tax withheld by giving the paye Form W-4P.

**Box 5.** Generally, this shows the employee's investment in the contract (after-tax contributions), if any, recovered tax free this year; the portion that's your basis in a designated Roth account; the part of premiums p on commercial annuities or insurance contracts recovered tax free; the nontaxable part of a charitable gift annuity; or the investment in a life

*(Continued on the back of Cop*

**Retirement Board**

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Chair
Yolanda T. King
Vice Chair

Dawn E. Huckaby
Todd H. Ingalsbee
Mark Stevens
Brian A. Wallace

**Executive Staff**

Tina Lenz
Executive Officer

Kabrina Feser
Operations Officer

Steve Edmundson
Investment Officer

September 23, 2020

Mallory Yeargan
Willick Law Group
3591 East Bonanza Road, Suite 200
Las Vegas, NV 89110

Re: *Jesus Luis Arevalo vs. Catherine Arevalo, nka Catherine Delao*

Dear Ms. Yeargan:

We have reviewed the Certified Qualified Domestic Relations Order (QDRO) submitted concerning the retirement account of Jesus Arevalo. It has been determined that the QDRO is in compliance with Chapter 286 of the Nevada Revised Statute. The benefit to the Alternate Payee will become effective with the October 2020 benefit. Based on the information outlined in the QDRO, we have listed the formula that will be used to calculate the benefit payable to the Alternate Payee:

**QDRO Formula**

Service Credit Earned During Marriage: 07/28/2008 through 05/18/2012 X 50% = QDRO Factor %
Total Years of Service Credit Earned

QDRO Factor % x Member's Option 1 Benefit Amount = Alternate Payee's Benefit Amount

**Special Considerations:** The benefit to the Alternate Payee shall end upon the death of the Participant or the Alternate Payee, whichever occurs first. The Alternate Payee is entitled to receive post-retirement increases.

Please notify us as soon as possible if you believe the above formula is contradictory to the instructions outlined in the QDRO. Should you have any questions, please contact us and ask to speak with a Counseling Services representative.

Sincerely,

Sonya Hellwinkel, Director
Member & Retiree Services

cc: Jesus Arevalo
Catherine Delao

p202 (Response to Willick Subpoena)

693 W. Nye Lane
Carson City, NV 89703
(775) 687-4200
Fax: (775) 687-5131

Toll Free: 1-866-473-7768
Website: www.nvpers.org

5740 S. Eastern Avenue, Suite 120
Las Vegas, NV 89119
(702) 486-3900
Fax: (702) 678-6934

# Account Breakdown

## Per NVPERS QDRO Formula:

## 7/28/2008 through 5/18/2012:

| | |
|---|---|
| $113,131.03 | Earned During Marriage |
| $ 56,565.515 | Half (before *Powers v. Powers*) |

After applying 77.5% Disability:

| | |
|---|---|
| $12,727.24 | Defendant (Catherine's) lifetime portion of Plaintiff's NV PERS After applying *Powers v. Powers*, and Disability formula offset per NRS 125.155 |

C*A*R*S*O*N

NEVADA PERS
Month Summary Member Detail Report

PAGE NUMBER : 1
DATE PRINTED: 02/21/2015
TIME PRINTED: 10:26:03AM

Name: JESUS L AREVALO SSN: Rqst By: PALAZZOR

| Emp Grp | FY | Aff Rptng Mth/Yr | Aff Begin | Aff End | Agy# | Base | Actual | S/C | Wages | EEs | ERs | ER paid |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| REG | 2002 | 02/2002 | 02/12/2002 | 02/15/2002 | 324 | 160.00 | 40.00 | 0.0208 | 733.88 | 0.00 | 0.00 | 137.60 |
| REG | 2002 | 03/2002 | 02/16/2002 | 03/15/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,082.30 | 0.00 | 0.00 | 577.93 |
| REG | 2002 | 04/2002 | 03/16/2002 | 04/12/2002 | 324 | 160.00 | 160.00 | 0.0833 | 2,935.52 | 0.00 | 0.00 | 550.41 |
| P/F | 2002 | 05/2002 | 05/16/2002 | 05/24/2002 | 324 | 240.00 | 50.00 | 0.0174 | 954.05 | 0.00 | 0.00 | 2,191.46 |
| REG | 2002 | 05/2002 | 04/13/2002 | 05/15/2002 | 324 | 240.00 | 190.00 | 0.0659 | 3,485.95 | 0.00 | 0.00 | -1,265.94 |
| P/F | 2002 | 06/2002 | 05/25/2002 | 06/21/2002 | 324 | 160.00 | 160.00 | 0.0893 | 3,306.33 | 0.00 | 0.00 | 942.30 |
| | | | | Total Amounts | | 1,120.00 | 760.00 | 0.3600 | 14,498.03 | 0.00 | 0.00 | 3,133.76 |
| P/F | 2003 | 07/2002 | 06/22/2002 | 07/19/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,481.68 | 0.00 | 0.00 | 992.28 |
| P/F | 2003 | 08/2002 | 07/20/2002 | 08/16/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,238.78 | 0.00 | 0.00 | 923.05 |
| P/F | 2003 | 09/2002 | 08/17/2002 | 09/13/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,481.60 | 0.00 | 0.00 | 992.28 |
| P/F | 2003 | 10/2002 | 09/14/2002 | 10/11/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,472.34 | 0.00 | 0.00 | 989.62 |
| P/F | 2003 | 11/2002 | 10/12/2002 | 11/22/2002 | 324 | 240.00 | 240.00 | 0.0833 | 5,807.31 | 0.00 | 0.00 | 1,655.08 |
| P/F | 2003 | 12/2002 | 11/23/2002 | 12/20/2002 | 324 | 160.00 | 160.00 | 0.0833 | 3,873.52 | 0.00 | 0.00 | 1,103.95 |
| P/F | 2003 | 01/2003 | 12/21/2002 | 01/17/2003 | 324 | 160.00 | 160.00 | 0.0833 | 4,033.44 | 0.00 | 0.00 | 1,149.52 |
| P/F | 2003 | 02/2003 | 01/18/2003 | 02/14/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,435.48 | 0.00 | 0.00 | 979.11 |
| P/F | 2003 | 03/2003 | 02/15/2003 | 03/14/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,435.48 | 0.00 | 0.00 | 979.11 |
| P/F | 2003 | 04/2003 | 03/15/2003 | 04/11/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,435.48 | 0.00 | 0.00 | 979.11 |
| P/F | 2003 | 05/2003 | 04/12/2003 | 05/23/2003 | 324 | 240.00 | 240.00 | 0.0833 | 5,866.11 | 0.00 | 0.00 | 1,671.84 |
| P/F | 2003 | 06/2003 | 05/24/2003 | 06/20/2003 | 324 | 160.00 | 160.00 | 0.0837 | 3,572.94 | 0.00 | 0.00 | 1,018.29 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 47,134.24 | 0.00 | 0.00 | 13,433.24 |
| P/F | 2004 | 07/2003 | 06/21/2003 | 07/18/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,917.60 | 0.00 | 0.00 | 1,116.52 |
| P/F | 2004 | 08/2003 | 07/19/2003 | 08/15/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,644.28 | 0.00 | 0.00 | 1,038.62 |
| P/F | 2004 | 09/2003 | 08/16/2003 | 09/12/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,644.28 | 0.00 | 0.00 | 1,038.62 |
| P/F | 2004 | 10/2003 | 09/13/2003 | 10/24/2003 | 324 | 240.00 | 240.00 | 0.0833 | 5,466.42 | 0.00 | 0.00 | 1,557.93 |
| P/F | 2004 | 11/2003 | 10/25/2003 | 11/21/2003 | 324 | 160.00 | 160.00 | 0.0833 | 3,679.06 | 0.00 | 0.00 | 1,048.53 |
| P/F | 2004 | 12/2003 | 11/22/2003 | 12/19/2003 | 324 | 160.00 | 160.00 | 0.0833 | 4,270.90 | 0.00 | 0.00 | 1,217.21 |
| P/F | 2004 | 01/2004 | 12/20/2003 | 01/16/2004 | 324 | 160.00 | 160.00 | 0.0833 | 4,586.51 | 0.00 | 0.00 | 1,307.16 |
| P/F | 2004 | 02/2004 | 01/17/2004 | 02/13/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,788.00 | 0.00 | 0.00 | 1,079.58 |
| P/F | 2004 | 03/2004 | 02/14/2004 | 03/12/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,788.00 | 0.00 | 0.00 | 1,079.58 |
| P/F | 2004 | 04/2004 | 03/13/2004 | 04/23/2004 | 324 | 240.00 | 240.00 | 0.0833 | 5,682.00 | 0.00 | 0.00 | 1,619.37 |
| P/F | 2004 | 05/2004 | 04/24/2004 | 05/21/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,863.74 | 0.00 | 0.00 | 1,101.17 |
| P/F | 2004 | 06/2004 | 05/22/2004 | 06/18/2004 | 324 | 160.00 | 160.00 | 0.0837 | 3,939.48 | 0.00 | 0.00 | 1,122.75 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 50,270.27 | 0.00 | 0.00 | 14,127.04 |
| P/F | 2005 | 07/2004 | 06/19/2004 | 07/16/2004 | 324 | 160.00 | 160.00 | 0.0833 | 4,018.26 | 0.00 | 0.00 | 1,145.20 |
| P/F | 2005 | 08/2004 | 07/17/2004 | 08/01/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,831.97 | 0.00 | 0.00 | 1,092.11 |
| REG | 2005 | 09/2004 | 08/14/2004 | 09/10/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,662.97 | 0.00 | 0.00 | 741.75 |
| REG | 2005 | 10/2004 | 09/11/2004 | 10/22/2004 | 324 | 240.00 | 240.00 | 0.0833 | 5,500.41 | 0.00 | 0.00 | 1,113.83 |
| REG | 2005 | 11/2004 | 10/23/2004 | 11/19/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,850.75 | 0.00 | 0.00 | 779.77 |
| REG | 2005 | 12/2004 | 11/20/2004 | 12/17/2004 | 324 | 160.00 | 160.00 | 0.0833 | 3,677.57 | 0.00 | 0.00 | 744.70 |
| P/F | 2005 | 01/2005 | 01/05/2005 | 01/14/2005 | 324 | 160.00 | 58.00 | 0.0302 | 1,440.66 | 0.00 | 0.00 | 4,346.35 |
| REG | 2005 | 01/2005 | 12/18/2004 | 01/04/2005 | 324 | 160.00 | 102.00 | 0.0531 | 2,744.26 | 0.00 | 0.00 | -3,380.05 |
| P/F | 2005 | 02/2005 | 01/15/2005 | 02/11/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,022.24 | 0.00 | 0.00 | 1,146.33 |
| P/F | 2005 | 03/2005 | 02/12/2005 | 03/11/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,022.24 | 0.00 | 0.00 | 1,146.33 |
| P/F | 2005 | 04/2005 | 03/12/2005 | 04/22/2005 | 324 | 240.00 | 240.00 | 0.0833 | 5,801.28 | 0.00 | 0.00 | 1,653.36 |
| P/F | 2005 | 05/2005 | 04/23/2005 | 05/20/2005 | 324 | 160.00 | 160.00 | 0.0833 | 3,867.52 | 0.00 | 0.00 | 1,102.24 |
| P/F | 2005 | 06/2005 | 05/21/2005 | 06/17/2005 | 324 | 160.00 | 160.00 | 0.0837 | 4,109.24 | 0.00 | 0.00 | 1,171.13 |
| | | | | Total Amounts | | 2,240.00 | 2,080.00 | 1.0000 | 50,569.37 | 0.00 | 0.00 | 12,803.05 |
| P/F | 2006 | 07/2005 | 06/18/2005 | 07/15/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,398.75 | 0.00 | 0.00 | 1,251.13 |
| P/F | 2006 | 08/2005 | 07/16/2005 | 08/12/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,194.71 | 0.00 | 0.00 | 1,342.31 |
| P/F | 2006 | 09/2005 | 08/13/2005 | 09/23/2005 | 324 | 240.00 | 240.00 | 0.0833 | 6,457.22 | 0.00 | 0.00 | 2,066.31 |
| P/F | 2006 | 10/2005 | 09/24/2005 | 10/21/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,194.71 | 0.00 | 0.00 | 1,342.31 |
| P/F | 2006 | 11/2005 | 10/22/2005 | 11/18/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,194.71 | 0.00 | 0.00 | 1,342.32 |
| P/F | 2006 | 12/2005 | 11/19/2005 | 12/16/2005 | 324 | 160.00 | 160.00 | 0.0833 | 4,194.71 | 0.00 | 0.00 | 1,342.32 |
| P/F | 2006 | 01/2006 | 12/17/2005 | 01/13/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,788.03 | 0.00 | 0.00 | 1,532.17 |
| P/F | 2006 | 02/2006 | 01/14/2006 | 02/10/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,700.86 | 0.00 | 0.00 | 1,504.28 |
| P/F | 2006 | 03/2006 | 02/11/2006 | 03/24/2006 | 324 | 240.00 | 240.00 | 0.0833 | 6,905.75 | 0.00 | 0.00 | 2,209.84 |
| P/F | 2006 | 04/2006 | 03/25/2006 | 04/21/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,502.56 | 0.00 | 0.00 | 1,440.82 |
| P/F | 2006 | 05/2006 | 04/22/2006 | 05/19/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,502.56 | 0.00 | 0.00 | 1,440.82 |
| P/F | 2006 | 06/2006 | 05/20/2006 | 06/16/2006 | 324 | 160.00 | 160.00 | 0.0837 | 4,783.97 | 0.00 | 0.00 | 1,530.87 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 57,788.53 | 0.00 | 0.00 | 18,345.50 |

Page 218-220 from Willick Subpoena Response
Dated: 11/05/20

Name: JESUS L AREVALO SSN: Rqst By: PALAZZOR

| Emp Grp | FY | Aff Rptng Mth/Yr | Aff Begin | Aff End | Agy# | Wage | Actual | S/C | Wages | EE# | EE$ | ER paid |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P/F | 2007 | 07/2006 | 06/17/2006 | 07/14/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,872.62 | 0.00 | 0.00 | 1,559.24 |
| P/F | 2007 | 08/2006 | 07/15/2006 | 08/11/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,660.16 | 0.00 | 0.00 | 1,491.25 |
| P/F | 2007 | 09/2006 | 08/12/2006 | 09/22/2006 | 324 | 240.00 | 240.00 | 0.0833 | 7,281.58 | 0.00 | 0.00 | 2,330.08 |
| P/F | 2007 | 10/2006 | 09/23/2006 | 10/20/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,661.16 | 0.00 | 0.00 | 1,491.64 |
| P/F | 2007 | 11/2006 | 10/21/2006 | 11/17/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,662.56 | 0.00 | 0.00 | 1,492.02 |
| P/F | 2007 | 12/2006 | 11/18/2006 | 12/15/2006 | 324 | 160.00 | 160.00 | 0.0833 | 4,707.44 | 0.00 | 0.00 | 1,506.38 |
| P/F | 2007 | 01/2007 | 12/16/2006 | 01/12/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,453.10 | 0.00 | 0.00 | 1,744.99 |
| P/F | 2007 | 02/2007 | 01/13/2007 | 02/09/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,250.96 | 0.00 | 0.00 | 1,680.31 |
| P/F | 2007 | 03/2007 | 02/10/2007 | 03/23/2007 | 324 | 240.00 | 240.00 | 0.0833 | 7,722.00 | 0.00 | 0.00 | 2,471.04 |
| P/F | 2007 | 04/2007 | 03/24/2007 | 04/06/2007 | 324 | 160.00 | 160.00 | 0.0833 | 4,942.08 | 0.00 | 0.00 | 1,581.47 |
| P/F | 2007 | 05/2007 | 04/21/2007 | 05/18/2007 | 324 | 160.00 | 160.00 | 0.0833 | 4,942.08 | 0.00 | 0.00 | 1,581.47 |
| P/F | 2007 | 06/2007 | 05/19/2007 | 06/15/2007 | 324 | 160.00 | 160.00 | 0.0837 | 5,250.96 | 0.00 | 0.00 | 1,680.31 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 64,406.82 | 0.00 | 0.00 | 20,610.20 |
| P/F | 2008 | 07/2007 | 06/16/2007 | 07/13/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,033.60 | 0.00 | 0.00 | 1,610.75 |
| P/F | 2008 | 08/2007 | 07/14/2007 | 08/24/2007 | 324 | 240.00 | 240.00 | 0.0833 | 7,632.72 | 0.00 | 0.00 | 2,556.96 |
| P/F | 2008 | 09/2007 | 08/25/2007 | 09/21/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,152.09 | 0.00 | 0.00 | 1,725.95 |
| P/F | 2008 | 10/2007 | 09/22/2007 | 10/19/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,132.54 | 0.00 | 0.00 | 1,719.40 |
| P/F | 2008 | 11/2007 | 10/20/2007 | 11/16/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,453.02 | 0.00 | 0.00 | 1,826.76 |
| P/F | 2008 | 12/2007 | 11/17/2007 | 12/14/2007 | 324 | 160.00 | 160.00 | 0.0833 | 5,198.55 | 0.00 | 0.00 | 1,741.51 |
| P/F | 2008 | 01/2008 | 12/15/2007 | 01/11/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,838.75 | 0.00 | 0.00 | 1,955.98 |
| P/F | 2008 | 02/2008 | 01/12/2008 | 02/22/2008 | 324 | 240.00 | 240.00 | 0.0833 | 8,598.72 | 0.00 | 0.00 | 2,880.57 |
| P/F | 2008 | 03/2008 | 02/23/2008 | 03/21/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,503.20 | 0.00 | 0.00 | 1,843.57 |
| P/F | 2008 | 04/2008 | 03/22/2008 | 04/18/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,503.16 | 0.00 | 0.00 | 1,843.56 |
| P/F | 2008 | 05/2008 | 04/19/2008 | 05/16/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,503.16 | 0.00 | 0.00 | 1,843.56 |
| P/F | 2008 | 06/2008 | 05/17/2008 | 06/13/2008 | 324 | 160.00 | 160.00 | 0.0837 | 5,847.06 | 0.00 | 0.00 | 1,958.77 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 70,396.37 | 0.00 | 0.00 | 23,507.34 |

7-28-2008 Marriage

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P/F | 2009 | 07/2008 | 06/14/2008 | 07/11/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,605.28 | 0.00 | 0.00 | 1,877.77 |
| P/F | 2009 | 08/2008 | 07/12/2008 | 08/08/2008 | 324 | 240.00 | 240.00 | 0.0833 | 8,561.09 | 0.00 | 0.00 | 2,867.97 |
| P/F | 2009 | 09/2008 | 08/23/2008 | 09/19/2008 | 324 | 160.00 | 160.00 | 0.0833 | 6,064.10 | 0.00 | 0.00 | 2,031.47 |
| P/F | 2009 | 10/2008 | 09/20/2008 | 10/17/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,707.40 | 0.00 | 0.00 | 1,911.98 |
| P/F | 2009 | 11/2008 | 10/18/2008 | 11/14/2008 | 324 | 160.00 | 160.00 | 0.0833 | 6,064.10 | 0.00 | 0.00 | 2,031.47 |
| P/F | 2009 | 12/2008 | 11/15/2008 | 12/12/2008 | 324 | 160.00 | 160.00 | 0.0833 | 5,707.40 | 0.00 | 0.00 | 1,911.98 |
| P/F | 2009 | 01/2009 | 12/13/2008 | 01/23/2009 | 324 | 240.00 | 240.00 | 0.0833 | 9,074.85 | 0.00 | 0.00 | 3,040.07 |
| P/F | 2009 | 02/2009 | 01/24/2009 | 02/20/2009 | 324 | 160.00 | 160.00 | 0.0833 | 6,306.80 | 0.00 | 0.00 | 2,112.78 |
| P/F | 2009 | 03/2009 | 02/21/2009 | 03/20/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,962.16 | 0.00 | 0.00 | 1,997.32 |
| P/F | 2009 | 04/2009 | 03/21/2009 | 04/17/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 1,948.78 |
| P/F | 2009 | 05/2009 | 04/18/2009 | 05/15/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 1,948.78 |
| P/F | 2009 | 06/2009 | 05/16/2009 | 06/12/2009 | 324 | 160.00 | 160.00 | 0.0837 | 5,817.28 | 0.00 | 0.00 | 1,948.78 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 76,505.02 | 0.00 | 0.00 | 25,629.15 |
| P/F | 2010 | 07/2009 | 06/13/2009 | 07/24/2009 | 324 | 240.00 | 240.00 | 0.0833 | 9,089.52 | 0.00 | 0.00 | 3,044.98 |
| P/F | 2010 | 08/2009 | 07/25/2009 | 08/21/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 2,152.40 |
| P/F | 2010 | 09/2009 | 08/22/2009 | 09/18/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 2,152.40 |
| P/F | 2010 | 10/2009 | 09/19/2009 | 10/16/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 2,152.40 |
| P/F | 2010 | 11/2009 | 10/17/2009 | 11/13/2009 | 324 | 160.00 | 160.00 | 0.0833 | 5,817.28 | 0.00 | 0.00 | 2,152.40 |
| P/F | 2010 | 12/2009 | 11/14/2009 | 12/25/2009 | 324 | 240.00 | 240.00 | 0.0833 | 9,089.52 | 0.00 | 0.00 | 3,363.13 |
| P/F | 2010 | 01/2010 | 12/26/2009 | 01/22/2010 | 324 | 160.00 | 160.00 | 0.0833 | 5,977.03 | 0.00 | 0.00 | 2,211.50 |
| P/F | 2010 | 02/2010 | 01/23/2010 | 02/19/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,427.74 | 0.00 | 0.00 | 2,378.26 |
| P/F | 2010 | 03/2010 | 02/20/2010 | 03/19/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2010 | 04/2010 | 03/20/2010 | 04/16/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2010 | 05/2010 | 04/17/2010 | 05/14/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2010 | 06/2010 | 05/15/2010 | 06/11/2010 | 324 | 160.00 | 160.00 | 0.0837 | 6,427.74 | 0.00 | 0.00 | 2,378.26 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 78,429.59 | 0.00 | 0.00 | 28,700.81 |
| P/F | 2011 | 07/2010 | 06/12/2010 | 07/23/2010 | 324 | 240.00 | 240.00 | 0.0833 | 9,452.56 | 0.00 | 0.00 | 3,497.44 |
| P/F | 2011 | 08/2010 | 07/24/2010 | 08/20/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2011 | 09/2010 | 08/21/2010 | 09/17/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,427.74 | 0.00 | 0.00 | 2,378.26 |
| P/F | 2011 | 10/2010 | 09/18/2010 | 10/15/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2011 | 11/2010 | 10/16/2010 | 11/12/2010 | 324 | 160.00 | 160.00 | 0.0833 | 6,049.64 | 0.00 | 0.00 | 2,238.36 |
| P/F | 2011 | 12/2010 | 11/13/2010 | 12/24/2010 | 324 | 240.00 | 240.00 | 0.0833 | 9,074.46 | 0.00 | 0.00 | 3,357.54 |
| P/F | 2011 | 01/2011 | 12/25/2010 | 01/21/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,579.35 | 0.00 | 0.00 | 2,434.36 |
| P/F | 2011 | 02/2011 | 01/22/2011 | 02/18/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,292.16 | 0.00 | 0.00 | 2,328.10 |
| P/F | 2011 | 03/2011 | 02/19/2011 | 03/18/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,685.46 | 0.00 | 0.00 | 2,473.62 |
| P/F | 2011 | 04/2011 | 03/19/2011 | 04/15/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,292.16 | 0.00 | 0.00 | 2,328.10 |
| P/F | 2011 | 05/2011 | 04/16/2011 | 05/13/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,292.16 | 0.00 | 0.00 | 2,328.10 |
| P/F | 2011 | 06/2011 | 05/14/2011 | 06/10/2011 | 324 | 160.00 | 160.00 | 0.0837 | 6,685.46 | 0.00 | 0.00 | 2,473.62 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 1.0000 | 81,930.43 | 0.00 | 0.00 | 30,314.22 |

