

*Elizabeth A. Brown*  
CLERK OF THE COURT

1 **Notice**

2 Betty Chan, Broker  
3 Asian American Realty &  
4 Property Management  
5 4651 Spring Mountain Road  
6 Las Vegas, NV 89102  
7 Phone: 702-222-0078  
8 Email: aarpm09@gmail.com

9 Plaintiffs

Electronically Filed  
Dec 07 2023 10:16 AM  
Elizabeth A. Brown  
Clerk of Supreme Court

10 IN THE EIGHTH JUDICIAL DISTRICT COURT  
11 OF THE STATE OF NEVADA IN AND FOR  
12 THE COUNTY OF CLARK

13 BETTY CHAN AND ASIAN AMERICAN  
14 REALTY & PROPERTY MANAGEMENT

15 Plaintiff,

16 vs.

17 WAYNE WU, JUDITH SULLIVAN.  
18 NEVADA REAL ESTATE CORP, JERRIN  
19 CHIU, KB HOME SALES-NEVADA INC

20 Defendant.

Case No.: A-16-744109 C  
Dept. No.: XX

NOTICE OF #2 APPEAL to the Supreme  
Court

Re: Order denying plaintiffs/Counter-  
Defendants' Motion to request for  
reconsideration and granting in part  
Defendants / Counter Claimants'  
Countermotion for award of Attorney's  
Fees and finding that Betty is a Vexatious  
litigant

21 **NOTICE OF #2 APPEAL**

22 Notice is hereby given that Asian American Realty & Property Management and its  
23 Corporate Broker, Betty Chan, plaintiffs, hereby appeal to the Supreme Court of Nevada from  
24 the **Order denying plaintiffs/Counter-Defendants' Motion to request for reconsideration**  
25 **and granting in part Defendants / Counter Claimants' Countermotion for award of**  
26 **Attorney's Fees and finding that Betty is a Vexatious litigant filed on November 2<sup>nd</sup> and**  
27 **entry of Order was filed on November 15 2023.**

28 Attorney Olsen's November 2 filing was using the same content of his August 14  
Objection filing trying to add more to his alleged entitled attorney fees based on the Arbitration

1 Agreement. In between Plaintiffs had submitted several reconsideration motions and requests  
2 asking for Defendants to produce invoice to support their attorney fees and also asked to toll the  
3 deadline to respond to his motion because Plaintiffs were unrepresented at the time.

4 His August 14 Objection filings was eventually ruled by minute order on 9/15 2023  
5 claiming no opposition and granted his August 14 Objection motions during the email  
6 correspondence with the Legal clerk's and later the Court filed and recorded the Journal entries  
7 properly.

8 Attorney Olsen resubmitted this November 2 order which was not exactly the same as the  
9 August 14 Objection motions granted by September 15 minute order. Attorney Olsen simply  
10 added a certain amount of attorney fees which was not submitted in his August 14 Objection  
11 filing, without any invoices and was not approved in the minute order. The Court just signed it  
12 as the entry of order on November 15 2023.



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Betty Chan, Broker

Asian American Realty & Property Management

## Case Appeal Statement

1. Name of Appellant: Betty Chan and Asian American Realty & Property Management

2. Presiding Judge: Honorable Eric Johnson

3. Plaintiff/Appellant: Betty Chan and Asian American Realty & Property Management

Name of Counsel: TBD

Due to former Counsel's unreasonable withdrawal on 7/31/2023, appellant is still vigorously in search of the replacement attorney. Appellant has to submit this appeal notice today so as not to miss the deadline.

4. Defendants/Respondents:

Wayne Wu, Judith Sullivan, Jerrin Chiu. All represented by same Counsel

Name and Address of Respondents' Counsel:

Attorney Michael Olsen/Blackrock Legal LLC

10155 W Twain Ave., #100 Las Vegas, NV 89147

5. Attorney listed in 4 is a licensed Nevada Attorney

6. Appellant is not represented by appointed or retained Counsel in District Court

7. Appellant is actively seeking to retain a Counsel on appeal

8. Appellant is not granted leave to proceed in forma pauperis and has no intention doing so

9. Date of Commencement in District Court: 9/27/2016

10. Brief Description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district Court:

a)) Previously in the confirmation of Arbitration Award Supreme Court Hearing, this Court had confirmed the District Court could award attorney fees and costs under the Arbitration Agreement "so long as Ms. Chan fight against collection of the **original award**" (emphasis added).

Attorney Olsen has been using this ruling in all his briefs to get his attorney fees granted in all his filings: 1/26/2023, 2/22/2023, 8/14/2023, 8/30/2023, 9/14/2023, 9/20/2023, 10/2/2023, 10/17/2023 even up to-date.

**As a matter of fact, Attorney Olsen has received his previous 2 attorney awards in March 2023 and one thing he never told the court that he also had his full distribution of the Arbitration Awards in early Feb 2023 because Plaintiffs already received theirs.**

1 For 8 months of his various filing, his intentional deceitful, fraudulent or dishonesty not  
2 telling everyone that the Arbitration Award was already fully distributed, assuming that his  
3 sole purpose was to add more attorney fees to all his filing in all these months. Without more  
4 of his filings then the Plaintiff would not need to file more reconsiderations providing an  
excuse to add up his attorney fees.

