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Elizabeth A. Brown
Clerk of Supreme Court

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*Attorneys for Defendants Trudi Lee Lytle and
John Allen Lytle, as Trustees of the Lytle Trust*

DISTRICT COURT
CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, trustee of the
Marjorie B. Boulden Trust; LINDA
LAMOTHE; and JACQUES LAMOTHE,
Trustees of the Jacques & Linda
Lamothe Living Trust,

Plaintiffs,

v.

TRUDI LEE LYTLE; and JOHN ALLEN
LYTLE, as trustees of the Lytle Trust,
DOES I through X, inclusive, and ROE
CORPORATIONS I through X,

Defendants.

SEPTEMBER TRUST, DATED MARCH 23,
1972; GERRY R. ZOBRIST and JOLIN G.
ZOBRIST, as Trustees of the Gerry R.
Zobrist and Jolin G. Zobrist Family
Trust; RAYNALDO G. SANDOVAL and
JULIE MARIE SANDOVAL GEGEN, As
Trustees of the Raynaldo G. and
Evelyn A. Sandoval Joint Living and
Devolution Trust Dated May 27, 1992;
and DENNIS A. GEGEN and JULIE S.
GEGEN, husband and wife, as joint
tenants,

Plaintiffs,

v.

TRUDI LEE LYTLE; and JOHN ALLEN
LYTLE, as trustees of the Lytle Trust,
JOHN DOES I through V, inclusive, and
ROE ENTITIES I through V, inclusive,

Defendants.

Case No. A-16-747800-C

Dep't No. 16

NOTICE OF APPEAL

Consolidated with:

Case No. A-17-765372-C

Dep't No. 16

1 Please take notice that defendants Trudi Lee Lytle and John Allen Lytle,
2 as Trustees of the Lytle Trust hereby appeal to the Supreme Court of Nevada
3 from:

- 4 1. All judgments and orders in this case;
- 5 2. “Order Granting Plaintiffs’ Motion for Attorney’s Fees and Costs,”
6 filed August 18, 2023, notice of entry of which was served electronically on
7 August 18, 2023 (Exhibit A); and
- 8 3. All judgments, rulings and interlocutory orders made appealable by
9 the foregoing.

10 Dated this 1st day of September, 2023.

11 LEWIS ROCA ROTHGERBER CHRISTIE LLP

12
13 By: /s/Abraham G. Smith

14 DANIEL F. POLSENBERG (SBN 2376)
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18 Las Vegas, Nevada 89169
19 (702) 949-8200

20 *Attorneys for Defendants Trudi Lee Lytle and*
21 *John Allen Lytle, as Trustees of the Lytle*
22 *Trust*
23
24
25
26
27
28

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 1st day of September, 2023, I served the
3 foregoing "Notice of Appeal" on counsel by the Court's electronic filing system
4 to the persons and addresses listed below:

5 KEVIN B. CHRISTENSEN
6 WESLEY J. SMITH
7 LAURA J. WOLFF
8 CHRISTENSEN JAMES & MARTIN
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11 KBC@CJMLV.com
12 Wes@CJMLV.com
13 LJW@CJMLV.com

14 *Attorneys for September Trust,*
15 *dated March 23, 1972, Gerry R.*
16 *Zobrist and Jolin G. Zobrist, as*
17 *trustees of the Gerry R. Zobrist*
18 *and Jolin G. Zobrist Family Trust,*
19 *Raynaldo G. Sandoval and Julie*
20 *Marie Sandoval Gegen, as trustees*
21 *of the Raynaldo G. and Evelyn A.*
22 *Sandoval Joint Living and*
23 *Devolution Trust dated May 27,*
24 *1992, and Dennis A. Gegen and*
25 *Julie S. Gegen, husband and wife,*
26 *as joint tenants*

Christina H. Wang
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Attorneys for Robert Z. Disman and
Yvonne A. Disman

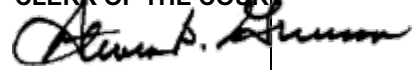
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Attorneys for Marjorie B. Boulden,
trustee of the Marjorie B. Boulden
Trust, and Linda Lamothe and
Jacques Lamothe, trustees of the
Jacques & Linda Lamothe Living
Trust

27 /s/ Jessie M. Helm
28 An Employee of LEWIS ROCA ROTHGERBER CHRISTIE LLP

EXHIBIT A

to Notice of Appeal



NEOJ
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*Attorneys for September Trust, Zobrist Trust, Sandoval Trust,
and Dennis & Julie Gegen*

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

MARJORIE B. BOULDEN, TRUSTEE OF
THE MARJORIE B. BOULDEN TRUST, *et al.*,

Plaintiffs,

vs.

TRUDI LEE LYTLE, *et al.*,

Defendants.

Case No.: A-16-747800-C
Dept. No.: XVI

**NOTICE OF ENTRY OF ORDER
GRANTING PLAINTIFFS'
MOTION FOR ATTORNEY'S
FEES AND COSTS**

SEPTEMBER TRUST, DATED MARCH 23,
1972, *et al.*,

Plaintiffs,

vs.

TRUDI LEE LYTLE AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST, *et al.*,

Defendants.

Case No.: A-17-765372-C
Dept. No.: XVI

Consolidated

PLEASE TAKE NOTICE that on August 18, 2023, an Order Granting Plaintiffs' Motion
for Attorney's Fees and Costs was entered by the Court, a copy of which is attached hereto.

CHRISTENSEN JAMES & MARTIN

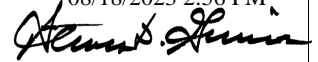
By: /s/ Wesley J. Smith
Wesley J. Smith (11871)
7440 W. Sahara Ave.
Las Vegas, NV 89117
*Attorneys for Plaintiffs September Trust,
Zobrist Trust, Sandoval Trust and
Dennis & Julie Gegen*

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On August 18, 2023, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS**, to be served in the following manner:

☒ **ELECTRONIC SERVICE**: electronic transmission (E-Service) through the Court's electronic filing system pursuant to Rule 8.05 of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada.

/s/ Natalie Saville
Natalie Saville


CLERK OF THE COURT

ORDR

CHRISTENSEN JAMES & MARTIN

KEVIN B. CHRISTENSEN, ESQ.

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Attorneys for September Trust, Zobrist Trust, Sandoval Trust

and Dennis & Julie Gegen

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF
THE MARJORIE B. BOULDEN TRUST et
al.,

Plaintiffs,

vs.

TRUDI LEE LYTLE, JOHN ALLEN
LYTLE, THE LYTLE TRUST,

Defendants.

Case No.: A-16-747800-C

Dept. No.: XVI

**ORDER GRANTING PLAINTIFFS'
MOTION FOR ATTORNEY'S FEES
AND COSTS**

Date: July 13, 2023

Time: 9:05 a.m.

SEPTEMBER TRUST, DATED MARCH 23,
1972, et al.,

Plaintiffs,

vs.

TRUDI LEE LYTLE AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST,

Defendants.

Case No.: A-17-765372-C

Dept. No.: XVI

CONSOLIDATED

Presently before the Court is Plaintiffs' Motion for Attorney's Fees and Costs ("Plaintiffs' Fee Motion") filed on May 12, 2023 (Doc. No. 274), Defendant's Opposition filed on June 13, 2023 (Doc. No. 281), and Plaintiffs' Reply filed July 6, 2023 (Doc. No. 287), which came on for hearing on July 13, 2023 at 9:05 a.m. in Department XVI of the Eighth Judicial District Court, Clark County, Nevada.

Wesley J. Smith, Esq. of Christensen James & Martin appeared on behalf of September Trust, dated March 23, 1972 ("September Trust"), Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of the Gerry

CHRISTENSEN JAMES & MARTIN
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117
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1 R. Zobrist and Jolin G. Zobrist Family Trust (“Zobrist Trust”), Raynaldo G. Sandoval and Julie Marie
2 Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
3 Trust dated May 27, 1992 (“Sandoval Trust”), and Dennis A. Gegen and Julie S. Gegen, Husband and
4 Wife, as Joint Tenants (“Gegens”) (September Trust, Zobrist Trust, Sandoval Trust and Gegens,
5 collectively, the “Plaintiffs”). Christina H. Wang, Esq. of Fidelity National Law Group appeared on behalf
6 of Robert Z. Disman and Yvonne A. Disman (“Dismans”). Dan R. Waite, Esq. of Lewis Roca Rothgerber
7 Christie LLP appeared on behalf of Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust
8 (“Lytle Trust”).

9 Following the hearing on the matter, the Court took Plaintiffs’ Fee Motion under advisement and
10 subsequently issued a Minute Order on August 4, 2023, advising the parties of the Court’s decision, which
11 is hereby incorporated by reference. The Court having considered Plaintiffs’ Fee Motion and filings
12 related thereto, having heard the arguments of counsel, and with good cause appearing therefore, the Court
13 hereby grants in part and denies in part Plaintiffs’ Fee Motion and enters the following Findings of Fact,
14 Conclusions of Law, and Order:

15 **FINDINGS OF FACT**

16 1. The previous Court Orders entered in these consolidated cases are hereby incorporated by
17 reference, including but not limited to the following: a) Order Granting Motion for Summary Judgment
18 or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary
19 Judgment (Doc. No. 91) (“May 2018 Order”); b) Order Granting Plaintiffs’ Motion for Order to Show
20 Cause Why the Lytle Trust Should Not Be Held in Contempt for Violation of Court Orders (Doc. No.
21 193) (“Contempt Order”); c) Order Granting in Part and Denying in Part Plaintiffs’ Motion for Attorney’s
22 Fees and Costs (Doc. No. 221) (“Second Fees Order”); and, d) Order Granting Plaintiffs’ Motion to
23 Amend Order Granting in Part and Denying in Part Plaintiffs’ Motion for Attorney’s Fees and Costs
24 Pursuant to NRCP 52(B) (Doc. No. 245) (“Amended Second Fees Order”).

25 2. The Court has been waiting for the Lytle Trust’s appeal from the Contempt Order and
26 Amended Second Fees Order and Petition for Writ of Mandamus for the Contempt Order to be resolved.
27
28

3. The Supreme Court affirmed those Orders on December 29, 2022, when it issued its Order Affirming In Docket No. 81689 And Denying Petition For A Writ Of Mandamus In Docket No. 84538 (“Supreme Court Order (12/29/22)”) (available at *Lytle v. September Trust*, Consolidated Case Nos. 81689 & 84538, 523 P.3d 532 (Table), 2022 Nev. Unpub. LEXIS 912 (Nev. Dec. 29, 2022)).

4. The Lytle Trust’s Petition for Rehearing was denied on February 13, 2023.

5. The Lytle Trust’s Petition for En Banc Reconsideration was denied on March 27, 2023.

6. The Supreme Court’s Certificate of Judgment and Remittitur was filed in this Case on April 24, 2024.

7. Plaintiffs filed Plaintiffs’ Memorandum of Costs and Disbursements (“Cost Memorandum”) on April 28, 2023 (Doc. No. 270), which itemized costs for copy fees in the amount of \$775.20, court filing fees in the amount of \$14.00, computerized legal research fees in the amount of \$3,071.01, and courier fees in the amount of \$36.30, for total costs of \$3,896.51.

8. Defendants did not file a motion to retax as authorized by NRS 18.110(4) or oppose Plaintiffs’ request for an award of costs as part of Plaintiffs’ Fee Motion.

9. Plaintiffs’ Fee Motion requests an award of attorney’s fees incurred from May 1, 2020, through April 30, 2023 in the total amount of \$144,694.00.

10. The Court finds that Plaintiffs assert the following four bases for an award of fees: NRS 22.100; the CC&Rs Section 25; EDCR 7.60, and NRS 18.010(2)(b).

11. Defendants did not dispute that Plaintiffs were entitled to an award of fees under NRS 22.100, but opposed any award under the CC&Rs, EDCR 7.60, and NRS 18.010(2)(b), and opposed the amount requested under all four bases.

CONCLUSIONS OF LAW

1. NRS 18.110(4) requires a party contesting a memorandum of costs to file a motion to retax “[w]ithin three days after service of a copy of the memorandum...” The Lytle Trust did not do so or oppose the request for costs in Plaintiffs’ Fee Motion. Therefore, an award of costs in favor of the Plaintiffs is proper under NRS 18.005, 18.020, and 18.110 in the requested amount of \$3,896.51.

2. While the Court does not find that NRS 18.010(2)(b) is a sound basis for an award of fees, the Court does find that NRS 22.100 and Section 25 of the CC&Rs are appropriate bases for an award of fees for the same reasons as set forth in the Second Fees Order and Amended Second Fees Order.

3. Here, NRS 22.100 provides for an award of “reasonable expenses, including, without limitation, attorney’s fees, incurred by the party as a result of the contempt.” As a result of the procedural posture of the instant action, the Court finds that the expenses that Plaintiffs incurred, including attorney’s fees, are “reasonable” and are “a result of the [Defendants’] contempt.” NRS 22.100.

4. Additionally, the CC&Rs provide that losing parties are to pay attorney’s fees that the Court “may fix.” As the Court discussed, the Plaintiffs in the instant case incurred reasonable expenses and attorney’s fees. The Court further finds that the Defendants are losing parties, pursuant to the CC&Rs, because their appeal and litigation, which involved the Contempt Order, was ultimately unsuccessful. As a result, the Defendants are obligated to pay for Plaintiffs’ fees under Section 25 of the CC&Rs.

5. “After a court has determined that attorney’s fees are appropriate[,] it then must multiply the number of hours reasonably spent on the case by a reasonable hourly rate to reach what is termed the lodestar amount.” *Herbst v. Humana Health Ins.*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989).

6. Defendants argue that the amount of fees requested by Plaintiffs should be reduced because they are calculated at a higher hourly rate than the actual billed rate. The Court finds that the rates billed by Plaintiffs’ counsel to the Plaintiffs are below-market. Further, the Court finds that the reasonable value of the service provided by Plaintiffs’ counsel is aligned with the requested rate. As a result, the Court finds that the requested fees, although higher than the billed amount, are a proper calculation of the number of hours reasonably spent multiplied by a reasonable hourly rate and shall be awarded pursuant to NRS 22.100 and the original CC&Rs.

7. However, the Court finds that the entries that Defendants label as “vague” are akin to block billing. As a result, and in conformity with the Second Fees Order and Amended Second Fees Order, the Court reduces the “vague” fees by 15%, or \$1,165.09 ($\$7,767.25 \times 15\% = \$1,165.09$).

8. The Court analyzed the Plaintiffs’ requested attorney’s fees utilizing the factors identified in *Brunzell v. Golden Gate Nat’l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), including the qualities

1 of the advocate, the character of the work to be done, the work actually performed by the lawyer, and the
2 result obtained.

3 9. The Plaintiffs have satisfied the *Brunzell* factors. More specifically, based on the record
4 and the Declaration of the Plaintiffs' counsel in support of Plaintiffs' Fee Motion, the Court finds that the
5 qualities of counsel, character of the work to be done and its difficulty, the work actually performed by
6 Plaintiffs' counsel, and the result obtained establish the reasonableness of the Plaintiffs' attorney's fees to
7 the extent awarded in this Order.

8 10. Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs' Motion for
9 Attorney's Fees. The Court DENIES the motion with respect to \$1,165.09 for "vague" entries, but the
10 Court GRANTS the motion with respect to all other fees. Therefore, Plaintiffs shall be awarded
11 \$143,528.91 in attorney's fees and \$3,896.51 in costs.

12 **ORDER**

13 Based upon the Findings of Fact and Conclusions of Law above and the record before the Court,
14 and good cause appearing therefore,

15 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiffs' Motion for
16 Attorney's Fees and Costs filed on May 12, 2023 (Doc. No. 274) is GRANTED in Part and DENIED in
17 Part. The Court DENIES the motion with respect to \$1,165.09 in attorney's fees, but the Court GRANTS
18 the motion with respect to all other fees and costs.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that attorney's fees are awarded
20 in favor of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as
21 Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie
22 Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
23 Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants,
24 in the total aggregate amount of \$143,528.91 against Trudi Lee Lytle and John Allen Lytle, as Trustees
25 of the Lytle Trust.

26 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that costs are awarded in favor
27 of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of
28

the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants, in the total aggregate amount of \$3,896.51 against Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust.

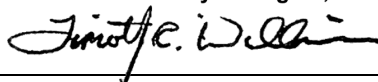
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Lytle Trust is ordered to pay the attorney's fees and costs as ordered herein by certified check made payable to Christensen James & Martin Special Client Trust Account in the total amount of \$147,425.42 and delivered to Christensen James & Martin, within thirty (30) days of the Notice of Entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Findings of Fact shall be treated as Conclusions of Law and the Conclusions of Law shall be treated as Findings of Fact to any extent necessary to effectuate the intent of this Order.

IT IS SO ORDERED.

Dated this ____ day of _____, 2023.

Dated this 18th day of August, 2023



JM

F8C 524 1B18 244E
Timothy C. Williams
District Court Judge

Submitted by:

CHRISTENSEN JAMES & MARTIN

By: /s/ Wesley J. Smith
Wesley J. Smith, Esq., Nev. Bar No. 11871
7440 W. Sahara Ave.
Las Vegas, NV 89117
*Attorneys for Plaintiffs September Trust,
Zobrist Trust, Sandoval Trust, and
Dennis & Julie Gegen*

Approved as to form and content by:

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite
Dan R. Waite, Nevada Bar No. 4078
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200
*Attorneys for Defendants, Trudi Lee Lytle
and John Allen Lytle, as Trustees of the Lytle
Trust*

RE: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

Waite, Dan R. <DWaite@lewisroca.com>

Thu 8/17/2023 9:43 AM

To: Wesley Smith <wes@cjmlv.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Approved. Thank you, Wes.

Dan

Dan R. Waite
Partner

dwaite@lewisroca.com
D. 702.474.2638

LEWIS  ROCA

From: Wesley Smith <wes@cjmlv.com>

Sent: Thursday, August 17, 2023 9:34 AM

To: Waite, Dan R. <DWaite@lewisroca.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Subject: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

CAUTION! [EXTERNAL to Lewis Roca]

Dan,

Attached is the final version of the proposed Order Granting Plaintiffs' Motion for Attorney's Fees and Costs in Case No. A-16-747800-C. Please respond with your approval and permission to submit with your electronic signature. Thanks,

Wes Smith

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wes@cjmlv.com

** Licensed in Nevada, Washington & Utah*

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Marjorie B. Boulden Trust,
Plaintiff(s)

CASE NO: A-16-747800-C

7 vs.

DEPT. NO. Department 16

8
9 Trudi Lytle, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 8/18/2023

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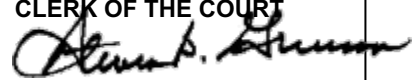
24 Christina Wang

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25 FNLG Court Filings

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ASTA

DANIEL F. POLSENBERG (SBN 2376)
DAN R. WAITE (SBN 4078)
ABRAHAM G. SMITH (SBN 13,250)
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*Attorneys for Defendants Trudi Lee Lytle and
John Allen Lytle, as Trustees of the Lytle Trust*

DISTRICT COURT
CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, trustee of the
Marjorie B. Boulden Trust; LINDA
LAMOTHE; and JACQUES LAMOTHE,
Trustees of the Jacques & Linda
Lamothe Living Trust,

Plaintiffs,

v.

TRUDI LEE LYTLE; and JOHN ALLEN
LYTLE, as trustees of the Lytle Trust,
DOES I through X, inclusive, and ROE
CORPORATIONS I through X,

Defendants.

SEPTEMBER TRUST, DATED MARCH 23,
1972; GERRY R. ZOBRIST and JOLIN G.
ZOBRIST, as Trustees of the Gerry R.
Zobrist and Jolin G. Zobrist Family
Trust; RAYNALDO G. SANDOVAL and
JULIE MARIE SANDOVAL GEGEN, As
Trustees of the Raynaldo G. and
Evelyn A. Sandoval Joint Living and
Devolution Trust Dated May 27, 1992;
and DENNIS A. GEGEN and JULIE S.
GEGEN, husband and wife, as joint
tenants,

Plaintiffs,

v.

TRUDI LEE LYTLE; and JOHN ALLEN
LYTLE, as trustees of the Lytle Trust,
JOHN DOES I through V, inclusive, and
ROE ENTITIES I through V, inclusive,

Defendants.

Case No. A-16-747800-C

Dep't No. 16

CASE APPEAL STATEMENT

Consolidated with:

Case No. A-17-765372-C

Dep't No. 16

CASE APPEAL STATEMENT

1. Name of appellants filing this case appeal statement:

Defendants Trudi Lee Lytle and John Allen Lytle, as trustees of the Lytle Trust

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Timothy C. Williams

3. Identify each appellant and the name and address of counsel for each appellant:

Attorneys for Appellants Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust

DANIEL F. POLSENBERG
DAN R. WAITE
ABRAHAM G. SMITH
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3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

Attorneys for Respondents September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, husband and wife, as joint tenants

KEVIN B. CHRISTENSEN
WESLEY J. SMITH
LAURA J. WOLFF
CHRISTENSEN JAMES & MARTIN
7440 W. Sahara Avenue
Las Vegas, Nevada 89117
(702) 255-1718

1 5. Indicate whether any attorney identified above in response to question 3
2 or 4 is not licensed practice law in Nevada and, if so, whether the district
3 court granted that attorney permission to appear under SCR 42 (attach a
4 copy of any district court order granting such permission):

5 N/A

6 6. Indicate whether appellant was represented by appointed or retained
7 counsel in the district court:

8 Retained counsel

9 7. Indicate whether appellant is represented by appointed or retained
10 counsel on appeal:

11 Retained counsel

12 8. Indicate whether appellant was granted leave to proceed in forma
13 pauperis, and the date of entry of the district court order granting such
14 leave:

15 N/A

16 9. Indicate the date the proceedings commenced in the district court, *e.g.*,
17 date complaint, indictment, information, or petition was filed:

18 "Complaint," filed December 8, 2016 in case no. A-16-
19 7476800-C.

20 "Complaint," filed November 30, 2017 in case no. A-17-
21 765372-C.