Name: JESUS L ARBEVALO SSN: Rqst By: PALAZZOR

| Emp Grp | FY | Aff Rptng Mth/Yr | Aff Begin | Aff End | Agyd | Base | Actual | S/C | Wages | EEs | ERs | ER paid |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| P/F | 2012 | 07/2011 | 06/11/2011 | 07/22/2011 | 324 | 240.00 | 240.00 | 0.0833 | 9,831.54 | 0.00 | 0.00 | 3,637.67 |
| P/F | 2012 | 08/2011 | 07/23/2011 | 08/19/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,205.66 | 0.00 | 0.00 | 2,466.74 |
| P/F | 2012 | 09/2011 | 08/20/2011 | 09/16/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,593.56 | 0.00 | 0.00 | 2,620.94 |
| P/F | 2012 | 10/2011 | 09/17/2011 | 10/14/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,205.66 | 0.00 | 0.00 | 2,466.74 |
| P/F | 2012 | 11/2011 | 10/15/2011 | 11/11/2011 | 324 | 160.00 | 160.00 | 0.0833 | 6,205.66 | 0.00 | 0.00 | 2,466.74 |
| P/F | 2012 | 12/2011 | 11/12/2011 | 12/23/2011 | 324 | 240.00 | 240.00 | 0.0833 | 9,308.49 | 0.00 | 0.00 | 3,700.11 |
| P/F | 2012 | 01/2012 | 12/24/2011 | 01/20/2012 | 324 | 160.00 | 160.00 | 0.0833 | 7,404.64 | 0.00 | 0.00 | 2,943.35 |
| P/F | 2012 | 02/2012 | 01/21/2012 | 02/17/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,417.32 | 0.00 | 0.00 | 2,550.89 |
| P/F | 2012 | 03/2012 | 02/18/2012 | 03/16/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,976.62 | 0.00 | 0.00 | 2,773.21 |
| P/F | 2012 | 04/2012 | 03/17/2012 | 04/13/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,566.22 | 0.00 | 0.00 | 2,610.08 |
| P/F | 2012 | 05/2012 | 04/14/2012 | 05/11/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,566.22 | 0.00 | 0.00 | 2,610.08 |
| P/F | 2012 | 06/2012 | 05/12/2012 | 06/23/2012 | 324 | 240.00 | 240.00 | 0.0833 | 10,259.73 | 0.00 | 0.00 | 4,078.25 |
| | | | | Total Amounts | | 2,160.00 | 2,160.00 | 1.0000 | 88,541.32 | 0.00 | 0.00 | 34,924.00 |
| P/F | 2013 | 07/2012 | 06/23/2012 | 07/20/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,976.62 | 0.00 | 0.00 | 2,773.21 |
| P/F | 2013 | 08/2012 | 07/21/2012 | 08/17/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,566.22 | 0.00 | 0.00 | 2,610.08 |
| P/F | 2013 | 09/2012 | 08/18/2012 | 09/14/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,976.62 | 0.00 | 0.00 | 2,773.21 |
| P/F | 2013 | 10/2012 | 09/15/2012 | 10/12/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,566.22 | 0.00 | 0.00 | 2,610.08 |
| P/F | 2013 | 11/2012 | 10/13/2012 | 11/23/2012 | 324 | 240.00 | 240.00 | 0.0833 | 10,259.73 | 0.00 | 0.00 | 4,078.25 |
| P/F | 2013 | 12/2012 | 11/24/2012 | 12/21/2012 | 324 | 160.00 | 160.00 | 0.0833 | 6,566.22 | 0.00 | 0.00 | 2,610.08 |
| P/F | 2013 | 01/2013 | 12/22/2012 | 01/18/2013 | 324 | 160.00 | 160.00 | 0.0833 | 7,483.83 | 0.00 | 0.00 | 2,974.82 |
| P/F | 2013 | 02/2013 | 01/19/2013 | 02/15/2013 | 324 | 160.00 | 160.00 | 0.0833 | 7,190.38 | 0.00 | 0.00 | 2,858.17 |
| P/F | 2013 | 03/2013 | 02/16/2013 | 03/15/2013 | 324 | 160.00 | 160.00 | 0.0833 | 7,199.42 | 0.00 | 0.00 | 2,861.77 |
| P/F | 2013 | 04/2013 | 03/16/2013 | 04/12/2013 | 324 | 160.00 | 160.00 | 0.0833 | 6,775.92 | 0.00 | 0.00 | 2,693.42 |
| P/F | 2013 | 05/2013 | 04/13/2013 | 05/24/2013 | 324 | 240.00 | 240.00 | 0.0833 | 10,163.88 | 0.00 | 0.00 | 4,040.13 |
| P/F | 2013 | 06/2013 | 05/25/2013 | 06/21/2013 | 324 | 160.00 | 160.00 | 0.0833 | 7,199.42 | 0.00 | 0.00 | 2,861.77 |
| | | | | Total Amounts | | 2,080.00 | 2,080.00 | 0.9996 | 89,924.48 | 0.00 | 0.00 | 35,744.99 |
| P/F | 2014 | 07/2013 | 06/22/2013 | 07/15/2013 | 324 | 160.00 | 160.00 | 0.0833 | 6,811.47 | 0.00 | 0.00 | 2,707.56 |
| P/F | 2014 | 08/2013 | 07/20/2013 | 08/16/2013 | 324 | 160.00 | 160.00 | 0.0833 | 6,802.66 | 0.00 | 0.00 | 2,755.08 |
| P/F | 2014 | 09/2013 | 08/17/2013 | 09/13/2013 | 324 | 160.00 | 160.00 | 0.0833 | 7,227.86 | 0.00 | 0.00 | 2,927.28 |
| P/F | 2014 | 10/2013 | 09/14/2013 | 10/11/2013 | 324 | 160.00 | 160.00 | 0.0833 | 6,802.66 | 0.00 | 0.00 | 2,755.08 |
| P/F | 2014 | 11/2013 | 10/12/2013 | 10/16/2013 | 324 | 240.00 | 40.00 | 0.0139 | 1,700.66 | 0.00 | 0.00 | 688.77 |
| | | | | Total Amounts | | 880.00 | 680.00 | 0.3471 | 29,345.31 | 0.00 | 0.00 | 11,833.77 |

May 18, 2012 Divorce

Response from Willick Subpoena

Pages 214-215

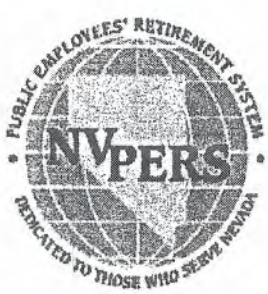
Letter from NV PERS showing Catherine's $488.58 per month, starting 10/26/2020.

NVPERS Account printout showing the payments to Plaintiff that were reduced to pay Cather on 10/26/2020.

**Retirement Board**

Timothy M. Ross
Chair
Yolanda T. King
Vice Chair

Dawn E. Huckaby
Todd H. Ingalsbee
Norma Santoyo
Mark Stevens
Brian A. Wallace




**Executive Staff**

Tina Leiss
Executive Officer

Kabrina Feser
Operations Officer

Steve Edmundson
Investment Officer

October 8, 2020

Jesus Arevalo
6935 Aliante Pkwy Ste 104 #286
N Las Vegas, NV 89084

Dear Mr. Arevalo:

In accordance with the certified Amended Qualified Domestic Relations Order (QDRO) recently received in our office, a portion of your monthly benefit will be paid to Catherine Delao effective with your October 2020 benefit. Your October 2020 benefit will be in the amount of $2,518.04. Your regular monthly check will be in the gross amount of $2,518.04 and Catherine Delao's regular monthly check will be in the gross amount of $488.58.

Should you have any questions, please contact us and ask to speak with a Counseling Services representative.

Sincerely,

Shawnee Kellar
Pension Services Division

693 W. Nye Lane
Carson City, NV 89703
(775) 687-4200
Fax: (775) 687-5131

Toll Free: 1-866-473-7768
Website: www.nvpers.org

5740 S. Eastern Avenue, Suite 120
Las Vegas, NV 89119

**Retirement Board**

Timothy M. Ross
Chair
Yolanda T. King
Vice Chair

Dawn E. Huckaby
Todd H. Ingalsbee
Norma Santoyo
Mark Stevens
Brian A. Wallace

**Executive Staff**

Tina Leiss
Executive Officer

Kabrina Feser
Operations Officer

Steve Edmundson
Investment Officer

October 8, 2020

Catherine Delao
7661 N Jones Blvd
Las Vegas, NV 89131-2120

Dear Ms. Delao:

In accordance with the certified Qualified Domestic Relations Order recently received in our office, you are entitled to a portion of Jesus Arevalo's retirement benefits. Your regular monthly check will be in the amount of $488.58, less authorized deductions. This amount will be mailed to the above address on October 26, 2020.

Enclosed are Federal Tax Withholding and Direct Deposit forms. Please complete both forms and return to the Carson City office.

Should you require further assistance, please contact us and ask to speak to a Counseling Services representative.

Sincerely,

Shawnee Kellar
Pension Services Division

enclosures

693 W. Nye Lane
Carson City, NV 89703
(775) 687-4200
Fax: (775) 687-5131

Toll Free: 1-866-473-7768
Website: www.nvpers.org

5740 S. Eastern Avenue, Suite 120
Las Vegas, NV 89119
Fax: (702) 678-6934

Catherine's Total Payments as of June 25, 2021:

$4,397.22

Balance left to pay out her share of $12,727.24:

$8,330.02

Remaining Payments from June 25, 2021:

17 payments

**Welcome Back,** JESUS AREVALO
**SSN :** *** - ** - 0274_
**EMAIL :** wrath702@gmail.com
**Last Login :** Monday, March 8, 2021 @ 12:04 AM

**Owner :** JESUS AREVALO
**Type :** RETIREE
**Relation :** OWNER
**Plan :** P/F

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## EFT Information

Select EFT Notice To View

| Check Date | Gross Amount | Fund |
|---|---|---|
| 12/26/2019 | 3,006.63 | PERS FUND |
| 01/28/2020 | 3,006.63 | PERS FUND |
| 02/25/2020 | 3,006.63 | PERS FUND |
| 03/26/2020 | 3,006.63 | PERS FUND |
| 04/27/2020 | 3,006.63 | PERS FUND |
| 05/26/2020 | 3,006.63 | PERS FUND |
| 06/25/2020 | 3,006.63 | PERS FUND |
| 07/28/2020 | 3,006.63 | PERS FUND |
| 08/26/2020 | 3,006.63 | PERS FUND |
| 09/25/2020 | 3,006.63 | PERS FUND |
| 10/26/2020 | 2,518.04 | PERS FUND |
| 11/23/2020 | 2,593.58 | PERS FUND |
| 12/28/2020 | 2,593.58 | PERS FUND |
| 01/26/2021 | 2,593.58 | PERS FUND |
| 02/23/2021 | 2,593.58 | PERS FUND |
| 03/26/2021 | 2,593.58 | PERS FUND |
| 04/27/2021 | 2,593.58 | PERS FUND |
| 05/25/2021 | 2,593.58 | PERS FUND |

← CATHERINE STARTED RECIEVING $488.58

YouTube

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# Defendant's Income
# Exhibit "2"

**Fidelity NetBenefits®**
www.netbenefits.com
**IBM Benefits Center – Provided by Fidelity**
866-937-0720
**Deaf or Hard of Hearing Access**
800-426-6537
**International Access**
Dial your country's toll-free AT&T Direct® access number, then enter 866-937-0720. In the U.S., call 800-331-1140 to obtain AT&T Direct access numbers. From anywhere in the world, access numbers are available from your local operator or online at www.att.com/traveler.

Catherine M Delao
7661 North Jones Blvd
Las Vegas, NV 89131

May 20, 2020

Re: Steven Delao, IBM Benefits
IBM Serial: 323476

Dear Mrs Delao:

Please accept my sincere condolences on behalf of the IBM Corporation to you and your family on the recent loss of your husband, Steven.

I know there are many things for you to consider at this time, and I am writing to make you aware of the benefits available to you. Please review the enclosed IBM Benefits Statement and the package containing important additional information. If you have any questions regarding this information or you are unable to provide any of the requested information, please contact me at the IBM Survivor Services Unit at 1-877-208-0800; and enter extension "20617". When returning correspondence to the IBM Benefits Center – Provided by Fidelity, please include one of the enclosed Return Mail Cover Sheets. Please either use the enclosed return envelope to return correspondence or if using your envelope, please use the address below.

Sincerely,

Daniel Engracia
IBM Benefits Center – Provided by Fidelity
PO Box 770003
Cincinnati OH 45277-0072

SA

Enclosures
- Direct Deposit and Tax Forms - Qualified Pension Benefit
- Beneficiary Information Sheet
- Additional Information Packet 3
- Additional Information Packet 5
- Return Envelope 1.805541.101

See page 2

## IBM BENEFITS STATEMENT

**Employee Name: Steven Delao**
**IBM Serial Number: 323476**

### IBM 401(k) Plus Plan

As Steven's spouse, you are the beneficiary for the IBM 401(k) Plus Plan (the "401(k) Plan"). The balance of this account, as of May 19, 2020, was $51,937.87. The account balance changes daily based on the investment gains and losses of the investment options chosen by the participant. The account balance will remain invested in the current investment options until you change the investment allocation after a beneficiary account is established.

Once the 401(k) Plan receives all documents required to verify the beneficiary, a separate account will be established for you under the 401(k) Plan. The beneficiary account initially will be invested in the same investment options that the participant had chosen prior to his death. Once the account is established, you will receive a letter from the 401(k) Plan with instructions on how to access the beneficiary account. At that time, the beneficiaries will be able to manage their own accounts, including making investment allocation changes and requesting a distribution from the 401(k) Plan. Please be sure to review the brochure called Additional Information about Your IBM Benefits to understand what your options are under the 401(k) Plan.

In order for the beneficiary account to be established, you must submit:

- A certified copy of Steven's death certificate, indicating the manner of death
- A photocopy of your marriage certificate.

A portion of this balance, $9,509.13, is invested in the IBM Stock Fund. If you take a distribution of your beneficiary account, you may elect to receive any IBM Stock Fund balance as cash or in shares of IBM stock. You should contact your personal tax advisor before making a decision about this, or any other aspect of the 401(k) Plan benefit that you have inherited.

### Pension Payments

Steven received a monthly pension benefit from IBM. The last pension benefit payable should have been the April 1, 2020 payment. Please be aware that any pension benefits received after that date are considered overpayments and must be returned or reimbursed to IBM's pension plan. If the pension payments were electronically deposited, IBM will attempt to retrieve these funds electronically. Please allow up to 90 days for completion of electronic payment retrievals. You will receive further notification if any amount is due to the plan.

### Joint and Survivor Benefits

At retirement, Steven elected the Joint and Survivor pension option. Therefore, you will receive $1,082.69 per month effective May 1, 2020 and continuing for your lifetime. Please note that it can take four to six weeks before your first payment is issued.

Please review and complete the enclosed state and federal tax withholding forms as appropriate. If you have questions about completing these forms, please consult a tax advisor or financial consultant.

For your convenience, a Direct Deposit form is also enclosed. The Direct Deposit form does need to be completed by you even if you have a joint bank account with your spouse and wish to receive your benefit in the same account. IBM requires that all pension payments to beneficiaries be made via Direct Deposit. Please return the form as soon as possible. We will mail your pension check to your home address by the first banking day of the month until we receive and process your completed Direct Deposit form.

**Health Benefits Coverage**

You and your eligible dependents will have access to medical, dental and vision benefits, as determined by the terms of the plan in effect at the time of your spouse's death and as may be modified thereafter. Our records show that you are not currently enrolled in IBM benefits. You are eligible for the Future Health Account (FHA) and can use this account to help subsidize the monthly cost for your health care benefits. The balance of this account as of April 30, 2020 is $33,714.96. If you would like to elect to use this account to subsidize your monthly premiums or change your coverage, you must contact the IBM Benefits Center – Provided by Fidelity at 1-866-937-0720, within 30 days of the date of this letter. Otherwise, you will not be able to do so until Annual Enrollment for 2021.

For more information on the FHA account, please contact the IBM Benefits Center – Provided by Fidelity at 1-866-937-0720, and request a FHA summary plan description.

IBM®

## Return Mail Cover Sheet

**Instructions: Please enclose a copy of this form with any documentation sent to the IBM Survivor Services group. Complete the spaces below to include your name, a day time telephone number, and the Social Security Number of the IBM employee. If you need additional forms, you may photocopy this document, or request additional copies from your Survivor Services case manager.**

**Decedent's Name:** Steven Delao

**IBM Serial Number:** 323476

**Original Workitem #:** W312124-08MAY20

**Your Name:** _____

**Your Day Time Phone Number:** (  )  -

**The Social Security Number of the IBM Employee:** ____-___-____

**Your Address:** _____

_____

***For Internal Use Only:***

**Please image this document and all associated items as a FES_Death_Cert under client ID 724265 (IBM)**

## DECLARATION OF EMPLOYEE OF CUSTODIAN OF RECORDS

The undersigned declares:

1. Fidelity Investments is a trade name for a group of separate but affiliated services companies, one of which, Fidelity Workplace Services Company, LLC. ("Fidelity"), provides administrative recordkeeping services to employer-sponsored qualified retirement plans.
2. I am an employee of Fidelity, the duly authorized custodian of these records.
3. I have authority to certify these records.
4. The copies transmitted are true copies of the original records described in the Subpoena.
5. The records referred to above were kept and prepared by personnel of Fidelity with knowledge of said records, in the ordinary course of business, at or near the time of the acts, conditions or events recorded.

Executed January 12, 2021 at Merrimack, New Hampshire.

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

Signature: _____

Print Name: Scott Houle

Title: Legal Operations Analyst – Legal Document Administration

STATE OF NEW HAMPSHIRE )
County of Hillsborough )

On the above date, before me, the undersigned notary public, personally appeared Scott Houle proved to me through satisfactory evidence of identification, which were personal knowledge of identity, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

ALANENA V PUTNAM
Notary Public-New Hampshire
My Commission Expires
June 07, 2022

Notary Public: _____ My Commission Expires: June 07, 2022

Social Security Administration
**Retirement, Survivors and Disability Insurance**
Notice of Award

Western Program Service Center
P.O. Box 2000
Richmond, California 94802-1791
Date: May 18, 2020
BNC#: 20MS914D94180-E

0001243 00016024 2 MB 0.439 0514M3MCS5PN T110 P11

CATHERINE M DELAO
7661 N JONES BLVD
LAS VEGAS, NV 89131-2120

You are entitled to monthly mother's benefits beginning April 2020. You are also entitled to a Social Security payment of $255.00 because of the death of STEVEN DELAO.

**What We Will Pay And When**

We pay Social Security benefits for a given month in the next month. For example, Social Security benefits for March are paid in April.

- You will receive $2,385.00 around May 19, 2020.
- This is the money you are due for April 2020.
- Your next payment of $2,130.00, which is for May 2020, will be received on or about the fourth Wednesday of June 2020.
- After that you will receive $2,130.00 on or about the fourth Wednesday of each month.
- These and any future payments will go to the financial institution you selected. Please let us know if you change your mailing address, so we can send you letters directly.
- The day of the month you receive your payments depends on your date of birth.

**Other Social Security Benefits**

These benefits are the only benefits you can receive from us at this time. In the future, if you think you might qualify for another benefit from us, you will need to apply again.

Enclosure(s):
Pub 05-10077

C

See Next Page

Social Security Administration
**Retirement, Survivors and Disability Insurance**
Notice of Award

Western Program Service Center
P.O. Box 2000
Richmond, California 94802-1791
Date: May 18, 2020
BNC#: 20MS914D94180-C1

0000574 00014734 3 MB 0.439 0514M3MCS5PI T101 P10

CATHERINE DELAO FOR
LUIS JESUS AREVALO
7661 N JONES BLVD
LAS VEGAS, NV 89131-2120

LUIS J AREVALO is entitled to monthly child's benefits beginning April 2020.

We have chosen you to be his representative payee. Therefore, you will receive his checks and use the money for his needs.

**What We Will Pay And When**

We pay Social Security benefits for a given month in the next month. For example, Social Security benefits for March are paid in April.

- You will receive $2,130.00 around May 19, 2020.
- This is the money LUIS is due for April 2020.
- LUIS J AREVALO's next payment of $2,130.00, which is for May 2020, will be received on or about the fourth Wednesday of June 2020.
- After that you will receive $2,130.00 on or about the fourth Wednesday of each month.
- These and any future payments will go to the financial institution you selected. Please let us know if you change your mailing address, so we can send you letters directly.
- The day of the month you receive STEVEN DELAO's payments depends on his date of birth.

Enclosure(s):
Pub 05-10077
Pub 05-10076

C

See Next Page

## CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 2021, I served a copy of the **PLAINTIFF'S BRIEF AFTER REMAND** upon the below-listed party by the below designated method:

____Electronic mail (Through Odyssey, the Courts efiling/eserve program)

_X_U.S. Mail, postage prepaid

____Hand Delivery

____Facsimile Transmission

____Certified Mail, Receipt No._____, return receipt requested.

Address:

marshal@willicklawgroup.com

lorien@willicklawgroup.com

Mallory@willicklawgroup.com

email@willicklawgroup.com

deptelc@clarkcountycourts.us

/S/ JESUS LUIS AREVALO

Plaintiff in Proper Person

# 6

6

Electronically Filed
6/11/2021 3:18 PM
Steven D. Grierson
CLERK OF THE COURT

**BREF**
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 2515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorney for Defendant

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

| | |
|---|---|
| JESUS LUIS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO<br>n/k/a CATHERINE DELAO,<br><br>Defendant. | CASE NO: D-11-448514-D<br>DEPT. NO: E<br><br><br><br>DATE OF HEARING:<br>TIME OF HEARING: |

# DEFENDANT'S BRIEF CONCERNING ORDER AFFIRMING IN PART, REVERSING IN PART, DISMISSING IN PART, AND REMANDING

On May 11, 2021, this Court directed the parties to submit briefs concerning whether it is appropriate for the child to attend the charter school and when the statute of limitations began to run for the issue of the life insurance policy in lieu of receiving the survivor benefit under the PERS retirement plan.

We have reviewed all matters deferred by this Court, and those remanded from the Court of Appeals, and submit this Brief for the assistance of the Court in entering orders as to remaining issues.

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## I. STATEMENT OF RELEVANT FACTS

On June 12, 2020, Jesus filed a *Notice of Appeal*, appealing the *Order from May 6, 2020 Hearing* filed June 6, 2020.

On March 23, 2021, the parties attended a hearing in this Court, where the Court indicated it was "inclined" to make several orders, but could not make the orders at that time as the appeal was still pending.

The Nevada Court of Appeals issued its *Order Affirming in Part, Reversing in Part, Dismissing in Part, and Remanding* on March 30, 2021.

On April 19, 2021, Jesus filed a *petition for Review by Nevada Supreme Court*. On May 4, the Supreme Court denied the *Petition*. A *Remittitur* was issued by the Supreme Court on May 5.

On May 11, this Court entered an *Order After Remand Setting Briefing*. The *Order* required both parties to submit argument concerning issues remanded by the Nevada Court of Appeal.

## II. LIMITED ARGUMENT

A. *Order from the March 23, 2021 Hearing* filed on May 19, 2021

On March 23, 2021, the Court issued orders it was "inclined" to make; we request the Court enter these orders as follows:

1. Jesus's *Motion for Discovery on Defendant's Income* is denied.
2. Jesus's request to "set the matter for trial" is denied.
3. Jesus's request for the Court to "acknowledge the statute of limitations with regard to the pension" is denied.
4. Jesus's request for the Court to "stay the collection pending appeal" is denied (and now moot).



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5. Jesus's request for the Court to stay the QDRO pending appeal is denied.

6. Catherine's *Countermotion* to declare Jesus a "vexatious litigant" is granted for filings made between October, 2020 to today's hearing. Jesus shall be unable to directly file any documents with the Court. All of Jesus's requests for relief (in the form of documents submitted to the court in any form) must be submitted to chambers for approval or disapproval prior to them being filed, and prior to requiring Catherine to respond.

7. With regard to Jesus' failure to carry a life insurance policy on himself pursuant to the *Decree of Divorce* filed February 26, 2013, and reiterated in the *Order from the May 6, 2020* hearing, as listed in the *Order to Show Cause* issued on February 24, 2021, Jesus is in contempt.

8. With regard to the unreimbursed medical expenses pursuant to the 30/30 rule, as listed in the *Decree of Divorce* filed February 26, 2013, and reiterated in the *Order from the May 6, 2020* hearing, as listed in the *Order to Show Cause* issued on February 24, 2021, the Court cannot find contempt based upon the current financial circumstance that Jesus finds himself in.

9. With regard to the fees awards, tax reimbursements and the PERS arrears, as listed in the *Order to Show Cause* issued on February 24, 2021, they have already been reduced to judgment, continue bearing interest, and can be executed upon.

10. Sanctions against Jesus are appropriate in the form of fees. The Willick Law Group shall submit an *Affidavit of Fees and Costs*,



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a *Brunzell Affidavit,* and a blank in an order for the Court to include an award of fees.

11. As far as the indemnification QDRO, the Court will not rule on that issue until the Supreme Court renders its decision on appeal.

12. As far as the request to modify child support, Jesus can take the request up to the appellate courts given the appeal is pending, and they can make that determination at that point.

13. The parties need to share in out-of-pocket costs, including premiums for the support of that child, and that is an offset that needs to be applied.