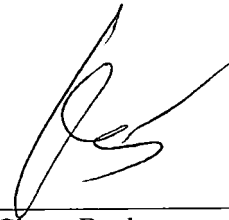
5 b) The Court ruled no opposition to Attorney Olsen's August 14 objection filing was not  
6 actually true. Plaintiffs could not represent itself since it is a Corporation. Plaintiff therefore  
7 filed a motion to toll deadlines to answer their motions until an attorney can be located.  
8 Nevertheless, it was ruled to Defendants' favor. Plaintiffs therefore since responded whenever  
9 Plaintiffs see there was unjust statement or ruling. However, as it can be seen in this filing,  
10 Attorney Olsen now specifically pointed out the Court should ignore all the reconsiderations  
11 because Plaintiff could not make any comments without any attorney. In other words,  
12 Attorney Olsen expected the Plaintiff should just shut up and let him take any money that he  
13 wants. Plaintiffs do not believe this is the Justice System of United States to ignore Plaintiffs'  
civil right.

14 c) This is the 4<sup>th</sup> time; the first time was in 2016 that Attorney Olsen accused Plaintiff is a  
15 vexatious litigant, the Court rejected every time. Attorney Olsen couldn't care less and he is  
16 still using it. Can the Court or the Plaintiff do anything about it? District Court had sanctioned  
17 him at least 2 times and summary judgment one time, and so what? He even structured the  
18 heading and the conclusion of law so ambiguous that anyone that read it will be misled to  
19 believe that Betty Chan was a vexatious litigant. Plaintiff was actually questioned by one of  
20 the attorneys being retained but eventually he turned down to take the case. This was one of  
the main reasons for not able to retain any attorney simply because of Attorney Olsen's so  
many motions that were filed since July 31 2023.

21 The Court had ruled in Defendants' favor, approved whatever he asked since there was no  
22 opposition filed. (see all exhibits attached). There was no relief granted to the Plaintiffs.  
23 Plaintiffs has been asking time to locate an attorney and also production of all the invoices  
24 charged by Attorney Olsen since Jan 26 2023 and would like to get that to assess whether his  
25 attorney fees are reasonable. Proper sanction to Attorney Olsen's deceitful conduct for not  
26 disclosing the fact that the Arbitration Award was distributed in full and therefor all his attorney  
27 fees requested should also be reviewed.  
28

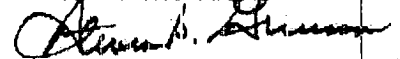
- 1 11. This Case has not previously been the subject of an appeal to or original writ proceeding in  
2 the Supreme Court. However, this case was appealed before on confirmation of arbitration  
3 award and is different from this issue.
- 4 12. This Appeal does not involve child custody or visitation
- 5 13. This is a civil case and the appeal does not involve the possibility of settlement.
- 6 14. There will be one more appeal submitted next week in connection with the first appeal  
7 previously submitted.
- 8 15. Plaintiffs are still diligently looking for an appeal attorney and may add or delete to this Case  
9 appeal statement deemed appropriate.

10 Dated this 1<sup>st</sup> day of December, 2023

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14 Betty Chan, Broker  
15 Asian American Realty & Property Management  
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**Exhibit A -subject appeal order**



1 **NEOJ**  
2 MICHAEL A. OLSEN, ESQ.  
3 Nevada Bar No. 6076  
4 THOMAS R. GROVER, ESQ.  
5 Nevada Bar No. 12387  
6 SKYLER J. THORNTON, ESQ.  
7 Nevada Bar No. 16331  
8 **BLACKROCK LEGAL, LLC**  
9 10155 W. Twain Ave. Ste. 100  
10 Las Vegas, Nevada 89147  
11 Tel: (702) 855-5658  
12 Fax: (702) 869-8243  
13 *Attorneys for Defendants/Counterclaimants*  
14 *Wayne Wu, Judith Sullivan, Nevada Real Estate*  
15 *Corp. and Jerrin Chiu*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

11 BETTY CHAN and ASIAN AMERICAN ) Case No: A-16-744109-C  
12 REALTY & PROPERTY MANAGEMENT, )  
13 ) Dept. No: XX  
14 Plaintiffs/Counterdefendants, )  
15 v. )  
16 )  
17 WAYNE WU, JUDITH SULLIVAN, )  
18 NEVADA REAL ESTATE CORP., JERRIN )  
19 CHIU, KB HOME SALES - NEVADA INC., )  
20 DOES I through X, and ROES I through X )  
21 )  
22 Defendants/Counterclaimants. )

**NOTICE OF ENTRY OF ORDER**

23 PLEASE TAKE NOTICE that the **ORDER DENYING PLAINTIFFS/COUNTER-**  
24 **DEFENDANTS' MOTION TO REQUEST FOR RECONSIDERATION AND**  
25 **GRANTING IN PART DEFENDANTS/COUNTERCLAIMANTS' COUNTERMOTION**  
26 **FOR AWARD OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A**  
27 **VEXATIOUS LITIGANT** was entered on the Court's record on the 2nd day of November  
28 2023. A copy of said Order is attached hereto as **Exhibit "1"**.  
DATED this 15th day of November 2023.