22 Case no. A-17-765372-C was consolidated with case no. A-16-
23 7476800-C on February 28, 2018.

24 10. Provide a brief description of the nature of the action and result in the
25 district court, including the type of judgment or order being appealed and
26 the relief granted by the district court:

27 In other lawsuits, the defendant Lytle Trust obtained three
28 judgments (totaling approx. \$1.8 million) against the Rosemere
Estate Property Owners' Association ("Association"). The Lytle
Trust is a member of the Association. This action stems from a

1 dispute over the validity and legal effect of abstracts of judgments
2 the Lytle Trust recorded against certain residential property owned
3 by other Association members. The district court (Judge M. Bailus)
4 granted summary judgment in favor of plaintiffs and entered a
5 permanent injunction against the Lytle Trust precluding action to
6 enforce their judgments directly against the plaintiffs or their
7 properties (the “May 2018 order”).

8 The present appeal arises after this Court affirmed an order
9 of the district court (Judge T. Williams) holding the Lytle Trust in
10 contempt for violating the May 2018 order. More specifically,
11 following this Court’s affirmance of the fee orders that were subject
12 to the appeal in Docket No. 81689 and denial of the writ petition
13 related to the Contempt Order in Docket No. 84538, the district
14 court awarded Plaintiffs (1) the September Trust, dated March 23,
15 1972, (2) Gerry R. Zobrist and Jolin G. Zobrist, as trustees of the
16 Gerry R. Zobrist and Jolin G. Zobrist Family Trust, (3) Raynaldo G.
17 Sandoval and Julie Marie Sandoval Gegen, as trustees of the
18 Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
19 Trust dated May 27, 1992, and (4) Dennis A. Gegen and Julie S.
20 Gegen, husband and wife, as joint tenants \$143,528.91 in fees and
21 \$3,896.51 in costs (the “August 2023 order”). Defendants appeal the
22 August 2023 order.

- 23 11. Indicate whether the case has previously been the subject of an appeal or
24 an original writ proceeding in the Supreme Court and, if so, the caption
25 and Supreme Court docket number of the prior proceeding.

26 *Lytle v. Boulden*, Case No. 73039

27 *Lytle v. September Trust, Dated March 23, 1972*, Case No. 76198

28 *Lytle v. September Trust, Dated March 23, 1972*, Case No. 77007

Lytle v. Disman, Case No. 79753

Lytle v. Boulden, Case No. 79776

Lytle v. September Trust, Dated March 23, 1972, Case No. 81390

Lytle v. September Trust, Dated March 23, 1972, Case No. 81689

Lytle v. District Court, Case No. 84538

12. Indicate whether this appeal involves child custody or visitation:

This case does not involve child custody or visitation.

1 13. If this is a civil case, indicate whether this appeal involves the possibility
2 of settlement:

3 In this long-running litigation, a settlement conference would
4 not be productive.

5 Dated this 1st day of September, 2023.

6 LEWIS ROCA ROTHGERBER CHRISTIE LLP

7
8 By: /s/Abraham G. Smith

9 DANIEL F. POLSENBERG (SBN 2376)

10 DAN R. WAITE (SBN 4078)

11 ABRAHAM G. SMITH (SBN 13,250)

12 3993 Howard Hughes Parkway, Suite 600

13 Las Vegas, Nevada 89169

14 (702) 949-8200

15 *Attorneys for Defendants Trudi Lee Lytle and*
16 *John Allen Lytle, as Trustees of the Lytle*
17 *Trust*
18
19
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 1st day of September, 2023, I served the
3 foregoing "Case Appeal Statement" on counsel by the Court's electronic filing
4 system to the persons and addresses listed below:

5 KEVIN B. CHRISTENSEN
6 WESLEY J. SMITH
7 LAURA J. WOLFF
8 CHRISTENSEN JAMES & MARTIN
9 7440 W. Sahara Avenue
10 Las Vegas, Nevada 89117
11 KBC@CJMLV.com
12 Wes@CJMLV.com
13 LJW@CJMLV.com

14 *Attorneys for September Trust,*
15 *dated March 23, 1972, Gerry R.*
16 *Zobrist and Jolin G. Zobrist, as*
17 *trustees of the Gerry R. Zobrist*
18 *and Jolin G. Zobrist Family Trust,*
19 *Raynaldo G. Sandoval and Julie*
20 *Marie Sandoval Gegen, as trustees*
21 *of the Raynaldo G. and Evelyn A.*
22 *Sandoval Joint Living and*
23 *Devolution Trust dated May 27,*
24 *1992, and Dennis A. Gegen and*
25 *Julie S. Gegen, husband and wife,*
26 *as joint tenants*

Christina H. Wang
FIDELITY NATIONAL LAW GROUP
8363 W. Sunset Road, Suite 120
Las Vegas, Nevada 89113
Christina.Wang@FNF.com

Attorneys for Robert Z. Disman and
Yvonne A. Disman

Daniel T. Foley
FOLEY & OAKES, PC
1210 South Valley View Boulevard
Suite 208
Las Vegas, Nevada 89102
Dan@FoleyOakes.com

Attorneys for Marjorie B. Boulden,
trustee of the Marjorie B. Boulden
Trust, and Linda Lamothe and
Jacques Lamothe, trustees of the
Jacques & Linda Lamothe Living
Trust

27 /s/ Jessie M. Helm
28 An Employee of LEWIS ROCA ROTHGERBER CHRISTIE LLP

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-16-747800-C**

Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

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§

Location: **Department 16**
 Judicial Officer: **Williams, Timothy C.**
 Filed on: **12/08/2016**
 Case Number History:
 Cross-Reference Case Number: **A747800**
 Supreme Court No.: **73039**
76198
77007
79753
79776
81390
81689

CASE INFORMATION**Related Cases**

A-17-765372-C (Consolidated)

Case Type: **Other Title to Property****Statistical Closures**

01/14/2019 Stipulated Dismissal

Case Status: **01/14/2019 Dismissed****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-16-747800-C
 Court Department 16
 Date Assigned 04/11/2019
 Judicial Officer Williams, Timothy C.

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Boulden, Marjorie B	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Jacques & Linda Lamothe Living Trust	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Lamothe, Jacques	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Lamothe, Linda	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Marjorie B. Boulden Trust	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
Defendant	Lytle Trust	Waite, Dan R <i>Retained</i> 702-949-8200(W)
	Lytle, John Allen	Waite, Dan R <i>Retained</i> 702-949-8200(W)
	Lytle, Trudi Lee	Waite, Dan R <i>Retained</i>

CASE SUMMARY

CASE NO. A-16-747800-C

702-949-8200(W)

Counter Claimant	Lytle Trust Removed: 01/14/2019 Dismissed	Waite, Dan R <i>Retained</i> 702-949-8200(W)
	Lytle, John Allen Removed: 01/14/2019 Dismissed	Waite, Dan R <i>Retained</i> 702-949-8200(W)
	Lytle, Trudi Lee Removed: 01/14/2019 Dismissed	Waite, Dan R <i>Retained</i> 702-949-8200(W)
Counter Defendant	Disman, Robert Z Removed: 01/14/2019 Dismissed	Wang, Christina H. <i>Retained</i> 702-667-3000(W)
	Disman, Yvonne A Removed: 01/14/2019 Dismissed	Wang, Christina H. <i>Retained</i> 702-667-3000(W)
	Jacques & Linda Lamothe Living Trust Removed: 01/14/2019 Dismissed	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Lamothe, Jacques Removed: 01/14/2019 Dismissed	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
	Lamothe, Linda Removed: 01/14/2019 Dismissed	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
Cross Claimant	Disman, Robert Z Removed: 01/14/2019 Dismissed	Wang, Christina H. <i>Retained</i> 702-667-3000(W)
	Disman, Yvonne A Removed: 01/14/2019 Dismissed	Wang, Christina H. <i>Retained</i> 702-667-3000(W)
Cross Defendant	Boulden, Marjorie B Removed: 01/14/2019 Dismissed	Foley, Daniel Thomas, ESQ <i>Retained</i> 702-384-2070(W)
Other Plaintiff	Gegen, Dennis A	Smith, Wesley J., ESQ <i>Retained</i> 702-255-1718(W)
	Gegen, Julie S	Smith, Wesley J., ESQ <i>Retained</i> 702-255-1718(W)
	Gerry R. Zobrist and Jolin G. Zobrist Family Trust	Smith, Wesley J., ESQ <i>Retained</i> 702-255-1718(W)
	Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated	Smith, Wesley J., ESQ <i>Retained</i> 702-255-1718(W)
	September Trust Dated March 23, 1972	Smith, Wesley J., ESQ <i>Retained</i> 702-255-1718(W)
Trustee	Boulden, Marjorie B Removed: 01/14/2019 Dismissed	

CASE SUMMARY**CASE NO. A-16-747800-C**

Foley, Daniel Thomas, ESQ
Retained
 702-384-2070(W)

Lamothe, Jacques
 Removed: 01/14/2019
 Dismissed

Foley, Daniel Thomas, ESQ
Retained
 702-384-2070(W)

Lamothe, Linda
 Removed: 01/14/2019
 Dismissed









Foley, Daniel Thomas, ESQ
Retained
 702-384-2070(W)

Lytle, John Allen
 Removed: 01/14/2019
 Dismissed

Waite, Dan R
Retained
 702-949-8200(W)










Lytle, Trudi Lee
 Removed: 01/14/2019
 Dismissed

Waite, Dan R
Retained
 702-949-8200(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
12/08/2016	 Complaint Filed By: Plaintiff Marjorie B. Boulden Trust <i>[1] Complaint</i>	
01/11/2017	 Motion for Temporary Restraining Order Filed By: Plaintiff Marjorie B. Boulden Trust <i>[2] Motion for Temporary Restraining Order and Preliminary Injunction on Order Shortening Time</i>	
01/12/2017	 Response Filed by: Plaintiff Marjorie B. Boulden Trust <i>[3] Response to Ex-Parte Motion to Continue Hearing</i>	
01/17/2017	 Acceptance of Service Filed By: Plaintiff Marjorie B. Boulden Trust <i>[4] Acceptance of Service of Summons and Complaint</i>	
01/17/2017	 Receipt of Copy Filed by: Plaintiff Marjorie B. Boulden Trust <i>[5] Receipt of Copy</i>	
01/17/2017	 Ex Parte Motion Filed By: Defendant Lytle, Trudi Lee <i>[6] Ex Parte Emergency Motion on Order Shortening Time by Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust to Continue Hearing Set for January 17, 2017</i>	
01/18/2017	 Opposition to Motion Filed By: Defendant Lytle, Trudi Lee <i>[7] Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Temporary Restraining Order</i>	
01/18/2017	 Declaration Filed By: Defendant Lytle, Trudi Lee <i>[9] Declaration of Richard E. Haskin in Support of Opposition to Motion for Temporary Restraining Order</i>	








CASE SUMMARY

CASE NO. A-16-747800-C

01/18/2017	 Request for Judicial Notice Filed By: Defendant Lytle, Trudi Lee <i>[10] Request for Judicial Notice in Support of Opposition to Motion for Temporary Restraining Order</i>
01/18/2017	 Receipt of Copy Filed by: Defendant Lytle, Trudi Lee <i>[8] Receipt of Copy</i>
02/08/2017	 Answer to Complaint Filed by: Defendant Lytle, Trudi Lee <i>[11] Defendants Trudi Lee Lytle and John Allen Lytle, Trustees of The Lytle Trust's Answer to Plaintiffs' Complaint</i>
02/08/2017	 Motion to Dismiss Filed By: Defendant Lytle, Trudi Lee <i>[13] Trudi Lee Lytle and John Allen Lytle's Motion to Dismiss Plaintiffs' Complaint</i>
02/09/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Lytle, Trudi Lee <i>[12] Initial Appearance Fee Disclosure</i>
02/24/2017	 Motion for Partial Summary Judgment Filed By: Plaintiff Marjorie B. Boulden Trust <i>[14] Motion for Partial Summary Judgment</i>
02/28/2017	 Opposition to Motion to Dismiss Filed By: Plaintiff Marjorie B. Boulden Trust <i>[15] Opposition to Motion to Dismiss</i>
03/10/2017	 Amended Complaint Filed By: Plaintiff Marjorie B. Boulden Trust <i>[16] Amended Complaint</i>
03/10/2017	 Stipulation and Order Filed by: Plaintiff Marjorie B. Boulden Trust <i>[17] Stipulation and Order for Leave for Plaintiffs to File Amended Complaint</i>
03/23/2017	 Stipulation and Order Filed by: Defendant Lytle, Trudi Lee <i>[18] Stipulation and Order to Continue Hearing Date Re Motion for Partial Summary Judgment</i>
03/24/2017	 Request for Judicial Notice Filed By: Defendant Lytle, Trudi Lee <i>[20] Request for Judicial Notice in Support of Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment</i>
03/24/2017	 Declaration Filed By: Defendant Lytle, Trudi Lee <i>[19] Declaration of Richard E. Haskin in Support of Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment</i>

CASE SUMMARY

CASE NO. A-16-747800-C

03/27/2017	 Countermotion For Summary Judgment Filed By: Defendant Lytle, Trudi Lee <i>[21] Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment</i>
03/27/2017	 Notice of Entry of Stipulation and Order Filed By: Defendant Lytle, Trudi Lee <i>[22] Notice of Entry of Stipulation and Order to Continue Hearing Date Re Motion for Partial Summary Judgment</i>
03/30/2017	 Commissioners Decision on Request for Exemption - Granted <i>[23] Commissioner's Decision on Request for Exemption - Granted</i>
04/05/2017	 Reply to Opposition Filed by: Plaintiff Marjorie B. Boulden Trust <i>[24] Reply to the Opposition to Motion for Partial Summary Judgment and Opposition to Countermotion for Summary Judgment</i>
04/26/2017	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Marjorie B. Boulden Trust <i>[25] Findings of Fact, Conclusions of Law, and Order Granting Plaintiffs' Motion for Partial Summary Judgment</i>
04/27/2017	 Notice of Entry of Findings of Fact, Conclusions of Law Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[26] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Plaintiffs' Motion for Partial Summary Judgment</i>
04/28/2017	 Motion for Attorney Fees and Costs Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[27] Motion for Attorney's Fees and Costs</i>
05/09/2017	 Notice of Lis Pendens Filed by: Defendant Lytle, Trudi Lee <i>[30] Notice of Lis Pendens</i>
05/09/2017	 Notice of Lis Pendens Filed by: Defendant Lytle, Trudi Lee <i>[31] Notice of Lis Pendens</i>
05/09/2017	 Notice of Appeal Filed By: Defendant Lytle, Trudi Lee <i>[28] Notice of Appeal</i>
05/09/2017	 Notice Filed By: Defendant Lytle, Trudi Lee <i>[32] Notice of Depositing Security for Costs on Appeal</i>
05/09/2017	 Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee <i>[29] Case Appeal Statement</i>
05/15/2017	 Motion to Reconsider

CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [33] <i>Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment</i></p>
05/15/2017	<p> Opposition to Motion</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [34] <i>Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs</i></p>
05/16/2017	<p> Errata</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [35] <i>Notice of Errata Re: Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment</i></p>
05/22/2017	<p> Motion to Cancel Lis Pendens</p> <p>Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda [36] <i>Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time</i></p>
05/25/2017	<p> Stipulation and Order</p> <p>Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [37] <i>Stipulation and Order to Continue Hearing Date Re Motion for Reconsideration</i></p>
05/26/2017	<p> Notice of Entry of Stipulation and Order</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [38] <i>Notice of Entry of Stipulation and Order to Continue Hearing Date Re Motion for Reconsideration</i></p>
05/31/2017	<p> Opposition to Motion</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [39] <i>Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Opposition to Plaintiff's Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Counsel in Contempt of Court</i></p>
06/01/2017	<p> Opposition to Motion</p> <p>Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda [40] <i>Opposition to Motion for Reconsideration</i></p>
06/02/2017	<p> Reply to Opposition</p> <p>Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda [41] <i>Reply to Defendants' Opposition to Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court</i></p>
06/23/2017	<p> Order Granting Motion</p> <p>Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda [42] <i>Order Granting Plaintiffs' Motion to Cancel Lis Pendens and Order Denying Motion to Hold Defendants and/or Their Counsel in Contempt of Court</i></p>
06/23/2017	<p> Reply to Opposition</p> <p>Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [43] <i>Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Reply to Opposition to Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment</i></p>














CASE SUMMARY

CASE NO. A-16-747800-C

06/27/2017	 Notice of Entry of Order Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[44] Notice of Entry of Order</i>
06/29/2017	 Notice of Release of Lis Pendens Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[45] Notice of Release of Lis Pendens</i>
06/29/2017	 Notice of Release of Lis Pendens Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[46] Notice of Release of Lis Pendens</i>
06/30/2017	 Motion for Leave to File Party: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[47] Plaintiffs' Motion for Leave to File Second Amended Complaint</i>
07/25/2017	 Order Granting Motion Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[48] Order Granting Motion to Alter or Amend Findings of Fact and Conclusions of Law</i>
07/25/2017	 Stipulation and Order Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[49] Stipulation and Order for Leave for Plaintiffs to File Second Amended Complaint</i>
07/25/2017	 Second Amended Complaint Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[50] Second Amended Complaint</i>
07/25/2017	 Notice of Entry of Order Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[51] Notice of Entry of Order Granting Motion to Alter or Amend Findings of Fact and Conclusions of Law</i>
07/25/2017	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[52] Notice of Entry of Stipulation and Order</i>
08/02/2017	 Joint Case Conference Report Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[53] Joint Case Conference Report</i>
08/11/2017	 Answer and Counterclaim Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[54] Defendants Trudi Lee Lytle and John Allen Lytle, Trustees of The Lytle Trust's Answer to Plaintiff's Second Amended Complaint and Counterclaim</i>
08/15/2017	 Summons Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[55] Summons</i>

CASE SUMMARY

CASE NO. A-16-747800-C

08/15/2017	 Summons Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[56] Summons</i>
08/23/2017	 Affidavit of Service Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[57] Affidavit of Service</i>
08/23/2017	 Affidavit of Service Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[58] Affidavit of Service</i>
09/05/2017	 Answer to Counterclaim Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda <i>[59] Plaintiffs' Answer to Counter Complaint</i>
09/13/2017	 Scheduling Order <i>[60] Scheduling Order</i>
09/21/2017	 Order Setting Civil Non-Jury Trial <i>[61] Order Setting Civil Non-Jury Trial, Pre-Trial/Calendar Call</i>
09/26/2017	 Answer Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A <i>[62] Counter-Defendants and Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Answer and Counterclaim</i>
09/26/2017	 Initial Appearance Fee Disclosure Filed By: Cross Claimant Disman, Yvonne A <i>[63] Initial Appearance Fee Disclosure</i>
10/13/2017	 Answer Filed By: Plaintiff Marjorie B. Boulden Trust <i>[64] Plaintiff's Answer to Cross-Complaint</i>
12/08/2017	 Motion Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A <i>[65] Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting</i>
12/14/2017	 Order Shortening Time Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A <i>[66] Order Shortening Time RE: Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting</i>
12/15/2017	 Notice of Entry of Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A <i>[67] Notice of Entry of Order Shortening Time RE: Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting</i>
12/26/2017	 Opposition

CASE SUMMARY

CASE NO. A-16-747800-C

Filed By: Plaintiff Marjorie B. Boulden Trust
[68] *Opposition to Motion to Extend Discovery Deadlines and Trial Setting*

01/02/2018



Opposition

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[69] *Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust s Opposition to Motion to Extend Discovery Deadlines*

01/09/2018



Reply in Support

Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A
[70] *Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Reply in Support of Motion to Extend Discovery Deadlines and Trial Setting*

01/16/2018



Motion to Consolidate

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[71] *Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C*

01/18/2018



Notice of Department Reassignment

[72] *Notice of Department Reassignment*

01/23/2018



Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[73] *Plaintiffs' Ex Parte Motion for Order Shortening Time and Order Shortening*

01/23/2018



Reporters Transcript

[74] *Court Reporters transcript of Proceedings June 6, 2017*

01/24/2018



Peremptory Challenge

Filed by: Plaintiff Marjorie B. Boulden Trust
[75] *Peremptory Challenge of Judge*

01/25/2018



Notice of Department Reassignment

[76] *Notice of Department Reassignment*

01/29/2018



Notice of Change of Hearing

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[77] *Notice of Change of Hearing*

02/01/2018



Ex Parte Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[78] *Amended Order Granting Order Shortening Time*

02/05/2018











Notice of Entry of Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R.

CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[79] Notice of Entry of Amended Order Granting Order Shortening Time</i></p>
02/06/2018	<p> Amended Order Setting Civil Non-Jury Trial</p> <p><i>[80] Amended Order Setting Civil Bench Trial</i></p>
02/07/2018	<p> Notice of Change of Address</p> <p>Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A</p> <p><i>[81] Notice of Change of Firm Address</i></p>
02/13/2018	<p> Stipulation and Order</p> <p>Filed by: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A</p> <p><i>[82] Stipulation and Order to Extend Discovery Deadlines and Trial Setting (First Requested Extension)</i></p>
02/13/2018	<p> Notice of Entry of Stipulation and Order</p> <p>Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A</p> <p><i>[83] Notice of Entry of Stipulation and Order to Extend Discovery Deadlines and Trial Setting (First Requested Extension)</i></p>
02/22/2018	<p> Notice of Early Case Conference</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust</p> <p><i>[84] Notice of Early Case Conference</i></p>
02/28/2018	<p> Order</p> <p>Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[86] Order Granting Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C</i></p>
03/01/2018	<p> Request</p> <p>Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[85] Request to Set Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings</i></p>
03/01/2018	<p> Motion for Summary Judgment</p> <p><i>[88] Plaintiffs' Motion for Summary Judgment (Filed 11/30/17 in Subordinate Case A-17-765372-C)</i></p>
03/01/2018	<p> Opposition and Countermotion</p> <p>Filed By: Defendant Lytle Trust</p> <p><i>[89] Defendant Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings; and (2) Counter Motion for Summary Judgment (Filed 02/09/18 in subordinate case A-17-795372-C)</i></p>
03/01/2018	<p>Reply to Opposition</p> <p><i>[90] Plaintiffs' Reply to Defendants' Opposition to the Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings and Opposition to Plaintiffs' Countermotion for Summary Judgment (Filed 2/21/18 in subordinate case A-17-765372-C)</i></p>

CASE SUMMARY

CASE NO. A-16-747800-C

03/05/2018



Notice

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[87] Notice of Entry of Order Granting Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

05/24/2018



Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[91] (A765372) Order Granting Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary Judgment

05/25/2018



Notice of Entry of Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[92] Notice of Entry of Order Granting Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary Judgment

06/04/2018



Motion for Attorney Fees and Costs

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[93] Plaintiffs' Motion for Attorney's Fees and Costs

06/04/2018



Memorandum

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[94] Memorandum of Costs and Disbursements

06/04/2018



Declaration

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[95] Declaration of Counsel in Support of Plaintiffs' Motion for Attorney's Fees and Costs

06/06/2018



Notice

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[96] Notice of Hearing on Plaintiffs' Motion for Attorney's Fees and Costs

06/08/2018



Motion to Retax

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust

[97] Defendants' Motion to Retax and Settle Memorandum of Costs

06/13/2018



Release

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust

CASE SUMMARY

CASE NO. A-16-747800-C

[98] Release of Abstract of Judgment

06/13/2018



Release

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[99] Release of Abstract of Judgment

06/13/2018



Release

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[100] Release of Abstract of Judgment

06/13/2018



Release

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[101] Release of Abstract of Judgment

06/15/2018



Opposition

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[102] Plaintiffs' Opposition to Defendants' Motion to Retax and Settle Memorandum of Costs

06/15/2018



Declaration

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[103] Declaration of Counsel in Support of Plaintiffs' Opposition to Defendants' Motion to Retax and Settle Memorandum of Costs

06/19/2018



Notice of Appeal

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[104] Notice of Appeal

06/19/2018



Case Appeal Statement

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[105] Case Appeal Statement

06/22/2018



Opposition to Motion

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[106] Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs

06/28/2018



Motion for Summary Judgment

Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A
[107] Robert Z. Disman and Yvonne A. Disman's Motion to Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings

07/05/2018



Reply to Opposition

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[108] Reply to Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs

07/05/2018









Declaration

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A












CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[109] Declaration of Counsel in Support of Reply to Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs</i></p>
07/06/2018	<p> Notice of Change of Hearing</p> <p><i>[110] Notice of Change of Hearing</i></p>
07/26/2018	<p> Opposition to Motion For Summary Judgment</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust</p> <p><i>[111] Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings</i></p>
08/01/2018	<p> Reply in Support</p> <p>Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A</p> <p><i>[112]</i></p>
08/27/2018	<p> Recorders Transcript of Hearing</p> <p><i>[113] Recorder's Transcript of Hearing Re: Defendants' Motion to Retax and Settle Memorandum of Costs; Plaintiffs' Motion for Attorney's Fees and Costs 6/26/18</i></p>
08/27/2018	<p> Recorders Transcript of Hearing</p> <p><i>[114] Recorder's Transcript of Hearing Re: Decision - Defendants' Motion to Retax and Settle Memorandum of Costs; Decision - Plaintiffs' Motion for Attorney's Fees; Robert Z. Disman and Yvonne A. Dismans' Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings 8/9/18</i></p>
09/12/2018	<p> Order</p> <p>Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[115] Order Regarding Plaintiffs' Motion for Attorney's Fees and Costs and Memorandum of Costs and Disbursements and Defendants' Motion to Retax and Settle Memorandum of Costs</i></p>
09/13/2018	<p> Notice</p> <p>Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A</p> <p><i>[116] Notice of Entry of Order Regarding Plaintiffs' Motion for Attorney's Fees and Costs and Memorandum of Costs and Disbursements and Defendants' Motion to Retax and Settle Memorandum of Costs</i></p>
09/14/2018	<p> Notice of Appeal</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust</p> <p><i>[117] Notice of Appeal</i></p>
09/28/2018	<p> Motion to Stay</p> <p>Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust</p> <p><i>[118] Defendant John Allen Lytle and Trudi Lee Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time</i></p>
10/01/2018	<p> Response</p> <p>Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A</p>













CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[119] Plaintiffs' Response to Defendants' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of Supersedeas Bond</i></p>
10/01/2018	<p> Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[120] Case Appeal Statement</i></p>
10/02/2018	<p> Reply Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[121] Defendant John Allen Lytle and Trudi Lytles' Reply to Plaintiffs' Response to Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond</i></p>
10/05/2018	<p> Stipulation and Order Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[122] Stipulation and Order to Continue Hearing on Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond</i></p>
10/08/2018	<p> Notice of Entry of Stipulation and Order Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[123] Notice of Entry of Stipulation and Order to Continue Hearing on Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond</i></p>
10/09/2018	<p> Change of Address Filed By: Plaintiff Boulden, Marjorie B <i>[124] Change of Address</i></p>
11/16/2018	<p> Motion to Reconsider Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[125] Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees</i></p>
11/16/2018	<p> Order Shortening Time Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[126] Order Shortening Time</i></p>
11/21/2018	<p> Opposition Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[127] Opposition to Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees</i></p>
12/03/2018	<p> Recorders Transcript of Hearing <i>[128] Recorder's Transcript of Hearing Re: Request of Court - Clarification of Order: In Re: Competing Orders; Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorneys' Fees. Heard on November 27, 2018.</i></p>
12/12/2018	<p> Amended Order Setting Civil Non-Jury Trial <i>[129] Amended Order Setting Civil Non-Jury Trial</i></p>
12/27/2018	<p> Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A</p>














CASE SUMMARY

CASE NO. A-16-747800-C

	<i>[130] Order Denying Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings</i>
01/03/2019	 Notice of Entry of Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A <i>[131] Notice of Entry of Order Denying Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings</i>
01/05/2019	 Notice of Change of Hearing <i>[132] Notice of Change of Hearing</i>
01/07/2019	Case Reassigned to Department 9 <i>Judicial Reassignment - From Judge Bailus to Vacant, DC9</i>
01/08/2019	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[133] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>
01/14/2019	 Stipulation and Order Filed by: Plaintiff Boulden, Marjorie B <i>[134] Stipulation and Order to Dismiss Remaining Claims without Prejudice</i>
01/14/2019	 Notice of Entry Filed By: Plaintiff Boulden, Marjorie B <i>[135] Notice Of Entry Of Stipulation And Order To Dismiss All Remaining Claims Without Prejudice</i>
01/16/2019	 Memorandum of Costs and Disbursements Filed By: Plaintiff Boulden, Marjorie B <i>[136] Plaintiffs' Memorandum of Costs and Disbursements</i>
01/16/2019	 Motion Filed By: Plaintiff Boulden, Marjorie B <i>[137] Motion to Attorney's Fees and Costs</i>
01/18/2019	 Motion to Retax Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[138] Defendants' Motion to Retax and Settle Memorandum of Costs</i>
01/23/2019	 Motion for Attorney Fees Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[139] Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
01/29/2019	 Opposition to Motion Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[140] Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs</i>
02/04/2019	 Opposition Filed By: Plaintiff Boulden, Marjorie B <i>[141] Plaintiffs' Opposition to Motion to Retax Costs</i>
02/07/2019	 Reply Filed by: Plaintiff Boulden, Marjorie B <i>[142] Reply To Defendants Opposition To Motion For Attorneys Fees And Costs</i>

CASE SUMMARY

CASE NO. A-16-747800-C

02/12/2019	 Opposition to Motion Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[143] Defendants' Opposition to Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees and Costs</i>
02/15/2019	 Reply to Opposition Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[144] Defendants' Reply to Opposition to Motion to Retax and Settle Memorandum of Costs</i>
02/20/2019	 Reply Filed by: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[145] Robert Z. Disman and Yvonne A. Disman's Reply in Support of Motion for Attorney's Fees</i>
04/10/2019	 Notice of Hearing <i>[146] Notice of Hearing</i>
04/11/2019	 Notice of Department Reassignment <i>[147] Notice of Department Reassignment</i>
04/22/2019	 Stipulation and Order Filed by: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[148] Stipulation and Order to Continue Hearing Date on Pending Motions</i>
04/25/2019	 Notice of Entry Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[149] Notice of Entry of Stipulation and Order to Continue Hearing Date on Pending Motions</i>
05/07/2019	 Request Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[150] Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Request to Set Hearing on Order Certifying Supreme Court Intent to Reconsider Motion for Attorneys' Fees and Costs</i>
05/24/2019	 Notice of Change of Address Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[151] Notice of Change of Firm Address</i>
06/10/2019	 Reporters Transcript <i>[152] Court Reporters transcript of Proceedings (Civil) 5-16-19</i>
09/06/2019	 Findings of Fact, Conclusions of Law and Order Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[153] Findings of Fact, Conclusions of Law and Order Granting Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
09/06/2019	 Notice of Entry of Order Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. <i>[154] Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Robert Z. Disman and Yvonne A. Disman Motion for Attorney's Fees</i>
09/20/2019	 Order Filed By: Plaintiff Boulden, Marjorie B <i>[155] Order Granting Plaintiffs' Motion for Attorneys' Fees and Costs and Order Denying Defendants' Motion to Retax and Settle Costs</i>

CASE SUMMARY

CASE NO. A-16-747800-C

09/20/2019	 Notice of Entry Filed By: Plaintiff Boulden, Marjorie B <i>[156] Notice Of Entry Of Order Granting Plaintiffs Motion For Attorneys Fees And Costs And Order Denying Defendants Motion To Retax And Settle Costs</i>
09/30/2019	 Notice of Appeal Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[157] Notice of Appeal</i>
09/30/2019	 Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[158] Case Appeal Statement</i>
10/04/2019	 Notice of Appeal Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[159] Notice of Appeal</i>
10/04/2019	 Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[160] Case Appeal Statement</i>
10/22/2019	 Stipulation and Order Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[161] Stipulation and Order to Stay Enforcement of Judgment Upon Posting of Supersedeas Bond</i>
10/24/2019	 Notice of Entry of Stipulation and Order Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[162] Notice of Entry of Stipulation and Order to Stay Enforcement of Judgment Upon Posting of Supersedeas Bond</i>
10/28/2019	 Stipulation and Order Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[163] Stipulation and Order to Stay Enforcement of Judgment Upon Posting of Supersedeas Bond</i>
10/28/2019	 Notice of Entry of Stipulation and Order Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[164] Notice of Entry of Stipulation and Order to Stay Enforcement of Judgment Upon Posting of Supersedeas Bond</i>
11/26/2019	 Notice of Appearance Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[165] Notice of Appearance</i>
11/26/2019	 Request Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[166] Request for Transcripts</i>
12/05/2019	 Recorders Transcript of Hearing <i>[167] Transcript of Proceedings Re: All Pending Motions. March 21, 2018</i>
12/05/2019	 Recorders Transcript of Hearing

CASE SUMMARY

CASE NO. A-16-747800-C

[168] Transcript of Proceedings Re: Decision May 2, 2018

03/04/2020



Motion for Order to Show Cause

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[169] Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should Not Be Held in Contempt for Violation of Court Orders (Hearing Requested)

03/05/2020



Clerk's Notice of Hearing

[170] Notice of Hearing

03/05/2020



Joinder To Motion

Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust

[171] (5/14/20 Withdrawn) Joinder On Plaintiffs September Trust Et. Al s Motion For An Order To Show Cause Why The Lytle Trust Should Not Be Held In Contempt For Violation Of Court Orders

03/06/2020



Notice of Appearance

Party: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A.

[172] Notice of Appearance

03/06/2020



Joinder To Motion

Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A.

[173] Joinder to Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should not be Held in Contempt for Violation of Court Orders

03/11/2020



Association of Counsel

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen

[174] Association of counsel

03/19/2020



Opposition to Motion

Filed By: Defendant Lytle Trust

[175] Opposition to Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should Not be Held in Contempt for Violation of Court Orders

03/31/2020



Notice of Rescheduling

[176] Notice of Rescheduling

04/13/2020



Notice

Filed By: Defendant Lytle Trust

[177] CourtCall Appearance

04/13/2020



Notice to Appear

Filed By: Defendant Lytle, Trudi Lee

[178] Courtcall Appearance

04/13/2020



Notice

Filed By: Defendant Lytle Trust

[179] Correction to Opposition to Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should Not be Held in Contempt for Violation of Court Orders

04/14/2020



Reply to Opposition

CASE SUMMARY

CASE NO. A-16-747800-C

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[180] Reply to Opposition to Plaintiffs Motion for an Order to Show Cause Why the Lytle Trust Should Not Be Held in Contempt for Violation of Court Orders

04/14/2020



Joinder

Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A.

[181] Joinder to Reply to Opposition to Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should Not be Held in Contempt for Violation of Court Orders

04/21/2020



Exhibits

Filed By: Defendant Lytle Trust

[182] Defendant Lytle Trust's Hearing Exhibits

05/07/2020



Stipulation and Order

Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust

[183] Stipulation and Order to Disburse Cash Supersedeas Bond

05/07/2020



Notice of Entry of Stipulation and Order

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust

[184] Notice of Entry of Stipulation and Order to Disburse Cash Supersedeas Bond

05/14/2020



Withdrawal

Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust

[185] Withdrawal of Joinder On Plaintiffs September Trust Et. al. s Motion For An Order To Show Cause Why The Lytle Trust Should Not Be Held In Contempt For Violation Of Court Orders

05/14/2020



Satisfaction of Judgment

Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust

[186] Satisfaction of Judgment

05/15/2020



NV Supreme Court Clerks Certificate/Judgment - Affirmed

[187] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed

05/18/2020



Motion

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[188] Plaintiffs' Motion to Release Cash Supersedeas Bond and Request for Interst Thereon

05/19/2020



Objection

Filed By: Defendant Lytle Trust

[189] Defendant's (1) Objection to Plaintiffs' Proposed Order, and (2) Competing Order

05/19/2020



Motion for Clarification

Filed By: Defendant Lytle Trust

[190] Defendant Lytle Trust's Motion for Clarification and Ex Parte Request for Order Shortening Time

05/19/2020



Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. A-16-747800-C

[191] Notice of Hearing

05/20/2020



Clerk's Notice of Nonconforming Document

[192] Clerk's Notice of Nonconforming Document

05/22/2020



Order Granting Motion

Filed By: Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[193] ORDER GRANTING PLAINTIFFS MOTION FOR ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS

05/22/2020



Notice of Entry of Order

Filed By: Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[194] Notice of Entry of Order Granting Plaintiffs' Motion for Order to Show Cause Why the Lytle Trust Should not be Held in Contempt for Violation of Court Orders

05/22/2020



Stipulation and Order

Filed by: Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[195] STIPULATION AND ORDER TO DISBURSE CASH SUPERSEDEAS BOND AND PAY INTEREST THEREON

05/22/2020



Notice of Entry of Stipulation and Order

Filed By: Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[196] Notice of Entry of Stipulation and Order to Release Cash Supersedeas Bond

05/26/2020



Motion for Attorney Fees and Costs

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[197] Plaintiffs' Motion for Attorney's Fees and Costs

05/26/2020



Declaration

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[198] Declaration of Counsel in Support of Plaintiffs' Motion for Attorney's Fees and Costs

05/26/2020



Memorandum of Costs and Disbursements

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[199] Memorandum of Costs and Disbursements

05/26/2020



Clerk's Notice of Hearing

[200] Notice of Hearing

05/29/2020



Opposition to Motion














Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[201] Opposition to Defendant Lytle Trust's Motion for Clarification

06/09/2020












CASE SUMMARY

CASE NO. A-16-747800-C

	 Opposition to Motion Filed By: Defendant Lytle Trust <i>[202] Defendant Lytle Trust's Opposition To Plaintiffs' Motion For Attorney Fees and Costs</i>
06/10/2020	 Stipulation and Order Filed by: Attorney Haskin Esq, Richard Edward; Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[203] STIPULATION AND ORDER TO DISBURSE CASH SUPERSEDEAS BOND</i>
06/10/2020	 Notice of Entry of Stipulation and Order Filed By: Defendant Lytle Trust <i>[204] Notice of Entry of Stipulation and Order to Disburse Cash Supersedeas Bond</i>
06/11/2020	 Motion for Attorney Fees Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[205] (7/6/20 Withdrawn) Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
06/11/2020	 Appendix Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[206] Appendix of Exhibits for Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
06/12/2020	 Clerk's Notice of Hearing <i>[207] Notice of Hearing</i>
06/17/2020	 Reply in Support Filed By: Defendant Lytle Trust <i>[208] Defendant Lytle Trust's Reply in Support of Motion for Clarification</i>
06/22/2020	 Notice of Appeal Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[209] Notice of Appeal</i>
06/22/2020	 Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[210] Case Appeal Statement</i>
06/22/2020	 Amended Certificate of Service Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen <i>[211] Amended Certificate of Service</i>
06/29/2020	 Reply to Opposition Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[212] Reply to Defendant Lytle Trust's Opposition to Plaintiffs' Motion for Attorney's Fees and Costs</i>
07/02/2020	 Notice Filed By: Defendant Lytle Trust <i>[213] Notice of Disassociation of Counsel</i>
07/06/2020	 Notice of Withdrawal of Motion

CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[214] Notice of Withdrawal of Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i></p>
07/15/2020	<p> Order Denying Motion Filed By: Other Plaintiff September Trust Dated March 23, 1972 <i>[215] ORDER DENYING DEFENDANT LYTLE TRUST S MOTION FOR CLARIFICATION AND EX PARTE REQUEST FOR ORDER SHORTENING TIME</i></p>
07/15/2020	<p> Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[216] Notice of Entry of Order Denying Defendant Lytle Trust s Motion for Clarification and ex Parte Request for Order Shortening Time</i></p>
07/31/2020	<p> Amended Notice of Appeal Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[217] Amended Notice of Appeal</i></p>
07/31/2020	<p> Amended Case Appeal Statement Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[218] Amended Case Appeal Statement</i></p>
08/04/2020	<p> Amended Notice of Appeal <i>[219] Errata to Amended Notice of Appeal</i></p>
08/04/2020	<p> Amended Case Appeal Statement <i>[220] Errata to Amended Case Appeal Statement</i></p>
08/11/2020	<p> Order <i>[221] (A765372) ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS MOTION FOR ATTORNEY S FEES AND COSTS</i></p>
08/11/2020	<p> Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[222] Notice of Entry of Order Granting in Part and Denying in Part Plaintiffs Motion for Attorney s Fees and Costs</i></p>
08/21/2020	<p> Notice of Appeal Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[223] Notice of Appeal</i></p>
08/21/2020	<p> Case Appeal Statement Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[224] Case Appeal Statement</i></p>
08/31/2020	<p> Request Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[225] Request for Transcripts</i></p>
09/08/2020	

CASE SUMMARY

CASE NO. A-16-747800-C

	 Motion for Attorney Fees and Costs Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[226] Plaintiffs' Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B) (Hearing Requested)</i>
09/08/2020	 Clerk's Notice of Hearing <i>[227] Notice of Hearing</i>
09/11/2020	 Request Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust <i>[228] Request for Transcripts</i>
09/22/2020	 Opposition Filed By: Defendant Lytle Trust <i>[229] Defendant Lytle Trust's Opposition to Plaintiffs' Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B)</i>
09/24/2020	 Reporters Transcript <i>[230] Court Reporters transcript of Proceedings (Civil) 7-7-2020</i>
09/28/2020	 Supplement Filed by: Defendant Lytle Trust <i>[231] Defendant Lytle Trust's Supplement to Opposition to Plaintiffs Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B)</i>
10/06/2020	 Reply in Support Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[232] Plaintiffs' Reply in Support of Their Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B)</i>
01/14/2021	 Order Filed By: Other Plaintiff September Trust Dated March 23, 1972 <i>[233] ORDER CERTIFYING TO THE SUPREME COURT PURSUANT TO NRAP 12(A) AND NRCP 62.1 THAT THE DISTRICT COURT WOULD GRANT PLAINTIFFS MOTION TO AMEND ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS MOTION FOR ATTORNEY S FEES AND COSTS PURSUANT TO NRCP 52(B)</i>
01/15/2021	 Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[234] NOTICE OF ENTRY OF ORDER CERTIFYING TO THE SUPREME COURT PURSUANT TO NRAP 12(A) AND NRCP 62.1 THAT THE DISTRICT COURT WOULD GRANT PLAINTIFFS' MOTION TO AMEND ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS PURSUANT TO NRCP 52(B)</i>
01/28/2021	 Motion to Consolidate Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A

CASE SUMMARY

CASE NO. A-16-747800-C

Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[235] Plaintiff's Motion to Consolidate or Coordinate this Case with Case A-18-775843-C (Dept. XXXI)

02/01/2021



Clerk's Notice of Hearing
[236] Notice of Hearing

02/11/2021



Opposition to Motion
 Filed By: Defendant Lytle Trust
[237] Defendant Lytle Trust's Opposition to Plaintiffs' Motion to Consolidate or Coordinate this Case with A-18-775843-C (Dept. XXXI)

02/26/2021



Reply to Opposition
 Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[238] Plaintiffs' Reply to Defendants' Opposition to Motion to Consolidate or Coordinate this Case with Case No. A-18-775843-C (Dept. XXXI)

03/10/2021



Order Denying Motion
 Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[239] Order Denying Plaintiffs' Motion to Consolidate or Coordinate

03/17/2021



Notice of Entry
 Filed By: Defendant Lytle Trust
[240] Notice of Entry of Order Denying Plaintiffs' Motion to Consolidate or Coordinate this Case with Case A-18-775843-C (Dept. XXXI)

04/15/2021



Notice of Entry of Order
 Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[241] Notice of Order of Limited Remand

04/19/2021



Order Setting Hearing
[242] Order Setting Hearing Further Proceedings re: Supreme Court Order of Limited Remand

04/27/2021



Brief
 Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen
[243] Defendant Lytle Trust's Report for April 29, 2021 Hearing, and Proposed Order

04/28/2021



Status Report
 Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
[244] Plaintiffs' Status Report for Hearing on Further Proceedings Re: Supreme Court Order of Limited Remand

04/30/2021



Order
 Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated

CASE SUMMARY

CASE NO. A-16-747800-C

[245] Order Granting Plaintiff's Motion to Amend Order Granting in Part and Denying In Part Plaintiffs' Motion for Attorney's Fees and Cost Pursuant to NRCP 52(B)