**B. Indemnification QDRO**

We previously made our arguments for the Court to enter the proposed Indemnification QDRO in the *Defendant's Motion for Order to Show Cause Why Plaintiff Should not be Held in Contempt of Court for Failure to Abide by the Court's February 19, 2020 Order and May 6, 2020 Order and Motion for Indemnification of Plaintiff's Qualified Domestic Relations Order*, filed January 15, 2021.

At the March 23, 2021, hearing, which included a hearing on that *Motion*, the Court made the following finding:[1]

> As far as the indemnification QDRO, while the Court would be inclined to consider that relief, it does not think it is able to do so with the pendency of the appeal, so the Court is inclined, and it can be deferred pending a determination of whether the Supreme Court would like this Court to go forward with that.

Now that the appeal has concluded, we renew our request to enter the Indemnification QDRO, and have attached a proposed Indemnification QDRO for the

[1] *See* Order from the March 23, 2021 Hearing, page 5, line 8, subsection "17" of findings.



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Court to issue.[2] The outstanding amounts due to for the indemnification QDRO follow:

1. *Order from February 19, 2019*:
   a. Attorney's Fees $4,210 (minus $750) = $3,460 plus interest from February 19, 2019 forward.
   b. Sanctions $1,250, plus interest from February 19, 2019 forward.
2. *Order from May 6, 2020 Hearing*:
   a. Attorney's Fees $2,850, plus interest from May 6, 2020 forward.
   b. Reimbursement of 2017 tax benefits: $1,420, plus interest from May 6, 2020 forward.
   c. PERS Pension arrears of $446.99/month from February 1, 2014 through November 1, 2016, $455.93/month from December 1, 2016 through November 1, 2019, and $488.58/month from December 1, 2019 through September 1, 2020, plus interest.
3. *Order from August 15, 2020*:
   a. Attorney's Fees deferred pending appeal (at issue for this hearing).
4. *Defendant's Motion for Order to Show Cause* filed January 15, 2021:
   a. $57.50 for half of Louie's eye doctor/glasses bill from March 18, 2020, plus interest.

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[2] *See* Exhibit A, Proposed Indemnification QDRO.



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b. $44.08 for half of Louie's pediatrician co-pay from March 24, 2020, plus interest.

c. $247.50 for Jesus' portion of Louie's dyslexia testing from July 27, 2020, plus interest.

5. *Order from March 23, 2021*:

a. Attorney's Fees $5,245, plus interest from March 23, 2021 forward.

TOTAL: <u>$61,276.27 if paid on June 11, 2021, accruing interest at $7.34 per day, plus the deferred attorney's fee award from the August 15, 2020 hearing, at issue for this hearing.</u>[3]

Based on the arrearage accrued through June 11, and the fact that Jesus has done nothing to satisfy these arrearages or previous judgments, we ask the Court to enter an indemnification QDRO for Jesus' Nevada PERS benefits.[4]

The Nevada Supreme Court held in *Reed*[5] and *Kennedy*[6]:

> ...this court held that liquidation of a judgment for arrearages may be scheduled in any manner the district court deems proper under the circumstances. See also *Chesler v. Chesler*, 87 Nev. 335, 486 P.2d 1198 (1971). California law also permits the judge to order that discharge of a judgment for arrearages be made in installment payments. See *Messenger v. Messenger*, 46 Cal.2d 619, 297 P.2d 988 (1956).[7]

Since the Court can have a debt paid in installments, Catherine's suggested remedy complies with current Nevada law and will result in her actually regaining the

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[3] *See* Exhibit B, MLAW calculation for all of the above financial reimbursements and awards.

[4] *Id.*

[5] *Reed v. Reed*, 88 Nev. 329, 497 P.2d 896 (1972).

[6] *Kennedy v. Kennedy*, 98 Nev. 318, 646 P.2d 1226 (1982).

[7] Quote taken from *Kennedy* which cited to *Reed*.



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funds of which she has been deprived by Jesus' actions and non-payment of court awards.

Further, we ask the Court to make it Jesus' responsibility to prove that he has satisfied all arrearages plus any interest due thereon before entering a second amended QDRO reinstating the existing time rule calculation. If he fails to do so in a timely manner, any overpayment after satisfaction of the funds owed should be considered a gift to Catherine so she does not end up indebted to Jesus through his inaction.

The indemnification QDRO attached as an Exhibit increases Catherine's share from 16.73% to 50% to ensure the arrearages are satisfied in a reasonable time; given the sums he owes, it will still take several years.

**C. Charter School**

Catherine objects to changing schools for Luis for a number of reasons, but most primarily due to the transportation distance and the hardships it would create, as well as the fact that Luis' current school system is actually better for his needs than the charter school that was previously requested.

Luis currently attends Seville Middle School. Jesus previously stated that he wants Luis to attend Somerset Academy Aliante because, at the time, he claimed to have another child there and wanted both children to attend the same school so transportation would be easier for him.

However, his other child no longer attends Somerset Academy Aliante and Jesus does not identify: (1) what other charter school he requests Luis attend (or if he even wants to switch his request to a different charter school at this point); (2) whether Luis could even be admitted to that hypothetical other school; or (3) what the statistics might be for that other school. It is difficult to compare Seville Middle



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School to some unknown charter school that Jesus has not specified, but we will attempt to go through the relevant law below in regard to at least Luis' current school.

Requests to change schools in Nevada are governed by the Arcella[8] factors, which do not support Jesus' request, as follows:

**1. The wishes of the child, to the extent that the child is of sufficient age and capacity to form an intelligent preference**

This is not a significant factor because Luis is only 11 years old, and does not have the maturity to understand the effects and nuances of moving from the school he is zoned for to a charter school. Catherine believes that if Luis is given a voice in the dispute, it would be to parrot comments solely groomed by his father, and it would force Luis to be in the middle of a court issue, which should be avoided.

Luis has already attended his sixth grade year at Seville Middle School and Catherine believes he truly enjoyed his time there. He has had the opportunity to get settled into that school, has tons of friends at that school, and has already been able to adjust to the resources provided by that school (which are optimal for Luis' conditions which Jesus denied existed, but which have been verified by objective third party testing).

**2. The child's educational needs and each school's ability to meet them, and the curriculum, method of teaching, and quality of instruction at the school**

These factors are difficult to analyze because Catherine believes that Jesus no longer wants Luis to switch to Somerset Academy Aliante. He previously suggested that charter school with the sole reasoning being that his other child then attended Somerset Academy Aliante, but Catherine believes that the other child doesn't attend

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[8] *Arcella v. Arcella,* 133 Nev. _, _ P.3d _ (Adv. Opn. No. 104, Dec. 26, 2017).



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Somerset Academy Aliante anymore. Catherine will attempt to compare Seville Middle School with Somerset Academy Aliante, but we cannot present a comparison now of the statistics of some unknown new charter school that Jesus might intend to suggest.

Catherine believes that both Seville and Somerset Academy Aliante provide the same level of education and have similar curriculums, methods of teaching, and quality of instruction.

In a previous filing, Jesus misrepresented that the average middle school class has 45 students. According to the Public School Review for the 19-20 school year, the average size of the classes at Seville Middle School is 28:1. Jesus submitted a message from Luis' current fifth grade teacher, Mr. Estes, stating there were 38 students in the class, and although that was momentarily true, it was a temporary issue.

At the beginning of that year Catherine spoke to Mr. Estes about the class size, and he told her the class was going to be 29-31 students, but there was a possibility that number might rise during the school year due to all of the new houses being built in the area. Catherine spoke to the school, which reported that it was re-zoning for the 20-21 school year due to all of the new houses, and suggested that the bigger class sizes were temporary.

Another thing that contributed to the growth in class size at Seville was the fact that Somerset Academy Aliante only received a two-star rating and ***that*** school sent a letter to the parents stating that if the parents wanted to pull their children out and place them in a public school they were welcome to do so.[9] Obviously, some did so.

It is hard to show more current statistics than the 19-20 school year because, as the Court is aware, COVID-19 had a huge effect on in-person learning for the 20-

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[9] *See* Exhibit C, letter from Somerset Academy re: their ratings.



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21 school year. Although now public schools are slowly returning to in-person learning, it is still not fully in effect at this point, and class sizes are likely to be lower than average at pretty much every school, and to fluctuate significantly this year.

These factors support Catherine's position that Luis should remain in Seville Middle School.

**3. The child's past scholastic achievements and predicted performance at each school**

With the right level of parental involvement and oversight, Luis should excel at either school, so this factor is largely neutral. Catherine believes, however, that one of Jesus' motives for requesting charter school was the belief (true or not) that he would need to provide less oversight for Luis' education at a charter school.

One of the reasons for that belief is that Luis has expressed to Catherine that he prefers to do homework at Jesus' house because his father "doesn't make him read" and doesn't check his homework, while Catherine goes over his homework and has him correct any mistakes.

Luis is a smart young man. He does sometimes struggle to catch on, but once he catches on, he "gets it." This requires *both* parties to be involved in his education, in any school he attends.

As the Court knows from the litigation last year, Luis has recently been diagnosed with dyslexia. Public schools are much better equipped to provide services for that special need (among others) of children because they are required to do so, whereas private or charter schools are not.

Prior to being diagnosed with and treated for dyslexia, Luis was a C-D student. Since his diagnosis and with utilization of the appropriate resources the Seville Middle School offers for Luis, he was an A-B student for his sixth grade year. His teacher has also recommended he take pre-algebra next year – a more advanced class



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than the regular seventh grade level math class. Switching schools at this point, to a place with fewer resources available to address his specific needs, would reasonably be expected to have a negative impact on his grades.

This factor supports Catherine's position that Luis should remain in Seville Middle School.

**4. The child's medical needs and each school's ability to meet them**

As mentioned above, Luis was recently diagnosed with dyslexia. Seville Middle School has been able to provide him with resources that led to his grades going from C's and D's to A's and B's. Public schools have more resources and services available for special needs students than private or charter schools have. If required to switch to a charter school, Luis wouldn't get the same level of resources he currently gets, and his grades would likely be negatively affected.

This factor supports Catherine's position that Luis should remain in Seville Middle School.

**5. The child's extracurricular interests and each school's ability to satisfy them**

This factor is neutral because Luis attends activities outside of school, and during his custodial days, Jesus only allows the child to attend activities Jesus has chosen. Luis' extracurricular activities include Boy Scouts and jiu jitsu. Luis is a member of two jiu jitsu gyms: Odin's Hall while with Catherine and MMA Uprising while with Jesus.

During the time Catherine was married to Jesus, he refused to allow his daughter McKenzie to attend any extracurricular activities chosen by that child's mother during his custodial days – regardless of how much McKenzie wanted to go.



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Jesus continued the same pattern with Luis – if an activity was scheduled on Jesus' day, she would ask him, but the answer was usually "no," so she stopped asking.

Catherine couldn't bear the thought of Luis going through what McKenzie endured, so all activities done at the Delao house are scheduled for Catherine's custodial days only. Therefore, the extracurricular activities issue is probably a moot point, neutral to this analysis.

**6. Whether leaving the child's current school would disrupt the child's academic progress**

As mentioned above, switching schools from Seville (a public school) to a charter school (whether Somerset Academy Aliante or some other charter school) would be expected have a large adverse impact on Luis' academic progress. Private and charter schools just do not offer the same level of resources for special needs children as public schools do. Since being diagnosed with dyslexia and getting the proper resources to manage it, Luis has shown great progress in the grades he receives. Switching to a school that doesn't offer the same level of resources would be expected to have the opposite effect.

This factor supports Catherine's position that Luis should remain in Seville Middle School.

**7. The child's ability to adapt to an unfamiliar environment**

Luis is fairly good about adapting to unfamiliar environments, especially when there are people he already knows there. The only person he might know at any charter school is his step-sister (if she is still there, which is not known), and even if she is, they would not be in the same grade. If Luis continues attending public school in his school zone (Seville for middle school and Shadow Ridge for high school), he will continue going to school with the same friends he has had since elementary



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school. His friends from jiu jitsu and Boy Scouts also go to Seville and most would likely attend Shadow Ridge for high school as well.

This factor is either neutral or supports Catherine's position that Luis should remain in Seville Middle School.

**8. The length of commute to each school and other logistical concerns**

The length of the commute is a serious concern for Catherine, although it is minimal for Jesus because he continues to claim to be unemployed. Seville is a little less than one mile from Catherine's home. For his sixth grade year, Luis rode his bike to school every day. If allowed to remain at Seville, he would continue to do this.

Catherine currently has to leave the house for work at 7:30 a.m. Luis' school doesn't start until 9:00 a.m., so Luis is usually home alone for about an hour before he leaves for school each morning at 8:30 a.m. to have some socialization time before school starts. Somerset Academy Aliante is roughly three miles from Catherine's home. If Luis was required to switch to Somerset Academy Aliante, he would no longer be able to ride his bike to school and that would create problems for how Catherine would get him to school in the morning since she has to leave for work an hour and a half before Luis' school starts.

The only inconvenience Jesus would have if Luis attended Seville Middle School is if he has to drive to two different schools, but he is doing that now, and has been for two years. This inconvenience is further mitigated by the fact that Jesus claims that he does not have full-time employment.

The other concern Catherine has about Luis attending the charter school is the cost, combined with Jesus' poor payment history. When Jesus' older daughter, McKenzie, attended private school, Jesus refused to share in the costs of uniforms



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and school supplies, failed to pay his half of the tuition, and forced McKenzie's mom to cover those costs and chase him by getting judgments from the court for the unpaid balances.

This Court's records will show that Jesus already owes Catherine large sums that he refuses to pay; he claims to be "unable" to pay the sums he already owes. Catherine doesn't want to be in the position of having to incur her half of costs, ***and*** cover Jesus' half, and then have to chase after yet further reimbursements on uniforms and related expenses for charter school, given Jesus' track record of not making court-ordered payments. There are no such additional or hidden costs at public school.

This factor supports Catherine's position that Luis should remain in Seville Middle School.

**9. Whether enrolling the child at a school is likely to alienate the child from a parent**

Catherine does have some concern that moving Luis to a charter school could create alienation and/or conflict. In the past, Jesus showed up at Heckethorn Elementary to confront Catherine on her custodial days, when he had no legitimate reason to be at the school at all. Eventually, when Catherine saw Jesus, she would go to the office so any confrontations could be witnessed, if not avoided. If Luis moves to a charter school where any of Jesus' other children attend, he would have additional opportunities to confront her and use the excuse that he was there for his other children.

On information and belief, Jesus would attempt mis-use Luis' attendance at a charter school to cut off her ability to obtain the same information as Jesus since he would be the one "enrolling" him into the school.



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In sum, there is no compelling reason to disrupt Luis from his current school, routine and familiar school zone and place him in a charter school, and the *Arcella* factors do not support Jesus' request. Relocating Luis would injure his school performance and create hardships on both Luis and Catherine that would reasonably be expected to lead to increased avoidable conflict. Jesus' request should be denied.

### D. Life Insurance Policy

#### 1. Statute of Limitations

The Nevada Court of Appeals determined that the award of a life insurance policy in the *Decree of Divorce* implicates the six year limitation set out in NRS 11.190(1)(a). The Court further explicitly held that the statute did ***not*** commence when the decree was entered, but that under NRS 11.200,[10] the six year statute of limitations runs from the "last transaction" constituting "evidence of indebtedness." Specifically, the Court found (Adv. Opn. p. 9) that "[i]f Jesus obtained a life insurance policy, this act would constitute "evidence of indebtedness," and the statute of limitations would begin to run from that date. The Court remanded for this Court to make findings.

[10] NRS 11.200 Computation of time. The time in NRS 11.190 shall be deemed to date from the last transaction or the last item charged or last credit given; and whenever any payment on principal or interest has been or shall be made upon an existing contract, whether it be a bill of exchange, promissory note or other evidence of indebtedness if such payment be made after the same shall have become due, the limitation shall commence from the time the last payment was made.



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**a. Indebtedness Began at the Time Jesus Obtained a $5,000 Policy in 2020**

On February 18, 2020, Jesus filed a *Response in Opposition to Order to Show Cause for: (1) Failure to Complete UNLV Parenting Class; (2) Failure to provide Insurance Policy; and (3) Failure to Timely Pay $150 Per Month*.

Attached to that filing as Exhibit 5 was a "Conditional Receipt" from the American Income Life Insurance Company confirming receipt of $13.23 from Jesus on February 14, 2020, as the "first payment on this application" for a life insurance policy from the American Income Life Insurance Company with a face amount of $5,000.[11] That was less than a year and a half ago, so the statute of limitations is not implicated here.[12]

**b. Indebtedness Does Not Occur Until Jesus' Death**

Though it is academic since the Nevada Court of Appeals has determined that the statute of limitations only runs from "evidence of indebtedness" starting when Jesus obtained a life insurance policy, no "indebtedness" was implicated while Jesus remains alive.

The life insurance policy was to protect Catherine's interest in her share of the Nevada PERS Pension. As long as Jesus remains alive, the insurance policy owes nothing to her.

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[11] Exhibit D, copy of the premium receipt provided by Jesus. If by chance Jesus now claims that he never obtained that policy, then the ruling by the Nevada Court of Appeals would be that since the time does not run from the decree, no statute of limitations has yet begun to run as there is not yet evidence of indebtedness. Either way, the only thing left for this Court to determine is what the correct face value of the insurance policy should be, which is addressed below.

[12] *See Davidson v. Davidson*, 132 Nev. 709, 382 P.3d 880 (2016).



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Upon Jesus' death, the Nevada PERS benefits would cease to Catherine and the insurance policy would be implicated. As such, no indebtedness has occurred as of this writing as Jesus is still alive and a portion of the Nevada PERS Pension is still being paid to Catherine. As there is no indebtedness at this time, the six year time limit enunciated in the statute has yet to begin to run.[13] But again, given the insurance policy, the Court need not reach this issue.

**2. Calculation of the Correct Policy Face Value**

The Court of Appeals *Order* (at page 9, footnote 3) verified that the sums being paid to Catherine were proper, and required this Court to make findings based on evidence as to the value of the insurance policy required to secure Catherine's interest in the PERS benefits. The following calculation is based on the documents provided by Nevada PERS.

The Custodian of records is Walter Zeron whose title is Director of Communications for Nevada PERS. The certificate of the Custodian of Records was signed on the 16th day of November 2020, by Mr. Zeron.[14]

Mr. Jesus Arevalo began his career with the Las Vegas Metropolitan Police Force on February 12, 2002, as a Corrections Recruit.[15] He changed to coverage under Nevada PERS Police/Fire on May 16, 2002, as a Corrections Officer I.[16]

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[13] *Id.*

[14] See Exhibit E, Bates Stamp 000062CD, Certificate of Custodian of Records.

[15] See Exhibit F, Bates Stamp 000071CD, Member Enrollment Form. This is a regular member position.

[16] See Exhibit G, Bates Stamp 000072CD, Member Contribution Plan/Fund Change Form.



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Jesus was terminated from the police force on October 16, 2013. He was officially retired on October 17, 2013.[17]

Jesus's date of birth is August 14, 1977.

Catherine's date of birth is August 3, 1976.

Per NRS ch. 286, based on Jesus's retirement date, he would receive the following Post-Retirement Increases:

October 2017 – Increase of 2%.

October 2018 – Increase of 2%.

October 2019 – Increase of 2%.

October 2020 – Increase of 3%.

October 2021 – Increase of 3%.

October 2022 – Increase of 3%.

October 2023 – Increase of 3.5%

October 2024 – Increase of 3.5%.

October 2025 – Increase of 3.5%.

In October for every following year, the increase will be 4%.[18]

According to the Social Security Administration Actuarial Table:[19]

Jesus, who is currently 43 years old as of May 1, 2021, is expected to survive for another 35.85 years, or until he is 79 years old.

Catherine, who is currently 44 years old as of May 1, 2021, is expected to survive for another 38.73 years, or until she is 83 years old.

Since the benefit to be insured, including the foregone survivorship interest, ends upon Catherine's death, figuring the sum to be secured to replace her lifetime

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[17] See Exhibit H, Bates Stamp 0000192CD, PERS Final Checklist.

[18] See NRS 286.5756.

[19] See https://www.ssa.gov/oact/STATS/table4c6.html.



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of collections and therefore the policy of life insurance policy must be based on her life. Her benefit, plus post retirement increases, can be expected actuarially to be paid for the next 38.73 years, or 465 months.

At the time the QDRO was entered, Catherine was receiving $488.58.[20] Her benefit as of May 1, 2021, is $503.24 per month which has taken into account the required post-retirement increases.[21]

As Jesus has repeatedly represented in this Court and on appeal that he cannot comprehend how a value can be arrived at without alchemy and experts, that means that Catherine will receive $503.24 each month for a year.[22] The annual increase in this benefit as indicated above will increase to $574.69 per month as of October 2025.[23] After that date it will increase by 4% per year.

Using a conservative investment discount rate of 5% per year, and payments due from October 1, 2025, to the projected date of Ms. Arevalo's death, the face value of full security to be provided a life insurance policy purchased today would be $201,751.06.[24]

---

[20] See Exhibit I, Bates Stamp 000272CD, letter from Nevada PERS.

[21] Because Jesus took a disability retirement, there are no early retirement reductions or penalties, and the full sum attributable to his time in service is being paid now, and will be for the remainder of his life.

[22] To make it a bit easier, $503.24 x 12 = $6,038.88. And like the sums payable to him, it goes up over time. Jesus has, to date, concocted at least three preposterous "explanations" of why Catherine does not "really" have an interest in the actual sums being paid. None ever made any sense.

[23] Again, this includes the statutory post-retirement increases.

[24] See Exhibit J, calculation of present value of increasing periodic payments over time.



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### E. Memorandum of Attorney's Fees and Costs

This Court deferred the fees from the August 13, 2020, hearing to the conclusion of the appeal.[25] This *Memorandum of Fees and Costs* is provided to the Court indicating fees and costs expended by the Defendant, Catherine Delao, related to the motion heard at the August 13, 2020, hearing (between May 11, 2020, through the conclusion of the drafting of the *Order from the August 13, 2020 Hearing*.)

#### 1. Fees and Costs Incurred

a. Marshal S. Willick, Esq., is the Principal Attorney for the WILLICK LAW GROUP and has produced this *Memorandum of Fees and Costs*.

b. Catherine's billing records in the above referenced case from May 11, 2020, through the completion of the *Order from the August 13, 2020 Hearing*, reflect the following time entries from WILLICK LAW GROUP staff, a detailed summary of which is attached as Exhibit "K":[26]

| | | | | |
|---|---|---|---|---|
| Paralegal time non-billable: | 1.9 | @ | $0.00 | $0.00 |
| Paralegal time: | 8.8 | @ | $175.00 | $1,540.00 |
| Associate time: | | @ | $250.00 | $0.00 |
| Associate time: | 7.3 | @ | $375.00 | $2,737.50 |
| Mr. Willick's time: | 4.4 | @ | $600.00 | $2,640.00 |
| Mr. Willick's non-billed time: | 2.0 | @ | $0.00 | $0.00 |

[25] *See Order from the August 13, 2020 Hearing* filed September 29, 2020.

[26] *See* Exhibit K, WLG Billing Statements.



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**TOTAL SERVICES**

| | |
|---|---|
| Total Hours Expended Case to Date: | 24.4 hours |
| Total Costs Case to Date: | $44.50 |
| Total Fees Case to Date: | $6,917.50 |
| Total Interest Case to Date: | $0.00 |
| Total Fees, Costs, and Interest Case to Date: | $6,962.00 |

Time designated as "No Charge" on Catherine's billing statement was not charged to Catherine by her counsel, and is not included in the total amounts of attorneys' fees incurred by Catherine, as set forth above.

### 2. Limited Legal Argument and Authorities

The Court of Appeals required upon remand a grater exposition of the *Brunzell* factors, consideration of relative income, and citation of a subsection under which fees were awarded. The fees requested here are suggested to be reasonable after considering the argument and documents presented by Catherine, and after considering NRS 18.010(2)(a), and NRS 22.100(3).

The Court should also "consider" any disparity in the parties' income pursuant to *Miller*[27] and *Wright v. Osburn*.[28] Therefore, parties seeking attorney fees in family law cases must support their fee request with affidavits or other evidence that meets the factors in *Brunzell*[29] and *Wright*.[30] The *Brunzell* analysis is below. As to *Wright*, the holding is minimal. It says:

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[27] 121 Nev. 619, 119 P.3d 727 (2005).

[28] 114 Nev. 1367, 1370, 970 P.2d 1071, 1073 (1998).

[29] *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P.2d 31 (1969).

[30] 114 Nev. 1367, 970 P.2d 1071 (1998).



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> The disparity in income is also a factor to be considered in the award of attorney fees. It is not clear that the district court took that factor into consideration.[31]

The Court did not hold that the decision of the award of attorney's fees hinged on a disparity in income. Only that it is one of the many factors that must be considered. Here, Jesus' lengthy history of voluntary unemployment would be relevant as well,[32] and while the Court may note an income differential, it is only one factor among several, and should not control the award.