/s/Michael A. Olsen, Esq.  
MICHAEL A. OLSEN, ESQ.  
Nevada Bar No. 6076  
*Attorney for Defendants/Counterclaimants*  
*Wayne Wu, Judith Sullivan, Nevada Real Estate*  
*Corp. and Jerrin Chiu*



BLACKROCK

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EXHIBIT "1"

*Howard H. Hsu*  
CLERK OF THE COURT

1 **ORDR**

2 MICHAEL A. OLSEN, ESQ.

3 Nevada Bar No. 6076

4 THOMAS R. GROVER, ESQ.

5 Nevada Bar No. 12387

6 SKYLER J. THORNTON, ESQ.

7 Nevada Bar No. 16331

8 **BLACKROCK LEGAL, LLC**

9 10155 W. Twain Ave., Suite 100

10 Las Vegas, NV 89147

11 Telephone: (702) 855-5658

12 Facsimile: (702) 869-8243

13 [mike@blackrocklawyers.com](mailto:mike@blackrocklawyers.com)

14 [tom@blackrocklawyers.com](mailto:tom@blackrocklawyers.com)

15 [skyler@blackrocklawyers.com](mailto:skyler@blackrocklawyers.com)

16 *Attorneys for Defendants/Counterclaimants*

17 *Wayne Wu, Judith Sullivan, Nevada Real Estate*

18 *Corp. and Jerrin Chiu*

19 **DISTRICT COURT**  
20 **CLARK COUNTY, NEVADA**

21 BETTY CHAN and ASIAN AMERICAN  
22 REALTY & PROPERTY MANAGEMENT,

23 Plaintiffs/Counterdefendants,

24 v.

25 WAYNE WU, JUDITH SULLIVAN,  
26 NEVADA REAL ESTATE CORP., JERRIN  
27 CHIU, KB HOME SALES -- NEVADA INC.,  
28 DOES I through X, and ROES I through X,

Defendants/Counterclaimants.

Case No: A-16-744109-C

Dept. No.: XX

29 **ORDER DENYING PLAINTIFFS/COUNTER-DEFENDANTS' MOTION TO**  
30 **REQUEST FOR RECONSIDERATION AND GRANTING IN PART**  
31 **DEFENDANTS/COUNTERCLAIMANTS' COUNTERMOTION FOR AWARD**  
32 **OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A VEXATIOUS**  
33 **LITIGANT**

34 This matter came on for hearing In Chambers on September 15, 2023, before the  
35 Honorable Eric Johnson presiding on Plaintiffs/Counter-Defendants' *Motion to Request for*  
36 *Reconsideration* (hereafter "Motion") and Defendants/Counterclaimants' *Countermotion for*

1 *Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant* (hereafter  
2 "Countermotion"). The Court having read and considered the papers and pleadings on file and  
3 good cause appearing, therefore the Court makes the following findings of fact and conclusions  
4 of law:  
5

### 6 **FINDINGS OF FACT**

7 1. The Court denies Plaintiff's Motion to Request for Reconsideration.  
8

9 2. The Plaintiff's filing is an improper filing in that it was filed as a Request for  
10 Reconsideration but is actually a motion for an extension of time in which to file her Motion for  
11 Reconsideration.

12 3. Furthermore, the Plaintiff has offered no legal authority or circumstances to merit  
13 her requested extension in this case. Arguments raised by a party must be supported by relevant  
14 authority and cogent argument; "issues not so presented need not be addressed." Marsa v. State,  
15 103 Nev. 669, 673 (1987). Indeed, a district court need not consider arguments lacking citation  
16 to legal authority. State Dept. Motor Vehicles v. Rowland, 107 Nev. 475, 479, 814 P.2d 80, 83  
17 (1991).  
18

19 4. The Plaintiff has not provided the Court with a sufficient basis for which to grant  
20 her motion for an extension of time even had it been properly filed. EDCR 2.25 requires motions  
21 for an extension of time to "state the reasons for the extension requested." In support of her  
22 motion, the Plaintiff states that she has parted ways with her attorney and needs more time to  
23 analyze her "strategic options." However, Plaintiff has had numerous attorneys on this matter  
24 and has continuously sought to litigate this case since 2016.  
25  
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1           5.       Plaintiff has had ample opportunity to have her case considered in light of her  
2 appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception  
3 in 2016.

4  
5           6.       Moreover, Plaintiff has repeatedly stated her intentions to continue the litigation  
6 in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to  
7 challenge" her.

8           7.       The Court therefore denies Plaintiff's Motion for Extension of Time

9  
10          8.       Regarding the Defendants' countermotion for attorney's fees and costs, the  
11 Defendants' countermotion is based on Plaintiff's ongoing contractual obligation to pay  
12 reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration  
13 agreement and the fees and costs the Court has awarded.

14          9.       Therefore, as long as Plaintiff continues to fight Defendant's legal efforts to  
15 enforce the arbitration agreement, Defendant can move under the contract for reasonable  
16 attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court  
17 confirmed this Court could award such fees under the arbitration agreement "so long as Ms.  
18 Chan fights against collection of the original award."  
19

20          10.       Defendant's Motion for Attorney's Fees will be granted and Defendant's counsel  
21 is required to provide billing information as to time spent working on defending Plaintiff's  
22 current motion, filed July 31, 2023.

23  
24          11.       Finally, despite the near 7-year history of this case, this Court does not find Betty  
25 Chan to be a vexatious litigant within the definition of NRCP 11 and Nevada case law.