05/04/2021



Notice of Entry of Order

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[246] Notice of Entry of Order Granting Plaintiffs' Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B)

05/14/2021



Notice of Posting Bond

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[247] Notice of Posting Cash Bond to Secure Order Granting Attorney's Fees Pending Appeal

06/03/2021



Amended Notice of Appeal

Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[248] Amended Notice of Appeal

06/03/2021



Amended Case Appeal Statement

Party: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
[249] Amended Case Appeal Statement

06/28/2021



Response

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[250] Plaintiffs' Response to June 28, 2021 Minute Order: Further Proceedings re Supreme Court Order of Limited Remand Filed 4/12/21

06/29/2021



Order

[251] Order Scheduling Telephonic Status Check Hearing

03/11/2022



Motion for Attorney Fees and Costs

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[252] Plaintiffs' Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order

03/11/2022



Clerk's Notice of Hearing

[253] Notice of Hearing

03/16/2022



NV Supreme Court Clerks Certificate/Judgment - Dismissed

[254] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed

03/25/2022



Opposition to Motion

[255] Defendants' Opposition to Plaintiffs' Motion for Attorney Fees and Costs Related to Appeal of Contempt Order

03/31/2022



Memorandum

Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

CASE SUMMARY

CASE NO. A-16-747800-C

[256] (4/18/22 Withdrawn) Memorandum of Costs and Disbursements

04/01/2022



Reply to Opposition

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[257] Reply to Defendants Lytle Trust's Opposition to Plaintiffs' Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order

04/01/2022



Motion to Retax

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [258] (4/18/22 Withdrawn) Defendants' Motion to Re-tax Costs

04/04/2022



Clerk's Notice of Hearing

Party: Defendant Lytle, Trudi Lee

[259] Notice of Hearing

04/11/2022



Notice

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [260] Notice of Filing of Writ Petition

04/18/2022



Order Denying

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [261] Order Denying Mot for Attorney's Fees and Costs Related to Appeal Contempt Order A-16-747800-C_A-17-765372-C(117402364.2)

04/18/2022



Stipulation and Order

Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [262] Stipulation and Order Withdrawing Memorandum of Costs and Motion to Re-Tax Costs (117409261.1)

04/18/2022



Notice of Entry

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [263] Notice of Entry of Order Denying Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order Without Prejudice

04/18/2022



Notice of Entry of Stipulation and Order

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [264] Notice of Entry of Stipulation and Order to Withdraw (1) Plaintiff's Memorandum of Costs, and (2) Defendant's Motion to Re-Tax Costs

05/18/2022



Status Report

[265] Defendant Lytle Trust's Status Conference Report

06/08/2022



Stipulation and Order

Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust [266] Stipulation and Order to Partially Release and Distribute Cash Bond

06/08/2022



Notice of Entry of Stipulation and Order

[267] Notice of Entry of Stipulation and Order to Partially Release and Distribute Case Bond

10/07/2022
















Status Report

[268] Plaintiffs' Status Report

CASE SUMMARY

CASE NO. A-16-747800-C

02/08/2023	 Status Report Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[269] Plaintiffs' Status Report</i>
04/24/2023	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[270] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Rehearing Denied; Petition Denied</i>
04/28/2023	 Memorandum of Costs and Disbursements Filed By: Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust <i>[271] Memorandum of Costs and Disbursements</i>
05/12/2023	 Motion for Attorney Fees Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[272] Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
05/12/2023	 Appendix Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[273] Appendix of Exhibits for Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
05/12/2023	 Motion for Attorney Fees and Costs Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[274] Plaintiffs' Motion for Attorney's Fees and Costs (Hearing Requested)</i>
05/15/2023	 Clerk's Notice of Hearing <i>[275] Notice of Hearing</i>
05/15/2023	 Clerk's Notice of Hearing <i>[276] Notice of Hearing</i>
05/25/2023	 Stipulation and Order <i>[277] Stipulation And Order To Extend Briefing And Continue Hearings</i>
05/25/2023	 Notice of Entry of Stipulation and Order <i>[278] Notice of Entry of Stipulation and Order to Extend Briefing and Continue Hearings</i>
06/13/2023	 Opposition to Motion <i>[279] Defendants' Opposition to Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
06/13/2023	 Exhibits <i>[280] Exhibit F to Defendants' Opposition to Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
06/13/2023	 Opposition to Motion <i>[281] Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs</i>
06/13/2023	

CASE SUMMARY

CASE NO. A-16-747800-C

	 Exhibits <i>[282] Exhibit B to Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs</i>
06/16/2023	 Stipulation and Order <i>[283] Stipulation and Order to Release and Distribute Cash Bond</i>
06/21/2023	 Notice of Entry of Stipulation and Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[284] Notice of Entry of Stipulation and Order to Release and Distribute Cash Bond</i>
06/30/2023	 Amended Order <i>[285] Amended Stipulation and Order to Release and Distribute Cash Bond</i>
06/30/2023	 Notice of Entry of Stipulation and Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[286] Notice of Entry of Amended Stipulation and Order to Release and Distribute Cash Bond</i>
07/06/2023	 Reply in Support Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[287] Reply in Support of Plaintiffs' Motion for Attorney's Fees and Costs</i>
07/06/2023	 Reply Filed by: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[288] Reply in Support of Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
08/17/2023	 Findings of Fact, Conclusions of Law and Order <i>[289] Findings of Fact, Conclusions of Law and Order Granting in Part Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i>
08/17/2023	 Notice of Entry of Findings of Fact, Conclusions of Law Filed By: Other Defendant Disman, Robert Z.; Other Defendant Disman, Yvonne A. <i>[290] Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting in Part and Denying in Part Robert Z. Disman and Yvonne A. Disman's Motion for Attorneys Fees</i>
08/18/2023	 Order Granting Motion <i>[291] Order Granting Plaintiffs' Motion For Attorney's Fees And Costs</i>
08/18/2023	 Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A <i>[292] Notice of Entry of Order Granting Plaintiffs' Motion for Attorney's Fees and Costs</i>
08/21/2023	 Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R.

CASE SUMMARY

CASE NO. A-16-747800-C

Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
 [293] Notice of Entry of Order Granting Plaintiffs' Motion for Attorney's Fees and Costs

09/01/2023



Notice of Appeal

Filed By: Defendant Lytle Trust

[294] Notice of Appeal

09/01/2023



Case Appeal Statement

[295] Case Appeal Statement

DISPOSITIONS

04/26/2017

Partial Summary Judgment (Judicial Officer: Williams, Timothy C.)

Debtors: Lytle Trust (Defendant)

Creditors: Marjorie B. Boulden Trust (Plaintiff), Marjorie B Boulden (Trustee), Linda Lamothe (Trustee)

Judgment: 04/26/2017, Docketed: 05/03/2017

07/25/2017

Partial Summary Judgment (Judicial Officer: Williams, Timothy C.)

Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant)

Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff)

Judgment: 07/25/2017, Docketed: 07/25/2017

01/08/2019

Clerk's Certificate (Judicial Officer: Vacant, DC 9)

Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant)

Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff), Jacques Lamothe (Plaintiff), Linda Lamothe (Plaintiff)

Judgment: 01/08/2019, Docketed: 01/14/2019

Comment: Supreme Court No.73039 APPEAL AFFIRMED

01/14/2019

Order of Dismissal Without Prejudice (Judicial Officer: Vacant, DC 9)

Debtors: Trudi Lee Lytle (Defendant, Trustee), John Allen Lytle (Defendant, Trustee), Lytle Trust (Defendant)

Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff, Trustee), Jacques Lamothe (Plaintiff, Trustee), Linda Lamothe (Plaintiff, Trustee)

Judgment: 01/14/2019, Docketed: 01/14/2019

Comment: Certain Causes

Debtors: Trudi Lee Lytle (Counter Claimant), John Allen Lytle (Counter Claimant), Lytle Trust (Counter Claimant)

Creditors: Jacques & Linda Lamothe Living Trust (Counter Defendant), Jacques Lamothe (Counter Defendant), Linda Lamothe (Counter Defendant), Robert Z Disman (Counter Defendant), Yvonne A Disman (Counter Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

Debtors: Robert Z Disman (Cross Claimant), Yvonne A Disman (Cross Claimant)

Creditors: Marjorie B Boulden (Cross Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

09/06/2019

Order (Judicial Officer: Williams, Timothy C.)

Debtors: Trudi Lee Lytle (Counter Claimant), John Allen Lytle (Counter Claimant), Lytle Trust (Counter Claimant)

Creditors: Robert Z. Disman (Counter Defendant), Yvonne A. Disman (Counter Defendant)

Judgment: 09/06/2019, Docketed: 09/06/2019

Total Judgment: 35,676.00

09/20/2019

Order (Judicial Officer: Williams, Timothy C.)

Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant)

Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust





CASE SUMMARY

CASE NO. A-16-747800-C

	<p>(Plaintiff), Marjorie B Boulden (Plaintiff), Jacques Lamothe (Plaintiff), Linda Lamothe (Plaintiff) Judgment: 09/20/2019, Docketed: 09/23/2019 Total Judgment: 77,146.80 Satisfaction: Satisfaction of Judgment</p>
05/15/2020	<p>Clerk's Certificate (Judicial Officer: Williams, Timothy C.) Debtors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff), Jacques Lamothe (Plaintiff), Linda Lamothe (Plaintiff) Creditors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant) Judgment: 05/15/2020, Docketed: 05/22/2020 Comment: Supreme Court No.76198/77007 " Appeal Affirmed"</p>
03/16/2022	<p>Clerk's Certificate (Judicial Officer: Williams, Timothy C.) Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant) Creditors: September Trust Dated March 23, 1972 (Other Plaintiff), Gerry R. Zobrist and Jolin G. Zobrist Family Trust (Other Plaintiff), Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated (Other Plaintiff), Julie S Gegen (Other Plaintiff), Dennis A Gegen (Other Plaintiff), Robert Z. Disman (Other Defendant), Yvonne A. Disman (Other Defendant) Judgment: 03/16/2022, Docketed: 03/16/2022 Comment: Supreme Court No. 81390 Appeal Dismissed</p>
08/18/2023	<p>Judgment for Attorney's Fees (Judicial Officer: Williams, Timothy C.) Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant) Creditors: September Trust Dated March 23, 1972 (Other Plaintiff), Gerry R. Zobrist and Jolin G. Zobrist Family Trust (Other Plaintiff), Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated (Other Plaintiff), Julie S Gegen (Other Plaintiff), Dennis A Gegen (Other Plaintiff) Judgment: 08/18/2023, Docketed: 08/21/2023 Total Judgment: 147,425.42</p>
	<p>HEARINGS</p>
01/19/2017	<p> Motion for Temporary Restraining Order (9:00 AM) (Judicial Officer: Williams, Timothy C.) <i>Plaintiffs Motion for Temporary Restraining Order and Preliminary Injunction on Order Shortening Time</i> Withdrawn; Journal Entry Details: <i>Mr. Foley stated this was regarding a judgment obtained against a third-party that was recorded against his clients, that his clients were not a party in the case, and that the Deft.'s just listed his client's parcel numbers on their judgment. Mr. Foley stated his clients home was set to close escrow tomorrow; however this \$361,000 judgment prevented the title company from issuing a title policy. Mr. Foley stated he did not want a Temporary Restraining Order and then be forced to get a bond when the title company could still say they can't issue the title policy. Mr. Foley noted he thought if everything was consolidated he could try this case in one day. Mr. Haskin agreed with Mr. Foley's statements and further stated there were equitable issues; however those were questions of law and that he wanted to reserve the right to dispute. Court stated this case had a history and inquired regarding the effect of the judgment. Following further colloquy by counsel regarding the preliminary injunction and a trial on the merits, Mr. Foley WITHDREW his motion and stated he would proceed from here and no status check was necessary at this time.;</i></p>
03/14/2017	<p>CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Williams, Timothy C.) <i>Vacated - per Stipulation and Order</i> <i>Trudi Lee Lytle and John Allen Lytle's Motion to Dismiss Plaintiffs' Complaint</i></p>
04/13/2017	<p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Williams, Timothy C.) <i>Motion for Partial Summary Judgment</i> Granted;</p>
04/13/2017	<p>Opposition and Countermotion (9:00 AM) (Judicial Officer: Williams, Timothy C.) <i>Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment</i></p>

CASE SUMMARY

CASE NO. A-16-747800-C


	Denied;
04/13/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Williams, Timothy C.) Matter Heard; Journal Entry Details: <i>MOTION FOR PARTIAL SUMMARY JUDGMENT PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND COUNTER-MOTION TO CONTINUE TRIAL AND EXTEND DISCOVERY DEADLINES Following extensive arguments by counsel based on the briefs, COURT ORDERED, Motion for Summary Judgment GRANTED; Deft.'s Countermotion DENIED.;</i>
05/30/2017	 Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Williams, Timothy C.) 05/30/2017, 06/29/2017 <i>Deft's Motion for Attorney's Fees and Costs</i> Matter Continued; Motion for Attorney's Fees and Costs Vacate; Matter Continued; Motion for Attorney's Fees and Costs Vacate; Journal Entry Details: <i>Following arguments of counsel, Court stated that from a practical standpoint this motion will be decided without additional argument following the Motion for Reconsideration currently set for June 29, 2017. Accordingly, COURT ORDERED, matter CONTINUED. CONTINUED TO: 6/29/17 9:00 AM;</i>
06/01/2017	 Motion to Cancel Lis Pendens (9:00 AM) (Judicial Officer: Williams, Timothy C.) 06/01/2017, 06/06/2017 <i>Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time</i> Matter Continued; Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Granted; Journal Entry Details: <i>Daniel Foley, Esq., appeared on behalf of Pltfs Richard Haskin, Esq., appeared on behalf of Defts The Court and counsel noted the matter was fully briefed and counsel invited questions from the Court. Mr. Haskin began to argue the contempt issue; however, the Court stated it would not hold Defts in contempt and entered into colloquy with Mr. Haskin regarding the lis pendens. After hearing argument from both sides, COURT STATED ITS FINDINGS, and ORDERED, Motion GRANTED cancelling the two lis pendens and reiterated that the Court would not hold Defts in contempt; however, no more lis pendens. Further, Mr. Foley addressed his request for fees and the Court advised it would consider the matter as currently set on June 29, 2017. Court directed Mr. Foley to submit the proposed order.;</i> Matter Continued; Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Granted; Journal Entry Details: <i>Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Mr. Foley noted that Mr. Haskin only contested this matter yesterday. A copy of the opposition was handed to the Court and matter was trailed to enable Mr. Foley and the Court to review it. When matter was recalled later in the calendar, Mr. Haskin stated that under 14.015 the opposition was untimely. COURT ORDERED, matter CONTINUED to Tuesday, 6/6/17 upon Mr. Foley's agreement to that date. CONTINUED TO: 6/6/17 9:00 AM;</i>
06/29/2017	Motion For Reconsideration (9:00 AM) (Judicial Officer: Williams, Timothy C.) <i>Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment</i> Motion Granted;
06/29/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Williams, Timothy C.) Matter Heard; Journal Entry Details:


CASE SUMMARY

CASE NO. A-16-747800-C

DEFENDANTS TRUDI LEE LYTLE, JOHN ALLEN LYTLE, AND THE LYTLE TRUST'S MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, MOTION TO ALTER OR AMEND JUDGMENT...DEFT'S MOTION FOR ATTORNEY'S FEES AND COSTS Mr. Haskin argued in support of the Motion for Reconsideration, stating that an Order was entered granting Summary Judgment in favor of the Plaintiff, wherein there was a Finding against Defendant Lytle Trust as to slander of title; however, there was no evidence presented during arguments regarding slander of title. Upon Court's inquiry, Mr. Foley stated that the causes of action appropriately dealt with through the Court's ruling on the Summary Judgment were as follows: Quiet Title, Declaratory Relief, and Slander of Title. Mr. Foley argued in opposition to the Motion for Reconsideration, stating that the Lytles recorded abstracts of judgment on Plaintiffs' parcel numbers, in order to attach the to the properties, which was slander of title and a knowing malicious effort. Additionally, Mr. Foley stated that the case had developed as follows: Mr. Haskin had submitted another judgment obtained on behalf of the Lytle's against the HOA, which must be disclosed; therefore, the Complaint must be amended, and declaratory relief would be needed, to ensure that the findings from the judgment would not waive the claim for slander of title damages for loss of sale. Pursuant to those representations, Mr. Foley stated that he would seek leave to amend the Complaint, and would withdraw the Motion for Attorney's Fees and Costs. COURT ORDERED the Motion for Reconsideration was hereby DENIED; however, the Alternative Motion to Alter or Amend Judgment was GRANTED as to the Slander of Title Findings. Pursuant to Mr. Foley's representations, COURT ORDERED the Motion for Attorney's Fees and Costs was VACATED. Mr. Haskin to amend the Judgment, and forward it to opposing counsel for approval as to form and content.;

08/01/2017 CANCELED Motion to Amend Complaint (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order
Plaintiffs' Motion for Leave to File a Second Amended Complaint


01/16/2018  Motion to Extend Discovery (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Counter Defendants/Cross Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting (First Requested Extension)
Recused;
Stip & Order to Extend Discovery submitted & signed by Judge - Mtn to Extend not necessary
Journal Entry Details:
Court represented to the parties that a new law clerk will be starting in Dept. 16 on January 22, 2018 and that she is the daughter of Plaintiff's counsel. Although the court could and would rule fairly and without bias, recusal is appropriate in the present case in accordance with Canon 2.11 (C) of the Nevada Code of Judicial Conduct in order to avoid the appearance of impartiality or implied bias. Thus, the Court RECUSES itself from the matter and request that it be randomly reassigned in accordance with appropriate procedures.;


02/07/2018  Motion to Consolidate (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

MINUTES

Stip & Order to Extend Discovery submitted, signed by Judge - motion not necessary
Reset; Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C
Journal Entry Details:
Court notes opposition not received by Court or opposing counsel. COURT ORDERED, CONTINUED for Plaintiff's response to opposition filed. CONTINUED TO: 02/21/18 9:00 a.m.;

SCHEDULED HEARINGS

 Motion to Consolidate (02/21/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

02/21/2018  Motion to Consolidate (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C
Granted;
Journal Entry Details:
The Court noted no opposition filed. COURT ORDERED, MOTION GRANTED, will not grant fees and costs.;

CASE SUMMARY

CASE NO. A-16-747800-C

03/21/2018

Motion for Summary Judgment (9:00 AM) (Judicial Officer: Bailus, Mark B)

Events: 03/01/2018 Request

Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

MINUTES



Request

Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A

[85] Request to Set Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings

Continued for Chambers Decision; Plaintiff's Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

SCHEDULED HEARINGS



Decision (05/02/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment



All Pending Motions (03/21/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

03/21/2018

Opposition and Countermotion (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or in the Alternative, Motion for Judgment on the Pleadings; and (2) Countermotion for Summary Judgment

Continued for Chambers Decision; Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or in the Alternative, Motion for Judgment on the Pleadings; and (2) Countermotion for Summary Judgment

03/21/2018



All Pending Motions (9:00 AM) (Judicial Officer: Bailus, Mark B)

Matter Heard;

Journal Entry Details:

Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings ... Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment Arguments by counsel. COURT ORDERED, CONTINUED for Decision. 04/04/18 9:00 a.m. Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings // Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment;

04/04/2018



All Pending Motions (9:00 AM) (Judicial Officer: Bailus, Mark B)

Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

Hearing Date;

Journal Entry Details:

Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment HEARING CONTINUED TO 4/11/18 @ 9:00 FOR ORAL DECISION CLERK'S NOTE: All parties advised of date and appearance requested. ac/04/04/18.;

05/02/2018



Decision (9:00 AM) (Judicial Officer: Bailus, Mark B)

Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

Decision Made;

Journal Entry Details:

Decision: As to Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for

CASE SUMMARY

CASE NO. A-16-747800-C

Judgment on the Pleadings, COURT FINDS after review of Judge Williams' previous order in this case, that order addressed a majority of the issues raised in this matter, and this Court hereby adopts the Findings of Fact, Conclusions of Law from Judge Williams' order as they may pertain to the issues in this matter. Court notes Judge Williams' order addresses additional facts and he did not take any findings that the Defendants Lytle Trust was entitled to the property and that issue was left to the trier of fact. Additionally, that order is the law of the case; based on relevant issues it is applicable in this case. The order in this matter, COURT ORDERED, MOTION GRANTED expunging and striking the abstract(s) of judgment recorded against the Plaintiffs' properties, restraining, enjoining Lytles' from selling or attempting to sell the Plaintiffs' properties; and, from taking any action in the future against the Plaintiffs or their properties based upon any litigation the Lytles have commenced against the association. In addition to the Findings of Fact Conclusions of Laws in this matter, Court Finds that the ruling in this matter be consistent with Judge Williams' order; that being the law of the case. Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment COURT ORDERED, MOTION DENIED. Mr. Smith to prepare the order within 10 days and have parties review as to form and content and distribute a filed copy to all parties involved in this matter.;

07/26/2018

Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion for Attorney's Fees and Costs

MINUTES

Continued for Chambers Decision; Plaintiffs' Motion for Attorney's Fees and Costs

SCHEDULED HEARINGS



All Pending Motions (07/26/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

07/26/2018

Motion to Retax (9:00 AM) (Judicial Officer: Bailus, Mark B)
Defendants' Motion to Retax and Settle Memorandum of Costs

MINUTES

Continued for Chambers Decision;

SCHEDULED HEARINGS

Decision (08/09/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision - Defendants' Motion to Retax and Settle Memorandum of Costs Decision - Plaintiffs' Motion for Attorney's Fees

07/26/2018



All Pending Motions (9:00 AM) (Judicial Officer: Bailus, Mark B)

Matter Heard;

Journal Entry Details:

Defendants' Motion to retax and Settle Memorandum of Costs ... Plaintiffs' Motion for Attorney's Fees and Costs Court notes clarification on some of the factual issues with these motions. Arguments by counsel. Based on the arguments by counsel, Court is going to go back and review the legal argument and the exhibits. Further, Court notes he wants this case to mirror the case before Judge Williams since much of the decisions on issues in this case were decided by rulings in the other case before this Court ever got this case. 08/09/18 9:00 a.m. Decision - Defendants' Motion to retax and Settle Memorandum of Costs /// Decision: Plaintiffs' Motion for Attorney's Fees and Costs;