With specific reference to Family Law matters, the Court has adopted "well-known basic elements," which in addition to hourly time schedules kept by the attorney, are to be considered in determining the reasonable value of an attorney's services qualities, commonly referred to as the *Brunzell*[33] factors:

1. *The Qualities of the Advocate*: his ability, his training, education, experience, professional standing and skill.

2. *The Character of the Work to Be Done*: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation.

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[31] *Id.* at 1370, 970 P.2d at 1073 (1998).

[32] *Rodriguez v. Eighth Judicial Dist. Court*, 120 Nev. 798, 102 P.3d 41 (2004) ("Rodriguez had presented no evidence to demonstrate that his unemployment was involuntary, as he was physically able to work but refused to obtain a job"); *Minnear v. Minnear*, 107 Nev. 495, 814 P.2d 85 (1991) ("where evidence of willful under-employment preponderates, a presumption will arise that such underemployment is for the purpose of avoiding support"); *Dalaimo v. Dalaimo*, No. 66060, Order of Affirmance, (Unpublished Disposition Feb. 28, 2017) (where a party is earning an amount below his actual earning potential, and he therefore voluntarily caused the purported reduction in his income, the order to be entered should reflect actual income ability); *Bonham v. Bonham*, No. 78563, Order of Reversal and Remand (Unpublished Disposition, June 24, 2020) (where household income exceeds a party's personal income, thus apparently allowing him to meet expenses despite a significant shortfall in income, the district court should consider a later spouse's income, citing *Rodgers v. Rodgers*, 110 Nev. 1370, 1376, 887 P.2d 269, 273 (1994) ([A]n examination of a remarried parent's relative income may properly include consideration of his or her one-half interest in the new spouses income)).

[33] *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969).



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3. *The Work Actually Performed by the Lawyer*: the skill, time and attention given to the work.

4. *The Result*: whether the attorney was successful and what benefits were derived.

Each of these factors should be given consideration, and no one element should predominate or be given undue weight.[34] Additional guidance is provided by reviewing the "attorney's fees" cases most often cited in Family Law.[35] Additionally, this Court can award attorney's fees under EDCR 7.60(b):

> (b) The court may, after notice and opportunity to be heard, impose upon an attorney or a party any and all sanctions which may, under the facts of the case, be reasonable, including the imposition of fines, costs or attorney's fees when an attorney or a party without just cause:
>
> (1) Presents to the court a motion or an opposition to a motion which is obviously frivolous, unnecessary or unwarranted.
>
> (2) Fails to prepare for a presentation.
>
> (3) So multiplies the proceedings in a case as to increase costs unreasonably and vexatiously.
>
> (4) Fails or refuses to comply with these rules.[36]

Here, this Court has already determined that vexatious litigant, so this is an independent basis for an award of fees to Catherine.

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[34] *Miller v. Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

[35] Discretionary Awards: Awards of fees are neither automatic nor compulsory, but within the sound discretion of the Court, and evidence must support the request. *Fletcher v. Fletcher*, 89 Nev. 540, 516 P.2d 103 (1973); *Levy v. Levy*, 96 Nev. 902, 620 P.2d 860 (1980); *Hybarger v. Hybarger*, 103 Nev. 255, 737 P.2d 889 (1987).

[36] EDCR 7.60(b).



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The *Brunzell* factors require counsel to make a representation as to the "qualities of the advocate," the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained.

First, respectfully, we suggest that the supervising counsel is A/V rated, a peer-reviewed and certified (and re-certified) Fellow of the American Academy of Matrimonial Lawyers, and a Certified Specialist in Family Law.[37]

As to the "character and quality of the work performed," we ask the Court to find our work in this matter to have been adequate, both factually and legally; we have diligently reviewed the applicable law, explored the relevant facts, and believe that we have properly applied one to the other.

The fees charged by associate and paralegal staff are reasonable, and compensable, as well. The tasks performed by staff in this case were precisely those that were "some of the work that the attorney would have to do anyway [performed] at substantially less cost per hour."[38] As the Nevada Supreme Court reasoned, "the use of paralegals and other nonattorney staff reduces litigation costs, so long as they are billed at a lower rate," so "'reasonable attorney's fees' . . . includes charges for persons such as paralegals and law clerks."

Attorney Richard Crane, an experienced family law practitioner well versed in retirement and survivorship issues, performed the calculations of the insurance policy more quickly and inexpensively than undersigned counsel could have performed the same work.

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[37] Per direct enactment of the Board of Governors of the Nevada State Bar, and independently by the National Board of Trial Advocacy. Mr. Willick was privileged (and tasked) by the Bar to write the examination that other would-be Nevada Family Law Specialists must pass to attain that status.

[38] *LVMPD v. Yeghiazarian*, 129 Nev. 760, 312 P.3d 503 (2013) citing to *Missouri v. Jenkins,* 491 U.S. 274 (1989).



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Mallory Yeargan, paralegal with the WILLICK LAW GROUP, was assigned to Catherine's case. Mallory has been a paralegal for a total of 16 years, and has assisted attorneys in complex family law cases for several years.

Finally, as evidenced by the Court's *Order from the August 13, 2020 Hearing* issued on September 29, 2021, the work performed by the WILLICK LAW GROUP was successful and resulted in Catherine receiving nearly all of what she requested.

## II. CONCLUSION

For the reasons stated above, Catherine respectfully requests the Court issue the following orders:

1. Enter the Proposed Indemnification QDRO attached as Exhibit B.
2. Deny Jesus's request for Louie to attend the Charter School.
3. Award fees and costs from the August 13, 2020, hearing in the amount of $6,962.
4. Deny Jesus's request to enforce a statute of limitations against the requirement to get a life insurance policy.
5. Based on the above facts and calculations, we believe the Court should find that Jesus should obtain and maintain a life insurance policy with a face value of a minimum of $201,751.06.

DATED this 11th day of June, 2021.

Respectfully Submitted By:
WILLICK LAW GROUP

//s//Marshal S. Willick, Esq.

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## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Willick Law Group and that on this 11th day of June, 2021, I caused the above and foregoing document to be served as follows:

[X] Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

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

[ ] pursuant to EDCR 7.26, to be sent via facsimile, by duly executed consent for service by electronic means;

[ ] by hand delivery with signed Receipt of Copy.

[ ] by First Class, Certified U.S. Mail.

To the person(s) listed below at the address, email address, and/or facsimile number indicated:

Mr. Jesus Luis Arevalo
4055 Box Canyon Falls
Las Vegas, NV 89085
wrath702@gmail.com

Mr. Jesus Arevalo
6935 Aliante Pkwy., Ste. 104 #286
N. Las Vegas, NV 89084

Mr. Jesus Arevalo
5612 N. Decatur Blvd., Ste. 130
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Las Vegas, NV 89131

*/s/ Justin K. Johnson*

An Employee of the WILLICK LAW GROUP

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**EXHS**
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Attorney for Defendant

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

| | |
|---|---|
| JESUS LUIS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO<br>n/k/a CATHERINE DELAO,<br><br>Defendant. | CASE NO: D-11-448514-D<br>DEPT. NO: E<br><br><br><br>DATE OF HEARING:<br>TIME OF HEARING: |

# EXHIBITS TO DEFENDANT'S BRIEF CONCERNING ORDER AFFIRMING IN PART, REVERSING IN PART, DISMISSING IN PART, AND REMANDING

Defendant, Catherine Delao, by and through her attorneys, the WILLICK LAW GROUP, submits the attached documents as Exhibits to *Defendant's Brief Concerning Order Affirming in Part, Reversing in Part, Dismissing in Part, and Remanding,* filed June 11, 2021.

Exhibit A. Proposed Indemnification QDRO.

Exhibit B. MLAW calculation for all of the above financial reimbursements and awards.

Bates Nos. 000330CD-000333CD

Exhibit C. Letter from Somerset Academy re: their ratings.
Bates Nos. 000024CD

Exhibit D. America Income Life Insurance Policy premium receipt provided by Jesus.
Bates Nos. 000302CD

Exhibit E. Certificate of Custodian of Records of Walter Zeron, Director of Communications at Public Employees' Retirement System of Nevada.
Bates Nos. 000062CD

Exhibit F. Member Enrollment Form from Public Employees' Retirement System of Nevada.
Bates Nos. 000071CD

Exhibit G. Member Contribution Plan/Fund Change Form from Public Employees' Retirement System of Nevada.
Bates Nos. 000072CD

Exhibit H. Public Employees' Retirement System of Nevada Final Checklist.
Bates Nos. 0000192CD

Exhibit I. Letter from Public Employees' Retirement System of Nevada.
Bates Nos. 000272CD

Exhibit J. Calculation of present value of increasing periodic payments over time.
Bates No. 000301CD

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Exhibit K. Willick Law Group Billing Statements, dated August 14, 2020, through May 14, 2021.

Bates Nos. 000303CD-000329CD

**DATED** this 11th day of June, 2021.

Respectfully Submitted By:
WILLICK LAW GROUP

//s//*Marshal S. Willick, Esq.*

MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 2515
LORIEN K. COLE, ESQ.
Nevada Bar No. 11912
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Attorney for Defendant

## CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Willick Law Group and that on this 11th day of June, 2021, I caused the above and foregoing document entitled to be served as follows:

[ X ] Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCP 5(b)(2)(D) and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

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

[ ] pursuant to EDCR 7.26, to be sent via facsimile, by duly executed consent for service by electronic means;

[ ] by hand delivery with signed Receipt of Copy.

[ ] by First Class, Certified U.S. Mail.

To the persons listed below at the address, email address, and/or facsimile number indicated:

Mr. Jesus Luis Arevalo
4055 Box Canyon Falls
Las Vegas, NV 89085
wrath702@gmail.com

Jesus Arevalo
6935 Aliante Pkwy., Ste. 104 #286
N. Las Vegas, NV 89084

Jesus Arevalo
5612 N. Decatur Blvd., Ste. 130
P.O. Box 321
Las Vegas, NV 89031

//s//*Justin K. Johnson*

An Employee of the Willick Law Group

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# EXHIBIT “A”

# EXHIBIT “A”

# EXHIBIT “A”

**QDRO**
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MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 2515
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Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorney for Defendant

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

| | |
|---|---|
| JESUS LUIS AREVALO,<br><br>Plaintiff,<br><br>vs.<br><br>CATHERINE AREVALO<br>n/k/a CATHERINE DELAO,<br><br>Defendant. | CASE NO: D-11-448514-D<br>DEPT. NO: E<br><br><br><br>DATE OF HEARING: N/A<br>TIME OF HEARING: N/A |

# AMENDED QUALIFIED DOMESTIC RELATIONS ORDER[1]

This *Order* is intended to be an Amended Qualified Domestic Relations Order ("QDRO") as it pertains to "Participant" and "Alternate Payee" under the provisions of the Public Employees Retirement Act codified at Chapter 286 of the Nevada Revised Statutes (the "Act") and the policies enacted pursuant thereto, effective on or after October 1, 1993.

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[1] This proposed *Order* is to be provided to the Court in an editable format as required by current local rules. However, the language in this *Order* has been pre-approved by the Plan and any changes may result in the Plan rejecting the same. Please notify the WILLICK LAW GROUP if there is any desire to modify this *Order* so we can determine if it will affect its qualified status.

This *Order* creates or recognizes the existence of an Alternate Payee's right to, or assigns to an Alternate Payee the right to receive a portion of the benefits payable to a plan Participant. It also serves as authorization for the Public Employees Retirement System (the "System") to provide specific information concerning the Member's account to the Alternate Payee at any time.

This *Order* does not require the System to provide any type or form of benefit, or any option, not otherwise provided under the Act and policies or require the System to provide increased benefits.

The name of the Plan to which this *Order* applies is the Public Employees' Retirement System of Nevada. The Plan is specifically directed to pay benefits pursuant to this *Order* to the Alternate Payee.

This *Order* is intended to be an Amended Qualified Domestic Relations Order ("QDRO") valid for distribution of a Nevada Public Employees' Retirement, as it pertains to "Participant or Member," Jesus Arevalo, and "Alternate Payee," Catherine Delao, under the provisions of the Act and the policies enacted pursuant thereto. Good cause appearing therefor;

**THIS COURT FINDS** as follows:

1. It is the intent of this *Order* to qualify as an Amended Qualified Domestic Relations Order under the Act and policies and the provisions herein shall be administered and interpreted in conformity with the provisions of the Act and policies.

2. Plaintiff, Defendant, and the Court acknowledge that there has been a previous *Qualified Domestic Relations Order* entered regarding Participant's benefits under this Plan. This *Order* replaces and supersedes the *Qualified Domestic Relations Order* filed on August 25, 2020, pertaining to the Participant's retirement with the Public Employees' Retirement System of Nevada.



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3. Jesus is a Participant in the Public Employee's Retirement System ("PERS").

4. Jesus Arevalo ("Jesus"), and Catherine Delao ("Catherine"), were married on June 28, 2008.

5. The parties' *Order from Divorce Trial of May 18, 2012, and Decree of Divorce from Decision of May 22, 2012 and Subsequent Hearing on October 30, 2012* was filed on February 26, 2013, in Clark County, Nevada. Pursuant to the parties' *Decree*, the date of trial, May 18, 2012, shall be used as the community end date.

6. To avoid violation of the governing Nevada statutes (NRS 603A.040 and NRS 239B.030), the Code of Federal Regulations (5 U.S.C. § 552a, Privacy Act of 1974), and court rules concerning privacy, the parties' dates of birth, and Social Security Numbers are to be provided to the State of Nevada Public Employees Retirement System (PERS) in a separate cover letter simultaneously submitted with this *Order*.

**IT IS HEREBY ORDERED** that the following definitions apply to this *Order*:

**A. PARTICIPANT.** Participant is defined as the member of the Public Employees Retirement System of Nevada.

**B. ALTERNATE PAYEE.** Alternate Payee is defined as a spouse, former spouse, child or other dependent of a Participant who is recognized by this *Order* as having a right to receive a portion of the benefits payable under the Act with respect to such Participant.

**C. DOMESTIC RELATIONS ORDER.** Domestic Relations Order means any judgment, decree or order (including approval of a property settlement agreement) which relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child or other dependent, and is made pursuant to Chapter 125 of the Nevada Revised Statutes.



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**D. PLAN ADMINISTRATOR**. The Plan Administrator is the Executive Officer, whose address is 693 West Nye Lane, Carson City, NV 89703.

**E. OTHER DEFINITIONS.** Any other definitions necessary to effectuate this *Order* shall be adopted from the Act and the policies adopted pursuant thereto, as may from time to time be amended. These definitions shall include any and all definitions, terms or conditions required by statute to qualify this *Order* as a QDRO.

**IT IS FURTHER ORDERED** that the Court recognizes, and assigns to Catherine, the right to receive a portion of the benefits payable to a plan Participant. Catherine is awarded an interest in the pension and retirement interests with the State of Nevada Public Employees Retirement System (PERS), accrued through employment, in the name of Jesus Arevalo, as follows:

1. The name of the Participant is Jesus Arevalo, his address is 4055 Box Canyon Falls, Las Vegas, Nevada 89085; the name of the Alternate Payee is Catherine Delao, her address is 7661 N. Jones Blvd., Las Vegas, Nevada 89131. The Alternate Payee is the former spouse of the Member and is recognized by a Domestic Relations Court as having a right to receive a portion of the allowance or benefit of a member or retired employee from the system.

2. The retirement system is specifically directed to pay the benefits as determined herein directly to the Alternate Payee at the first possible date. The retirement system is not required by this order to provide an allowance or benefit not otherwise provided under the statutes governing the Public Employee's Retirement System of Nevada.

3. This Order does not require the retirement system to make payments to an Alternate Payee prior to the retirement of a Participant or the distribution to or withdrawal of contributions by a Participant.

4. The Participant shall make payments directly to the Alternate Payee, of the sum required by this Order, no later than the fifth day of each month until payments from the retirement system to the Alternate Payee commence under this Order.

5. The benefit to be payable to the Alternate Payee shall be a percentage award, using Option 1 to calculate the Alternate Payee's benefit. PERS shall pay 50% of the benefit to the Alternate Payee until further order of the Court. The Alternate Payee shall share in any post retirement increases, to the extent of the awarded percentage.



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6. The Alternate Payee shall be entitled to the benefit as stated above, beginning the date this *Order* is deemed qualified until further Order of the Court or until the death of the Participant or Alternate Payee, whichever occurs first.

7. If retroactive payments are due to the Alternate Payee, the Participant is responsible for making those retroactive payments to the Alternate Payee.

**IT IS FURTHER ORDERED** that Jesus has waived any privacy or other rights as may be required for Catherine to obtain information relating to Jesus' date of retirement, final grade and step, and pay, present or past retired pay, or other such information as may be required to enforce the award made herein, or required to revise this *Order* so as to make it enforceable. PERS is hereby authorized to provide specific information to Catherine from the retirement file of Jesus for purposes of issues related to this *Order*.

**IT IS FURTHER ORDERED** that if Jesus takes any steps to merge the retirement divided herein with another retirement program of any kind, or takes any action that prevents, decreases, or limits the collection by Catherine of the sums to be paid hereunder; Jesus shall make payments to Catherine directly in an amount sufficient to neutralize, as to Catherine, the effects of the action taken by Jesus.

**IT IS FURTHER ORDERED** that a certified copy of the *Order* shall be served upon the Plan Administrator. Said *Order* is subject to review by the Administrator and if approved by the Administrator, is effective on the date set forth herein. If this *Order* is determined by the Administrator to be a QDRO, then the Plan Administrator shall, within a reasonable period of time after delivery of this *Order*, notify the Participant and the Alternate Payee of such determination. If the Administrator determines that the *Order* does not qualify as a QDRO, the Administrator shall, within a reasonable period of time, notify the Participant and the Alternate Payee of the reasons for such determination and shall, if the parties are married and if the Participant is to retire within 90 days of the *Order*, maintain the benefits under Option 2 as set forth in NRS 286.545 for a period of 90 days from the



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date of the Participant's retirement to allow modification of this *Order* for qualification. If the *Order* does not comply and the parties are divorced, pursuant to PERS Official policy 13.8, this *Order* will serve as a temporary notice to the System of a forthcoming *Order* regarding distribution of a member's benefit.

**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction to enter such further orders as are necessary to enforce the award of benefits as specified herein and in the *Order from Divorce Trial of May 18, 2012, and Decree of Divorce from Decision of May 22, 2012 and Subsequent Hearing on October 30, 2012*, calling for the filing of this QDRO, and the allocation of related rights and responsibilities set out above, in accordance with the provisions of Nevada case and statutory law, including the re-characterization thereof as a division of Civil Service or other retirement benefits.

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**IT IS FURTHER ORDERED** that this *Order* shall be governed by the rules of the Plan and, in the event of a conflict between this *Order* and the *Order from Divorce Trial of May 18, 2012, and Decree of Divorce from Decision of May 22, 2012 and Subsequent Hearing on October 30, 2012*, the terms of this *Order* shall prevail.

Respectfully Submitted By:
Willick Law Group

*/s/ Marshal S. Willick*

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# EXHIBIT “B”

# EXHIBIT “B”

# EXHIBIT “B”

# Arrearage Calculation Summary

## Arevalo v. Delao

Page: 1

Report Date: 06/09/2021

### Summary of Amounts Due

| | |
|---|---|
| Total Principal Due 06/11/2021: | $51,071.02 |
| Total Interest Due 06/11/2021: | $10,205.25 |
| Total Penalty Due 06/11/2021: | $0.00 |
| Amount Due if paid on 06/11/2021: | $61,276.27 |
| Amount Due if paid on 06/12/2021: | $61,283.62 |
| Daily Amount accruing as of 06/12/2021: | $7.34 |

| Date Due | Amount Due | Date Received | Amount Received | Accum. Arrearage | Accum. Interest |
|---|---|---|---|---|---|
| 02/01/2014 | 446.99 | 02/01/2014 | 0.00 | 446.99 | 0.00 |
| 03/01/2014 | 446.99 | 03/01/2014 | 0.00 | 893.98 | 1.80 |
| 04/01/2014 | 446.99 | 04/01/2014 | 0.00 | 1,340.97 | 5.78 |
| 05/01/2014 | 446.99 | 05/01/2014 | 0.00 | 1,787.96 | 11.57 |
| 06/01/2014 | 446.99 | 06/01/2014 | 0.00 | 2,234.95 | 19.54 |
| 07/01/2014 | 446.99 | 07/01/2014 | 0.00 | 2,681.94 | 29.18 |
| 08/01/2014 | 446.99 | 08/01/2014 | 0.00 | 3,128.93 | 41.14 |
| 09/01/2014 | 446.99 | 09/01/2014 | 0.00 | 3,575.92 | 55.09 |
| 10/01/2014 | 446.99 | 10/01/2014 | 0.00 | 4,022.91 | 70.52 |
| 11/01/2014 | 446.99 | 11/01/2014 | 0.00 | 4,469.90 | 88.46 |
| 12/01/2014 | 446.99 | 12/01/2014 | 0.00 | 4,916.89 | 107.75 |
| 01/01/2015 | 446.99 | 01/01/2015 | 0.00 | 5,363.88 | 129.67 |
| 02/01/2015 | 446.99 | 02/01/2015 | 0.00 | 5,810.87 | 153.59 |
| 03/01/2015 | 446.99 | 03/01/2015 | 0.00 | 6,257.86 | 176.99 |
| 04/01/2015 | 446.99 | 04/01/2015 | 0.00 | 6,704.85 | 204.90 |
| 05/01/2015 | 446.99 | 05/01/2015 | 0.00 | 7,151.84 | 233.83 |
| 06/01/2015 | 446.99 | 06/01/2015 | 0.00 | 7,598.83 | 265.72 |
| 07/01/2015 | 446.99 | 07/01/2015 | 0.00 | 8,045.82 | 298.51 |
| 08/01/2015 | 446.99 | 08/01/2015 | 0.00 | 8,492.81 | 334.38 |
| 09/01/2015 | 446.99 | 09/01/2015 | 0.00 | 8,939.80 | 372.25 |
| 10/01/2015 | 446.99 | 10/01/2015 | 0.00 | 9,386.79 | 410.83 |
| 11/01/2015 | 446.99 | 11/01/2015 | 0.00 | 9,833.78 | 452.68 |
| 12/01/2015 | 446.99 | 12/01/2015 | 0.00 | 10,280.77 | 495.12 |

| | | | | | |
|---|---|---|---|---|---|
| 01/01/2016 | 446.99 | 01/01/2016 | 0.00 | 10,727.76 | 540.96 |
| 02/01/2016 | 446.99 | 02/01/2016 | 0.00 | 11,174.75 | 590.93 |
| 03/01/2016 | 446.99 | 03/01/2016 | 0.00 | 11,621.74 | 639.63 |
| 04/01/2016 | 446.99 | 04/01/2016 | 0.00 | 12,068.73 | 693.77 |
| 05/01/2016 | 446.99 | 05/01/2016 | 0.00 | 12,515.72 | 748.18 |
| 06/01/2016 | 446.99 | 06/01/2016 | 0.00 | 12,962.71 | 806.48 |
| 07/01/2016 | 446.99 | 07/01/2016 | 0.00 | 13,409.70 | 864.92 |
| 08/01/2016 | 446.99 | 08/01/2016 | 0.00 | 13,856.69 | 927.39 |
| 09/01/2016 | 446.99 | 09/01/2016 | 0.00 | 14,303.68 | 991.94 |
| 10/01/2016 | 446.99 | 10/01/2016 | 0.00 | 14,750.67 | 1,056.42 |
| 11/01/2016 | 446.99 | 11/01/2016 | 0.00 | 15,197.66 | 1,125.14 |
| 12/01/2016 | 455.93 | 12/01/2016 | 0.00 | 15,653.59 | 1,193.65 |
| 01/01/2017 | 455.93 | 01/01/2017 | 0.00 | 16,109.52 | 1,266.58 |
| 02/01/2017 | 455.93 | 02/01/2017 | 0.00 | 16,565.45 | 1,345.25 |
| 03/01/2017 | 455.93 | 03/01/2017 | 0.00 | 17,021.38 | 1,418.32 |
| 04/01/2017 | 455.93 | 04/01/2017 | 0.00 | 17,477.31 | 1,501.44 |
| 05/01/2017 | 455.93 | 05/01/2017 | 0.00 | 17,933.24 | 1,584.04 |
| 06/01/2017 | 455.93 | 06/01/2017 | 0.00 | 18,389.17 | 1,671.62 |
| 07/01/2017 | 455.93 | 07/01/2017 | 0.00 | 18,845.10 | 1,758.53 |
| 08/01/2017 | 455.93 | 08/01/2017 | 0.00 | 19,301.03 | 1,858.56 |
| 09/01/2017 | 455.93 | 09/01/2017 | 0.00 | 19,756.96 | 1,961.01 |
| 10/01/2017 | 455.93 | 10/01/2017 | 0.00 | 20,212.89 | 2,062.51 |
| 11/01/2017 | 455.93 | 11/01/2017 | 0.00 | 20,668.82 | 2,169.80 |
| 12/01/2017 | 455.93 | 12/01/2017 | 0.00 | 21,124.75 | 2,275.98 |
| 01/01/2018 | 455.93 | 01/01/2018 | 0.00 | 21,580.68 | 2,388.11 |
| 02/01/2018 | 455.93 | 02/01/2018 | 0.00 | 22,036.61 | 2,507.25 |
| 03/01/2018 | 455.93 | 03/01/2018 | 0.00 | 22,492.54 | 2,617.13 |
| 04/01/2018 | 455.93 | 04/01/2018 | 0.00 | 22,948.47 | 2,741.30 |
| 05/01/2018 | 455.93 | 05/01/2018 | 0.00 | 23,404.40 | 2,863.90 |
| 06/01/2018 | 455.93 | 06/01/2018 | 0.00 | 23,860.33 | 2,993.11 |
| 07/01/2018 | 455.93 | 07/01/2018 | 0.00 | 24,316.26 | 3,120.58 |
| 08/01/2018 | 455.93 | 08/01/2018 | 0.00 | 24,772.19 | 3,265.14 |
| 09/01/2018 | 455.93 | 09/01/2018 | 0.00 | 25,228.12 | 3,412.42 |
| 10/01/2018 | 455.93 | 10/01/2018 | 0.00 | 25,684.05 | 3,557.57 |
| 11/01/2018 | 455.93 | 11/01/2018 | 0.00 | 26,139.98 | 3,710.27 |
| 12/01/2018 | 455.93 | 12/01/2018 | 0.00 | 26,595.91 | 3,860.66 |
| 01/01/2019 | 455.93 | 01/01/2019 | 0.00 | 27,051.84 | 4,018.78 |
| 02/01/2019 | 455.93 | 02/01/2019 | 0.00 | 27,507.77 | 4,191.09 |