26          12.       According to NRCP 11 and Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586,  
27 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. While  
28 Plaintiff's voracious litigation in this matter has spanned nearly 7 years, it has involved only one

lawsuit throughout that time. Therefore, the Court does not at this time find Betty Chan a vexatious litigant.

### CONCLUSIONS OF LAW

1. On July 31, 2023, Plaintiffs filed a Motion to Request for Reconsideration. The Motion was an improper filing as it was filed as a Request for Reconsideration but is actually a motion for an extension of time in which to file her Motion for Reconsideration.

2. Plaintiff has offered no legal authority or circumstances to merit her extension in this case. Plaintiff has not provided the Court with sufficient basis for which to grant her motion for extension of time.

3. Defendants filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion.

4. The Defendants' request for attorney's fees and costs is GRANTED. The Court finds that the attorney's fees and costs requested by Defendants are reasonable under the factors outlined in Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 455 P.2d 31 (1969). The Court therefore awards such fees as requested by Defendants incurred in their opposition to Betty Chan's *Motion to Request for Reconsideration*, in the total amount of ~~\$6,448.68~~ <sup>\$5,608.68</sup>, of which ~~\$6,430~~ <sup>\$5,590.00</sup> represents attorney fees and \$18.68 in costs.

5. According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a

1 "vexatious litigant" under the rules and relevant case law, however the Court will continue to  
2 award Defendant/Counterclaimants motions for attorney's fees and costs based upon contract as  
3 stated herein.  
4

5 **IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED:**

6 a. That Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration is  
7 Denied.

8 b. That Plaintiffs/Counter-Defendants' Request for Extension of Time is Denied.

9 c. That Defendants/Counterclaimants' Countermotion for Award of Attorney's Fees  
10 and Finding that Betty is a Vexatious Litigant is Granted In Part pursuant to EDCR 2.20(e) and  
11 EDCR 2.23(c).  
12

13 d. That Defendants/Counterclaimants' Motion for Attorney' Fees and costs is  
14 

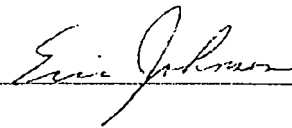
\$5,590.00\$5,608.68

  
Granted in the amount of ~~\$6,430~~ in fees and \$18.68 in costs for a combined total of ~~\$6,448.68~~.

15 e. That Defendants/Counterclaimants must provide the Court with billing  
16 information as to their time spent working on defending Plaintiff's *Motion for Request for*  
17 *Reconsideration*.  
18

19 f. That the Court Vacates the September 18, 2023, hearing pursuant to the Minute  
20 Order served on September 15, 2023.  
21

Dated this 2nd day of November, 2023

22  
23 

24 Respectfully submitted by:

25 /s/ Michael A. Olsen, Esq.  
26 MICHAEL A. OLSEN, ESQ.  
27 Nevada Bar No. 6076  
THOMAS R. GROVER, ESQ.  
28 Nevada Bar No. 12387  
SKYLER J. THORNTON, ESQ.  
Nevada Bar No. 16331

ED7 FE0 4D27 AC4E  
Eric Johnson  
District Court Judge

1 CSERV

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Betty Chan, Plaintiff(s)

CASE NO: A-16-744109-C

7 vs.

DEPT. NO. Department 20

8 Wayne Wu, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/2/2023

15 Thomas Grover

tom@blackrocklawyers.com

16 Daniel Ormsby .

DOrmsby@goodsellolsen.com

17 Janice M. Michaels .

jmichaels@wshblaw.com

18 Laura Myers .

laura@goodsellolsen.com

19 Michelle N Ledesma .

mledesma@wshblaw.com

20 Roman Harper .

Roman@goodsellolsen.com

21 Thomas Grover .

tom@goodsellolsen.com

22 Janiece Marshall

jmarshall@gcmaslaw.com

23 Betty Chan

aarpm09@gmail.com

24 Michael Olsen

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25 Michael Olsen

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27  
28

1 Aiqin Niu

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2 WSHB-LV Efilings Inbox

lvfilings@wshblaw.com

3 Skyler Thornton

skyler@blackrocklawyers.com

4 Liz Ditmore

editmore@wshblaw.com

5 Alea Duford

alea@blackrocklawyers.com

6  
7  
8 If indicated below, a copy of the above mentioned filings were also served by mail  
9 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 11/3/2023

10 Janice Michaels

Wood Smith Henning Berman LLP  
Attn: Janice Michaels, Esq  
2881 Business Park Court, Suite 200  
Las Vegas, NV, 89128-9020

11  
12  
13 R Frizell

Frizell Law Firm, PLLC  
c/o: R. Duane Frizell  
400 N. Stephanie St., Suite 265  
Henderson, NV, 89014

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**Exhibit B -Court Journal Entries 09/15/2023**

A-16-744109-C

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Contract

COURT MINUTES

September 15, 2023

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

September 15, 2023      3:00 AM      Minute Order

HEARD BY: Johnson, Eric

COURTROOM: Chambers

COURT CLERK: Kathryn Hansen-McDowell

RECORDER:

REPORTER:

PARTIES

PRESENT:

**JOURNAL ENTRIES**

- Plaintiff filed her Motion to Request for Reconsideration on July 31, 2023. Defendant's filed their Opposition to Plaintiff's Motion on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. After considering the pleadings and arguments of Counsel, the Court hereby DENIES the Plaintiff's Motion to Request for Reconsideration.