08/09/2018

Motion for Summary Judgment (9:00 AM) (Judicial Officer: Bailus, Mark B)
Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the ALternative Motion for Judgment on the Pleadings

MINUTES

Continued for Chambers Decision; Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

SCHEDULED HEARINGS



Decision (08/17/2018 at 3:00 AM) (Judicial Officer: Bailus, Mark B)
Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

08/09/2018

Decision (9:00 AM) (Judicial Officer: Bailus, Mark B)

CASE SUMMARY

CASE NO. A-16-747800-C

Decision - Defendants' Motion to Retax and Settle Memorandum of Costs Decision - Plaintiff's Motion for Attorney's Fees

MINUTES

Decision Made; Decision - Defendants' Motion to Retax and Settle Memorandum of Costs

SCHEDULED HEARINGS



All Pending Motions (08/09/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

08/09/2018



All Pending Motions (9:00 AM) (Judicial Officer: Bailus, Mark B)

Matter Heard;

Journal Entry Details:

Decision - Plaintiff's Motion for Attorney's Fees COURT having considered the matter and applied Brunzell factors and Pursuant to NRS 18.020(1); NRS 18.050; and, 18.010(2)(b) and ORDERED, Plaintiff's Motion for Attorney's Fees is GRANTED. Decision - Defendants' Motion to Retax and Settle Memorandum of Costs In review of the fees and costs submitted and for good cause shown, COURT ORDERS, Defendants' Motion to Retax is GRANTED. COURT ORDERED, attorney's fees and costs GRANTED AS FOLLOWS: As to September Trust: \$13,513.26 Attorney fees GRANTED \$250.87 Costs GRANTED As to Zobrist Trust: \$13,331.26 Attorney fees GRANTED \$250.87 Costs GRANTED As to Sandoval Trust: \$12,616.26 Attorney fees GRANTED \$250.87 Costs GRANTED As to Dennis & Julie Gegan: \$12,590.26 Attorney fees GRANTED \$250.87 Costs GRANTED For a Total of \$52,051.04 Attorney's fees; and, \$1,003.48 Costs GRANTED. Mr. Smith to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates. Both the Plaintiff and Defendant are required to be present at the next court date. Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings Arguments by counsel. Court continued matter to chambers for further review and decision will be rendered by way of Minute Order.;

08/17/2018



Decision (3:00 AM) (Judicial Officer: Bailus, Mark B)

Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Decision Made; Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Journal Entry Details:

This Court having hear argument, reviewed the pleadings and papers on file, and good cause appearing therefrom ORDERS, Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Judgment on the Pleadings is DENIED Without Prejudice. Mr. Haskin is to prepare the order consistent with the opposition, submit to opposing counsel for approval as to content and form and submit to Chambers for consideration. CLERK'S NOTE: The above minute order has been distributed to: Christina Wang, Esq.; and, Richard Haskin, Esq.;

10/23/2018



Motion to Stay (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time
Granted; Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time

Journal Entry Details:

Matter submitted. Court Finds cash Bond issue addressed in past and amount posted sufficient to indemnify Defendants if they prevail. COURT ORDERS, Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond is GRANTED. Mr. Haskin to prepare the order within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.;

11/27/2018

Request of Court (9:00 AM) (Judicial Officer: Bailus, Mark B)

Request of Court - Clarification of Order: In RE: Competing Orders

MINUTES

Matter Heard; Request of Court - Clarification of Order: In RE: Competing Orders

CASE SUMMARY

CASE NO. A-16-747800-C

SCHEDULED HEARINGS



All Pending Motions (11/27/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

11/27/2018

Motion For Reconsideration (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees
Decision Made; Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees

11/27/2018



All Pending Motions (9:00 AM) (Judicial Officer: Bailus, Mark B)

Matter Heard;

Journal Entry Details:

Request of Court - Clarification of Order: In RE: Competing Orders ... Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees Court advised regarding review of competing orders received. Court does not find that either order complies with this Court's ruling from the hearing. Colloquy regarding the law of the case based on prior ruling in this matter by Judge Williams. Court notes this Court was not aware these proceedings were before the Nevada Supreme Court (NVSC) on the order this Court based its ruling upon, otherwise the Court would have deferred ruling the matter until NVSC had ruled, however, since there is no order on file from the hearing on the motion for summary judgment, COURT VACATES PRIOR RULING and Defers Judgment on Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings pending ruling by NVSC, which may resolve this issue in its entirety. Ms. Wang to prepare the order consistent with this Court's findings within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.;

01/08/2019



Pre Trial Conference (8:30 AM) (Judicial Officer: Barker, David)

Off Calendar;

Journal Entry Details:

Mr. Foley advised the case has resolved and they will submit a stipulation and order. COURT ORDERED, trial date VACATED and matter OFF CALENDAR. ;

02/05/2019

CANCELED Calendar Call (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

Vacated - per Judge

02/19/2019

CANCELED Bench Trial (10:00 AM) (Judicial Officer: Williams, Timothy C.)

Vacated - per Judge

02/20/2019



Motion for Attorney Fees and Costs (3:00 AM) (Judicial Officer: Williams, Timothy C.)

02/20/2019, 04/10/2019, 05/16/2019

Plaintiff's Motion for Attorney's Fees and Costs

Continued;

Continued;

Motion Granted;

Continued;

Continued;

Motion Granted;

Continued;

Continued;

Motion Granted;

Journal Entry Details:

No parties present. COURT ORDERED, matter CONTINUED to this Court's hearing calendar. CONTINUED TO: 4/3/19 8:30 AM CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt;

02/27/2019

Motion to Retax (3:00 AM) (Judicial Officer: Williams, Timothy C.)

02/27/2019, 04/10/2019, 05/16/2019




Defendants' Motion to Retax and Settle Memorandum of Costs

Continued;

Continued;

CASE SUMMARY

CASE NO. A-16-747800-C

	<p>Motion Denied; Continued; Continued; Motion Denied; Continued; Continued; Motion Denied;</p>
02/27/2019	<p>Motion for Attorney Fees and Costs (3:00 AM) (Judicial Officer: Williams, Timothy C.) 02/27/2019, 04/10/2019, 05/16/2019 <i>Robert Z. Disman and Yvonne Disman's Motion for Attorney's Fees</i> Continued; Continued; Motion Granted; Continued; Continued; Motion Granted; Continued; Continued; Motion Granted;</p>
02/27/2019	<p> All Pending Motions (3:00 AM) (Judicial Officer: Thompson, Charles) Matter Heard; Journal Entry Details: <i>DEFENDANT'S MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES COURT ORDERED, matter CONTINUED to be heard by Judge Barker. CONTINUED TO: 4/3/19 8:30 AM CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt 2/27/19;</i></p>
04/10/2019	<p> All Pending Motions (8:30 AM) (Judicial Officer: Barker, David) Matter Heard; Journal Entry Details: <i>MOTION FOR ATTORNEY FEES AND COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES ... DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS Upon Court's inquiry, Mr. Foley advised they believe the motions should be heard by Judge Williams, noting Judge Williams recused because his daughter was hired as Judge William's law clerk, however; that position is now over. Mr. Haskin concurred, however, requested the matter be trailed so he can speak to his client. Court noted it will only transfer the case if all parties are in agreement, noting the Court will reach out to Judge Williams to see if he is willing to take the case back. Matter TRAILED. Matter RECALLED. Mr. Haskin advised his client is amenable to returning to Judge Williams. COURT ORDERED, matter SET for Status Check. CONTINUED TO: 5/1/19 9:00 AM (DEPT. 16) CLERK'S NOTE: Subsequent to Court, COURT ORDERED, Motions CONTINUED to Dept. 16's calendar to be heard by Judge Williams. COURT FURTHER ORDERED, matter TRANSFERRED to Department 16. -amt 4/10/19 CLERK'S NOTE: Subsequent to previous rulings, Court noted it will contact Judge Weise and have the case transferred to Department 16 as opposed to having the Clerk's Office reassign the case via this minute order. -amt 4/11/19 ;</i></p>
04/11/2019	<p> Minute Order (2:00 PM) (Judicial Officer: Wiese, Jerry A.) Minute Order - No Hearing Held; Journal Entry Details: <i>The above-referenced matter was previously handled by Judge Timothy Williams. Motions for Summary Judgment were apparently granted, resulting in an Appeal and affirmance. Judge Williams previously recused from the case, due to the fact that his law clerk was related to one of attorneys for one of the parties. Following remand from the Supreme Court, various motions have been filed including a Motion to Retax, and Motion for Attorney's Fees. These matters are currently in Department 9. Judge David Barker, is sitting in Department 9, and recently had a hearing with the attorneys, who indicated that they believed Judge Williams was much more familiar with the facts and circumstances of the case, and would be in a better</i></p>

CASE SUMMARY**CASE NO. A-16-747800-C**

position to rule on the pending motions. It is noted that the law clerk which previously resulted in Judge Williams recusal is no longer Judge Williams law clerk, so no conflict currently exists. Judge Williams has indicated his willingness to handle this matter. Pursuant to EDCR 1.31, and good cause appearing, the Presiding Civil Judge hereby **ORDERS** that the Clerk's Office Reassign Case No. A747800 from Department IX to Department XVI (Judge Williams), as Judge Williams (as the prior handling Judge) has more information with regard to the pending case, and such transfer will promote judicial economy. ;

05/16/2019

**All Pending Motions (9:00 AM)** (Judicial Officer: Williams, Timothy C.)

Matter Heard;

Journal Entry Details:

MOTION FOR ATTORNEY'S FEES AND COSTS...ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES...DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS Arguments by Mr. Foley, Mr. Haskin, and Ms. Wang. **COURT ORDERED**, fees and costs awarded. Court stated will take review of attorney fee amounts. **FURTHER ORDERED**, as to Motion to Retax, costs given. Prevailing party to submit respective orders.;

05/17/2019

**Minute Order (2:51 PM)** (Judicial Officer: Williams, Timothy C.)re: *Motions for Attorneys' Fees*

Matter Heard;

Journal Entry Details:

After a review and consideration of the record, the points and authorities on file herein, and oral argument of counsel, the Court determined as follows: The Court has ruled that the CC&R's control the award of attorney's fees in this matter. Pursuant to paragraph 25 of the CC&R's regarding attorney's fees, the losing party or parties shall pay in such amount as may be fixed by the court. Applying the language of the CC&R's the Court determined that the Boulden and Lamothe Plaintiffs and Disman Counter Defendants are the winning parties, the Lytle Defendants are the losing party and the language is mandatory regarding the assessment of attorney's fees against the losing party. In addition, after considering the Brunzell factors, the Court awards the Boulden and Lamothe Plaintiffs attorney's fees in the requested amount of \$75,733.80 and the Disman Counter Defendants attorney's fees in the requested amount of \$35,676.00. Lastly, the Court declines to make the determination that the Defendants' actions lacked reasonable grounds except for the filing of *Lis Pendens*, which was clearly unreasonable in light of the procedural history of the case. Counsel for the Boulden and Lamothe Plaintiffs and Disman Counter Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. **CLERK'S NOTE:** This Minute Order has been electronically served to the parties through Odyssey eFile. ;

04/06/2020

**Minute Order (8:00 AM)** (Judicial Officer: Williams, Timothy C.)

re: 4/22/20 Hearing

Minute Order - No Hearing Held;

Journal Entry Details:




Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court offers two methods of appearance: telephonic conference through BlueJeans or CourtCall. As CourtCall involves a cost, the use of BlueJeans is strongly favored given the number of people the system can accommodate. If you prefer to use BlueJeans, please call in prior to your hearing to appear. The call-in number is: Dial the following number: 1-888-748-9073 Meeting ID: 702 671 440 6 To connect, dial the telephone number then enter the meeting ID followed by #. **PLEASE NOTE** the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. If you prefer to use CourtCall, please contact CourtCall to schedule your appearance. They can be reached toll-free at 1-888-882-6878 and/or on-line at www.courtcall.com. **CLERK'S NOTE:** This Minute Order has been electronically served to counsel through Odyssey eFile.;

04/22/2020

Motion for Order to Show Cause (9:00 AM) (Judicial Officer: Williams, Timothy C.)

CASE SUMMARY

CASE NO. A-16-747800-C

	<p><i>Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should Not Be Held in Contempt for Violation of Court Orders</i></p> <p>Motion Granted;</p>
04/22/2020	<p>Joinder (9:00 AM) (Judicial Officer: Williams, Timothy C.)</p> <p><i>Joinder On Plaintiffs September Trust Et. Al s Motion For An Order To Show Cause Why The Lytle Trust Should Not Be Held In Contempt For Violation Of Court Orders</i></p> <p>Motion Granted;</p>
04/22/2020	<p>Joinder (9:00 AM) (Judicial Officer: Williams, Timothy C.)</p> <p><i>Joinder to Plaintiffs' Motion for an Order to Show Cause Why the Lytle Trust Should not be Held in Contempt for Violation of Court Orders</i></p> <p>Motion Granted;</p>
04/22/2020	<p> All Pending Motions (9:00 AM) (Judicial Officer: Williams, Timothy C.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>APPEARANCES CONTINUED: Patricia Lee and Receiver, Kevin Singer, also present telephonically. PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS JOINDER TO PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS JOINDER ON PLAINTIFFS September TRUST ET. AL S MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS All parties present telephonically. Arguments by counsel. Court stated ITS FINDS and ORDERED, Motion for Order to Show Cause GRANTED; will be assessment of \$500.00 per Pltf. Court directed filing of application for fees and costs to be heard on the merits. Court directed Mr. Smith to prepare and circulate findings of fact and conclusions of law; if parties cannot agree on form and content, may submit competing orders. ;</i></p>
06/25/2020	<p> Minute Order (3:43 PM) (Judicial Officer: Williams, Timothy C.)</p> <p><i>Minute Order re: Hearing on 7/2/20 at 9:00 a.m.</i></p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;</i></p>
06/29/2020	<p> Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)</p> <p><i>Minute Order re: Hearing on 7/7/20 at 9:00 a.m.</i></p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;</i></p>

CASE SUMMARY

CASE NO. A-16-747800-C

07/02/2020



Motion for Clarification (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Defendant Lytle Trust's Motion for Clarification and Ex Parte Request for Order Shortening Time

Motion Denied;

Journal Entry Details:

APPEARANCES CONTINUED: Court Reporter, Michael Bouley, present. All counsel present telephonically. Arguments by counsel. Mr. Waite advised he intends to file supersedeas cash bond relating to recent contempt order. Mr. Smith advised no objection. Court directed Mr. Waite to file appropriate motion in that regard. As to Motion for Clarification, Court stated ITS FINDINGS and ORDERED, Motion DENIED. Court directed Mr. Smith or Ms. Wang to prepare the order and circulate; if parties cannot agree on form and content, may submit competing orders. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.;

07/07/2020



Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Plaintiffs' Motion for Attorney's Fees and Costs

Minute Order - No Hearing Held;

Journal Entry Details:

After a review and consideration of the record, the points and authorities on file herein, and oral argument of counsel, the Court determined as follows: As noted at the July 7, 2020 hearing, the Court finds the CC&Rs provide a basis for attorney fee recovery. Further, Plaintiff has satisfied the Brunzell factors. Additionally, Court restates that fees sought regarding those matters before Judge Kishner are denied \$36,259.00. The Court also denies any charges related to the appeal. Moreover, under this case's circumstances, the Court will not award fees for clerical work \$23,374.00. The Court has reviewed the Plaintiff's submitted billing statements, which the fees charged total \$149,403.20. In light of the findings above, the \$149,403.20 is reduced by \$36,259.00 and \$23,374.00, which leaves a difference of \$89,770.20. Further, as suggested by the Defendant, the Court will apply a 15% discount to the \$89,770.20. The difference after the discount is \$76,304.67. Consequently, THE COURT GRANTS PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND COSTS BUT WITH MODIFICATIONS. Also, the Court grants costs in the sum of \$4,145.08. Plaintiff shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK'S NOTE: This Minute Order has been served to counsel electronically through Odyssey eFile.;

07/07/2020



Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Plaintiffs' Motion for Attorney's Fees and Costs

Granted in Part; See 7/7/20 Minute Order

Journal Entry Details:

Counsel present telephonically. Arguments by Mr. Smith and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion for Attorney's Fees and Costs GRANTED IN PART and DENIED IN PART; no consideration given in this case to Judge Kishner's sole decision in other action. Court stated will review matter for determination of reasonable fees and matter of the appeal. Decision forthcoming.;

07/16/2020

CANCELED Motion for Attorney Fees (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Vacated

Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees

10/12/2020



Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 10/13/20 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each

CASE SUMMARY

CASE NO. A-16-747800-C

participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

10/13/2020



Motion for Attorney Fees and Costs (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Plaintiffs' Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B) (Hearing Requested)

Motion Granted; See 12/14/20 Minute Order

Journal Entry Details:

Hearing held telephonically. Arguments by counsel. Court stated will review matter and issue decision.;

12/14/2020



Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Plaintiffs' Motion to Amend Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs Pursuant to NRCP 52(B) (Hearing Requested)

Minute Order - No Hearing Held;

Journal Entry Details:

After review and consideration of the points and authorities on file herein and oral argument of counsel, the Court determined as follows: After additional review and consideration, this Court awards attorney's fees stemming from appeals under paragraph 25 of the CC&Rs. Accordingly, Plaintiff's Motion to Amend the Court's Order Granting in Part and Deny in Part Plaintiff's Motion for Attorney's Fees and Cost is GRANTED to reflect such change. Counsel for Plaintiff, Marjorie Boulden Trust, shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK S ORDER: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

02/25/2021



Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 3/4/21 at 9:05 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

03/04/2021



Motion to Consolidate (9:05 AM) (Judicial Officer: Williams, Timothy C.)

Plaintiff's Motion to Consolidate or Coordinate with Case A-18-775843-C (Dept. XXXI)

Motion Denied;

Journal Entry Details:

APPEARANCES CONTINUED: Patricia Lee, Esq. present for pending Receiver. Hearing held telephonically. Arguments by Mr. Smith and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion to Consolidate or Coordinate DENIED; will follow mandate of Supreme Court in Nalder case. Court directed Mr. Waite to prepare and circulate the order. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. ;

04/19/2021



Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)

CASE SUMMARY

CASE NO. A-16-747800-C

Minute Order re: Hearing on 4/29/21 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: <https://bluejeans.com/552243859> To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

04/29/2021



Further Proceedings (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Further Proceedings re Supreme Court Order of Limited Remand filed 4/12/21

Decision Made; See 6/28/21 Minute Order

Journal Entry Details:

Hearing held by BlueJeans remote conferencing. Mr. Waite argued that proposed order should specify and identify amounts. Mr. Smith argued that there is a procedural issue with regard to amending an order not presented by motion. Court stated will review the limited remand further; if assistance from counsel need in that regard, will provide notice. Decision on remand issue by minute order forthcoming.;

06/28/2021



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

Minute Order: Further Proceedings re Supreme Court Order of Limited Remand filed 4/12/21

Minute Order - No Hearing Held; Rescinded; See 7/1/21 Hearing Minutes

Journal Entry Details:

After review and consideration of the points and authorities on file herein, the argument of counsel and the discreet issue before the Court, pursuant to NRCP 52(b), the request for attorney s fees and costs incurred on appeal shall be GRANTED under paragraph 25 of the Original CC&R s. Additionally, the Court relied on the Brunzell factors and upon review of the billing and cost award attorney s fees and cost in the total sum of \$113,144.20 which represents the fee and cost award for the trial court action and the appeal. Counsel for Plaintiff s shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

07/01/2021



Status Check (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Status Check re Minute Order of 6/28/21 and Issuance of Court's Prior Order of 4/30/21

Matter Heard;

Journal Entry Details:

Hearing held by BlueJeans remote conferencing. Court reviewed certain administrative issue and stated inadvertent signing of order prior to issuance of minute order. Arguments by Mr. Smith and Mr. Waite regarding the appeal issues and how cured. COURT ORDERED, will RESCIND the minute order and allow Supreme Court to take independent action.;

04/12/2022



Motion for Attorney Fees and Costs (9:05 AM) (Judicial Officer: Williams, Timothy C.)

Plaintiffs' Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order




Denied Without Prejudice;

Journal Entry Details:

Hearing held live and by BlueJeans remote conferencing. Arguments by counsel including finality issue. COURT FINDS, matter premature. Therefore, COURT ORDERED, Plaintiffs' Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order DENIED WITHOUT PREJUDICE; Status Check SET in 180 days regarding the Supreme Court action.