| | | | | | |
|---|---|---|---|---|---|
| 02/19/2019 | 3,460.00 | 02/19/2019 | 0.00 | 30,967.77 | 4,292.84 |
| 02/19/2019 | 1,250.00 | 02/19/2019 | 0.00 | 32,217.77 | 4,292.84 |
| 03/01/2019 | 455.93 | 03/01/2019 | 0.00 | 32,673.70 | 4,359.04 |
| 04/01/2019 | 455.93 | 04/01/2019 | 0.00 | 33,129.63 | 4,567.16 |
| 05/01/2019 | 455.93 | 05/01/2019 | 0.00 | 33,585.56 | 4,771.39 |
| 06/01/2019 | 455.93 | 06/01/2019 | 0.00 | 34,041.49 | 4,985.32 |
| 07/01/2019 | 455.93 | 07/01/2019 | 0.00 | 34,497.42 | 5,195.17 |
| 08/01/2019 | 455.93 | 08/01/2019 | 0.00 | 34,953.35 | 5,414.91 |
| 09/01/2019 | 455.93 | 09/01/2019 | 0.00 | 35,409.28 | 5,637.56 |
| 10/01/2019 | 455.93 | 10/01/2019 | 0.00 | 35,865.21 | 5,855.84 |
| 11/01/2019 | 455.93 | 11/01/2019 | 0.00 | 36,321.14 | 6,084.29 |
| 12/01/2019 | 488.58 | 12/01/2019 | 0.00 | 36,809.72 | 6,308.19 |
| 01/01/2020 | 488.58 | 01/01/2020 | 0.00 | 37,298.30 | 6,542.66 |
| 02/01/2020 | 488.58 | 02/01/2020 | 0.00 | 37,786.88 | 6,755.90 |
| 03/01/2020 | 488.58 | 03/01/2020 | 0.00 | 38,275.46 | 6,958.00 |
| 03/18/2020 | 57.50 | 03/18/2020 | 0.00 | 38,332.96 | 7,078.01 |
| 03/24/2020 | 44.08 | 03/24/2020 | 0.00 | 38,377.04 | 7,120.42 |
| 04/01/2020 | 488.58 | 04/01/2020 | 0.00 | 38,865.62 | 7,177.04 |
| 05/01/2020 | 488.58 | 05/01/2020 | 0.00 | 39,354.20 | 7,392.08 |
| 05/06/2020 | 2,850.00 | 05/06/2020 | 0.00 | 42,204.20 | 7,428.37 |
| 05/06/2020 | 1,420.00 | 05/06/2020 | 0.00 | 43,624.20 | 7,428.37 |
| 06/01/2020 | 488.58 | 06/01/2020 | 0.00 | 44,112.78 | 7,637.55 |
| 07/01/2020 | 488.58 | 07/01/2020 | 0.00 | 44,601.36 | 7,881.62 |
| 07/27/2020 | 247.50 | 07/27/2020 | 0.00 | 44,848.86 | 8,047.96 |
| 08/01/2020 | 488.58 | 08/01/2020 | 0.00 | 45,337.44 | 8,080.13 |
| 09/01/2020 | 488.58 | 09/01/2020 | 0.00 | 45,826.02 | 8,281.73 |
| 01/01/2021 | 0.00 | 01/01/2021 | 0.00 | 45,826.02 | 9,083.68 |
| 03/23/2021 | 5,245.00 | 03/23/2021 | 0.00 | 51,071.02 | 9,617.59 |
| 06/11/2021 | 0.00 | 06/11/2021 | 0.00 | 51,071.02 | 10,205.25 |
| Totals | 51,071.02 | | 0.00 | 51,071.02 | 10,205.25 |

* Indicates a payment due is designated as child support.

Notes:

Payments are applied to oldest unpaid balance.
Interest and penalties are calculated using number of days past due.
Payments apply to principal amounts only.
Interest is not compounded, but accrued only.
Penalties calculated on past due child support amounts per NRS 125B.095.

Interest Rates Used by Program:

| | | | | |
|---|---|---|---|---|
| 7.00% | from Jan 1960 to Jun 1979 | \|\| | 8.00% | from Jul 1979 to Jun 1981 |
| 12.00% | from Jul 1981 to Jun 1987 | \|\| | 10.25% | from Jul 1987 to Dec 1987 |
| 10.75% | from Jan 1988 to Jun 1988 | \|\| | 11.00% | from Jul 1988 to Dec 1988 |
| 12.50% | from Jan 1989 to Jun 1989 | \|\| | 13.00% | from Jul 1989 to Dec 1989 |
| 12.50% | from Jan 1990 to Jun 1990 | \|\| | 12.00% | from Jul 1990 to Jun 1991 |
| 10.50% | from Jul 1991 to Dec 1991 | \|\| | 8.50% | from Jan 1992 to Dec 1992 |
| 8.00% | from Jan 1993 to Jun 1994 | \|\| | 9.25% | from Jul 1994 to Dec 1994 |
| 10.50% | from Jan 1995 to Jun 1995 | \|\| | 11.00% | from Jul 1995 to Dec 1995 |
| 10.50% | from Jan 1996 to Jun 1996 | \|\| | 10.25% | from Jul 1996 to Jun 1997 |
| 10.50% | from Jul 1997 to Dec 1998 | \|\| | 9.75% | from Jan 1999 to Dec 1999 |
| 10.25% | from Jan 2000 to Jun 2000 | \|\| | 11.50% | from Jul 2000 to Jun 2001 |
| 8.75% | from Jul 2001 to Dec 2001 | \|\| | 6.75% | from Jan 2002 to Dec 2002 |
| 6.25% | from Jan 2003 to Jun 2003 | \|\| | 6.00% | from Jul 2003 to Dec 2003 |
| 6.00% | from Jan 2004 to Jun 2004 | \|\| | 6.25% | from Jul 2004 to Dec 2004 |
| 7.25% | from Jan 2005 to Jun 2005 | \|\| | 8.25% | from Jul 2005 to Dec 2005 |
| 9.25% | from Jan 2006 to Jun 2006 | \|\| | 10.25% | from Jul 2006 to Dec 2007 |
| 9.25% | from Jan 2008 to Jun 2008 | \|\| | 7.00% | from Jul 2008 to Dec 2008 |
| 5.25% | from Jan 2009 to Dec 2012 | \|\| | 5.25% | from Jan 2013 to Jun 2013 |
| 5.25% | from Jul 2013 to Dec 2013 | \|\| | 5.25% | from Jan 2014 to Jun 2014 |
| 5.25% | from Jul 2014 to Dec 2014 | \|\| | 5.25% | from Jan 2015 to Jun 2015 |
| 5.25% | from Jul 2015 to Dec 2015 | \|\| | 5.50% | from Jan 2016 to Jun 2016 |
| 5.50% | from Jul 2016 to Dec 2016 | \|\| | 5.75% | from Jan 2017 to Jun 2017 |
| 6.25% | from Jul 2017 to Dec 2017 | \|\| | 6.50% | from Jan 2018 to Jun 2018 |
| 7.00% | from Jul 2018 to Jan 2019 | \|\| | 7.50% | from Jan 2019 to Jun 2019 |
| 7.50% | from Jul 2019 to Dec 2019 | \|\| | 6.75% | from Jan 2020 to Jun 2020 |
| 5.25% | from Jul 2020 to Dec 2020 | \|\| | 5.25% | from Jan 2021 to Jun 2021 |

Report created by:

Marshal Law version 4.0

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WLG - lorien@willicklawgroup.com - (702) 438-4100

*End of Report*

# EXHIBIT “C”

# EXHIBIT “C”

# EXHIBIT “C”

**SOMERSET ACADEMY OF LAS VEGAS ~ ALIANTE K-8 CAMPUS**

**6475 VALLEY DRIVE ~ NORTH LAS VEGAS, NV 89084 ~ (702) 916-2327 (BEAR)**

**ELAINE KELLEY, PRINCIPAL**

September 20, 2019

**Re: Star Ratings**

Dear Somerset Aliante Parents:

Each year the Nevada Department of Education issues 'star ratings' as a way to evaluate school performance. Star ratings are given on a scale of one to five stars. This year's star ratings were released on September 16, 2019. Somerset Academy of Las Vegas Aliante - Elementary School received a two-star rating. This data is based upon Somerset Aliante's first year in operation and represents a starting point. Somerset Aliante expects to see significant growth in the future and has already begun to take steps to improve.

Somerset Aliante's Middle School received a five-star rating. We are excited for the great start in the Middle School.

As a result of being rated a two-star school, Somerset Academy of Las Vegas Aliante - Elementary School is required to inform you that you may transfer your student to one of the following nearby public schools if you are zoned for them:

Vincent Triggs Elementary School
Kay Carl Elementary School
Goynes Elementary School

We are determined to improve and provide a quality education to your students. We hope you will dedicate yourselves to being a part of this process with us.

Thanks for being a part of our Somerset Academy community. We are truly grateful for the opportunity you give us to teach your children, and look forward to continuing to grow together in the coming school year.

Sincerely,
Elaine Kelley - Principal

# EXHIBIT “D”

# EXHIBIT “D”

# EXHIBIT “D”

**AMERICAN INCOME LIFE INSURANCE COMPANY**
P.O. Box 2608 Waco, Tx 76702

**CONDITIONAL RECEIPT**

NO COVERAGE WILL BECOME EFFECTIVE PRIOR TO POLICY DELIVERY UNLESS AND UNTIL ALL CONDITIONS OF THIS RECEIPT ARE MET. NO AGENT HAS THE AUTHORITY TO ALTER THE TERMS OR CONDITIONS OF THIS RECEIPT.

Received of JESUS AREVALO the sum of $ 13.23 as first payment on this application.

Date 2/14/2020 Agent DAVID BILOTTI / MARTIN QUINN

If (1) an amount equal to the first full premium is submitted; (2) all underwriting requirements, including any medica examinations required by the Company's rules, are completed; (3) the proposed insured is on the effective date indicated a risk acceptable for insurance exactly as applied for without modification of plan, premium rate, or amount under the Company's rules and practices, then insurance under the policy applied for shall become effective on the latest of (a) the date of application, (b) the date of completion of all underwriting requirements, and (c) any date of issue requested in the application.

THE AMOUNT OF INSURANCE WHICH MAY BECOME EFFECTIVE PRIOR TO POLICY DELIVERY SHALL NOT EXCEED $50,000.

If any of the above conditions are not met, the liability of the Company shall be limited to the return of the amount submitted.

**"ALL CHECKS MUST BE MADE PAYABLE TO THE COMPANY: DO NOT MAKE CHECKS PAYABLE TO THE AGENT OR LEAVE THE PAYEE BLANK."**

---

**INVESTIGATIVE CONSUMER REPORTS NOTIFICATION**

As part of our routine underwriting procedure, an investigative consumer report may be obtained which will provide applicable information concerning character, general reputation, personal characteristics, and mode of living. This information will be obtained through consumer reporting agencies, the Department of Motor Vehicles, and personal interviews with your friends neighbors, and associates. You may request to be interviewed in connection with the preparation of the report and upon reques may receive a copy of the report.

**MIB NOTICE**

Information regarding your insurability will be treated as confidential. American Income Life Insurance Company or its reinsurer may, however, make a brief report thereon to the MIB, Inc., formerly known as Medical Information Bureau, a not-for-prof membership organization of life insurance companies, which operates an information exchange on behalf of its members. If yo apply to another MIB member company for life or health insurance coverage, or a claim for benefits is submitted to such company, MIB, upon request, will supply such company with the information about you in its file.

Upon receipt of a request from you, MIB will arrange disclosure of any information in your file. Please contact MIB a 866-692-6901. If you question the accuracy of the information in MIB's file, you may contact MIB and seek a correction i accordance with the procedures set forth in the federal Fair Credit Reporting Act. The address of MIB's information office is 5 Braintree Hill Park, Suite 400, Braintree, Massachusetts 02184-8734.

American Income Life Insurance Company may also release information from its file to its reinsurers or to other insurance companies to whom you may apply for life or health insurance, or to whom a claim for benefits may be submitted. Information fo consumers about MIB may be obtained on its website at www.mib.com.

**NOTICE OF INFORMATION PRACTICES**

Personal information may be collected from other parties. Such information, and other personal or privileged information late collected, may be disclosed to third parties without authorization. You have the right of access and correction with respect to al personal information collected, and a full notice of your rights will be furnished upon request.

Ex "5"

# EXHIBIT “E”

# EXHIBIT “E”

# EXHIBIT “E”

**Certificate of Custodian of Records**

**Case No.: D-11-448514-D**
**Dept No.: E**

I, Walter Zeron, am the Director of Communications, at the Public Employees' Retirement System of Nevada, located at 693 West Nye Lane, Carson City, Nevada 89703. In that capacity, I am a custodian of records for the Public Employees' Retirement System of Nevada.

On November 2, 2020, I received a Subpoena Duces Tecum, issued by the District Court, Clark County, Nevada requesting records pertaining to Jesus Luis Arevalo.

I have examined the information and/or originals of those records and have made a true representation and/or exact copy of them. The information and/or reproductions attached hereto are true and complete.

Executed this 16th day of November, 2020.

Custodian of Records Signature

STATE OF NEVADA
COUNTY OF CARSON CITY

Signed and sworn to before me on this 16th day of November 2020 by Walter Zeron. I am a notarial officer in and for the County of Lyon, State of Nevada.

Notary Public

FELICIA KING
NOTARY PUBLIC
STATE OF NEVADA
No. 16-1916-12 My Appt. Exp. Feb. 25, 2024

# EXHIBIT “F”

# EXHIBIT “F”

# EXHIBIT “F”

PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF NEVADA

# MEMBER ENROLLMENT NON-CHOICE AGENCY

☐ POSITION APPROVED UNDER AB 555

(If approved under AB 555, attach approval document.)

693 W. Nye Lane, Carson City, NV 89703 (775) 687-4200 Fax (775) 687-5131
1250 Burnham Street, Suite 103, Las Vegas, NV 89104 (702) 486-3900

This form should be completed for all new hires that are eligible for enrollment under NRS 286.293. This form is also used to enroll persons who have returned from leave without pay or from ineligible status, or for a retired employee electing to re-enroll under authority of AB 555.

***Member Information:*** *(Please print legibly, using black or blue ink)*

SS# ___ / ___ / ___

Name: JESUS (First) L (MI) AREVALO (Last – Suffix)

DOB: 08 / 14 / 1977 (Mo Day Yr)

Address: 9024 MEDICINE WHEEL AVE

☐ Married ☒ Single

City LAS VEGAS State: NV Zip: 89143

☒ Male ☐ Female

***Family Information:***

Spouse Name _____ SS# ___ / ___ / ___ DOB: ___ / ___ / ___ (Mo Day Yr)

List all unmarried children under age 18 who are issue of member or legally adopted. (Attach separate sheet if necessary.)

Name: MCKENZEE S ROBERTS-AREVALO SS# ___ DOB: 09/03/1997 ☐M ☒F

Name: _____ SS# ___ / ___ / ___ DOB: _____ ☐M ☐F

Name: _____ SS# ___ / ___ / ___ DOB: _____ ☐M ☐F

***Prior Agency / Name Information***

List prior Nevada Public Agencies where you have worked: _____

List any other names under which you were enrolled in PERS: _____

Are you currently employed with a second Nevada public employer? _____ Yes, please list: _____

***Agency Information and Certification*** ***(To be completed and signed by agency liaison officer or authorized rep.)***

- Agency Name: LAS VEGAS METRO POLICE DEPT Agency # 324 (3-Digit Number)
- Member Enrollment Date: 02/12/2002 Member Returned from LWOP / Ineligible Date: _____
- Position Title: CORRECTIONS RECRUIT ☒ Full-time ☐ Part-time
  All Agencies Must List Member's Position Title
- Is Employee: (Check only one)
  ☒ Ordinary Member ☐ Police/Fire Member ☐ Volunteer Fire Member ☐ Legislator ☐ Retired Employee
  If Elected Official, check appropriate box: ☐ Commissioner ☐ Councilman ☐ Mayor ☐ Other Elected Official
- Position Type (Only for School Districts) How is the Member Paid?:
  ☐ 9 months out of 9 (9/9) ☐ 9, 10, 11 months out of 12 (9/12) ☐ 12 months out of 12 (12/12)
- Is Member under contract? (Only for School Districts) ☐ No ☐ Yes, Give Start Date _____

**I certify that this individual is employed in a position requiring half time or more service according to employer's full-time work schedule.**

**Signature:** Lue Hales **Date:** 02/12/2002
Liaison Officer or Authorized Representative

RECEIVED
MAR 1 8 2002
PERS OF NEVADA

# EXHIBIT “G”

# EXHIBIT “G”

# EXHIBIT “G”

PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF NEVADA

693 W. Nye Lane
Carson City, NV 89703
(702) 687-4200
Fax (702) 687-5131

1250 Burnham St., Suite 103
Las Vegas, NV 89104
(702) 486-3900

# Member Contribution Plan / Fund Change

This form should be completed if member is changing from the employee/employer contribution plan to the employer-pay contribution plan within the agency or from police/fire to a regular position or from a regular position to a police/fire position within the same agency.

***Member Information***

Social Security Number: [illegible]

Member's Name: JESUS L AREVALO
Title First Middle Last - Suffix

***Agency Certification***

This section to be completed and signed by agency designated to liaison officer or authorized representative

Agency Number: 324 (3 Digit #)

Statement Code (Budget #): 3410 (if applicable)

Agency Name: LAS VEGAS METRO POLICE DEPT

***Contribution/Fund Change***

**Change from Police/Fire Member** **Effective Date:** ___/___/___

**Change to Police/Fire Member** **Effective Date:** 05/16/2002

Position Title: CORRECTIONS OFFICER I

**Change to Employer-Pay Contribution Plan**

_____ Employer-Pay Plan **Date:** ___/___/___
Initial VOL ER PD DATE

***Acknowledgement***

With my signature I certify that I understand that once I choose the employer-pay contribution plan, I cannot change back to the employee/employer contribution plan.

Member's Signature: _____ Date: ___/___/___

Liaison Officer's Signature: [signature] Date: 5/9/02

M:\Word\QA\Done\Planchng

# EXHIBIT “H”

# EXHIBIT “H”

# EXHIBIT “H”

**Final Checklist**

**Name** JESUS AREVALO **SSN**_____ _____

**Termination Date** 10/16/2013 **Retire Date** 10/17/2013

**Section I**

The retirement application was properly completed at the time the preliminary benefit was processed. The proper proof of birth and name change documentation was received for the retiree and beneficiary, if applicable.

**Pre-Final Adjustments:** (Reviewed by Retirement Examiner)

Manual Average Compensation: NO_____

YES_____ Completed by: _____

4/3rds Application: NO_____

YES_____ Completed by: _____

Dual Service Credit Application: NO_____

YES_____ Completed by: _____

Overlap Application: NO_____

YES_____ Completed by: _____

Final checklist

# EXHIBIT “I”

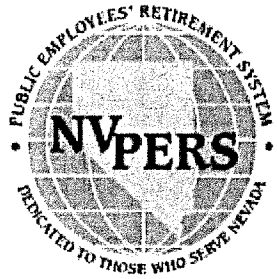
# EXHIBIT “I”

# EXHIBIT “I”

**Retirement Board**

Timothy M. Ross
Chair
Yolanda T. King
Vice Chair

Dawn E. Huckaby
Todd H. Ingalsbee
Norma Santoyo
Mark Stevens
Brian A. Wallace




**Executive Staff**

Tina Leiss
Executive Officer

Kabrina Feser
Operations Officer

Steve Edmundson
Investment Officer

October 8, 2020

Jesus Arevalo
6935 Aliante Pkwy Ste 104 #286
N Las Vegas, NV 89084

Dear Mr. Arevalo:

In accordance with the certified Amended Qualified Domestic Relations Order (QDRO) recently received in our office, a portion of your monthly benefit will be paid to Catherine Delao effective with your October 2020 benefit. Your October 2020 benefit will be in the amount of $2,518.04. Your regular monthly check will be in the gross amount of $2,518.04 and Catherine Delao's regular monthly check will be in the gross amount of $488.58.

Should you have any questions, please contact us and ask to speak with a Counseling Services representative.

Sincerely,

Shawnee Kellar
Pension Services Division

693 W. Nye Lane
Carson City, NV 89703
(775) 687-4200
Fax: (775) 687-5131

Toll Free: 1-866-473-7768
Website: www.nvpers.org

5740 S. Eastern Avenue, Suite 120
Las Vegas, NV 89119
(702) 486-1900
Fax: (702) 678-6934

# EXHIBIT “J”

# EXHIBIT “J”

# EXHIBIT “J”

Present Value of Expected Increasing Periodic Payments Over Time

Prepared by Marshal S. Willick
June 7, 2021

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Arevalo v. Delao

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| | |
|---|---|
| Amount of first periodic payment that is (or was) expected to be paid/made/received: | $574.69 |
| Frequency of payment: | Monthly |
| Number of months over which these payments are to be (or were to have been) paid/made/received: | 412 |
| Assumed investment interest rate per year: | 5% |
| Rate by which this expected payment is (or was) expected to grow each year: | 4% |
| Present Value of the future right to receive these payments: | **$201,751.06** |

The amount above represents the amount that must be presently invested to make up for the future loss of receipt of the specified increasing periodic payments. A "presently" established fund in this amount will allow increasing periodic payments to be withdrawn from the fund each period for the specified number of periods. The ending balance will be zero.

Assumptions:

The first payment will be withdrawn (paid/made or received) at the start of the first period.
Interest is compounded monthly.