First, the Plaintiff's filing is an improper filing: as stated by Defense counsel, it was filed as a Request for Reconsideration, but is actually a motion for an extension of time in which to file her Motion for Reconsideration.

Further, the Plaintiff has offered no legal authority or circumstances to merit her extension in this case. She states she has parted ways with her attorney and now states she needs more time to analyze her "strategic options." However, Plaintiff has had numerous attorney on this matter and continuous sought to litigate this case since 2016. The rules provide for a party to have 60 days to seek reconsideration. Plaintiff has not provided the Court with a sufficient basis for which to grant her motion for extension of time. As noted, her case started in 2016 and Plaintiff has had ample opportunity to have her case considered in light of her appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception in 2016. At this point in time, the Court denies

PRINT DATE: 09/15/2023

Page 1 of 2

Minutes Date: September 15, 2023

Plaintiff's motion for extension of time.

The Court hereby VACATES the September 18, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

---

Defendant's filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion.

Here, Plaintiff has repeatedly stated her intentions to continue the litigation in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to challenge" her. Defendant's motion is based Plaintiff's ongoing contractual obligation to pay reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration agreement and the fees and costs the Court has awarded. As long as Plaintiff continues to fight Defendant's legal efforts to enforce the arbitration agreement, Defendant can move under the contract for reasonable attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court confirmed this Court could award such fees under the arbitration agreement "so long as Ms. Chan fights against collection of the original award."

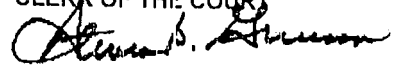
Defendant's Motion for Attorney's fees will be granted. Defense counsel is to provide billing information as to their time spent working on defending the Plaintiff's current motion.

According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a "vexatious litigant" under the rules and relevant case law.

The Court hereby VACATES the September 18, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 9-15-23khm

**Exhibit C - Request to toll deadlines to respond to  
Defendant's Motions  
(cannot file opposition without representation)**



**MOT**

Betty Chan  
Asian American Realty  
4651 Spring Mountain Road  
Las Vegas, NV 89102  
Office: 702-222-0078  
Fax: 702-993-6866  
Email: aarpm09@gmail.com

*Plaintiffs/Counter-Defendants*

DISTRICT COURT  
CLARK COUNTY, NEVADA

\* \* \*

BETTY CHAN and ASIAN AMERICAN  
REALTY & PROPERTY MANAGEMENT,

Plaintiffs,

vs.

WAYNE WU; JUDITH SULLIVAN; NEVADA  
REAL ESTATE CORP; JERRIN CHIU; and KB  
HOME SALES-NEVADA INC.;

Defendants.

Case No.: A-16-744109-C

Dept. No.: 20

Supreme Court Case No. 82208

1) Request for extension of time to file  
Motion for Reconsideration

2) Request to Toll deadlines to respond  
to Defendant's motions

Hearing Requested:

Date;

Time:

**I. Request of extension of time for Reconsideration**

Asian American Realty & Property Management and its Broker Betty Chan regrettably inform the Court that more time is needed to locate an attorney for representation. As many as 5 attorneys including one State Bar referral were approached, they either were busy in their existing work load or they felt that attorney fees were out of proportion and did not want to get involved in such a short notice. There is one dim hope that one attorney may be interested but he is not available till middle of next month. Betty Chan also has an out of country trip planned 2 months ago for some family issues in mid-October for 3 weeks.

The other issue is our ex-attorney Duane Frizell hijacked the Exhibit 2-description of the Attorney Olsen's motion of for attorney fees and costs filed 1/26/2023 in the invoices submitted

1 in Camera to the Court. Without that supporting document, there is no way to move forward to  
2 challenge their attorney fees and costs. Attorney Duane Frizell, out of desperation to get his own  
3 attorney's fees which Asian American Realty is disputing, has refused to release the documents  
4 which should have been given to Plaintiffs upon the receipt of the motion at that time.

## 5 **II. Request to Toll all Response Time to Defendant's Motions**

6 It is no surprise Defendants has bombarded Plaintiffs with all kinds of motions while  
7 Plaintiffs are not represented. He did the same last time when Plaintiffs were not represented.  
8 Plaintiffs has not initiated any brief yet, and therefore humbly ask the Court to toll the response  
9 time to his motions till Plaintiffs get an attorney to respond to all his motions.

## 10 **III. Request for Relief**

11 Asian American Realty & Property Management and its Broker Betty Chan hereby requests  
12 the Court as follows:

13 1. To grant Plaintiffs' motion for an extension to file for reconsideration and allow expand  
14 time for Plaintiffs to submit the reconsideration brief in 60 days through a new attorney. Current  
15 hearing date scheduled on 9/18/2023 to be extended accordingly

16 2. To toll the deadlines to respond to Defendant's motions until Plaintiffs has a new attorney.