CASE SUMMARY

CASE NO. A-16-747800-C

	10/13/22 9:00 AM STATUS CHECK: SUPREME COURT FINALITY;
06/30/2022	CANCELED Motion to Retax (9:05 AM) (Judicial Officer: Williams, Timothy C.) <i>Vacated - per Stipulation and Order</i> <i>Defendants' Motion to Re-tax Costs</i>
10/13/2022	 Status Check (9:00 AM) (Judicial Officer: Williams, Timothy C.) 10/13/2022, 02/09/2023 <i>Status Check: Supreme Court Finality</i> Matter Continued; Continued; In Doc. No. 269, Mr. Smith represented that no further action is needed. Supreme Court affirmed District Court. Journal Entry Details: <i>Hearing held in-person and by BlueJeans remote conferencing. Colloquy regarding the status report filed by Mr. Smith and pending Supreme Court decision. COURT ORDERED, matter CONTINUED. CONTINUED TO: 06/08/23 AT 9:00 AM STATUS CHECK: SUPREME COURT FINALITY;</i> Matter Continued; Continued; In Doc. No. 269, Mr. Smith represented that no further action is needed. Supreme Court affirmed District Court. Journal Entry Details: <i>Colloquy regarding pending Supreme Court decision. COURT ORDERED, matter CONTINUED. CONTINUED TO: 02/09/23 9:00 AM;</i>
07/13/2023	Motion for Attorney Fees (9:05 AM) (Judicial Officer: Williams, Timothy C.) <i>Plaintiffs' Motion for Attorney's Fees and Costs (Hearing Requested)</i> Granted in Part; See 08/04/23 Minute Order
07/13/2023	Motion for Attorney Fees (9:05 AM) (Judicial Officer: Williams, Timothy C.) Events: 05/12/2023 Motion for Attorney Fees <i>Counter-Defendants/Cross-Claimants' Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees</i> Granted in Part; See 08/04/23 Minute Order
07/13/2023	 All Pending Motions (9:05 AM) (Judicial Officer: Williams, Timothy C.) Matter Heard; Journal Entry Details: <i>COUNTER-DEFENDANTS/CROSS-CLAIMANTS' ROBERT Z. DISMAN AND YVONNE A. DISMAN'S MOTION FOR ATTORNEY'S FEES... PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS</i> Upon Court's inquiry, Mr. Smith stated the Motion was straight forward and Orders had been scrutinized on appeal and affirmed. Mr. Waite stated his client did not dispute Plaintiff was entitled to an award of fees under NRS 22.100, however, greatly disputed the amount and other basis. Mr. Waite further stated his client disputed any award as to the Disman's. Mr. Waite argued Mr. Smith charged \$265 per hour, however, was seeking double and should be limited to his actual charges. Mr. Smith stated his rate was below the market rate. Colloquy regarding Lone Star analysis and Goodyear Tire and Rubber Co vs. Haeger. Ms. Wang argued three (3) additional years of work were needed due to Lytle's conduct and her client was a party to the contempt hearing. Ms. Wang stated the Court could determine a reasonable fee without timesheets. Mr. Waite argued Ms. Wang made an error by filing a joinder to the May 2018 Order, the Disman's were no different than any other property owner, they were not a party to the consolidated case and they were parties to the original action which was settled. Ms. Wang noted she was only seeking fees for the dates after the settlement agreement and she had to monitor the receiver actions to ensure everything was going okay. Colloquy regarding access to justice, reduced rates and NRS 22.100. Court ORDERED MATTER TAKEN UNDER ADVISEMENT for decision.;
08/04/2023	 Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.) Minute Order - No Hearing Held; Journal Entry Details: <i>After review and consideration of the points and authorities on file herein, supplemental</i>

CASE SUMMARY

CASE NO. A-16-747800-C

briefing, and oral argument of counsel, the Court determines as follows: The instant minute order will address two separate motions for attorney s fees, made against the same defendants, which the Court took under advisement on July 13, 2023. Plaintiffs Motion for Attorney s Fees and Costs The Court finds that Plaintiffs assert the following three bases for an award of fees: NRS 22.100, the original CC&Rs, NRS 18.010(2)(b). While the Court does not find that NRS 18.101(2)(b) is a sound basis for an award of fees, the Court does find that NRS 22.100 and the original CC&Rs are appropriate bases for an award of fees. However, the Court finds that the entries that Defendants label as vague are akin to block billing. As a result, and in conformity with the Court s August 11, 2020 Order Granting in Part and Denying in Part Plaintiffs Motion for Attorney s Fees and Costs, denoted as Doc. No. 221, the Court reduces the vague fees by 15% or \$531.15 ($\$3,541.00 \times 15\% = \531.15). Here, NRS 22.100 provides for an award of reasonable expenses, including, without limitation, attorney's fees, incurred by the party as a result of the contempt. As a result of the procedural posture of the instant action, the Court finds that the expenses that Plaintiffs incurred, including attorney s fees, are reasonable and are a result of the [Defendants] contempt. NRS 22.100. Additionally, the CC&Rs provide that losing parties are to pay attorney s fees that the Court may fix. As the Court just discussed, the Plaintiffs in the instant case incurred reasonable expenses and attorney s fees. The Court further finds that the Defendants are losing parties, pursuant to the CC&Rs, because their appeal and litigation, which involved the Contempt Order, was ultimately unsuccessful. As a result, the Defendants are obligated to pay for Plaintiffs fees under Section 25 of the CC&Rs. Nevertheless, Defendants argue that the amount of fees awarded should be reduced because the requested fees are at a higher rate than the actual billed rate. The Court finds that the rates billed to the client are below-market. Further, the Court finds that the reasonable value of the service provided by Plaintiffs counsel is aligned with the requested rate. As a result, the Court finds that the requested fees, although higher than the billed amount, shall be awarded, pursuant to NRS 22.100 and the original CC&Rs. However, the Court reduces the fee award by \$531.15 to account for a 15% reduction to the vague entries. Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs Motion for Attorney s Fees. The Court DENIES the motion with respect to the \$531.15 reduction, pursuant to Doc. No. 221, but the Court GRANTS the motion with respect to all other fees. Counter-Defendants/Cross-Claimants Motion for Attorney s Fees Counter-Defendants/Cross-Claimants assert the same three bases for an award of fees as Plaintiffs asserted: NRS 22.100, the original CC&Rs, NRS 18.010(2)(b). For similar reasons as discussed supra, the Court does not find that NRS 18.101(2)(b) is a sound basis for an award of fees, but the Court does find that the original CC&Rs and NRS 22.100 are appropriate bases for an award of fees. Here, Counter-Defendants litigated the issues pertaining to the Contempt Order and were real parties in interest during the appeal. Additionally, the Court finds that the fees relating to the dog incident (\$666.00) involve an unrelated matter that is outside the scope of the instant issues. Thus, in conformity with the Court s August 11, 2020 Order Granting in Part and Denying in Part Plaintiffs Motion for Attorney s Fees and Costs, denoted as Doc. No. 221, the Court reduces the block-billed fees by \$3,152.70 ($\$21,018.00 \times 15\% = \$3,152.70$). Consequently, the Court GRANTS in Part and DENIES in Part Counter-Defendants/Cross-Claimants Motion for Attorney s Fees. The Court grants Counter-Defendants motion, except for the fees associated with the dog incident (\$666.00) and the block-billed entries, which the Court reduces by 15% (\$3,152.70) in conformity with the Court s prior order, denoted as Doc. No. 221. Conclusion Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs Motion for Attorney s Fees. The Court DENIES the motion with respect to the \$531.15 reduction, pursuant to Doc. No. 221, but the Court GRANTS the motion with respect to all other fees. Additionally, the Court GRANTS in Part and DENIES in Part Counter-Defendants/Cross-Claimants Motion for Attorney s Fees. The Court grants Counter-Defendants motion, except for the fees associated with the dog incident (\$666.00) and the block-billed entries, which the Court reduces by 15% (\$3,152.70) in conformity with the Court s prior order, denoted as Doc. No. 221. Counsel on behalf of Plaintiffs and Counter-Defendants shall each prepare distinct Orders, Findings of Facts, and Conclusions of Law (for their respective motions), based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of competing Orders or objections prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. /vm (08-04-23) ;

DATE

FINANCIAL INFORMATION

Cross Claimant Disman, Robert Z

Total Charges

200.00

Total Payments and Credits

200.00

Balance Due as of 9/6/2023

0.00

CASE SUMMARY**CASE NO. A-16-747800-C**

Cross Claimant Disman, Yvonne A	
Total Charges	253.00
Total Payments and Credits	253.00
Balance Due as of 9/6/2023	0.00
 Defendant Lytle Trust	
Total Charges	127.50
Total Payments and Credits	127.50
Balance Due as of 9/6/2023	0.00
 Defendant Lytle, John Allen	
Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 9/6/2023	0.00
 Defendant Lytle, Trudi Lee	
Total Charges	859.50
Total Payments and Credits	859.50
Balance Due as of 9/6/2023	0.00
 Plaintiff Jacques & Linda Lamothe Living Trust	
Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 9/6/2023	0.00
 Plaintiff Marjorie B. Boulden Trust	
Total Charges	931.50
Total Payments and Credits	931.50
Balance Due as of 9/6/2023	0.00
 Defendant Lytle Trust	
Supersedeas Bond Balance as of 9/6/2023	0.00
 Defendant Lytle, Trudi Lee	
Appeal Bond Balance as of 9/6/2023	500.00
 Defendant Lytle, Trudi Lee	
Appeal Bond Balance as of 9/6/2023	1,500.00
 Defendant Lytle, Trudi Lee	
Supersedeas Bond Balance as of 9/6/2023	0.00
 Defendant Lytle, Trudi Lee	
Appeal Bond Balance as of 9/6/2023	500.00

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No.

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Marjorie Boulden, 1960 Rosemere Ct., Las Vegas, NV 89117

Jacques Lamothe, 1830 Rosemere Ct., Las Vegas, NV 89117

Linda Lamothe, 1830 Rosemere Ct., Las Vegas, NV 89117

Defendant(s) (name/address/phone):

Trudi Lee Lytle

John Allen Lytle

Attorney (name/address/phone):

Daniel T. Foley

626 So. 8th Street, Las Vegas, NV 89101

702-384-2070

Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

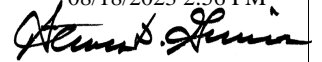
Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input checked="" type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

12/7/16
Date

Signature of initiating party or representative

See other side for family-related case filings.


CLERK OF THE COURT

ORDR

CHRISTENSEN JAMES & MARTIN

KEVIN B. CHRISTENSEN, ESQ.

Nevada Bar No. 175

WESLEY J. SMITH, ESQ.

Nevada Bar No. 11871

LAURA J. WOLFF, ESQ.

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7440 W. Sahara Avenue

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Facsimile: (702) 255-0871

Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com

Attorneys for September Trust, Zobrist Trust, Sandoval Trust

and Dennis & Julie Gegen

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF
THE MARJORIE B. BOULDEN TRUST et
al.,

Plaintiffs,

vs.

TRUDI LEE LYTLE, JOHN ALLEN
LYTLE, THE LYTLE TRUST,

Defendants.

Case No.: A-16-747800-C

Dept. No.: XVI

**ORDER GRANTING PLAINTIFFS'
MOTION FOR ATTORNEY'S FEES
AND COSTS**

Date: July 13, 2023

Time: 9:05 a.m.

SEPTEMBER TRUST, DATED MARCH 23,
1972, et al.,

Plaintiffs,

vs.

TRUDI LEE LYTLE AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST,

Defendants.

Case No.: A-17-765372-C

Dept. No.: XVI

CONSOLIDATED

Presently before the Court is Plaintiffs' Motion for Attorney's Fees and Costs ("Plaintiffs' Fee Motion") filed on May 12, 2023 (Doc. No. 274), Defendant's Opposition filed on June 13, 2023 (Doc. No. 281), and Plaintiffs' Reply filed July 6, 2023 (Doc. No. 287), which came on for hearing on July 13, 2023 at 9:05 a.m. in Department XVI of the Eighth Judicial District Court, Clark County, Nevada.

Wesley J. Smith, Esq. of Christensen James & Martin appeared on behalf of September Trust, dated March 23, 1972 ("September Trust"), Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of the Gerry

1 R. Zobrist and Jolin G. Zobrist Family Trust (“Zobrist Trust”), Raynaldo G. Sandoval and Julie Marie
2 Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
3 Trust dated May 27, 1992 (“Sandoval Trust”), and Dennis A. Gegen and Julie S. Gegen, Husband and
4 Wife, as Joint Tenants (“Gegens”) (September Trust, Zobrist Trust, Sandoval Trust and Gegens,
5 collectively, the “Plaintiffs”). Christina H. Wang, Esq. of Fidelity National Law Group appeared on behalf
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7 Christie LLP appeared on behalf of Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust
8 (“Lytle Trust”).

9 Following the hearing on the matter, the Court took Plaintiffs’ Fee Motion under advisement and
10 subsequently issued a Minute Order on August 4, 2023, advising the parties of the Court’s decision, which
11 is hereby incorporated by reference. The Court having considered Plaintiffs’ Fee Motion and filings
12 related thereto, having heard the arguments of counsel, and with good cause appearing therefore, the Court
13 hereby grants in part and denies in part Plaintiffs’ Fee Motion and enters the following Findings of Fact,
14 Conclusions of Law, and Order:

15 **FINDINGS OF FACT**

16 1. The previous Court Orders entered in these consolidated cases are hereby incorporated by
17 reference, including but not limited to the following: a) Order Granting Motion for Summary Judgment
18 or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary
19 Judgment (Doc. No. 91) (“May 2018 Order”); b) Order Granting Plaintiffs’ Motion for Order to Show
20 Cause Why the Lytle Trust Should Not Be Held in Contempt for Violation of Court Orders (Doc. No.
21 193) (“Contempt Order”); c) Order Granting in Part and Denying in Part Plaintiffs’ Motion for Attorney’s
22 Fees and Costs (Doc. No. 221) (“Second Fees Order”); and, d) Order Granting Plaintiffs’ Motion to
23 Amend Order Granting in Part and Denying in Part Plaintiffs’ Motion for Attorney’s Fees and Costs
24 Pursuant to NRCP 52(B) (Doc. No. 245) (“Amended Second Fees Order”).

25 2. The Court has been waiting for the Lytle Trust’s appeal from the Contempt Order and
26 Amended Second Fees Order and Petition for Writ of Mandamus for the Contempt Order to be resolved.
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3. The Supreme Court affirmed those Orders on December 29, 2022, when it issued its Order Affirming In Docket No. 81689 And Denying Petition For A Writ Of Mandamus In Docket No. 84538 (“Supreme Court Order (12/29/22)”) (available at *Lytle v. September Trust*, Consolidated Case Nos. 81689 & 84538, 523 P.3d 532 (Table), 2022 Nev. Unpub. LEXIS 912 (Nev. Dec. 29, 2022)).

4. The Lytle Trust’s Petition for Rehearing was denied on February 13, 2023.

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6. The Supreme Court’s Certificate of Judgment and Remittitur was filed in this Case on April 24, 2024.

7. Plaintiffs filed Plaintiffs’ Memorandum of Costs and Disbursements (“Cost Memorandum”) on April 28, 2023 (Doc. No. 270), which itemized costs for copy fees in the amount of \$775.20, court filing fees in the amount of \$14.00, computerized legal research fees in the amount of \$3,071.01, and courier fees in the amount of \$36.30, for total costs of \$3,896.51.

8. Defendants did not file a motion to retax as authorized by NRS 18.110(4) or oppose Plaintiffs’ request for an award of costs as part of Plaintiffs’ Fee Motion.

9. Plaintiffs’ Fee Motion requests an award of attorney’s fees incurred from May 1, 2020, through April 30, 2023 in the total amount of \$144,694.00.

10. The Court finds that Plaintiffs assert the following four bases for an award of fees: NRS 22.100; the CC&Rs Section 25; EDCR 7.60, and NRS 18.010(2)(b).

11. Defendants did not dispute that Plaintiffs were entitled to an award of fees under NRS 22.100, but opposed any award under the CC&Rs, EDCR 7.60, and NRS 18.010(2)(b), and opposed the amount requested under all four bases.

CONCLUSIONS OF LAW

1. NRS 18.110(4) requires a party contesting a memorandum of costs to file a motion to retax “[w]ithin three days after service of a copy of the memorandum...” The Lytle Trust did not do so or oppose the request for costs in Plaintiffs’ Fee Motion. Therefore, an award of costs in favor of the Plaintiffs is proper under NRS 18.005, 18.020, and 18.110 in the requested amount of \$3,896.51.

2. While the Court does not find that NRS 18.010(2)(b) is a sound basis for an award of fees, the Court does find that NRS 22.100 and Section 25 of the CC&Rs are appropriate bases for an award of fees for the same reasons as set forth in the Second Fees Order and Amended Second Fees Order.

3. Here, NRS 22.100 provides for an award of “reasonable expenses, including, without limitation, attorney’s fees, incurred by the party as a result of the contempt.” As a result of the procedural posture of the instant action, the Court finds that the expenses that Plaintiffs incurred, including attorney’s fees, are “reasonable” and are “a result of the [Defendants’] contempt.” NRS 22.100.

4. Additionally, the CC&Rs provide that losing parties are to pay attorney’s fees that the Court “may fix.” As the Court discussed, the Plaintiffs in the instant case incurred reasonable expenses and attorney’s fees. The Court further finds that the Defendants are losing parties, pursuant to the CC&Rs, because their appeal and litigation, which involved the Contempt Order, was ultimately unsuccessful. As a result, the Defendants are obligated to pay for Plaintiffs’ fees under Section 25 of the CC&Rs.

5. “After a court has determined that attorney’s fees are appropriate[,] it then must multiply the number of hours reasonably spent on the case by a reasonable hourly rate to reach what is termed the lodestar amount.” *Herbst v. Humana Health Ins.*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989).

6. Defendants argue that the amount of fees requested by Plaintiffs should be reduced because they are calculated at a higher hourly rate than the actual billed rate. The Court finds that the rates billed by Plaintiffs’ counsel to the Plaintiffs are below-market. Further, the Court finds that the reasonable value of the service provided by Plaintiffs’ counsel is aligned with the requested rate. As a result, the Court finds that the requested fees, although higher than the billed amount, are a proper calculation of the number of hours reasonably spent multiplied by a reasonable hourly rate and shall be awarded pursuant to NRS 22.100 and the original CC&Rs.

7. However, the Court finds that the entries that Defendants label as “vague” are akin to block billing. As a result, and in conformity with the Second Fees Order and Amended Second Fees Order, the Court reduces the “vague” fees by 15%, or \$1,165.09 ($\$7,767.25 \times 15\% = \$1,165.09$).

8. The Court analyzed the Plaintiffs’ requested attorney’s fees utilizing the factors identified in *Brunzell v. Golden Gate Nat’l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), including the qualities

1 of the advocate, the character of the work to be done, the work actually performed by the lawyer, and the
2 result obtained.

3 9. The Plaintiffs have satisfied the *Brunzell* factors. More specifically, based on the record
4 and the Declaration of the Plaintiffs' counsel in support of Plaintiffs' Fee Motion, the Court finds that the
5 qualities of counsel, character of the work to be done and its difficulty, the work actually performed by
6 Plaintiffs' counsel, and the result obtained establish the reasonableness of the Plaintiffs' attorney's fees to
7 the extent awarded in this Order.

8 10. Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs' Motion for
9 Attorney's Fees. The Court DENIES the motion with respect to \$1,165.09 for "vague" entries, but the
10 Court GRANTS the motion with respect to all other fees. Therefore, Plaintiffs shall be awarded
11 \$143,528.91 in attorney's fees and \$3,896.51 in costs.

12 **ORDER**

13 Based upon the Findings of Fact and Conclusions of Law above and the record before the Court,
14 and good cause appearing therefore,

15 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiffs' Motion for
16 Attorney's Fees and Costs filed on May 12, 2023 (Doc. No. 274) is GRANTED in Part and DENIED in
17 Part. The Court DENIES the motion with respect to \$1,165.09 in attorney's fees, but the Court GRANTS
18 the motion with respect to all other fees and costs.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that attorney's fees are awarded
20 in favor of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as
21 Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie
22 Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
23 Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants,
24 in the total aggregate amount of \$143,528.91 against Trudi Lee Lytle and John Allen Lytle, as Trustees
25 of the Lytle Trust.

26 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that costs are awarded in favor
27 of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of
28

the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants, in the total aggregate amount of \$3,896.51 against Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust.

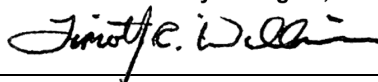
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Lytle Trust is ordered to pay the attorney's fees and costs as ordered herein by certified check made payable to Christensen James & Martin Special Client Trust Account in the total amount of \$147,425.42 and delivered to Christensen James & Martin, within thirty (30) days of the Notice of Entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Findings of Fact shall be treated as Conclusions of Law and the Conclusions of Law shall be treated as Findings of Fact to any extent necessary to effectuate the intent of this Order.

IT IS SO ORDERED.

Dated this ____ day of _____, 2023.

Dated this 18th day of August, 2023



JM

F8C 524 1B18 244E
Timothy C. Williams
District Court Judge

Submitted by:

CHRISTENSEN JAMES & MARTIN

By: /s/ Wesley J. Smith
Wesley J. Smith, Esq., Nev. Bar No. 11871
7440 W. Sahara Ave.
Las Vegas, NV 89117
*Attorneys for Plaintiffs September Trust,
Zobrist Trust, Sandoval Trust, and
Dennis & Julie Gegen*

Approved as to form and content by:

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite
Dan R. Waite, Nevada Bar No. 4078
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200
*Attorneys for Defendants, Trudi Lee Lytle
and John Allen Lytle, as Trustees of the Lytle
Trust*

RE: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

Waite, Dan R. <DWaite@lewisroca.com>

Thu 8/17/2023 9:43 AM

To: Wesley Smith <wes@cjmlv.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Approved. Thank you, Wes.

Dan

Dan R. Waite
Partner

dwaite@lewisroca.com
D. 702.474.2638

LEWIS  ROCA

From: Wesley Smith <wes@cjmlv.com>

Sent: Thursday, August 17, 2023 9:34 AM

To: Waite, Dan R. <DWaite@lewisroca.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Subject: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

CAUTION! [EXTERNAL to Lewis Roca]

Dan,

Attached is the final version of the proposed Order Granting Plaintiffs' Motion for Attorney's Fees and Costs in Case No. A-16-747800-C. Please respond with your approval and permission to submit with your electronic signature. Thanks,

Wes Smith

Christensen James & Martin
7440 W. Sahara Ave.
Las Vegas, NV 89117
Tel. (702) 255-1718
Fax (702) 255-0871
wes@cjmlv.com

** Licensed in Nevada, Washington & Utah*

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1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 Marjorie B. Boulden Trust,
Plaintiff(s)

CASE NO: A-16-747800-C

7 vs.