# EXHIBIT “K”

# EXHIBIT “K”

# EXHIBIT “K”

Willick Law Group
3591 E. Bonanza Rd., Suite 200
Las Vegas, Nevada 89110-2101
Web page: www.willicklawgroup.com
Billing Q&A faith@willicklawgroup.com

May 14, 2021

Ms. Catherine Delao

RE: Delao adv. Arevalo, Jesus
D-11-448514-D

Statement of Account for Services Rendered Through May 14, 2021

Professional Services

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, August 14, 2020 | | | |
| Thursday, August 20, 2020 | | | |
| Friday, August 21, 2020 | | | |
| MY | Office meeting with Lorien re: email from Jesus | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.30 | 180.00 |
| Monday, August 24, 2020 | | | |
| Wednesday, August 26, 2020 | | | |
| MY | Begin drafting opposition to motion to stay financial orders; Begin drafting opposition to motion to extend time | 1.20 | 210.00 |
| MY | Download and save motion to extend time to MyCase NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, September 3, 2020 | | | |
| MY | Read and save motion to hold Defendant and Marshal Willick in Contempt of Court, et. al., to MyCase NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Lorien re: Order from August 13, 2020 | 0.10 | 17.50 |
| MY | Email to Catherine re: Jesus's motion to hold Catherine and Marshal in contempt | 0.10 | 17.50 |
| MY | Calendar due date for opposition to motion to hold Catherine and Marshal in contempt NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: motion filed by Jesus | 0.10 | 17.50 |
| MY | Read email from Cat re: Jesus's email NO CHARGE | 0.10 | N/C |
| MY | Read email from Catherine re: Luis assessment NO CHARGE | 0.10 | N/C |
| MSW | Read most recent drivel from Arevelo. Associated emails. | 0.20 | 120.00 |
| LKC | Correspondence and review of Jesus's most recent harassing motion. Conference with Mallory re: doing the PERS subpoena. | 0.20 | 75.00 |
| Tuesday, September 8, 2020 | | | |
| Wednesday, September 9, 2020 | | | |
| MY | Office meeting with Marshal re: opposition to motion | 0.10 | 17.50 |
| MY | Begin drafting Opposition to Motion to Hold Defendant, and her attorney Marshal S. Willick, Esq., in Contempt, et. al. | 0.40 | 70.00 |
| MY | Begin drafting Subpoena to PERS | 0.20 | 35.00 |
| Friday, September 11, 2020 | | | |
| MY | Office meeting with Lorien re: Order | 0.10 | 17.50 |
| MY | Per Marshal, search for orders from 2013 and prior GOAD denial re: Jesus Arevalo NO CHARGE | 0.50 | N/C |
| MY | Continue drafting opposition to motion to hold Defendant and her attorney, Marshal S. Willick; Pass to Marshal for his edits | 0.30 | 52.50 |
| MY | Draft Subpoena Duces Tecum; Draft letter to PERS for Lorien's review | 0.60 | 105.00 |
| Sunday, September 13, 2020 | | | |
| MSW | Review most recent and 2013-2015 filings; begin Opposition. Instructions to staff. | 0.30 | 180.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 0.50 | N/C |
| Monday, September 14, 2020 | | | |
| MY | Office meeting with Marshal re: opposition due date | 0.10 | 17.50 |
| MSW | Review and Revise Opposition (start); associated emails. | 0.20 | 120.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Tuesday, September 15, 2020 | | | |
| MY | Read email between Jesus and Marshal re: Financial Disclosure Form NO CHARGE | 0.10 | N/C |
| MY | Update address file NO CHARGE | 0.10 | N/C |
| MY | Proofread opposition to motion to hold Defendant and her attorney in contempt | 0.10 | 17.50 |
| MSW | Review and Revise Opposition. Circulate for comments. | 1.60 | 960.00 |
| Wednesday, September 16, 2020 | | | |
| MY | Office meeting with Marshal re: opposition | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email from Catherine | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: motion for ready for filing | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: facts in opposition | 0.10 | 17.50 |
| MY | Prepare and submit Opposition to Motion to Hold Defendant and her Attorney for filing | 0.30 | 52.50 |
| MY | Prepare opposition for mailing to Jesus Arevalo | 0.20 | 35.00 |
| MSW | Review and Revise opposition after brief email traffic. Instructions to file. | 0.30 | 180.00 |
| Thursday, September 17, 2020 | | | |
| MY | Office meeting with Lorien and Marshal re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Email to Cat re: updated Financial Disclosure Form | 0.10 | 17.50 |
| Friday, September 18, 2020 | | | |
| LKC | Reviewed client's proposed Financial Disclosure Form, sent back to Mallory for filing. | 0.10 | 37.50 |
| LKC | Reviewed and signed the subpoena duces tecum to PERS and sent for service on PERS. | 0.10 | 37.50 |
| Monday, September 21, 2020 | | | |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Letter to PERS | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: letter to PERS | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum to PERS | 0.10 | 17.50 |
| Tuesday, September 22, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: response from Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Order from August 13, 2020 | 0.10 | 17.50 |
| MY | Prepare and submit Order from August 13, 2020, Hearing for Judge's signature | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Wednesday, September 23, 2020 | | | |
| MY | Update Financial Disclosure Form for Catherine Delao | 0.20 | 35.00 |
| MY | Office meeting with Faith re: billing amount for Financial Disclosure Form NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| Thursday, September 24, 2020 | | | |
| MY | Email to Catherine re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Review and respond to email from Cat re: updating internet/cable | 0.10 | 17.50 |
| Friday, September 25, 2020 | | | |
| | | | |
| Monday, September 28, 2020 | | | |
| | | | |
| LKC | Conference with Mr. Willick re: error on the PERS paperwork reviewed the file to get the correct infromation to verify for PERS. | 0.20 | 75.00 |
| Tuesday, September 29, 2020 | | | |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| Thursday, October 1, 2020 | | | |
| LKC | Reviewed all case documents and sent a response to client re: the PERS confusion with the marriage dates. | 0.20 | 75.00 |
| Monday, October 5, 2020 | | | |
| | | | |
| Tuesday, October 6, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Wednesday, October 7, 2020 | | | |
| MY | Save motion for extension filed by Jesus Arevalo and uploaded to MyCase NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Thursday, October 8, 2020 | | | |
| MY | Update calendar re: Blue Jeans invite for hearing on October 15th NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, October 9, 2020 | | | |
| MY | Emial to Catherine re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form for filing | 0.20 | 35.00 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form for filing | 0.20 | 35.00 |
| MY | Email to Jesus Arevalo re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Email to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Hearing on October 15, 2020 | 0.10 | 17.50 |
| LKC | Reviewed client's Financial Disclosure Form and approved for filing. | 0.10 | 37.50 |
| Monday, October 12, 2020 | | | |
| MSW | Review and annotate Reply. | 0.20 | 120.00 |
| Tuesday, October 13, 2020 | | | |
| MY | Office meeting with Marshal re: reply filed by Jesus | 0.10 | 17.50 |
| Thursday, October 15, 2020 | | | |
| MY | Attend hearing on October 15, 2020 | 1.50 | 262.50 |
| MY | Office meeting with Lorien re: hearing on October 15, 2020 | 0.10 | 17.50 |
| MY | Request hearing video from October 15, 2020 | 0.10 | 17.50 |
| MSW | Prepare for and attend hearing in Dept. E. | 0.60 | 360.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Friday, October 16, 2020 | | | |
| MY | Calendar due dates for motion/opposition due dates | 0.20 | 35.00 |
| Monday, October 26, 2020 | | | |
| MY | Office meeting with Lorien re: Update letter to PERS | 0.10 | 17.50 |
| MY | Watch hearing video and verify due dates NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Second office meeting with Marshal re: transcripts | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: transcripts | 0.10 | 17.50 |
| Wednesday, October 28, 2020 | | | |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum | 0.10 | 17.50 |
| MY | Prepare and submit Subpoena Duces Tecum [PERS] for service | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: email to Jesus | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: letter to PERS | 0.10 | 17.50 |
| MY | Prepare and submit letter to PERS for mailing re: subpoena duces tecum | 0.10 | 17.50 |
| MY | Prepare letter to PERS for service | 0.20 | 35.00 |
| MY | Prepare and submit letter and Subpoena Duces Tecum for mailing to Jesus Arevalo | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MSW | Instructions to staff. | 0.10 | 60.00 |
| Thursday, October 29, 2020 | | | |
| MY | Draft Certificate of Service | 0.10 | 17.50 |
| MY | Prepare and submit Certificate of Service for filing | 0.20 | 35.00 |
| MY | Calendar due date re: Subpoena Duces Tecum | 0.10 | 17.50 |
| Monday, November 2, 2020 | | | |
| MY | Office meeting with Lorien re: supplemental filing from Jesus Arevalo | 0.10 | 17.50 |
| LKC | Review supplemental reply filed by Jesus to determine how/if to respond, reviewed court minutes from last hearing, discussed with Mallory, determined his latest filing does not warrant a response and doing so would only increase client costs and not be necessary as Jesus failed to file the motion to recuse the Judge (so no opposition is required) and the lastest supplement addresses the vexatious litigant claims only. | 0.20 | 75.00 |
| Thursday, November 5, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Friday, November 6, 2020 | | | |
| MY | Office meeting with Marshal re: certification of transcript | 0.10 | 17.50 |
| MY | Office meeting with Justin re: transcripts NO CHARGE | 0.10 | N/C |
| MY | Save and upload transcripts to MyCase portal NO CHARGE | 0.40 | N/C |
| Monday, November 9, 2020 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Tuesday, November 10, 2020 | | | |
| MY | Office meeting with Lorien re: case status | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Telephone Conference with Dept. E re: hearing on November 19th | 0.10 | 17.50 |
| MY | Review and respond to email from Dept. E re: hearing on November 19th | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: hearing date | 0.10 | 17.50 |
| Thursday, November 12, 2020 | | | |
| MY | Review and respondt to email from Catherine re: hearing date/vacation time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: case status | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | | | |

Friday, November 13, 2020

| | | | |
|---|---|---|---|
| | | | |
| MY | Office meeting with Marshal and Lorien re: Motion for order to show cause | 0.10 | 17.50 |
| | | | |

Saturday, November 14, 2020

| | | | |
|---|---|---|---|
| | | | |

Monday, November 16, 2020

| | | | |
|---|---|---|---|
| | | | |

Tuesday, November 17, 2020

| | | | |
|---|---|---|---|
| MY | Office meeting with Lorien and Marshal re: order from the court | 0.10 | 17.50 |
| MY | Read and save order from Dept. E NO CHARGE | 0.10 | N/C |
| MY | Email to Catherine re: order from Judge Hoskin | 0.10 | 17.50 |
| MY | Vacate/calendar upcoming hearing dates NO CHARGE | 0.10 | N/C |
| MY | Upload PERS documents to MyCase NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: disclosure | 0.10 | 17.50 |
| LKC | Reviewed the PERS subpoena information, gave instruction to Mallory to prepare a supplement, reached out to Marshal and Rick re: getting the arrears calculated. Discuss PERS arrears with Rick and get dates in question, send correspondence to client re: PERS and doing collections. | 0.30 | 112.50 |

Wednesday, November 18, 2020

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|---|---|---|---|
| MY | Read email between Lorien and Cat re: collections NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: Subpoena Duces Tecum | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, November 19, 2020 | | | |
| | | | |
| Monday, November 23, 2020 | | | |
| | | | |
| Monday, November 30, 2020 | | | |
| | | | |
| Tuesday, December 1, 2020 | | | |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Draft letter to Jesus Arevalo re: subpoena response | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: subpoena response from PERS | 0.10 | 17.50 |
| Wednesday, December 2, 2020 | | | |
| MY | Office meeting with Lorien re: motion for contempt | 0.10 | 17.50 |
| MY | Begin drafting Motion for Order to Show | 0.50 | 87.50 |
| LKC | Meeting with Asst attorney Bower re: all pending actions: letter, collections, and motion for further contempt and indemnification QDRO, detailed all next steps and reviewed and pulled information. | 0.40 | 150.00 |
| DB | Office conference with Attorney Lorien, Re: next steps in collecting arrears owed to client. No charge per the Firm Administrator. NO CHARGE | 0.70 | N/C |
| Thursday, December 3, 2020 | | | |
| DB | Draft EDCR 5.501 Letter of Notice for Motion to collect arrears | 1.00 | 250.00 |
| Friday, December 4, 2020 | | | |
| DB | Continue draft EDCR 5.501 Letter of Notice for Motion to collect arrears NO CHARGE | 0.50 | N/C |
| MY | Office meeting with Lorien and Darcy Bower re: letters to Jesus Arevalo | 0.10 | 17.50 |
| LKC | Reviewed 5.501 letter and provided comments. | 0.10 | 37.50 |
| Monday, December 7, 2020 | | | |
| MY | Read email from Darcy re: changes to letter to Jesus Arevalo NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: 5.501 letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: changes to letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Edit Demand Letter to Jesus Arevalo re: arrears | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| LKC | Review and edit the letter to Jesus Arevalo demanding payment of all obligations, sent to Mallory to serve. Discuss next steps re: collections and drafting the motion. | 0.20 | 75.00 |
| DB | Review and edit EDCR 5.501 letter to opposing party NO CHARGE | 1.30 | N/C |
| Tuesday, December 8, 2020 | | | |
| MY | Prepare and submit letter to Jesus Arevalo re: send pursuant to EDCR 5.501 | 0.20 | 35.00 |
| MY | Office meeting with Lorien re: letter to Jesus Arevalo | 0.10 | 17.50 |
| MY | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick NO CHARGE | 0.70 | N/C |
| MY | Combine arrearage calculation to letter to Jesus Arevalo NO CHARGE | 0.10 | N/C |
| Wednesday, December 9, 2020 | | | |
| MY | Edit letter to Jesus Arevalo re: subpoena records | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: subpoean records | 0.10 | 17.50 |
| DB | Research/look through directory for Motion for Indemnification of QDRO to mirror NO CHARGE | 0.70 | N/C |
| Thursday, December 10, 2020 | | | |
| DB | Review case file prior to drafting Order to Show Cause documents NO CHARGE | 0.50 | N/C |
| DB | Review case file prior to drafting Order to Show Cause documents | 1.20 | 300.00 |
| DB | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Friday, December 11, 2020 | | | |
| DB | Draft Order to Show Cause documents | 0.40 | 100.00 |
| MY | Prepare and submit letter to Jesus Arevalo re: Subpoena response from PERs for e-service | 0.40 | 70.00 |
| Tuesday, December 15, 2020 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
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Wednesday, December 16, 2020

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|---|---|---|---|
| MY | Office meeting with Marshal re: letter from Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email to Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Our Family Wizard | 0.10 | 17.50 |
| MY | Read emails betwen Marshal and Catherine; Read emails between Marshal and Jesus Arevalo NO CHARGE | 0.20 | N/C |
| MY | Office meeting with Marshal re: Our Family Wizard | 0.10 | 17.50 |
| MY | Email to Catherine re: Our Family Wizard username/password | 0.10 | 17.50 |
| MSW | Review and respond to Emails. Instructions to staff. | 0.90 | 540.00 |
| LKC | Time spent discussing the motion for contempt, review and respond re: demands to Jesus. | 0.10 | 37.50 |

Thursday, December 17, 2020

Friday, December 18, 2020

Monday, December 21, 2020

Tuesday, December 22, 2020

Thursday, December 24, 2020

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, December 25, 2020 | | | |
| MSW | Review and Revise contempt paperwork. Return for some further staff work. | 0.40 | 240.00 |
| Monday, December 28, 2020 | | | |
| Wednesday, December 30, 2020 | | | |
| DB | Edit Motion for OSC | 0.60 | 150.00 |
| Thursday, December 31, 2020 | | | |
| DB | Edits made to Order to Show Cause documents | 0.50 | 125.00 |
| MSW | Review and Revise contempt documents, second pass. | 1.10 | 660.00 |
| LKC | Edited the contempt motions/applications and added exhibits. | 0.30 | 112.50 |
| Wednesday, January 6, 2021 | | | |
| MY | Office meeting with Lorien re: Re-Notice of opposition and countermotion | 0.10 | 17.50 |
| MSW | Review and Revise contempt filings (final edits) and directions on vexatious litigant filing, etc. | 0.80 | 480.00 |
| Thursday, January 7, 2021 | | | |
| MY | Office meeting with Lorien re: Motion for Order to Show Cause | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine Delao re: Motion for Order to Show Cause | 0.10 | 17.50 |
| Friday, January 8, 2021 | | | |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| Monday, January 11, 2021 | | | |
| MY | Office meeting with Lorien re: motion for contempt | 0.10 | 17.50 |
| MY | Email to Cat re: signed declaration | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: signed declaration from Catherine | 0.10 | 17.50 |
| Tuesday, January 12, 2021 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Wednesday, January 13, 2021 | | | |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| LKC | Updated motion to include another claim for medical bills, added to the ex parte application and proposed order, discussed with Cat, did MLAW calculation for some of the arrears. | 1.00 | 375.00 |
| Thursday, January 14, 2021 | | | |
| MY | Office meeting with Lorien re: Motion for filing | 0.10 | 17.50 |
| MY | Draft Exhibits to Motion for Order to Show Cause, et. al. | 0.40 | 70.00 |
| MY | Office meeting with Lorien re: exhibits to motion for order to show cause | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Edit to Motion for Order to Show Cause | 0.10 | 17.50 |
| Friday, January 15, 2021 | | | |
| MY | Edit Exhibits to Motion for Order to Show Cause; Edit Motion for Order to Show Cause | 0.20 | 35.00 |
| MY | Prepare and submit Motion for Order to Show and corresponding exhibits for filing | 0.30 | 52.50 |
| MY | Read emails between Lorien and Catherine re: taxes NO CHARGE | 0.10 | N/C |
| MY | Calendar hearing/due dates for Jesus' motion to reconsider December 28, 2020, rder, et. al. | 0.10 | 17.50 |
| MY | Edit Ex Parte Application for Order to Show Cause | 0.10 | 17.50 |
| MY | Prepare and submit Ex Parte Application for an Order to Show Cause, et. al. for filing | 0.30 | 52.50 |
| Wednesday, January 20, 2021 | | | |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Notice of Hearing | 0.10 | 17.50 |
| MY | Second office meeting with Lorien re: Notice of Hearing | 0.10 | 17.50 |
| MY | Draft Notice of Hearing | 0.10 | 17.50 |
| MY | Prepare and submit Notice of Hearing for filing | 0.20 | 35.00 |
| LKC | Review and sign notice of hearing; edit same. | 0.10 | 37.50 |
| Friday, January 22, 2021 | | | |
| Monday, January 25, 2021 | | | |
| MY | Office meeting with Lorien re: motion for order to show cause | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: amended motion | 0.10 | 17.50 |
| MY | Edit Motion for Order to Show Cause; Edit Exhibits for Motion for Order to Show Cause; Edit Proposed Order to Show Cause NO CHARGE | 0.10 | N/C |
| MY | Prepare and re-submit amended motion; amended exhibits; and order to show cause NO CHARGE | 0.20 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Second office meeting with Lorien re: amended motion | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Marshal re: vexatious litigant | 0.10 | 17.50 |

Tuesday, January 26, 2021

| | | | |
|---|---|---|---|
| MY | Prepare and submit Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order for filing | 0.30 | 52.50 |
| MY | Prepare and submit Order to Show Cause for Judge's signature | 0.20 | 35.00 |
| MY | Email to Dept. E Law Clerk re: courtesy copy of Ex Parte Application for Order to Show Cause, et. al. | 0.10 | 17.50 |
| MY | Office meeting with Marshal and Lorien re: case status | 0.10 | 17.50 |
| MY | Draft Amended Certificate of Service | 0.10 | 17.50 |
| MY | Prepare and submit Amended Certificate of Service | 0.20 | 35.00 |

Wednesday, January 27, 2021

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|---|---|---|---|
| MY | Calendar hearing date for Motion for Order to Show Cause | 0.10 | 17.50 |

Monday, February 1, 2021

| | | | |
|---|---|---|---|
| MY | Office meeting with Lorien re: case status | 0.10 | 17.50 |
| MY | Read emails between Lorien; Catherine; and Marshal re: Jesus' request for extension NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Tuesday, February 2, 2021 | | | |
| MY | Draft Re-Notice of Opposition and Countermotion for Vexatious Litigant | 0.20 | 35.00 |
| Wednesday, February 3, 2021 | | | |
| MY | Review and respond to email from Catherine re: hearing dates | 0.10 | 17.50 |
| Monday, February 8, 2021 | | | |
| MY | Office meeting with Lorien re: reply | 0.10 | 17.50 |
| Tuesday, February 9, 2021 | | | |
| MY | Begin drafting Opposition to Motion to Open Discovery and Related Relief | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: Opposition to Motion to Open Discovery and Related Relief | 0.10 | 17.50 |
| MSW | Review and respond to Emails. | 0.20 | 120.00 |
| Thursday, February 11, 2021 | | | |
| MY | Begin drafting Reply to Opposition to Motion for Order to Show Cause, et. al. | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: Reply to Motion for Order to Show Cause | 0.10 | 17.50 |
| Sunday, February 14, 2021 | | | |
| MSW | Review and Revise Opposition to motion and reply to opposition. Associated emails. | 1.80 | 1,080.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| Tuesday, February 16, 2021 | | | |
| MY | Office meeitng with Marshal re: Jesus' Financial Disclosure Form | 0.10 | 17.50 |
| MY | Read emails between Marshal and Catherine re: reply NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Marshal re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Second office meeting with Marshal re: reply | 0.10 | 17.50 |
| MY | Review and respond to email to Catherine re: hearing video | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Re-Notice of Motion | 0.10 | 17.50 |
| MY | Update address file NO CHARGE | 0.10 | N/C |

| Emp | Description | Hours | Amount |
|---|---|---|---|
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Wednesday, February 17, 2021

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|---|---|---|---|
| | | | |
| MY | Review and respond to email from Dept. E re: Order to Show Cause | 0.10 | 17.50 |
| MY | Prepare and submit Order to Show Cause, et. al. for Judge's signature | 0.20 | 35.00 |
| MY | Email to Dept. E re: Ex Parte Application for Order to Show Cause | 0.10 | 17.50 |

Thursday, February 18, 2021

| | | | |
|---|---|---|---|
| | | | |
| MY | Second office meeting with Marshal re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| | | | |