17 Dated: September 11, 2023

18 Betty Chan

19 *Is/ Betty Chan*

20 Broker for Asian American Realty

21 & Property Management

22 4651 Spring Mountain Road

23 Las Vegas, NV 89102

1  
2  
3 **Certificate of Service**

4 I hereby certify that on the 11th day of September, 2023, service of the foregoing  
5 Request for extension of time to file Motion for Reconsideration and Request to  
6 Toll deadlines to respond to Defendant's Motions was served upon the following  
7 parties by electronic service through the Eighth Judicial District e-file/e-serve  
8 system:

9 Michael A Olsen, ESQ

10 Thomas R Grover, ESQ

11 Keith D Routsong ESQ

12 BlackRock Legal LLC

13 10155 W Twain Ave, Suite 100

14 Las Vegas, Nevada 89147

15 Attorneys for Defendants/Counter Claimants

16 Wayne Wu, Judith Sullivan, Nevada Real Estate Corp,

17 And Jerrin Chiu

18  
19 Duane Fritzell

20 Fritzell Law Firm

21 400 N Stephanie St., Suite 265

22 Henderson, NV 89014

23  
24 /s/ Darrie Lau

25 An individual over 18  
26  
27  
28

**Exhibit D – complete Arbitration agreement executed by  
Defendants**

Form #A-4

Greater Las Vegas Association of REALTORS®  
1750 E. Sahara Ave., Las Vegas, NV 89104  
702-784-5052

Case# 16201A

Response Due 7/25/17

**Response and Agreement to Arbitrate**

Complainant(s):

Respondent(s):

Betty Chan, Broker

Judith Sullivan, Broker

Asian American Realty Property & Management

Wayne Wu, Agent

Nevada Real Estate Corp

Complainant(s)

Respondent(s)

The following Realtor non-principal affiliated with my firm has a financial interest in the outcome of the proceeding and has the right to be present throughout the hearing.

Name

(1) The undersigned, by becoming and remaining a member of the Association of REALTORS® (or Participant in its MLS), has previously consented to arbitration through the Association under its rules and regulations.

(2) I am a member of the Greater Las Vegas Association of REALTORS® or Participant in its MLS (or was a member of the Association at the time the dispute arose).

(3) I acknowledge the existence of a dispute arising out of the real estate business as defined by Article 17 of the Code of Ethics but deny any indebtedness as claimed.

(4) My denial is predicated upon the statement attached marked ~~Exhibit A~~, which is hereby incorporated by reference into this response.

*Response to Betty Chan's Statement  
Requesting Arbitration*

(5) (Complete if applicable) Affirmatively, I claim that a monetary dispute arising out of the real estate business exists between the parties wherein there is due to me the sum of \$13,795.32. My claim is predicated upon the statement attached, marked ~~Exhibit B~~, which is hereby incorporated by reference into this response.

*F*

(6) I consent to arbitration through the Association in accordance with its Code of Ethics and Arbitration Manual (alternatively, "in accordance with the professional standards procedures set forth in the bylaws of the Board"), and I agree to abide by the arbitration award and to comply with it promptly.

In the event I do not comply with the arbitration award and it is necessary for any party to this arbitration to obtain judicial confirmation and enforcement of the arbitration award against me, I agree to pay the party obtaining such confirmation the costs and reasonable attorney's fees incurred in obtaining such confirmation and enforcement.

(7) I enclose my check in the sum of \$500.00 for the arbitration filing fee deposit.

(8) I understand that I may be represented by legal counsel, and that I should give written notice no less than fifteen (15) days before the hearing of the name, address and phone number of my attorney to all parties and the Association. Failure to provide this notice may result in a continuance of the hearing, if the Hearing Panel determines that the rights of the other party(ies) require representation.

*9/25/17  
A*

Each party must provide a list of the names of witnesses he intends to call at the hearing to the Association and to all other parties not less than fifteen (15) days prior to the hearing. Each party shall arrange for his witnesses to be present at the time and place designated for the hearing.

(9) I declare that the information provided with this response is true and correct to the best of my knowledge and belief.

(10) If either party to an arbitration request believes that the Grievance Committee has incorrectly classified the issue presented in the request (i.e., mandatory or voluntary), the party has twenty (20) days from the date of receipt of the Grievance Committee's decision to file a written appeal of the decision. Only those materials that the Grievance Committee had at the time of its determination may be considered with the appeal by the Board of Directors. I understand that should I contend this matter is not arbitrable, I have an opportunity to petition the arbitration Hearing Panel to dismiss the arbitration request.

(11) Important note related to arbitration conducted pursuant to Standard of Practice 17-4 (1) or (2): Where arbitrations is conducted between two (or more) cooperating brokers pursuant to Standard of Practice 17-4 (1) or (2), the amount in dispute and the amount of any potential resulting award is limited to the amount paid to the respondent by the listing broker and any amount credited or paid to a party to the transaction at the direction of the respondent.

(12) To be completed where arbitration is between two (or more) cooperating brokers pursuant to Standard of Practice 17-4 (1) or (2): The compensation paid to me or to my firm by the listing broker, seller, or landlord, and any amount credited or paid to any party to the transaction at my direction is \$ \_\_\_\_\_ (amount of compensation paid to me or my firm by the listing broker, seller, or landlord) and \$ \_\_\_\_\_ (paid or credited to any party at my direction).