DEPT. NO. Department 16

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9 Trudi Lytle, Defendant(s)

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11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 8/18/2023

15 "Daniel T. Foley, Esq." .

dan@foleyoakes.com

16 Maren Foley .

maren@foleyoakes.com

17 Natalie Saville

nat@cjmlv.com

18 Wesley Smith

wes@cjmlv.com

19 Laura Wolff

ljw@cjmlv.com

20 Joel Henriod

JHenriod@LRRC.com

21 Daniel Polsenberg

DPolsenberg@LRRC.com

22 Dan Waite

DWaite@LRRC.com

23 Luz Horvath

lhorvath@lewisroca.com

24 Christina Wang

christina.wang@fnf.com

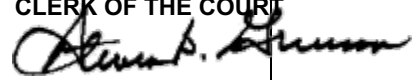
25 FNLG Court Filings

FNLG-Court-Filings-NV@fnf.com

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Jennifer Martinez	jennifer.martinez@fnf.com
Jessie Helm	jhelm@lewisroca.com
Cynthia Kelley	ckelley@lewisroca.com
Emily Kapolnai	ekapolnai@lewisroca.com
Mia Hurtado	mia.hurtado@fnf.com



NEOJ
CHRISTENSEN JAMES & MARTIN
KEVIN B. CHRISTENSEN, ESQ. (175)
WESLEY J. SMITH, ESQ. (11871)
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*Attorneys for September Trust, Zobrist Trust, Sandoval Trust,
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GRANTING PLAINTIFFS'
MOTION FOR ATTORNEY'S
FEES AND COSTS**

SEPTEMBER TRUST, DATED MARCH 23,
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Defendants.

Case No.: A-17-765372-C
Dept. No.: XVI

Consolidated

PLEASE TAKE NOTICE that on August 18, 2023, an Order Granting Plaintiffs' Motion
for Attorney's Fees and Costs was entered by the Court, a copy of which is attached hereto.

CHRISTENSEN JAMES & MARTIN

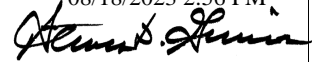
By: /s/ Wesley J. Smith
Wesley J. Smith (11871)
7440 W. Sahara Ave.
Las Vegas, NV 89117
*Attorneys for Plaintiffs September Trust,
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Dennis & Julie Gegen*

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On August 18, 2023, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS**, to be served in the following manner:

☒ **ELECTRONIC SERVICE**: electronic transmission (E-Service) through the Court's electronic filing system pursuant to Rule 8.05 of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada.

/s/ Natalie Saville
Natalie Saville


CLERK OF THE COURT

ORDR

CHRISTENSEN JAMES & MARTIN

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Nevada Bar No. 175

WESLEY J. SMITH, ESQ.

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12 related thereto, having heard the arguments of counsel, and with good cause appearing therefore, the Court
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6. The Supreme Court’s Certificate of Judgment and Remittitur was filed in this Case on April 24, 2024.

7. Plaintiffs filed Plaintiffs’ Memorandum of Costs and Disbursements (“Cost Memorandum”) on April 28, 2023 (Doc. No. 270), which itemized costs for copy fees in the amount of \$775.20, court filing fees in the amount of \$14.00, computerized legal research fees in the amount of \$3,071.01, and courier fees in the amount of \$36.30, for total costs of \$3,896.51.

8. Defendants did not file a motion to retax as authorized by NRS 18.110(4) or oppose Plaintiffs’ request for an award of costs as part of Plaintiffs’ Fee Motion.

9. Plaintiffs’ Fee Motion requests an award of attorney’s fees incurred from May 1, 2020, through April 30, 2023 in the total amount of \$144,694.00.

10. The Court finds that Plaintiffs assert the following four bases for an award of fees: NRS 22.100; the CC&Rs Section 25; EDCR 7.60, and NRS 18.010(2)(b).

11. Defendants did not dispute that Plaintiffs were entitled to an award of fees under NRS 22.100, but opposed any award under the CC&Rs, EDCR 7.60, and NRS 18.010(2)(b), and opposed the amount requested under all four bases.

CONCLUSIONS OF LAW

1. NRS 18.110(4) requires a party contesting a memorandum of costs to file a motion to retax “[w]ithin three days after service of a copy of the memorandum...” The Lytle Trust did not do so or oppose the request for costs in Plaintiffs’ Fee Motion. Therefore, an award of costs in favor of the Plaintiffs is proper under NRS 18.005, 18.020, and 18.110 in the requested amount of \$3,896.51.

2. While the Court does not find that NRS 18.010(2)(b) is a sound basis for an award of fees, the Court does find that NRS 22.100 and Section 25 of the CC&Rs are appropriate bases for an award of fees for the same reasons as set forth in the Second Fees Order and Amended Second Fees Order.

3. Here, NRS 22.100 provides for an award of “reasonable expenses, including, without limitation, attorney’s fees, incurred by the party as a result of the contempt.” As a result of the procedural posture of the instant action, the Court finds that the expenses that Plaintiffs incurred, including attorney’s fees, are “reasonable” and are “a result of the [Defendants’] contempt.” NRS 22.100.

4. Additionally, the CC&Rs provide that losing parties are to pay attorney’s fees that the Court “may fix.” As the Court discussed, the Plaintiffs in the instant case incurred reasonable expenses and attorney’s fees. The Court further finds that the Defendants are losing parties, pursuant to the CC&Rs, because their appeal and litigation, which involved the Contempt Order, was ultimately unsuccessful. As a result, the Defendants are obligated to pay for Plaintiffs’ fees under Section 25 of the CC&Rs.

5. “After a court has determined that attorney’s fees are appropriate[,] it then must multiply the number of hours reasonably spent on the case by a reasonable hourly rate to reach what is termed the lodestar amount.” *Herbst v. Humana Health Ins.*, 105 Nev. 586, 590, 781 P.2d 762, 764 (1989).

6. Defendants argue that the amount of fees requested by Plaintiffs should be reduced because they are calculated at a higher hourly rate than the actual billed rate. The Court finds that the rates billed by Plaintiffs’ counsel to the Plaintiffs are below-market. Further, the Court finds that the reasonable value of the service provided by Plaintiffs’ counsel is aligned with the requested rate. As a result, the Court finds that the requested fees, although higher than the billed amount, are a proper calculation of the number of hours reasonably spent multiplied by a reasonable hourly rate and shall be awarded pursuant to NRS 22.100 and the original CC&Rs.

7. However, the Court finds that the entries that Defendants label as “vague” are akin to block billing. As a result, and in conformity with the Second Fees Order and Amended Second Fees Order, the Court reduces the “vague” fees by 15%, or \$1,165.09 ($\$7,767.25 \times 15\% = \$1,165.09$).

8. The Court analyzed the Plaintiffs’ requested attorney’s fees utilizing the factors identified in *Brunzell v. Golden Gate Nat’l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), including the qualities

1 of the advocate, the character of the work to be done, the work actually performed by the lawyer, and the
2 result obtained.

3 9. The Plaintiffs have satisfied the *Brunzell* factors. More specifically, based on the record
4 and the Declaration of the Plaintiffs' counsel in support of Plaintiffs' Fee Motion, the Court finds that the
5 qualities of counsel, character of the work to be done and its difficulty, the work actually performed by
6 Plaintiffs' counsel, and the result obtained establish the reasonableness of the Plaintiffs' attorney's fees to
7 the extent awarded in this Order.

8 10. Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs' Motion for
9 Attorney's Fees. The Court DENIES the motion with respect to \$1,165.09 for "vague" entries, but the
10 Court GRANTS the motion with respect to all other fees. Therefore, Plaintiffs shall be awarded
11 \$143,528.91 in attorney's fees and \$3,896.51 in costs.

12 **ORDER**

13 Based upon the Findings of Fact and Conclusions of Law above and the record before the Court,
14 and good cause appearing therefore,

15 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiffs' Motion for
16 Attorney's Fees and Costs filed on May 12, 2023 (Doc. No. 274) is GRANTED in Part and DENIED in
17 Part. The Court DENIES the motion with respect to \$1,165.09 in attorney's fees, but the Court GRANTS
18 the motion with respect to all other fees and costs.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that attorney's fees are awarded
20 in favor of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as
21 Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie
22 Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution
23 Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants,
24 in the total aggregate amount of \$143,528.91 against Trudi Lee Lytle and John Allen Lytle, as Trustees
25 of the Lytle Trust.

26 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that costs are awarded in favor
27 of Plaintiffs September Trust, dated March 23, 1972, Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of
28

the Gerry R. Zobrist and Jolin G. Zobrist Family Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust dated May 27, 1992, and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as Joint Tenants, in the total aggregate amount of \$3,896.51 against Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust.

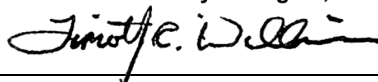
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Lytle Trust is ordered to pay the attorney's fees and costs as ordered herein by certified check made payable to Christensen James & Martin Special Client Trust Account in the total amount of \$147,425.42 and delivered to Christensen James & Martin, within thirty (30) days of the Notice of Entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Findings of Fact shall be treated as Conclusions of Law and the Conclusions of Law shall be treated as Findings of Fact to any extent necessary to effectuate the intent of this Order.

IT IS SO ORDERED.

Dated this ____ day of _____, 2023.

Dated this 18th day of August, 2023



JM

F8C 524 1B18 244E
Timothy C. Williams
District Court Judge

Submitted by:

CHRISTENSEN JAMES & MARTIN

By: /s/ Wesley J. Smith
Wesley J. Smith, Esq., Nev. Bar No. 11871
7440 W. Sahara Ave.
Las Vegas, NV 89117
*Attorneys for Plaintiffs September Trust,
Zobrist Trust, Sandoval Trust, and
Dennis & Julie Gegen*

Approved as to form and content by:

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite
Dan R. Waite, Nevada Bar No. 4078
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200
*Attorneys for Defendants, Trudi Lee Lytle
and John Allen Lytle, as Trustees of the Lytle
Trust*

RE: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

Waite, Dan R. <DWaite@lewisroca.com>

Thu 8/17/2023 9:43 AM

To: Wesley Smith <wes@cjmlv.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Approved. Thank you, Wes.

Dan

Dan R. Waite
Partner

dwaite@lewisroca.com
D. 702.474.2638

LEWIS  ROCA

From: Wesley Smith <wes@cjmlv.com>

Sent: Thursday, August 17, 2023 9:34 AM

To: Waite, Dan R. <DWaite@lewisroca.com>

Cc: Horvath, Luz <LHorvath@lewisroca.com>

Subject: A-16-747800-C Proposed Order Granting Plaintiffs Motion for Fees and Costs

CAUTION! [EXTERNAL to Lewis Roca]

Dan,

Attached is the final version of the proposed Order Granting Plaintiffs' Motion for Attorney's Fees and Costs in Case No. A-16-747800-C. Please respond with your approval and permission to submit with your electronic signature. Thanks,

Wes Smith

Christensen James & Martin
7440 W. Sahara Ave.
Las Vegas, NV 89117
Tel. (702) 255-1718
Fax (702) 255-0871
wes@cjmlv.com

** Licensed in Nevada, Washington & Utah*

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Marjorie B. Boulden Trust,
Plaintiff(s)

CASE NO: A-16-747800-C

7 vs.

DEPT. NO. Department 16

8
9 Trudi Lytle, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 8/18/2023

15 "Daniel T. Foley, Esq." .

dan@foleyoakes.com

16 Maren Foley .

maren@foleyoakes.com

17 Natalie Saville

nat@cjmlv.com

18 Wesley Smith

wes@cjmlv.com

19 Laura Wolff

ljw@cjmlv.com

20 Joel Henriod

JHenriod@LRRC.com

21 Daniel Polsenberg

DPolsenberg@LRRC.com

22 Dan Waite

DWaite@LRRC.com

23 Luz Horvath

lhorvath@lewisroca.com

24 Christina Wang

christina.wang@fnf.com

25 FNLG Court Filings

FNLG-Court-Filings-NV@fnf.com

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Jennifer Martinez	jennifer.martinez@fnf.com
Jessie Helm	jhelm@lewisroca.com
Cynthia Kelley	ckelley@lewisroca.com
Emily Kapolnai	ekapolnai@lewisroca.com
Mia Hurtado	mia.hurtado@fnf.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 13, 2017

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 13, 2017

9:00 AM

All Pending Motions

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 12D

COURT CLERK: Lorna Shell

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT:

Foley, Daniel Thomas, ESQ
Haskin Esq, Richard Edward

Attorney
Attorney

JOURNAL ENTRIES

- MOTION FOR PARTIAL SUMMARY JUDGMENT
PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND
COUNTER-MOTION TO CONTINUE TRIAL AND EXTEND DISCOVERY DEADLINES

Following extensive arguments by counsel based on the briefs, COURT ORDERED, Motion for
Summary Judgment GRANTED; Deft.'s Countermotion DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

May 30, 2017

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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May 30, 2017

9:00 AM

**Motion for Attorney Fees
and Costs**

**Motion for Attorney's
Fees and Costs**

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 12D

COURT CLERK: Tena Jolley

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney
 Haskin Esq, Richard Edward Attorney

JOURNAL ENTRIES

- Following arguments of counsel, Court stated that from a practical standpoint this motion will be decided without additional argument following the Motion for Reconsideration currently set for June 29, 2017. Accordingly, COURT ORDERED, matter CONTINUED.

CONTINUED TO: 6/29/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****June 01, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
 vs.
 Trudi Lytle, Defendant(s)

June 01, 2017	9:00 AM	Motion to Cancel Lis Pendens	Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time
----------------------	----------------	---	--

HEARD BY: Williams, Timothy C.**COURTROOM:** RJC Courtroom 12D**COURT CLERK:** Sharon Chun**RECORDER:****REPORTER:****PARTIES**

PRESENT:	Foley, Daniel Thomas, ESQ	Attorney
	Haskin Esq, Richard Edward	Attorney

JOURNAL ENTRIES

- Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time

Mr. Foley noted that Mr. Haskin only contested this matter yesterday. A copy of the opposition was handed to the Court and matter was trailed to enable Mr. Foley and the Court to review it.

When matter was recalled later in the calendar, Mr. Haskin stated that under 14.015 the opposition was untimely. COURT ORDERED, matter CONTINUED to Tuesday, 6/6/17 upon Mr. Foley's agreement to that date.

CONTINUED TO: 6/6/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 06, 2017

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
---------------	---

June 06, 2017

9:00 AM

**Motion to Cancel Lis
Pendens**

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 12D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT:

JOURNAL ENTRIES

- Daniel Foley, Esq., appeared on behalf of Pltfs
Richard Haskin, Esq., appeared on behalf of Defts

The Court and counsel noted the matter was fully briefed and counsel invited questions from the Court. Mr. Haskin began to argue the contempt issue; however, the Court stated it would not hold Defts in contempt and entered into colloquy with Mr. Haskin regarding the lis pendens. After hearing argument from both sides, COURT STATED ITS FINDINGS, and ORDERED, Motion GRANTED cancelling the two lis pendens and reiterated that the Court would not hold Defts in contempt; however, no more lis pendens.

Further, Mr. Foley addressed his request for fees and the Court advised it would consider the matter as currently set on June 29, 2017.

Court directed Mr. Foley to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 29, 2017

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

June 29, 2017

9:00 AM

All Pending Motions

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 12D

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney
 Haskin Esq, Richard Edward Attorney

JOURNAL ENTRIES

- DEFENDANTS TRUDI LEE LYTLE, JOHN ALLEN LYTLE, AND THE LYTLE TRUST'S MOTION
FOR RECONSIDERATION OR, IN THE ALTERNATIVE, MOTION TO ALTER OR AMEND
JUDGMENT...DEFT'S MOTION FOR ATTORNEY'S FEES AND COSTS

Mr. Haskin argued in support of the Motion for Reconsideration, stating that an Order was entered granting Summary Judgment in favor of the Plaintiff, wherein there was a Finding against Defendant Lytle Trust as to slander of title; however, there was no evidence presented during arguments regarding slander of title. Upon Court's inquiry, Mr. Foley stated that the causes of action appropriately dealt with through the Court's ruling on the Summary Judgment were as follows: Quiet Title, Declaratory Relief, and Slander of Title. Mr. Foley argued in opposition to the Motion for Reconsideration, stating that the Lytles recorded abstracts of judgment on Plaintiffs' parcel numbers, in order to attach the to the properties, which was slander of title and a knowing malicious effort. Additionally, Mr. Foley stated that the case had developed as follows: Mr. Haskin had submitted another judgment obtained on behalf of the Lytle's against the HOA, which must be disclosed; therefore, the Complaint must be amended, and declaratory relief would be needed, to ensure that the findings from the judgment would not waive the claim for slander of title damages for loss of sale. Pursuant to those representations, Mr. Foley stated that he would seek leave to amend the

Complaint, and would withdraw the Motion for Attorney's Fees and Costs. COURT ORDERED the Motion for Reconsideration was hereby DENIED; however, the Alternative Motion to Alter or Amend Judgment was GRANTED as to the Slander of Title Findings. Pursuant to Mr. Foley's representations, COURT ORDERED the Motion for Attorney's Fees and Costs was VACATED. Mr. Haskin to amend the Judgment, and forward it to opposing counsel for approval as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

January 16, 2018

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

January 16, 2018

9:00 AM

**Motion to Extend
Discovery**

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Elizabeth Vargas

RECORDER:

REPORTER:

PARTIES

PRESENT:	Foley, Daniel Thomas, ESQ	Attorney
	Haskin Esq, Richard Edward	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Court represented to the parties that a new law clerk will be starting in Dept. 16 on January 22, 2018 and that she is the daughter of Plaintiff's counsel. Although the court could and would rule fairly and without bias, recusal is appropriate in the present case in accordance with Canon 2.11 (C) of the Nevada Code of Judicial Conduct in order to avoid the appearance of impartiality or implied bias. Thus, the Court RECUSES itself from the matter and request that it be randomly reassigned in accordance with appropriate procedures.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 07, 2018

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

February 07, 2018

9:00 AM

Motion to Consolidate

**Plaintiffs' Motion to
Consolidate Case No.
A-16-747800-C with
Case No. A-17-
765372-C**

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Elson, Tim	Attorney
	Foley, Daniel Thomas, ESQ	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Court notes opposition not received by Court or opposing counsel. COURT ORDERED, CONTINUED for Plaintiff's response to opposition filed.

CONTINUED TO:
02/21/18 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 21, 2018

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 21, 2018

9:00 AM

Motion to Consolidate

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Phyllis Irby

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:

Elson, Tim	Attorney
Foley, Daniel Thomas, ESQ	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- The Court noted no opposition filed. COURT ORDERED, MOTION GRANTED, will not grant fees and costs.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

March 21, 2018

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

March 21, 2018

9:00 AM

All Pending Motions

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney
Haskin Esq, Richard Edward Attorney
Smith, Wesley J., ESQ Attorney
Wang, Christina H. Attorney

JOURNAL ENTRIES

- Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings ... Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

Arguments by counsel. COURT ORDERED, CONTINUED for Decision.

04/04/18 9:00 a.m. Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings /// Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 04, 2018

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 04, 2018

9:00 AM

All Pending Motions

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney

JOURNAL ENTRIES

- Decision:
Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

Decision:
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

HEARING CONTINUED TO 4/11/18 @ 9:00 FOR ORAL DECISION

CLERK'S NOTE: All parties advised of date and appearance requested. ac/04/04/18.

the ruling in this matter be consistent with Judge Williams' order; that being the law of the case.

Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

COURT ORDERED, MOTION DENIED.

Mr. Smith to prepare the order within 10 days and have parties review as to form and content and distribute a filed copy to all parties involved in this matter.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 26, 2018

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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July 26, 2018

9:00 AM

All Pending Motions

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Haskin Esq, Richard Edward	Attorney
	Oakes, John M.	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Defendants' Motion to retax and Settle Memorandum of Costs ... Plaintiffs' Motion for Attorney's Fees and Costs

Court notes clarification on some of the factual issues with these motions. Arguments by counsel. Based on the arguments by counsel, Court is going to go back and review the legal argument and the exhibits. Further, Court notes he wants this case to mirror the case before Judge Williams since much of the decisions on issues in this case were decided by rulings in the other case before this Court ever got this case.

08/09/18 9:00 a.m. Decision - Defendants' Motion to retax and Settle Memorandum of Costs ///
Decision: Plaintiffs' Motion for Attorney's Fees and Costs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 09, 2018

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
---------------	---

August 09, 2018

9:00 AM

All Pending Motions

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Foley, Daniel Thomas, ESQ	Attorney
	Haskin Esq, Richard Edward	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Decision - Plaintiff's Motion for Attorney's Fees

COURT having considered the matter and applied Brunzell factors and Pursuant to NRS 18.020(1); NRS 18.050; and, 18.010(2)(b) and ORDERED, Plaintiff's Motion for Attorney's Fees is GRANTED.

Decision - Defendants' Motion to Retax and Settle Memorandum of Costs

In review of the fees and costs submitted and for good cause shown, COURT ORDERS, Defendants' Motion to Retax is GRANTED.

COURT ORDERED, attorney's fees and costs GRANTED AS FOLLOWS:

As to September Trust:

\$13,513.26 Attorney fees GRANTED

\$250.87 Costs GRANTED

As to Zobrist Trust:
\$13,331.26 Attorney fees GRANTED
\$250.87 Costs GRANTED

As to Sandoval Trust:
\$12,616.26 Attorney fees GRANTED
\$250.87 Costs GRANTED

As to Dennis & Julie Gegan:
\$12,590.26 Attorney fees GRANTED
\$250.87 Costs GRANTED

For a Total of \$52,051.04 Attorney's fees; and, \$1,003.48 Costs GRANTED. Mr. Smith to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates. Both the Plaintiff and Defendant are required to be present at the next court date.

Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Arguments by counsel. Court continued matter to chambers for further review and decision will be rendered by way of Minute Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 17, 2018

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

August 17, 2018

3:00 AM

Decision

**Decision - Robert Z
Disman and Yvonne
A Disman's Motion
for Summary
Judgment or in the
Alternative Motion
for Judgment on the
Pleadings**

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Alan Castle

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This Court having hear argument, reviewed the pleadings and papers on file, and good cause appearing therefrom ORDERS, Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Judgment on the Pleadings is DENIED Without Prejudice.

Mr. Haskin is to prepare the order consistent with the opposition, submit to opposing counsel for approval as to content and form and submit to Chambers for consideration.