Friday, February 19, 2021

| | | | |
|---|---|---|---|
| MY | Email to Cat re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Cat's Financial Disclosure Form | 0.10 | 17.50 |
| MY | Proofread Reply to Opposition to Motion for Order to Show Cause | 0.20 | 35.00 |
| | | | |
| MSW | Review and Revise current motion filings; circulate and instruct | 1.20 | 720.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| | filing. | | |
| Monday, February 22, 2021 | | | |
| MY | Message with Cat re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit opposition to motion to open discovery et. al. | 0.20 | 35.00 |
| MY | Email to Catherine re: reply & opposition | 0.10 | 17.50 |
| MY | Save documents from Catherine NO CHARGE | 0.10 | N/C |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Office meeting with Lorien re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Draft Financial Disclosure Form | 0.40 | 70.00 |
| MY | Office meeting with Marshal and Lorien re: changes to opposition/Financial Disclosure Form | 0.10 | 17.50 |
| MY | Prepare and submit Opposition to Motion to Open Discovery; and Reply to Opposition to Motion for Order to Show Cause, et. al., for filing | 0.40 | 70.00 |
| MY | Email to Sara Kopjo re: Order to Show Cause | 0.10 | 17.50 |
| MY | Telephone Conference with Dept. E re: Order to Show Cause | 0.20 | 35.00 |
| MY | Second office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal and Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: filing reply and opposition | 0.10 | 17.50 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: proofreading opposition | 0.10 | 17.50 |
| MY | Second Telephone Conference with Dept. E re: Order to Show Cause | 0.10 | 17.50 |
| LKC | Conference with Mallory re Financial Disclosure Form, review same. | 0.10 | 37.50 |
| MSW | Review and respond to Emails. | 0.10 | 60.00 |
| Tuesday, February 23, 2021 | | | |
| | | | |
| MY | Office meeting with Lorien re: Cat's Financial Disclosure Form | 0.10 | 17.50 |
| MY | Second office meeting with Trevor re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit Amended Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Edit Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: cancelling submission of Financial Disclosure Form | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MSW | Review and Revise filings; associated emails. | 0.10 | 60.00 |
| LKC | Meeting with staff re the social security issues, edited the amended Financial Disclosure Form and circulated for approval. | 0.50 | 187.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| TMC | Office conference with Ms. Cole concerning amendments to Financial Disclosure Form and potential impact of Social Security death benefits on child support; amend Financial Disclosure Form accordingly and circulate for review. | 0.60 | 240.00 |
| Wednesday, February 24, 2021 | | | |
| MY | Office meeting with Lorien re: Re-Notice of Motion | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: hearing rescheduled | 0.10 | 17.50 |
| MY | Draft Ex Parte Application for Order to Show Cause for Marshal's review | 0.30 | 52.50 |
| MY | Edit Re-Notice of Opposition and Countermotion, et. al., | 0.30 | 52.50 |
| MY | Office meeting with Marshal re: re-notice of countermotion | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Financial Disclosure Form | 0.10 | 17.50 |
| MY | Edit Re-Notice of Opposition and Countemotion, et. al. | 0.10 | 17.50 |
| MY | Edit Certificate of Service | 0.10 | 17.50 |
| MY | Edit Re-Notice of Opposition and Countermotion | 0.10 | 17.50 |
| MY | Prepare and submit Amended Financial Disclosure Form; and Re-Notice of Defendant's Opposition to "Motion to Hold Defendant and her Attorney Marshal S. Willick, Esq., in Contempt of Court; for Sanctions; Award of Fees and Costs; and Related Relief" and Countermotion for lIsting as a Vexatious Litigant and Related Relief, and for Attorney's Fees and Costs for filing | 0.30 | 52.50 |
| MY | Office meeting with Lorien and Marshal re: Order to Show Cause | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Order to Show Cause | 0.10 | 17.50 |
| MSW | Emails re: Financial Disclosure Form after reviewing revisions. | 0.30 | 180.00 |
| LKC | Respond again to Mr. WIlick and team re the Social Security issue to ensure the Financial Disclosure Form is accurate. | 0.10 | 37.50 |
| Thursday, February 25, 2021 | | | |
| MY | Prepare and submit Order to Show Cause; Ex Parte Application for Order to Show Cause for service on Jesus Arevalo | 0.20 | 35.00 |
| MY | Prepare and submit Notice of Entry of Order Show Cause for filing | 0.20 | 35.00 |
| Friday, February 26, 2021 | | | |
| MY | Office meeting with Marshal re: service of Order to Show Cause | 0.10 | 17.50 |
| Tuesday, March 2, 2021 | | | |
| MY | Telephone Conference with Junes Legal Service re: service of Order to Show Cause | 0.10 | 17.50 |
| MY | Telephone Conference with process server: re: service of Order to Show Cause on Jesus Arevalo | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Telephone Conference with Catherine re: service on Jesus Arevalo | 0.10 | 17.50 |
| MY | Second Telephone Conference with the process server re: service of Jesus Arevalo | 0.10 | 17.50 |
| MY | Office meeting with Lorien and Marshal re: service of Order to Show Cause on Jesus | 0.10 | 17.50 |
| | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Telephone Conference with Clerk of Court re: Re-Notice of Opposition and Countemotion | 0.40 | 70.00 |
| MY | Office meeting wiith Lorien re: Telephone Conference with Clerk of Court | 0.10 | 17.50 |
| | | | |
| MY | Second Telephone Conference with Clerk of Court re: countermotion for vexatious litigant | 0.20 | 35.00 |
| MY | Begin drafting Motion to List Plaintiff as Vexatious Litigant | 0.20 | 35.00 |
| MY | Review and respond to email from Cat re: serving Jesus at visitation exchange | 0.10 | 17.50 |
| MY | Review and respond to email from Catherine re: providing process server with Cat's cell phone number | 0.10 | 17.50 |
| MY | Telephone Conference with Process Server re: serving Jesus at McDonald's | 0.10 | 17.50 |
| Wednesday, March 3, 2021 | | | |
| MY | Telephone Conference with the Process Server re: Jesus Arevalo served with the Order to Show Cause | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: email from Jesus | 0.10 | 17.50 |
| MY | Read OFW messages between Catherine and Jesus re: visitation exchanges NO CHARGE | 0.30 | N/C |
| MY | Finish shelling Motion to List Plaintiff as Vexatious Litigant for Marshal's review | 0.60 | 105.00 |
| | | | |
| Friday, March 5, 2021 | | | |
| MY | Prepare and submit Affidavit of Service for filing | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: Affidavit of Service | 0.10 | 17.50 |
| Saturday, March 6, 2021 | | | |
| MSW | Review and Revise vexatious litigant motion. Circulate for comments; associated emails. | 0.40 | 240.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 0.50 | N/C |
| Monday, March 8, 2021 | | | |
| MY | Proofread and edit Motion to List Plaintiff as Vexatious Litigant, et. al. | 0.20 | 35.00 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| MY | Draft cover sheet for Motion to List PLaintiff as Vexatious Litigant | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Motion | 0.10 | 17.50 |
| MY | Prepare and submit Defendant's Motion to List Plaintiff as a Vexatious Litigant and Related Relief, and for Attorney's Fees and Costs for filing | 0.20 | 35.00 |
| MY | Prepare and submit Motion to List Plaintiff as Vexatious Litigant for mailing to Jesus Arevalo | 0.20 | 35.00 |
| MSW | Review and respond to Emails; review/annotate most recent submissions. | 0.10 | 60.00 |
| Tuesday, March 9, 2021 | | | |
| MY | Edit Ex Parte Application for Order Shortening Time | 0.20 | 35.00 |
| MY | Edit the Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Ex Parte Application for Order Shortening Time | 0.10 | 17.50 |
| MSW | Review flurry of filings; review/revise ex parte applications for OST, etc. | 0.30 | 180.00 |
| Wednesday, March 10, 2021 | | | |
| MY | Prepare and submit Order Shortening Time for Judge’s signature | 0.20 | 35.00 |
| MY | Office meeting with Marshal re: Order Shortening Time | 0.10 | 17.50 |
| MY | Email to Dept. E re: Ex Parte Application for Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Order Shortening Time | 0.10 | 17.50 |
| MY | Update calendar for hearings on March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Order Shortening Time | 0.10 | 17.50 |
| MY | Review and respond to email from Cat re: Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Order Shortening Time | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Order Shortening Time | 0.10 | 17.50 |
| MY | Office meeting with Marshal re: Decision and Order | 0.10 | 17.50 |
| MY | Draft Notice of Entry of Decision and Order | 0.10 | 17.50 |
| MY | Second office meeting with Marshal re: Decision and Order | 0.10 | 17.50 |
| Friday, March 12, 2021 | | | |
| MY | Shell Reply to Opposition to Motion to List Plaintff as Vexatious Litigant Marshal's review | 0.20 | 35.00 |
| Monday, March 15, 2021 | | | |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| Wednesday, March 17, 2021 | | | |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Update calendar with bluejeans meeting information | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: Schedule of Arrears | 0.10 | 17.50 |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Friday, March 19, 2021 | | | |
| MY | Office meeting with Marshal re: pleadings for hearing on March 23, 2021 | 0.40 | 70.00 |
| Tuesday, March 23, 2021 | | | |
| MY | Office meeting with Lorien re: schedule of arrears | 0.10 | 17.50 |
| MY | Attend hearing on March 23, 2021 | 1.30 | 227.50 |
| MY | Office meeting with Marshal and Lorien re: Hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Request hearing video from March 23, 2021 | 0.10 | 17.50 |
| MSW | Prepare for and attend hearing in Dept. E. | 1.20 | 720.00 |
| MSW | Additional time actually expended on this matter, but not charged to Client as directed by Marshal Willick. NO CHARGE | 1.00 | N/C |
| LKC | Conference with Mallory re: arrears and interest, discuss the same with Marshal, make a plan for the requests for arrears. Review and respond to Marshal during the hearing re questions on the FDF. | 0.20 | 75.00 |
| Wednesday, March 24, 2021 | | | |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Request transcript from March 23, 2021 | 0.20 | 35.00 |
| MY | Office meeting with Lorien re: hearing on March 23, 2021 | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| MY | Download and save transcript from March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: transcript from March 23, 2021 | 0.10 | 17.50 |
| Thursday, March 25, 2021 | | | |
| MY | Begin preparing Order from March 23, 2021, Hearing | 0.20 | 35.00 |
| MY | Begin drafting Memorandum of Fees and Costs | 0.30 | 52.50 |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| Monday, March 29, 2021 | | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| MY | Check case status online NO CHARGE | 0.10 | N/C |
| Tuesday, March 30, 2021 | | | |
| Wednesday, March 31, 2021 | | | |

| Emp | Description | Hours | Amount |
|---|---|---|---|
| Thursday, April 1, 2021 | | | |
| | [redacted] | | |
| Friday, April 2, 2021 | | | |
| | [redacted] | | |
| Wednesday, April 14, 2021 | | | |
| | [redacted] | | |
| Thursday, April 15, 2021 | | | |
| | [redacted] | | |
| Tuesday, April 20, 2021 | | | |
| MY | Draft Order from March 23, 2021 | 0.40 | 70.00 |
| | [redacted] | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| | [redacted] | | |
| Monday, May 3, 2021 | | | |
| MY | Office meeting with Lorien re: Memorandum of Fees and Costs | 0.10 | 17.50 |
| Thursday, May 6, 2021 | | | |
| MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 17.50 |
| MY | Office meeting with Lorien re: billing | 0.10 | 17.50 |
| | [redacted] | | |
| LKC | Drafted the Order from the March 23, 2021, went through entire transcript to make sure the orders were complete, sent to Jesus to review. | 1.80 | 720.00 |

Summary of Services

| | | | | | |
|---|---|---|---|---|---|
| DB | Darcy Bower | 6.50 hrs | @ 0.00 | | N/C |
| DB | Darcy Bower | 6.60 hrs | @ 250.00 | $ | 1,650.00 |
| LKC | Lorien K. Cole | 5.20 hrs | @ 375.00 | $ | 1,950.00 |
| LKC | Lorien K. Cole | 2.80 hrs | @ 400.00 | $ | 1,120.00 |
| MSW | Marshal S. Willick | 20.10 hrs | @ 600.00 | $ | 12,060.00 |
| MSW | Marshal S. Willick | 6.80 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 11.90 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 52.60 hrs | @ 175.00 | $ | 9,205.00 |
| RLC | Rick L. Crane | 2.10 hrs | @ 400.00 | $ | 840.00 |
| TMC | Trevor M. Creel | 0.60 hrs | @ 400.00 | $ | 240.00 |
| | Unspecified atty | 0.10 hrs | @ 0.00 | | N/C |

Total Professional Services $ 27,065.00

Costs and Disbursements

| Date | Description | Amount |
|---|---|---|
| 08/25/20 | Efiling of document(s): Notice of Entry of Qualified Domestic Relations Order | 3.50 |
| 09/16/20 | Efiling of document(s): Opposition [Motion for OSC] | 3.50 |
| 09/16/20 | Efiling of document(s): Motion for Order to Show Cause | 28.75 |
| 10/05/20 | Efiling of document(s): Notice of Entry of Order from 8/13/20 Hearing | 3.50 |
| 10/09/20 | Efiling of document(s): Amended General Financial Disclosure Form | 3.50 |
| 10/29/20 | Efiling of document(s): Certificate of Service | 3.50 |
| 01/15/21 | Efiling of document(s): Defendant's Motion for Order to Show Cause why Plaintiff Should Not Be Held in Contempt of Court for Failure to Abide by the Court's February 19, 2020, Order and May 6, 2020 Order and Motion for Idemnification of Plaintiff's Qualified Domestic Relations Order; Exhibits to Defendant's Motion | 3.50 |
| 01/19/21 | Efiling of document(s): Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order | 3.50 |
| 01/20/21 | Efiling of document(s): Notice of Hearing | 3.50 |
| 01/25/21 | Efiling of document(s): Exhibits to Amended Motion | 3.50 |
| 01/26/21 | Efiling of document(s): Ex Parte Application for an Order to Show Cause why Jesus Luis Arevalo, Should Not Be Held in Contempt for his Failure to Comply with the Terms of the February 19, 2020, Order and May 6, 2020, Order | 3.50 |
| 02/22/21 | Efiling of document(s): Opposition and Countermotion re "Motion to Open Discovery and Related Relief"; Reply to "Opposition to Defendant's Motion for Order to Show Cause" | 3.50 |
| 02/24/21 | Efiling of document(s): Re-Notice of Opposition to "Motion to Hold Defendant | 3.50 |

| Date | Description | Amount |
|---|---|---|
| | in Contempt of Court; Amended Financial Disclosure Form | |
| 02/25/21 | Efiling of document(s): Notice of Entry of Order to Show Cause | 3.50 |
| 03/05/21 | Efiling of document(s): Affidavit of Service | 3.50 |
| 03/08/21 | Efiling of document(s): Motion to List Plaintiff as a Vexatious Litigant | 3.50 |
| 03/10/21 | Efiling of document(s): Ex Parte Application for Order Shortening Time | 3.50 |
| 03/10/21 | Efiling of document(s): Notice of Entry of Order Shortening Time; Notice of Entry of Decision and Order | 3.50 |
| 03/15/21 | Junes Legal Service: Personal service on Jesus Arevalo of Order to Show Cause documents; EP167787 | 50.80 |
| 03/25/21 | Rev.com: transcription of 3/23/21 Hearing | 60.00 |
| | Total Costs and Disbursements | $ 247.05 |
| TOTAL NEW CHARGES | | $ 27,312.05 |

PREBILL FOR FILE 19-078.UNBUNDPOST PREPARED 05/14/21 FOR ACTIVITY FROM 08/14/20 THROUGH 05/14/2

Ms. Catherine Delao

Home Phone: (702)
Business Phone: (702)
Fax Number: (702)
Cell Phone: (702)

| Ref # | Date | Atty | Description | Hours | Rate | Amount |
|---|---|---|---|---|---|---|
| 641765 | 05/11/21 | MY | Office meeting with Marshal re: Order from the Court | 0.10 | 175 | 17.50 |
| 641825 | 05/11/21 | LKC | Responded to Jesus re: changes to the order, reviewed the scheduling order and comments re same, drafted a letter to the department with the order. | 0.30 | 400 | 120.00 |
| 641934 | 05/12/21 | MY | Office meeting with Lorien re: Memorandum of Fees and Costs | 0.10 | 175 | 17.50 |
| 642053 | 05/13/21 | LKC | Review and respond to Jesus on his multiple questions/changes to the order. Explain over and over to Jesus the order and send him the transcript multiple times. | 0.20 | 400 | 80.00 |
| 642054 | 05/13/21 | LKC | Redacted billing and drafted memo of fees and costs. | 1.50 | 400 | 600.00 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 642055 | 05/13/21 | MY | Office meeting with Lorien re: Order from March 23, 2021 | 0.10 | 175 | 17.50 |
| 642072 | 05/13/21 | MY | Office meeting with Lorien re: billing | 0.10 | 175 | 17.50 |

Summary of Services

| | | | | | |
|---|---|---|---|---|---|
| LKC | Lorien K. Cole | 2.30 hrs | @ 400.00 | $ | 920.00 |
| MSW | Marshal S. Willick | 0.40 hrs | @ 600.00 | $ | 240.00 |
| MY | Mallory Yeargan | 0.10 hrs | @ 0.00 | | N/C |
| MY | Mallory Yeargan | 0.90 hrs | @ 175.00 | $ | 157.50 |

Total Professional Services 3.70 $ 1,317.50

TOTAL NEW CHARGES $ 1,317.50

PAYMENTS AND CREDITS

Applied from Retainer to fee charges -1,317.50

Total Payments and Credits $ -1,317.50

Retainer Account

Retainer Balance Forward $ 4,308.20

05/14/21 Applied from Retainer to fee charges -1,317.50

New Retainer Account Balance $ 2,990.70

Please remit an additional $2009.30 to replenish your retainer account balance

SUMMARY OF ACCOUNT

| | |
|---|---|
| Balance Forward | $ 0.00 |
| Total New Charges | 1,317.50 |
| Payments, credits, and/or retainer used | -1,317.50 |
| Additional Retainer Due | $ 2,009.30 |
| **TOTAL AMOUNT DUE** | **$ 2,009.30** |

| | |
|---|---|
| Total Hours to Date | 271.30 |
| Total Fees Case to Date | 65,795.00 |
| Total Costs Case to Date | 557.80 |
| Total Payments Case to Date | 66,227.80 |
| Total Credits Case to Date | 125.00 |

Email addresses: [staff member's first name]@willicklawgroup.com
Be well; stay safe.

# 8

8

ELECTRONICALLY SERVED
6/21/2021 10:13 AM

Electronically Filed
06/21/2021 10:13 AM
CLERK OF THE COURT

ORDR

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

| | |
|---|---|
| AREVALO, JESUS LUIS,<br>Plaintiff,<br><br>v.<br><br>AREVALO, CATHERINE MARIE,<br>Defendant. | Case No.: D-11-448514-D<br>Dept.: E |

## ORDER SETTING ORAL ARGUMENT

This Court having entered an *Order After Remand Setting Briefing* on May 11, 2021 and reviewing the Briefs filed by the parties on June 11. 2021, finds that the positions of the Plaintiff on the outstanding issues are still unclear. As such, this Court determines that further proceedings are necessary to attempt to understand Plaintiff's position.

IT IS HEREBY ORDERED that the parties are directed to appear for oral argument on **July 7, 2021 at 9:00 a.m.** to further discuss the issues on remand, as outlined in this Court's May 11, 2021Order.

**Dated this 21st day of June, 2021**

**60B 170 4C55 871B**
**Charles J. Hoskin**
**District Court Judge**

**CHARLES J. HOSKIN**
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

**CSERV**

DISTRICT COURT
CLARK COUNTY, NEVADA

| | |
|---|---|
| Jesus Luis Arevalo, Plaintiff<br><br>vs.<br><br>Catherine Marie Arevalo, Defendant. | CASE NO: D-11-448514-D<br><br>DEPT. NO. Department E |

**AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 6/21/2021

| | |
|---|---|
| Lorien Cole | lorien@willicklawgroup.com |
| Marshal Willick | marshal@willicklawgroup.com |
| Reception Reception | email@willicklawgroup.com |
| Mallory Yeargan | Mallory@willicklawgroup.com |
| Jesus Arevalo | wrath702@gmail.com |
| Jesus Arevalo | vinni702@yahoo.com |
| Charles Hoskin | deptelc@clarkcountycourts.us |

# 9

9

Electronically Filed
7/6/2021 3:26 PM
Steven D. Grierson
CLERK OF THE COURT

JESUS LUIS AREVALO
6935 Aliante Parkway Suite 104, #286
N. Las Vegas, NV 89084
(702) 813-1829
Plaintiff in Proper Person

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

| | |
|---|---|
| JESUS LUIS AREVALO,<br>Plaintiff,<br>vs.<br>CATHERINE AREVALO,<br>Defendant. | Case No. D-11-448514-D<br>Dept No. E |

## EX PARTE MOTION TO CONTINUE HEARING

COMES NOW, Plaintiff, in Proper Person, and requests the court continue the hearing set for July 7, 2021, for several reasons:

First, Plaintiff has been sick, with a severe cold or flu and sinus infection. With less than 30 days notice, he has not been able to obtain an expert witness he believes will be required to address the inaccurate figures provided by Defendant. Further, he is in the process of obtaining an attorney to appear and address all issues in a timely manner, and he needs time to bring an attorney up to speed in this matter. He attempted to communicate with Defendant's attorney for a continuance however, he received no response from Marshal Willick's office.

Therefore, Defendant requests the court continue this matter for 4 to 6 weeks.

Dated this 6th day of July 2021.

/s/ JESUS AREVALO

JESUS AREVALO
Defendant in Proper Person

DECLARATION OF JESUS AREVALO

State of Nevada

County of Clark

I, JESUS AREVALO, being first duly sworn, depose and say:

1. I am filing this ex parte motion seeking to continue the hearing in this matter as I have been ill, and then ran into the Fourth of July Holiday weekend. I desire to retain counsel in this matter, as I dispute the evidence set in this matter. The underlying QDRO is in violation of NRS 286, and also fails to comply with NRS 125.155.

2. The insurance policy is incorrect because it is supposed to comply with NRS 125.155, in any pension award should be ½ the interest during marriage; but Defendant seeks a plan for not only the sum she is entitled to, but instead a policy for over $200,000 - which is appropriately 100% of what was earned in 12 years of my career! I need representation in this matter.

2. I desire to retain an attorney with knowledge of PERS, because it should have an "end" date, which is also missing from the QDRO prepared by Defendant, in compliance with Nevada community property laws. This is why the QDRO should never have been approved without my right to review in the first place.

3. I have requested the attorney agree to a continuance, but as of this time, I have gotten no response.

Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

JESUS AREVALO

## CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of July, 2021, I served a copy of the EX PARTE MOTION TO CONTINUE HEARING upon the below-listed party by the below designated method:

_X_Electronic mail (Through Odyssey, the Courts efiling/eserve program)

____U.S. Mail, postage prepaid

____Hand Delivery

____Facsimile Transmission

____Certified Mail, Receipt No._____, return receipt requested.

Address: To all registered service contacts pertaining to this case

/S/ JESUS AREVALO

Plaintiff in Proper Person

# 10

10

**DISTRICT COURT**
**CLARK COUNTY, NEVADA**

**Divorce - Complaint** | **COURT MINUTES** | **July 07, 2021**

D-11-448514-D Jesus Luis Arevalo, Plaintiff
vs.
Catherine Marie Arevalo, Defendant.

**July 07, 2021 09:00 AM Hearing**

**HEARD BY:** Hoskin, Charles J. **COURTROOM:** Courtroom 02

**COURT CLERK:** Madrigal, Blanca

**PARTIES PRESENT:**

**Catherine Marie Arevalo, Counter Claimant, Defendant, Present** **Marshal Shawn Willick, Attorney, Present**

**Jesus Luis Arevalo, Counter Defendant, Plaintiff, Present** **Pro Se**

**Luis Jesus Arevalo, Subject Minor, Not Present**

**Charles Hoskin, Other, Not Present** **Pro Se**

**JOURNAL ENTRIES**

HEARING: REMAND ISSUES AND FURTHER PROCEEDINGS

All parties present by video conference.

Plaintiff requested more time to gather information and appropriately respond that he has been sick and has had no time to prepare or hire counsel.

The Court noted the Remand was filed on May 6, 2021, and an Order for Briefs filed on May 11, 2021. The Court set this matter for clarification of Plaintiff's Brief, as it was not clear. The Court also noted that the issues were old, and no new motions were filed.

Mr. Willick objected to a continuance and requested attorney's fees. Plaintiff objected to fees and argued he attempted to reach out to Mr. Willick for a continuance.

COURT ORDERED, matter CONTINUED to July 21, 2021, at 8:30 am, to allow Plaintiff more time to prepare for the hearing.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

Jul 21, 2021 8:30AM Hearing
Courtroom 02 Hoskin, Charles J.



Notice: Journal Entries are prepared by the courtroom clerk and are not the official record of the court.

D-11-448514-D Jesus Luis Arevalo, Plaintiff
vs.
Catherine Marie Arevalo, Defendant.

**July 21, 2021 08:30 AM Hearing**

**HEARD BY:** Hoskin, Charles J. **COURTROOM:** Courtroom 02

**COURT CLERK:** Madrigal, Blanca

**PARTIES PRESENT:**

**Catherine Marie Arevalo, Counter Claimant, Defendant, Present** **Marshal Shawn Willick, Attorney, Present**

**Jesus Luis Arevalo, Counter Defendant, Plaintiff, Present** **Pro Se**

**Luis Jesus Arevalo, Subject Minor, Not Present**

**Charles Hoskin, Other, Not Present** **Pro Se**

**JOURNAL ENTRIES**

HEARING: REMAND ISSUES AND FURTHER PROCEEDINGS

In the interest of public safety due to the Coronavirus pandemic, the matter was heard via VIDEO CONFERENCE through the BlueJeans application.

Plaintiff argued that the value of the Life Insurance Policy is $8,300.00 and that Defendant's portion of the pension is $56,000.00; and not a lifetime payment. Defendant requested the Court revisit the pension distribution and determine the value according to NRS 125.155. Plaintiff asked the child to attend Skypoint Summerset because his other children attend the same school, and Mom may not be in the same zone when school started. Plaintiff requested the parties attend mediation to address the issues with exchanges.

Mr. Willick responded that the value of the Life Insurance Policy is $201,751.00. Requested the Court order the Plaintiff a time certain to obtain the policy with Defendant as the beneficiary and owner. If Plaintiff fails, he should be held in contempt, and Defendant empowered to obtain the policy herself, with Plaintiff paying the premiums. Mr. Willick briefed the issue of the school and indemnification QDRO. Mr. Willick advised that Defendant is in litigation in probate court and may lose her home. Further, Mr. Willick argued that if Defendant is ordered to pay child support, her support is offset against Plaintiff's arrearages. And the Court consider Plaintiff's significant other's income as a potential deviation factor. Mr. Willick requested the parties use the honk and seat belt rule, and Plaintiff stop tracking the minor child and Defendant's car.

COURT-ORDERED:

1) The division of the pension is RES JUDICATA, and the Order was issued in 2013. The Court of Appeals affirmed the QDRO, Pers Payments, and 2017 Tax Penalty;

2) The issues regarding child support will not be addressed at this time;



Notice: Journal Entries are prepared by the courtroom clerk and are not the official record of the court.

3) The minor child's exchanges will not be modified. However, the minor child should be able to walk to the other parent's vehicle;

4) The parties shall not place tracking devices on the other parent's vehicles or property; it is not necessary;

5) All other issues UNDER ADVISEMENT. The Court shall review the evidence and the testimony provided and issue a written decision. Case closed upon submission of same.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**



Notice: Journal Entries are prepared by the courtroom clerk and are not the official record of the court.