Respondent(s):		
<u>WAYNE Wu</u>	<u><i>Wayne Wu</i></u>	<u>7-25-2017</u>
Name (Type/Print)	Signature of REALTOR® Principal	Date
<u>c/o 10155 W. Twain Ave, Ste 100, Las Vegas, NV 89147</u>		<u>(702) 869-6261</u>
Address		Telephone
<u>Twain Sullivan</u>	<u><i>Twain Sullivan</i></u>	<u>7/25/2017</u>
Name (Type/Print)	Signature of REALTOR® Principal	Date
<u>c/o 10155 W. Twain Ave, Ste 100, Las Vegas, NV 89147</u>		<u>(702) 869-6261</u>
Address		Telephone

- In case where arbitration is requested in the name of a firm comprised of REALTORS® (principals), the request must be signed by at least one of the REALTORS® principals of the firm as a complainant.

AT 2

**Exhibit E – fraudulent document to cheat KB commissions  
when they are not the first agent to show Buyer at their first  
visit**

TRACT / PHASE: TEVARE - 415 / 28 LOT / BLOCK: 43 / 1  
PROPERTY ADDRESS: 477 CABRAL PEAK STREET Las Vegas NV 89138  
SALESPERSON: Jana McNeff DATE: 1/8/2016

The following constitutes the entire agreement (the "Agreement") by and between KB Home Las Vegas, Inc. ("Seller") and the "Broker" listed below regarding a potential referral sales commission described in Paragraph 1 below with respect to the Buyer(s) and the Property described above. No other representations or acknowledgements shall be binding upon either party unless agreed to in writing by both parties. The parties agree as follows:

1. Seller shall pay to Broker a commission equal to three percent (3%) of the total net sales price of the above-referenced home, including: (A) base price, (B) elevation premium, (C) lot premium, (D) decor items, options and upgrades selected by Buyer at the KB HOME Sales Office and at the KB HOME Studio or previously installed by Seller, and excluding (E) the value of any incentive provided by Seller, (the "Commission") at the close of escrow provided (i) a contract is signed by Buyer and accepted by Seller within thirty (30) days after the date of this Agreement, and (ii) such close of escrow occurs within three hundred sixty-five (365) days after the date of this Agreement.  
No commission shall be paid if a contract is signed more than thirty (30) days after the date of this Agreement unless Broker has re-registered the Buyer, and the contract is signed within thirty (30) days of such re-registration. This Agreement serves as escrow instructions to govern payment of the Commission to Broker only. Seller does not pay commissions to any entities or individuals other than Broker.
2. It is an absolute condition for the payment of any Commission that Broker accompanies and registers Buyer at the Community at the time of Buyer's first visit as a prospective purchaser to the Community. Broker shall not be entitled to any Commission if Buyer or any relative of Buyer or any other person designated by Buyer has visited the Community without Broker prior to the date of this Agreement.
3. The registration of the Broker shall be established only for the particular Buyer for the Property but shall be established only by: (a) complete execution and acceptance of this Agreement and (b) Buyer's completion of Seller's Broker/Client Registration form at the Community acknowledging the portion of the form which evidences that Broker referred Buyer to the Property. Upon request, a copy of the Agreement will be given to Broker. Any attempt by Broker to effectuate a broker relationship with Seller without Broker's actual presence at Buyer's first visit shall be null and void.
4. Buyers of Seller's homes are NOT required to use Home Community Mortgage, LLC ("Home Community Mortgage") for their financing as a condition of purchase. Buyer may obtain financing from any qualified lending institution. Broker has been made aware of this and acknowledges its obligation to inform Buyer thereof. Buyer and Buyer's Broker authorize Seller's agent or an agent on behalf of Home Community Mortgage to contact Buyer directly to discuss any aspect of Buyer's purchase of the home, including the selection of options and upgrades and Buyer's financing of its purchase, including the use of Home Community Mortgage as its lender.
5. Broker understands and agrees that any fees Buyer has agreed to pay to Broker are Buyer's entire responsibility and any issue arising out of the payment of such fees to Broker by Buyer shall not delay close of escrow between Buyer and Seller.
6. If Broker wishes the Commission to be reduced and a portion to be paid to Buyer, Seller will require Buyer to execute Seller's Commission Credit Disclosure.
7. Broker represents that it is licensed as a real estate broker or salesperson in the state in which the Property is located. To the extent required by law, Broker must provide an executed form of disclosure of its agency relationship with Buyer (executed by Broker and Buyer) indicating that Broker is the agent of Buyer exclusively prior to Buyer's execution of a sales contract. Broker represents and warrants that its license number as set forth below accurately represents its current, active license number.
8. Seller's on-site agent shall be primarily responsible for coordinating loan processing; however, Broker acknowledges that, if requested by Seller, Broker shall be obligated to assist Seller in obtaining documentation or other information from Buyer with respect to its loan approval, loan closing or the title or escrow documentation for the closing of the transaction. Broker's failure to cooperate as required in the preceding sentence shall cause Broker to forfeit its Commission.
9. In the event that Buyer elects to purchase a property from Seller other than a property in this Community, Seller shall have no obligation to pay Broker a commission therewith unless a separate Agreement is established between Seller and Broker in writing, using the form hereof and Broker meets the obligations set forth therein.
10. Broker agrees to indemnify and hold harmless Seller, Seller's parent, subsidiary and affiliate companies and Seller's employees, officers and directors (collectively, the "Affiliates") from and against any and all claims, charges, costs, fees, obligations, damages, liabilities, expenses and attorneys' fees incurred by Seller or the Affiliates by virtue of Broker's actions or errors with respect to or in connection with this Agreement or the potential transaction between Seller and Buyer referred herein (the "Sale Transaction").
11. Broker has no independent authority to bind Buyer or Seller. Only Seller's Purchase Agreement will be used. Broker may not advertise any of Seller's homes in any printed form.
12. If a real estate salesperson or broker other than Broker attempts to register as Buyer's broker within thirty (30) days after the date hereof, Seller shall only be obligated to pay a single Commission to the Broker which first registered Buyer at the Community in which Buyer purchased a home from Seller (assuming a sale contract is signed within such thirty (30) day period and all other criteria of this Agreement have been met).
13. This Agreement is only in effect for the Buyer described above and may be rescinded and terminated in Buyer's sole discretion upon written notice to Seller and Broker.
14. Broker is not authorized to and shall not make any warranties, representations, or covenants regarding the above-referenced home or on behalf of Seller.
15. In accordance with NRS 645.635, Broker hereby acknowledges and agrees that Seller may contact and communicate directly with Buyer in connection with Buyer's interest in Seller's communities and its purchase of a property from Seller. Seller shall have no obligation to notify Broker of any communication with Buyer. For the purposes of this Agreement, "Buyer" shall mean the Buyer(s) shown on the executed Purchase Agreement or as Prospective Buyer(s) prior to the execution of the Purchase Agreement.