CLERK'S NOTE: The above minute order has been distributed to: Christina Wang, Esq.; and, Richard Haskin, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****October 23, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

October 23, 2018	9:00 AM	Motion to Stay	Defendant John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time
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HEARD BY: Bailus, Mark B**COURTROOM:** Phoenix Building 11th Floor
110**COURT CLERK:** Alan Castle**RECORDER:** Robin Page**REPORTER:****PARTIES**

PRESENT:	Haskin Esq, Richard Edward	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Matter submitted. Court Finds cash Bond issue addressed in past and amount posted sufficient to indemnify Defendants if they prevail. COURT ORDERS, Defendant John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond is GRANTED. Mr. Haskin to prepare the order within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in

this matter.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

November 27, 2018

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

November 27, 2018 9:00 AM

All Pending Motions

HEARD BY: Bailus, Mark B

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Haskin Esq, Richard Edward	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Request of Court - Clarification of Order: In RE: Competing Orders ... Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees

Court advised regarding review of competing orders received. Court does not find that either order complies with this Court's ruling from the hearing. Colloquy regarding the law of the case based on prior ruling in this matter by Judge Williams. Court notes this Court was not aware these proceedings were before the Nevada Supreme Court (NVSC) on the order this Court based its ruling upon, otherwise the Court would have deferred ruling the matter until NVSC had ruled, however, since there is no order on file from the hearing on the motion for summary judgment, COURT VACATES PRIOR RULING and Defers Judgment on Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings pending ruling by NVSC, which may resolve this issue in its entirety. Ms. Wang to prepare the order consistent with this Court's findings within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

January 08, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

January 08, 2019

8:30 AM

Pre Trial Conference

HEARD BY: Barker, David

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Athena Trujillo

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney
Haskin Esq, Richard Edward Attorney
Smith, Wesley J., ESQ Attorney

JOURNAL ENTRIES

- Mr. Foley advised the case has resolved and they will submit a stipulation and order. COURT ORDERED, trial date VACATED and matter OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 20, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 20, 2019

3:00 AM

**Motion for Attorney Fees
and Costs**

HEARD BY: Barker, David

COURTROOM: No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, matter CONTINUED to this Court's hearing calendar.

CONTINUED TO: 4/3/19 8:30 AM

CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 27, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 27, 2019

3:00 AM

All Pending Motions

HEARD BY: Thompson, Charles

COURTROOM: No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES

COURT ORDERED, matter CONTINUED to be heard by Judge Barker.

CONTINUED TO: 4/3/19 8:30 AM

CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt 2/27/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 10, 2019

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

April 10, 2019

8:30 AM

All Pending Motions

HEARD BY: Barker, David

COURTROOM: Phoenix Building 11th Floor
110

COURT CLERK: Athena Trujillo

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Foley, Daniel Thomas, ESQ	Attorney
	Haskin Esq, Richard Edward	Attorney
	Smith, Wesley J., ESQ	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- MOTION FOR ATTORNEY FEES AND COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S
MOTION FOR ATTORNEY'S FEES ... DEFENDANTS' MOTION TO RETAX AND SETTLE
MEMORANDUM OF COSTS

Upon Court's inquiry, Mr. Foley advised they believe the motions should be heard by Judge Williams, noting Judge Williams recused because his daughter was hired as Judge William's law clerk, however; that position is now over. Mr. Haskin concurred, however, requested the matter be trailed so he can speak to his client. Court noted it will only transfer the case if all parties are in agreement, noting the Court will reach out to Judge Williams to see if he is willing to take the case back. Matter TRAILED.

Matter RECALLED. Mr. Haskin advised his client is amenable to returning to Judge Williams.
COURT ORDERED, matter SET for Status Check.

CONTINUED TO: 5/1/19 9:00 AM (DEPT. 16)

CLERK'S NOTE: Subsequent to Court, COURT ORDERED, Motions CONTINUED to Dept. 16's calendar to be heard by Judge Williams. COURT FURTHER ORDERED, matter TRANSFERRED to Department 16. -amt 4/10/19

CLERK'S NOTE: Subsequent to previous rulings, Court noted it will contact Judge Weise and have the case transferred to Department 16 as opposed to having the Clerk's Office reassign the case via this minute order. -amt 4/11/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 11, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 11, 2019 2:00 PM Minute Order

HEARD BY: Wiese, Jerry A.

COURTROOM: No Location

COURT CLERK: Vanessa Medina

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The above-referenced matter was previously handled by Judge Timothy Williams. Motions for Summary Judgment were apparently granted, resulting in an Appeal and affirmance. Judge Williams previously recused from the case, due to the fact that his law clerk was related to one of attorneys for one of the parties. Following remand from the Supreme Court, various motions have been filed including a Motion to Retax, and Motion for Attorney's Fees. These matters are currently in Department 9. Judge David Barker, is sitting in Department 9, and recently had a hearing with the attorneys, who indicated that they believed Judge Williams was much more familiar with the facts and circumstances of the case, and would be in a better position to rule on the pending motions. It is noted that the law clerk which previously resulted in Judge Williams recusal is no longer Judge Williams law clerk, so no conflict currently exists. Judge Williams has indicated his willingness to handle this matter.

Pursuant to EDCR 1.31, and good cause appearing, the Presiding Civil Judge hereby ORDERS that the Clerk's Office Reassign Case No. A747800 from Department IX to Department XVI (Judge Williams), as Judge Williams (as the prior handling Judge) has more information with regard to the pending case, and such transfer will promote judicial economy.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

May 16, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 16, 2019

9:00 AM

All Pending Motions

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT: Foley, Daniel Thomas, ESQ Attorney
Haskin Esq, Richard Edward Attorney
Smith, Wesley J., ESQ Attorney
Wang, Christina H. Attorney

JOURNAL ENTRIES

- MOTION FOR ATTORNEY'S FEES AND COSTS...ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES...DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS

Arguments by Mr. Foley, Mr. Haskin, and Ms. Wang. COURT ORDERED, fees and costs awarded. Court stated will take review of attorney fee amounts. FURTHER ORDERED, as to Motion to Retax, costs given. Prevailing party to submit respective orders.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

May 17, 2019

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 17, 2019

2:51 PM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

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

The Court has ruled that the CC&R s control the award of attorney s fees in this matter. Pursuant to paragraph 25 of the CC&R s regarding attorney s fees, the losing party or parties shall pay in such amount as may be fixed the court. Applying the language of the CC&R s the Court determined that the Boulden and Lamothe Plaintiffs and Disman Counter Defendants are the winning parties, the Lytle Defendants are the losing party and the language is mandatory regarding the assessment of attorney fees against the losing party. In addition, after considering the Brunzell factors, the Court awards the Boulden and Lamothe Plaintiffs attorney s fees in the requested amount of \$75,733.80 and the Disman Counter Defendants attorney s fees in the requested amount of \$35, 676.00.

Lastly, the Court declines to make the determination that the Defendants' actions lacked reasonable grounds except for the filing of Lis Pendens, which was clearly unreasonable in light of the procedural history of the case.

Counsel for the Boulden and Lamothe Plaintiffs and Disman Counter Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute

Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature

CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 06, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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April 06, 2020

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court offers two methods of appearance: telephonic conference through BlueJeans or CourtCall. As CourtCall involves a cost, the use of BlueJeans is strongly favored given the number of people the system can accommodate.

If you prefer to use BlueJeans, please call in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-888-748-9073

Meeting ID: 702 671 440 6

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

If you prefer to use CourtCall, please contact CourtCall to schedule your appearance. They can be reached toll-free at 1-888-882-6878 and/or on-line at www.courtcall.com.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 22, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

April 22, 2020

9:00 AM

All Pending Motions

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES

PRESENT:	Boulden, Marjorie B	Plaintiff
	Foley, Daniel Thomas, ESQ	Attorney
	Haskin Esq, Richard Edward	Attorney
	Lamothe, Linda	Plaintiff
	Lytle, John Allen	Defendant
	Lytle, Trudi Lee	Defendant
	Smith, Wesley J., ESQ	Attorney
	Waite, Dan R	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Patricia Lee and Receiver, Kevin Singer, also present telephonically.

PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS JOINER TO PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS JOINER ON PLAINTIFFS September TRUST ET. AL S MOTION FOR AN ORDER TO SHOW CAUSE WHY THE LYTLE TRUST SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATION OF COURT ORDERS

All parties present telephonically. Arguments by counsel. Court stated ITS FINDS and ORDERED, Motion for Order to Show Cause GRANTED; will be assessment of \$500.00 per Pltf. Court directed filing of application for fees and costs to be heard on the merits. Court directed Mr. Smith to prepare and circulate findings of fact and conclusions of law; if parties cannot agree on form and content, may submit competing orders.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 25, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

June 25, 2020

3:43 PM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 979 480 011

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 29, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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June 29, 2020

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 979 480 011

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 02, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

July 02, 2020

9:00 AM

Motion for Clarification

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

Smith, Wesley J., ESQ

Attorney

Waite, Dan R

Attorney

Wang, Christina H.

Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Court Reporter, Michael Bouley, present.

All counsel present telephonically. Arguments by counsel. Mr. Waite advised he intends to file supersedeas cash bond relating to recent contempt order. Mr. Smith advised no objection. Court directed Mr. Waite to file appropriate motion in that regard. As to Motion for Clarification, Court stated ITS FINDINGS and ORDERED, Motion DENIED. Court directed Mr. Smith or Ms. Wang to prepare the order and circulate; if parties cannot agree on form and content, may submit competing orders. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

July 07, 2020

Minutes Date: January 19, 2017

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 07, 2020

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

July 07, 2020	9:00 AM	Motion for Attorney Fees and Costs	See 7/7/20 Minute Order
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HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDED:

REPORTER: Peggy Isom

PARTIES

PRESENT: Smith, Wesley J., ESQ Attorney
Waite, Dan R Attorney
Wang, Christina H. Attorney

JOURNAL ENTRIES

- Counsel present telephonically. Arguments by Mr. Smith and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion for Attorney's Fees and Costs GRANTED IN PART and DENIED IN PART; no consideration given in this case to Judge Kishner's sole decision in other action. Court stated will review matter for determination of reasonable fees and matter of the appeal. Decision forthcoming.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 12, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

October 12, 2020

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 458 575 421

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 13, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
---------------	---

October 13, 2020

9:00 AM

**Motion for Attorney Fees
and Costs**

**See 12/14/20 Minute
Order**

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT:	Smith, Wesley J., ESQ	Attorney
	Waite, Dan R	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Arguments by counsel. Court stated will review matter and issue decision.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

December 14, 2020

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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December 14, 2020

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

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

After additional review and consideration, this Court awards attorney's fees stemming from appeals under paragraph 25 of the CC&Rs. Accordingly, Plaintiff's Motion to Amend the Court's Order Granting in Part and Deny in Part Plaintiff's Motion for Attorney's Fees and Cost is GRANTED to reflect such change.

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 25, 2021

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s)
	vs.
	Trudi Lytle, Defendant(s)

February 25, 2021

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 552 243 859

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

March 04, 2021

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

March 04, 2021

9:05 AM

Motion to Consolidate

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES

PRESENT: Smith, Wesley J., ESQ Attorney
 Waite, Dan R Attorney
 Wang, Christina H. Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Patricia Lee, Esq. present for pending Receiver.

Hearing held telephonically. Arguments by Mr. Smith and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion to Consolidate or Coordinate DENIED; will follow mandate of Supreme Court in Nalder case. Court directed Mr. Waite to prepare and circulate the order.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 19, 2021

A-16-747800-C	Marjorie B. Boulden Trust, Plaintiff(s) vs. Trudi Lytle, Defendant(s)
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April 19, 2021

8:00 AM

Minute Order

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:

Dial the following number: 1-408-419-1715

Meeting ID: 552 243 859

Online: <https://bluejeans.com/552243859>

To connect by phone, dial the telephone number, then the meeting ID, followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****April 29, 2021**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
 vs.
 Trudi Lytle, Defendant(s)

April 29, 2021**9:00 AM****Further Proceedings****See 6/28/21 Minute
Order****HEARD BY:** Williams, Timothy C.**COURTROOM:** RJC Courtroom 03H**COURT CLERK:** Christopher Darling**RECORDER:****REPORTER:** Peggy Isom**PARTIES**

PRESENT:	Smith, Wesley J., ESQ	Attorney
	Waite, Dan R	Attorney
	Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Mr. Waite argued that proposed order should specify and identify amounts. Mr. Smith argued that there is a procedural issue with regard to amending an order not presented by motion. Court stated will review the limited remand further; if assistance from counsel need in that regard, will provide notice. Decision on remand issue by minute order forthcoming.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 28, 2021

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

June 28, 2021

3:00 AM

Minute Order

**Rescinded; See 7/1/21
Hearing Minutes**

HEARD BY: Williams, Timothy C.

COURTROOM: Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, the argument of counsel and the discreet issue before the Court, pursuant to NRCP 52(b), the request for attorney s fees and costs incurred on appeal shall be GRANTED under paragraph 25 of the Original CC&R s.

Additionally, the Court relied on the Brunzell factors and upon review of the billing and cost award attorney s fees and cost in the total sum of \$113,144.20 which represents the fee and cost award for the trial court action and the appeal.

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****July 01, 2021**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
 vs.
 Trudi Lytle, Defendant(s)

July 01, 2021**9:00 AM****Status Check****HEARD BY:** Williams, Timothy C.**COURTROOM:** RJC Courtroom 03H**COURT CLERK:** Christopher Darling**RECORDER:****REPORTER:** Rhonda Aquilina**PARTIES**

PRESENT: Smith, Wesley J., ESQ Attorney
 Waite, Dan R Attorney
 Wang, Christina H. Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Court reviewed certain administrative issue and stated inadvertent signing of order prior to issuance of minute order. Arguments by Mr. Smith and Mr. Waite regarding the appeal issues and how cured. COURT ORDERED, will RESCIND the minute order and allow Supreme Court to take independent action.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 12, 2022

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 12, 2022

9:05 AM

**Motion for Attorney Fees
and Costs**

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Christopher Darling
LaCarol Kelley

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Hearing held live and by BlueJeans remote conferencing. Arguments by counsel including finality issue. COURT FINDS, matter premature. Therefore, COURT ORDERED, Plaintiffs' Motion for Attorney's Fees and Costs Related to Appeal of Contempt Order DENIED WITHOUT PREJUDICE; Status Check SET in 180 days regarding the Supreme Court action.

10/13/22 9:00 AM STATUS CHECK: SUPREME COURT FINALITY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 13, 2022

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

October 13, 2022 9:00 AM Status Check

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

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Smith, Wesley J., ESQ Attorney
Waite, Dan R Attorney

JOURNAL ENTRIES

- Colloquy regarding pending Supreme Court decision. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 02/09/23 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 09, 2023

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 09, 2023 9:00 AM Status Check

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

COURT CLERK: Victoria Mercer

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Smith, Wesley J., ESQ Attorney
Waite, Dan R Attorney

JOURNAL ENTRIES

- Hearing held in-person and by BlueJeans remote conferencing. Colloquy regarding the status report filed by Mr. Smith and pending Supreme Court decision. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 06/08/23 AT 9:00 AM STATUS CHECK: SUPREME COURT FINALITY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 13, 2023

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

July 13, 2023

9:05 AM

All Pending Motions

HEARD BY: Williams, Timothy C.

COURTROOM: RJC Courtroom 16C

COURT CLERK: Stephanie Rapel

RECORDER: Maria Garibay

REPORTER:

PARTIES

PRESENT: Smith, Wesley J., ESQ Attorney
Waite, Dan R Attorney
Wang, Christina H. Attorney

JOURNAL ENTRIES

- COUNTER-DEFENDANTS/CROSS-CLAIMANTS' ROBERT Z. DISMAN AND YVONNE A. DISMAN'S MOTION FOR ATTORNEY'S FEES... PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS

Upon Court's inquiry, Mr. Smith stated the Motion was straight forward and Orders had been scrutinized on appeal and affirmed. Mr. Waite stated his client did not dispute Plaintiff was entitled to an award of fees under NRS 22.100, however, greatly disputed the amount and other basis. Mr. Waite further stated his client disputed any award as to the Disman's. Mr. Waite argued Mr. Smith charged \$265 per hour, however, was seeking double and should be limited to his actual charges. Mr. Smith stated his rate was below the market rate. Colloquy regarding Lone Star analysis and Goodyear Tire and Rubber Co vs. Haeger. Ms. Wang argued three (3) additional years of work were needed due to Lytle's conduct and her client was a party to the contempt hearing. Ms. Wang stated the Court could determine a reasonable fee without timesheets. Mr. Waite argued Ms. Wang made an error by filing a joinder to the May 2018 Order, the Disman's were no different than any other property owner, they were not a party to the consolidated case and they were parties to the original action which was settled. Ms. Wang noted she was only seeking fees for the dates after the settlement

agreement and she had to monitor the receiver actions to ensure everything was going okay. Colloquy regarding access to justice, reduced rates and NRS 22.100. Court ORDERED MATTER TAKEN UNDER ADVISEMENT for decision.

Additionally, the CC&Rs provide that losing parties are to pay attorney's fees that the Court may fix. As the Court just discussed, the Plaintiffs in the instant case incurred reasonable expenses and attorney's fees. The Court further finds that the Defendants are losing parties, pursuant to the CC&Rs, because their appeal and litigation, which involved the Contempt Order, was ultimately unsuccessful. As a result, the Defendants are obligated to pay for Plaintiffs' fees under Section 25 of the CC&Rs.

Nevertheless, Defendants argue that the amount of fees awarded should be reduced because the requested fees are at a higher rate than the actual billed rate. The Court finds that the rates billed to the client are below-market. Further, the Court finds that the reasonable value of the service provided by Plaintiffs' counsel is aligned with the requested rate. As a result, the Court finds that the requested fees, although higher than the billed amount, shall be awarded, pursuant to NRS 22.100 and the original CC&Rs. However, the Court reduces the fee award by \$531.15 to account for a 15% reduction to the vague entries.

Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs' Motion for Attorney's Fees. The Court DENIES the motion with respect to the \$531.15 reduction, pursuant to Doc. No. 221, but the Court GRANTS the motion with respect to all other fees.

Counter-Defendants/Cross-Claimants' Motion for Attorney's Fees

Counter-Defendants/Cross-Claimants assert the same three bases for an award of fees as Plaintiffs asserted: NRS 22.100, the original CC&Rs, NRS 18.010(2)(b). For similar reasons as discussed supra, the Court does not find that NRS 18.010(2)(b) is a sound basis for an award of fees, but the Court does find that the original CC&Rs and NRS 22.100 are appropriate bases for an award of fees. Here, Counter-Defendants litigated the issues pertaining to the Contempt Order and were real parties in interest during the appeal.

Additionally, the Court finds that the fees relating to the dog incident (\$666.00) involve an unrelated matter that is outside the scope of the instant issues. Thus, in conformity with the Court's August 11, 2020 Order Granting in Part and Denying in Part Plaintiffs' Motion for Attorney's Fees and Costs, denoted as Doc. No. 221, the Court reduces the block-billed fees by \$3,152.70 ($\$21,018.00 \times 15\% = \$3,152.70$).

Consequently, the Court GRANTS in Part and DENIES in Part Counter-Defendants/Cross-Claimants' Motion for Attorney's Fees. The Court grants Counter-Defendants' motion, except for the fees associated with the dog incident (\$666.00) and the block-billed entries, which the Court reduces by 15% (\$3,152.70) in conformity with the Court's prior order, denoted as Doc. No. 221.

Conclusion

Consequently, the Court GRANTS in Part and Denies in Part Plaintiffs' Motion for Attorney's Fees. The Court DENIES the motion with respect to the \$531.15 reduction, pursuant to Doc. No. 221, but the Court GRANTS the motion with respect to all other fees. Additionally, the Court GRANTS in Part and DENIES in Part Counter-Defendants/Cross-Claimants' Motion for Attorney's Fees. The Court grants Counter-Defendants' motion, except for the fees associated with the dog incident (\$666.00) and the block-billed entries, which the Court reduces by 15% (\$3,152.70) in conformity with the Court's prior order, denoted as Doc. No. 221.

Counsel on behalf of Plaintiffs and Counter-Defendants shall each prepare distinct Orders, Findings

of Facts, and Conclusions of Law (for their respective motions), based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of competing Orders or objections prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. /vm (08-04-23)



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

DANIEL F. POLSENBERG
3993 HOWARD HUGHES PKWY., STE. 600
LAS VEGAS, NV 89169

DATE: September 6, 2023
CASE: A-16-747800-C
C/W A-17-765372-C

RE CASE: MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST; LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST vs. TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

NOTICE OF APPEAL FILED: September 1, 2023

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS; NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MARJORIE B. BOULDEN, TRUSTEE OF THE
MARJORIE B. BOULDEN TRUST; LINDA
LAMOTHE AND JACQUES LAMOTHE,
TRUSTEES OF THE JACQUES & LINDA
LAMOTHE LIVING TRUST,

Plaintiff(s),

vs.

TRUDI LEE LYTLE AND JOHN ALLEN
LYTLE, AS TRUSTEES OF THE LYTLE
TRUST,

Defendant(s),

Case No: A-16-747800-C

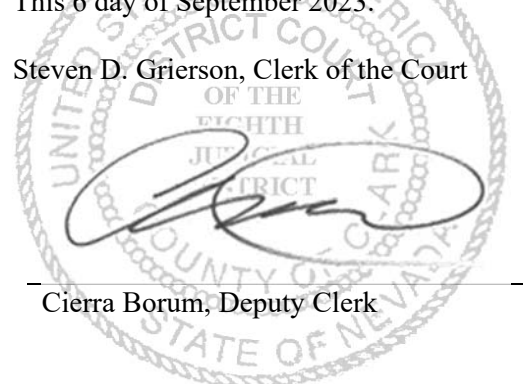
Consolidated with A-17-765372-C

Dept No: XVI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 6 day of September 2023.

Steven D. Grierson, Clerk of the Court

The seal is circular with a double-lined border. The outer ring contains the text "EIGHTH JUDICIAL DISTRICT COURT" at the top and "CLARK COUNTY, NEVADA" at the bottom. In the center, there is a signature of Steven D. Grierson. Below the signature, the text "OF THE EIGHTH JUDICIAL DISTRICT COURT" is visible.

Cierra Borum, Deputy Clerk