# 11

11

ELECTRONICALLY SERVED
7/30/2021 1:08 PM

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07/30/2021 1:08 PM
CLERK OF THE COURT

ORDR

**DISTRICT COURT**

**FAMILY DIVISION**

**CLARK COUNTY, NEVADA**

| | |
|---|---|
| AREVALO, JESUS LUIS,<br>Plaintiff,<br><br>vs.<br><br>AREVALO, CATHERINE MARIE,<br>Defendant. | Case No.: D-11-448514-D<br>Dept.: E<br><br>Date: July 21, 2021<br>Time: 8:30 a.m. |

**ORDER AFTER REMAND**

The court of appeals having entered an *Order Affirming in Part, Reversing in Part, Dismissing in Part and Remanding* on March 30, 2021 and this Court, after regaining jurisdiction, having entered an *Order After Remand Setting Briefing* on May 11, 2021 and reviewing the Briefs filed by the parties on June 11, 2021, then determining that Plaintiff's position was still unclear, so it entered an *Order Setting Oral Argument* on June 21, 2021, setting argument for July 7, 2021; Plaintiff representing at the July 7, 2021 hearing that he needed more time to prepare and hire counsel to assist him; as such, the matter was continued to July 21, 2021 for another one hour

**CHARLES J. HOSKIN**
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

setting, permitting each side 30 minutes to argue their positions; After hearing the arguments of the parties, attempting to help Plaintiff focus on the issues pending before the Court and providing Plaintiff with more than his allotted 30 minutes to present argument, the Court took the matter under submission and finds and orders as follows:

Within the Judgment, filed by the Supreme Court Clerk on May 6, 2021, the appellate court stated "We affirm the district court's order as to the QDRO and PERS payment thereunder, and the 2017 tax penalty; we reverse and remand the district court's order as to the charter school issue, the life insurance policy provision and attorney fees; and we dismiss the appeal as to the orders granting [Defendant's] motions for orders to show cause." This Court provided additional findings concerning the attorney's fees award as part of its May 11, 2021 Order.

**Charter School Issue**

Within its March 30, 2021 *Order Affirming in Part, Reversing in Part, Dismissing in Part, and Remanding* (Remand Order), the court of appeals determined that there is "no authority to support [this Court's] conclusion that, although the child was on the waiting list to be admitted to the charter school, [Plaintiff's] request to determine whether the child could attend that school was not yet ripe." The court of appeals reversed and remanded

CHARLES J. HOSKIN
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

Plaintiff's request to consider the charter school issue. As such, this Court requested argument and evidence within the requested briefing and oral arguments.

Plaintiff's Brief references the school choice issue. Plaintiff provides conclusory statements, without evidence or support in his argument. He referred to the chosen school as "the Charter School," without specific reference to what charter school he wanted this Court to consider. Plaintiff did reference that the child "is on the wait list at Somerset Skypointe." During oral argument, Plaintiff confirmed that Somerset Skypointe was the school he wanted the Court to consider.

Defendant's Brief confirms that the child continues to attend Seville Middle School and that she desires that the child continue to attend Seville.

When considering the school to be attended by the child, the Nevada Supreme Court provided guidance to the District Courts in *Arcella v. Arcella*, 133 Nev. 868, 407 P.3d 341(2017). That Court stated that the following factors will likely be relevant to a court's determination:

> (1) The wishes of the child, to the extent that the child is of sufficient age and capacity to form an intelligent preference;
>
> (2) The child's educational needs and each school's ability to meet them;
>
> (3) The curriculum, method of teaching, and quality of instruction at each school;

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DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

(4) The child's past scholastic achievement and predicted performance at each school;

(5) The child's medical needs and each school's ability to meet them;

(6) The child's extracurricular interests and each school's ability to satisfy them;

(7) Whether leaving the child's current school would disrupt the child's academic progress;

(8) The child's ability to adapt to an unfamiliar environment;

(9) The length of commute to each school and other logistical concerns;

(10) Whether enrolling the child at a school is likely to alienate the child from a parent.

*Id*. at 346.

This Court reviewed the evidence and arguments provided. It is unfortunate that parents are unable to agree on something as fundamental as the education of their child.

*The wishes of the child, to the extent that the child is of sufficient age and capacity to form an intelligent preference.* The Child is almost 12 years old; although Plaintiff indicated that the child is "10 years old" in his brief. Neither party provided evidence that the child is of sufficient age and capacity to form an intelligent preference. In fact, Defendant argues that the child does not have the maturity to understand the effects and nuances of moving from the school he is zoned for to a charter school. Plaintiff believes the child

**CHARLES J. HOSKIN**
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FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

"would prefer to attend school with his siblings, from Plaintiff's residence, and to attend classes with his friends." Defendant indicates that the child "has had the opportunity to get settled into [Seville], has tons of friends at that school, and has already been able to adjust to the resources provided by that school."

*The child's educational needs and each school's ability to meet them.* Neither party argued that the current school is unable to meet the child's needs. Plaintiff argues class size, citing public school averages of 45, but Defendant indicated that Seville's class size is 28. Plaintiff indicates the "average charter school class size is 25 students" but provides no specifics for Somerset Skypointe. It does not appear that either school has a distinct advantage at meeting the child's needs.

*The curriculum, method of teaching, and quality of instruction at each school*. Plaintiff argues that "Somerset Academy" utilizes technology to assist with performance. Defendant points out that "Somerset Academy Aliante only received a two-star rating." Again, neither school stands out under this factor.

*The child's past scholastic achievement and predicted performance at each school*. Plaintiff admits that the "child has done

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DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

well with no special needs at his prior schools." Defendant admits that the child "should excel at either school, so this factor is largely neutral." Defendant argues that the child has recently been diagnosed with dyslexia and that the public schools are better equipped to provide services for that special need. The child was an "A-B" student for his sixth grade year. This factor supports the child remaining at Seville.

*The child's medical needs and each school's ability to meet them.* Plaintiff argues that the child has no special medical needs. Defendant indicates that Seville has been able to provide the child with resources which have improved his grades since his diagnosis. This factor support Seville.

*The child's extracurricular interests and each school's ability to satisfy them.* Plaintiff argues that the child is not involved in extracurricular activities through the school. Defendant argues such is because Plaintiff only allows the child to attend activities Plaintiff has chosen. This factor is neutral.

*Whether leaving the child's current school would disrupt the child's academic progress.* Plaintiff argues the conclusion that "[l]eaving the current school, after a year of COVID and distance

**CHARLES J. HOSKIN**
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

learning, will not hurt the child." Defendant argues the services and resources available in public versus charter schools for managing dyslexia. Leaving Seville could disrupt the child's academic progress.

*The child's ability to adapt to an unfamiliar environment*. Plaintiff argues that the child has no issue adapting to a new school, but provides little support for that position. Defendant argues that the only person the child could know at the charter school is a step-sister, who is not in the child's grade. The child has been attending Seville with the same students for some time.

*The length of commute to each school and other logistical concerns*. Plaintiff argues that both parents are close to his proposed school. Defendant argues that Seville is less than one mile from her home, but does not provide a distance to Somerset Skypointe, likely because the requested school was unknown by Defendant at the time of the briefing. Given Defendant's work schedule, changing schools and the additional time required would be a concern for Defendant. Defendant also argues that the child would no longer be able to ride his bike to school if the school were changed. Defendant also argues potential costs for the charter school, which were not fully explored.

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DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

Certainly the parties have been able to commute the child to Seville for the last several years.

*Whether enrolling the child at a school is likely to alienate the child from a parent.* Plaintiff concludes that "[e]nrolling the child will NOT alienate the child from either parent." Defendant argues some concerns, but the arguments are not well taken by the Court. This factor appears neutral.

Within *Arcella*, the Supreme Court went on to "stress that these factors are illustrative rather than exhaustive; they are merely intended to serve as a starting point for a district court's analysis. Determining which school placement is in the best interest of a child is a broad-ranging and highly fact-specific inquiry, so a court should consider any other factors presented by the particular dispute, and it should use its discretion to decide how much weight to afford each factor." *Id.* at 346–47.

The Court is also considering stability and familiarity of the child's current school against potential disruption of changing schools.

Considering the totality of the circumstances as referenced hereinabove, this Court determines that it is in the child's best interests that he continues to attend Seville. Plaintiff's request to change the child's school is denied.

**CHARLES J. HOSKIN**
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

## Life Insurance Policy Provision

In the Remand Order, the court of appeals indicated that "the district court erred in concluding that the statute of limitations does not apply to the enforcement of the life insurance provision and we therefor reverse that portion of the challenged decision and remand for further proceedings." The court of appeals then clarified that "the statute of limitations does not commence at the time the decree is entered. Rather, pursuant to NRS 11.200, 'the statute of limitations begins to accrue when there is evidence of indebtedness.'"

The court of appeals directed that "on remand, the district court must make findings of fact to determine when the statute of limitations began to run and whether [Defendant's] claim to enforce the life insurance policy provision was barred by the statute of limitations."

Interestingly, Plaintiff's Brief ignored this issue. During oral argument, Plaintiff essentially admitted that the obtaining of the $5,000.00 policy created evidence of indebtedness; conceding the point.

On February 18, 2020, Plaintiff filed a "*Response in Opposition to Order to Show Cause ...*" Attached as Exhibit 5 was a conditional receipt from the American Income Life Insurance Company confirming receipt of payment on that policy on February 14, 2020. Such is considered, by this

CHARLES J. HOSKIN
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

Court, as evidence of indebtedness under NRS 11.200. As such, the statute of limitations on that issue has not run. Thus, enforcement of the life insurance policy is not barred by the statute of limitations.

Defendant offers additional argument indicating that, because of the nature of a life insurance policy, Plaintiff's death is the only indicator of evidence of indebtedness. Given the February 2020 evidence of indebtedness, the Court does not need to consider that novel argument.

**Value of the Life Insurance Policy**

Within footnote 3, the court of appeals directs that "[o]n remand, if the district court determines that enforcement of the life insurance policy is not barred by the statute of limitations, it likewise must making [sic] findings to support its determination as to the value of the policy."

Interestingly, the court of appeals goes on to state that this Court "failed to make any findings regarding how it determined the value of the policy would be $185,000.00, and nothing in the record supports that determination." However, on page 4 of the same Remand Order, the court of appeal recounts that Plaintiff was given, by this Court, an additional "30 days to obtain an actuary and demonstrate what he believed would be an appropriate amount for the life insurance policy; and that if he did not obtain an actuary, the life insurance policy would be valued at $185,000.00 as

CHARLES J. HOSKIN
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

[Defendant] proposed." As such is apparently an insufficient record to support this Court's valuation of the policy, additional briefing and argument was requested by this Court from the parties.

Again, Plaintiff ignored this issue in his Brief and provided no additional information, actuarial tables or evidence to support another value for that policy. During oral argument, Plaintiff did argue that, since there were PERS contributions during the marriage of $113,000.00, $56,000.00 would be considered community property and thus, the life insurance value should be some lesser portion of that amount. When the Court attempted to clarify that the insurance was designed to protect future lifetime payments, which in a pension, could exceed the original contribution, Plaintiff had difficulty following the proposed logic.

Defendant outlined specifically how her proposed value was obtained in her Brief. She referenced life expectancies, contributions, annual increases and expected benefits. Certainly, actual life of the parties will dictate the exact benefits received, this Court is tasked with achieving a reasonable value designed to protect Defendant's community interest in that asset in the event of Plaintiff's untimely death.

Defendant's analysis is the only reasonable information and evidence provided, notwithstanding years of providing Plaintiff opportunities to

CHARLES J. HOSKIN
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

provide such information. That amount, using current figures and an investment discount rate of 5% per year, is accepted as reasonable by this Court to secure Defendant's interest.

As such, this Court accepts Defendant's value for the life insurance policy of $201,751.00. *See* analysis contained within Defendant's June 11, 2021 Brief, pages 18 – 20. Such is the value Plaintiff is required to obtain pursuant to prior court orders.

**DECISION**

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff's request to change the child's school is DENIED. The child shall continue to attend Seville.

IT IS FURTHER ORDERED that the enforcement of the life insurance policy is not barred by the statute of limitations.

IT IS FURTHER ORDERED that the appropriate and acceptable value for the life insurance policy Plaintiff shall obtain shall be at least $201,751.00.

IT IS SO ORDERED

**Dated this 30th day of July, 2021**

**A9B C03 6302 0445**
**Charles J. Hoskin**
**District Court Judge**

**CHARLES J. HOSKIN**
DISTRICT JUDGE
FAMILY DIVISION, DEPT. E
LAS VEGAS, NV 89101-2408

**CSERV**

DISTRICT COURT
CLARK COUNTY, NEVADA

| | |
|---|---|
| Jesus Luis Arevalo, Plaintiff<br><br>vs.<br><br>Catherine Marie Arevalo, Defendant. | CASE NO: D-11-448514-D<br><br>DEPT. NO. Department E |

**AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 7/30/2021

| | |
|---|---|
| Lorien Cole | lorien@willicklawgroup.com |
| Marshal Willick | marshal@willicklawgroup.com |
| Jesus Arevalo | wrath702@gmail.com |
| Jesus Arevalo | vinni702@yahoo.com |
| Reception Reception | email@willicklawgroup.com |
| Mallory Yeargan | Mallory@willicklawgroup.com |
| Charles Hoskin | deptelc@clarkcountycourts.us |

# 12

12

Electronically Filed
8/13/2021 12:48 PM
Steven D. Grierson
CLERK OF THE COURT

JESUS LUIS AREVALO
6935 Aliante Parkway Suite 104, #286
N. Las Vegas, NV 89084
(702) 813-1829
Plaintiff in Proper Person

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

| | |
|---|---|
| JESUS LUIS AREVALO,<br>Plaintiff,<br>vs.<br>CATHERINE AREVALO,<br>Defendant. | Case No. D-11-448514-D<br>Dept No. E<br><br>ORAL ARGUMENT REQUESTED?<br>YES |

**MOTION TO RECONSIDER ORDER AFTER REMAND**

COMES NOW Plaintiff, in Proper Person, and respectfully moves this Court for the following relief:

1. That the court reconsider the Order after Remand filed on 7/30/21, due to insufficient time to present evidence - being only 30 minutes per side.

2. That the court reconsider the Order after Remand relating to the calculation/value of life insurance by an unqualified person. (That the court acknowledge that Marshal Willick, Esq. is not an actuary, nor a CPA; and that Plaintiff is having the calculations prepared by a person with appropriate credentials, to have proper figures.)

3. For other relief that is appropriate in this matter.

This Motion is based upon all the records and files in this action, Points and Authorities, Declaration of the Plaintiff, and any argument that may be adduced at the time of hearing of this Motion.

Dated this 13th day of August, 2021.

/s/ Jesus Luis Arevalo

JESUS LUIS AREVALO
Plaintiff in Proper Person

NOTICE OF MOTION

TO: Defendant.

PLEASE TAKE NOTICE that a hearing on Plaintiff Motion will be held before the Eighth Judicial District Court, at the Family Court Divisions, Department E, located at 601 North Pecos Road, Las Vegas, Nevada 89101.

Pursuant to recent changes to the Nevada Supreme Court Electronic Filing Rules, the Clerk's Office will electronically file a Notice of Hearing upon receipt of this Motion. In accordance with NEFCR 9(d), if you are not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, undersigned will serve the Clerk's Notice of Hearing to you by traditional means.

DATED this 13th day of August, 2021.

/s/ Jesus Luis Arevalo

JESUS LUIS AREVALO
Plaintiff in Proper Person

## POINTS AND AUTHORITIES

## HISTORY/FACTS

That Plaintiff has received the ORDER FOR REMAND, and respectfully files for reconsideration of the matter, due to new information.

Plaintiff would make the following statements about the Order:

1. The Court ORDERED that the child of school to the Summerset Skypointe Charter School is denied.

Plaintiff objects to the court alleging Plaintiff did not disclose the "charter school" by its name in the brief, as it had been discussed in several previous hearings as well as the appeal in this matter. Writing "down" to Plaintiff as if this were an important missing piece of information is not necessary.

Plaintiff would further indicate the court's allowing only 30 minutes per side was insufficient to address all issues, and therefore, due process was denied.

However, as Defendant will be relocating - which may remove her from the present school, Saville, this issue may again be before this court.

It is troubling that a parent would seek NOT to allow the child the best education possible.

2. The Court ORDERED the enforcement of the life insurance policy was not barred by the Statute of Limitations.

Plaintiff disputes this, because he was to obtain insurance at the time of divorce, or at the time of retirement. Both dates are more than six years prior to the court's recent order that he provide it or be in contempt, and the $5,000 policy was only obtained pursuant to this court's recent order, and does not bring the statute of limitations back when it was already expired. The date of retirement was 10/16/2013. The date of this Court alleging Plaintiff was in contempt for not providing it, and

again ordering Plaintiff to provide it was 2/19/20. This is more than six years later, and Plaintiff complying with the court's 2/19/20 Order - which he appealed - does not mean he renewed the judgement already outside the Statute of Limitations.

3. The Court ORDERED that the appropriate and acceptable value for the life insurance policy Plaintiff should obtain is "at least $201,751.00."

In fact, this figure was again solely arrived at by calculations of Defendant's attorney and NOT an actuary or CPA. The testimony of Defendant's attorney in setting this figure false to properly calculate Defendant's community property interest during the short 3 years of marriage; and further fails to acknowledge Plaintiff's disability.

Plaintiff has new evidence of proper calculations by an actuary, which is a CPA. Defendant's attorney's is neither a qualified person to determine this figure, nor does he have a qualified person to calculate this in his office.

It is a travesty of justice that an unqualified calculation is used in this matter even upon appeal. Plaintiff is forced to file this motion to reconsider in 10 days. However, it will take a few more days to get the proper PERS calculation as to Defendant's actual entitlement - upon which the life insurance calculation is based.

It is wholly inappropriate to determine the value of life insurance without first providing an accurate QDRO, as the QDRO unilaterally - and against court order - was prepared by Defendant's attorney, rather than (a) the attorney ordered in the Decree of Divorce over 7 years prior to the Willick Law Group being involved; and (b) instead of Emily McFarling, Esq., whom the court wrongfully substituted without a valid reason to do so, other than Mr. Willick's personal preference - giving rise and concern to this court ability to be unbiased. The fact is, when the PECOS LAW GROUP determines the valid value of a legitimate insurance policy, if the Statute of

Limitations had not expired, it will also have to have the proper figure of "Defendant's community property interest" in Plaintiff's PERS - which will also be substantially lower that Attorney Willicks' self serving figures. Mr. Willick is not an actuary and should keep his day job.

As the court is aware, there will be a motion forthcoming regarding a proper QDRO in this matter.

Based upon the facts herein, Plaintiff requests the court allow him to present figures of a qualified CPA or actuary, which has NOT been done yet. The Exhibit shall be filed under separate cover.

## POINTS AND AUTHORITIES

**RECONSIDERATION** NRCP 60(b)

Nevada Rules of Civil Procedure 60(b) states in pertinent part as follows:
(b) Mistakes; Inadvertence; Excusable Neglect; Fraud, Etc. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation or other misconduct of an adverse party which would have theretofore justified a court in sustaining a collateral attack upon the judgment; (3) the judgment is void; or, (4) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that an injunction should have prospective application. The motion shall be made within a reasonable time, and for reasons (1) and (2) not more than six months after the judgment, order, or proceeding was entered or taken. A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation. This rule does not limit the power of a court to entertain an independent action to relieve a party from judgment, order, or proceeding, or to set aside a judgment for fraud upon the court. The procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.

N.R.C.P. 59 states:

**RULE 59. NEW TRIALS; AMENDMENT OF JUDGMENTS**

**(a) Grounds.** A new trial may be granted to all or any of the parties and on all or part of the issues for any of the following causes or grounds materially affecting the substantial rights of an aggrieved party: (1) Irregularity in the proceedings of the court, jury, master, or adverse party, or any order of the court, or master, or abuse of discretion by which either party was prevented from

having a fair trial; (2) Misconduct of the jury or prevailing party; (3) Accident or surprise which ordinary prudence could not have guarded against; (4) Newly discovered evidence material for the party making the motion which the party could not, with reasonable diligence, have discovered and produced at the trial; (5) Manifest disregard by the jury of the instructions of the court; (6) Excessive damages appearing to have been given under the influence of passion or prejudice; or, (7) Error in law occurring at the trial and objected to by the party making the motion. On a motion for a new trial in an action tried without a jury, the court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new findings and conclusions, and direct the entry of a new judgment.

**(b) Time for Motion.** A motion for a new trial shall be filed no later than 10 days after service of written notice of the entry of the judgment.

Plaintiff requests this relief because the court should seek what is just and what is right - and upon finding that something is not just, nor right, should move to make order that are. The present QDRO and calculation was not done by a qualified individual, and should be so. The exhibits addressing the qualifications of the actuary and/or CPA and proper calculations will be provided under separate a separate document for exhibits, together with proper credentials.

DATED and DONE this 13th day of August, 2021.

/s/ Jesus Luis Arevalo

JESUS LUIS AREVALO
Plaintiff in Proper Person

DECLARATION OF JESUS LUIS AREVALO

STATE OF NEVADA )
) ss
COUNTY OF CLARK )

I, JESUS LUIS AREVALO, state as follows:

1. That I am the Plaintiff in this matter, and everything in my motion is true and correct.

2. That I request that the court re-consider this matter pursuant to NRCP 60(b), or NRCP 59 so that due process and sufficient time can be had in addressing these three issues. To allot only 30 minutes per side is not sufficient.

3. Further, there have been no actuary or CPS figures provided. This court has again merely rubber stamped Mr. Willicks figures. He is still not qualified to provide these calculations. The PECOS LAW GROUP is providing a proper calculation in this matter, and it shall be provided under a separate exhibit cover.

4. I request the court acknowledge its bias and inability to be impartial in this matter at this time. The Order and temperment of the court confirm my concerns for this court to make unbiased decisions.

Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this 13th day of August, 2021.

/s/ Jesus Luis Arevalo

JESUS LUIS AREVALO

## CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of August, 2021, I served a copy of the MOTION TO RECONSIDER ORDER AFTER REMAND upon the below-listed party by the below designated method:

_X__Electronic mail (Through Odyssey, the Courts efiling/eserve program)

____U.S. Mail, postage prepaid

____Hand Delivery

____Facsimile Transmission

____Certified Mail, Receipt No._____, return receipt requested.

Address: To all registered parties pertaining to this case.

/S/ Jesus Luis Arevalo
PERSON SERVING

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

Jesus Luis Arevalo
Plaintiff/Petitioner

v. Catherine Arevalo
Defendant/Respondent

Case No. D-11-448514-D

Dept. E

**MOTION/OPPOSITION FEE INFORMATION SHEET**

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

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

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

-OR-

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

- ☐ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
- ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
- ☒ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on 7/30/21.
- ☐ Other Excluded Motion (must specify) _____.

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

☒ **$0** The Motion/Opposition being filed with this form is not subject to the $129 or the $57 fee because:

- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
- ☐ The party filing the Motion/Opposition previously paid a fee of $129 or $57.

-OR-

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

-OR-

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

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

The total filing fee for the motion/opposition I am filing with this form is:
☒ **$0** ☐ **$25** ☐ **$57** ☐ **$82** ☐ **$129** ☐ **$154**

Party filing Motion/Opposition: Plaintiff Date 8/13/2021

Signature of Party or Preparer C. Murillo

# 13

13

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8/13/2021 12:56 PM
Steven D. Grierson
CLERK OF THE COURT

**DISTRICT COURT**
**CLARK COUNTY, NEVADA**
****

| | |
|---|---|
| Jesus Luis Arevalo, Plaintiff<br>vs.<br>Catherine Marie Arevalo, Defendant. | Case No.: D-11-448514-D<br><br>Department E |

## NOTICE OF HEARING

Please be advised that the Plaintiff's Motion to Reconsider Order after Remand in the above-entitled matter is set for hearing as follows:

**Date:** September 29, 2021

**Time:** 10:00 AM

**Location:** Courtroom 02
Family Courts and Services Center
601 N. Pecos Road
Las Vegas, NV 89101

**NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.**

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Aisha Sherman
Deputy Clerk of the Court

## CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Aisha Sherman
Deputy Clerk of the Court

# 14

14

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8/16/2021 1:56 PM
Steven D. Grierson
CLERK OF THE COURT

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

*** * * ***

| | |
|---|---|
| **JESUS LUIS AREVALO, PLAINTIFF**<br>**VS.**<br>**CATHERINE MARIE AREVALO, DEFENDANT.** | **CASE NO.: D-11-448514-D**<br>**DEPARTMENT E** |

**CLERK OF THE COURT'S NOTICE OF CHANGE OF HEARING**

**The hearing on the Motion to Reconsider after Remand presently set for September 29, 2021, at 10:00 AM, has been vacated.**

**STEVEN D. GRIERSON, CEO/Clerk of the Court**

**By: /s/ Rochelle Braswell**
**Deputy Clerk of the Court**

**CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing Notice to be served by ☒ facsimile, by electronic service, to:

Jesus Luis Arevalo
6935 Aliante PKWY STE 104 #286
North Las Vegas, NV 89084

Lorien K Cole
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110

Marshal Shawn Willick
3591 E. Bonanza Rd. Suite 200
Las Vegas, NV 89110

**/s/ Rochelle Braswell**
**Deputy Clerk of the Court**