This Agreement shall not be effective unless it has been executed by an authorized officer of Seller. On-site sales representatives are not authorized representatives of Seller for such purposes.

ALL CHECKS WILL BE ISSUED AS DIRECTED ONLY TO THE BROKER LISTED BELOW.  
BROKERAGE: Please Print or Type

Broker's Agent (Licensee) Wayne Wu Company Name Nevada Real Estate Corp  
Broker Name Judith Sullivan Broker License # 21094 Broker Tax I.D. # 88-0340457  
Broker Address 8369 W. Sahara Avenue, Suite 210  
City Las Vegas State NV Zip 89117  
Telephone (702) 319-7288 Cell Phone: (702) 338-1822 Fax: (702) 368-6883 E-Mail: waynwu5988@aol.com

Agreed to by:

KB Home Las Vegas, Inc. - Authorized Signature

Wayne Wu  
REFERRAL AGENT OR BROKER - Authorized Signature

Broker's representation of Buyer and Broker's rights under this Referral Broker Commission Agreement are acknowledged by Buyer(s) as of the same date of Broker's signature above. Buyer acknowledges that Broker is not authorized to make any warranties, representations, or covenants regarding the above-referenced home or on behalf of Seller.

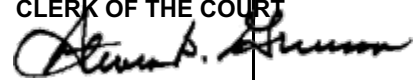
Jerrin Chiu  
Buyer's Signature Date 1/8/16

Jerrin Chiu  
Buyer's Printed Name

Buyer's Signature

Date

Buyer's Printed Name



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

BETTY CHAN; ASIAN AMERICAN REALTY &  
PROPERTY MANAGEMENT,

Plaintiff(s),

vs.

WAYNE WU; JUDITH SULLIVAN; NEVADA  
REAL ESTATE CORP.; JERRIN CHIU; KB  
HOME SALES-NEVADA, INC.,

Defendant(s),

Case No: A-16-744109-C

Dept No: XX

**CASE APPEAL STATEMENT**

1. Appellant(s): Betty Chan, Broker; Asian American Realty & Property Management
2. Judge: Eric Johnson
3. Appellant(s): Betty Chan, Broker; Asian American Realty & Property Management

Counsel:

Betty Chan, Broker  
Asian American Realty & Property  
Management  
4651 Spring Mountain Rd.  
Las Vegas, NV 89102

4. Respondent (s): Wayne Wu; Judith Sullivan; Nevada Real Estate Corp.; Jerrin Chiu

Counsel:

1 Micahel A. Olsen, Esq.  
2 10155 W. Twain Ave., Ste. 100  
3 Las Vegas, NV 8914

4 Respondent (s): KB Homes Sales-Nevada, Inc.

5 Counsel:

6 Janice M. Michaels, Esq.  
7 7674 W. Lake Mead Blvd., Ste. 150  
8 Las Vegas, NV 89128

9 5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

10 Respondent(s)'s Attorney Licensed in Nevada: Yes  
11 Permission Granted: N/A

12 Respondent(s)'s Attorney Licensed in Nevada: Yes  
13 Permission Granted: N/A

14 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

15 7. Appellant Represented by Appointed Counsel On Appeal: N/A

16 8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: N/A  
17 \*\*Expires 1 year from date filed  
Appellant Filed Application to Proceed in Forma Pauperis: No  
Date Application(s) filed: N/A

18 9. Date Commenced in District Court: September 27, 2016

19 10. Brief Description of the Nature of the Action: Construction Defect

20 Type of Judgment or Order Being Appealed: Misc. Order

21 11. Previous Appeal: Yes

22 Supreme Court Docket Number(s): 78666, 82208, 87506

23 12. Child Custody or Visitation: N/A

24 13. Possibility of Settlement: Unknown

1  
2 Dated This 5 day of December 2023.

3 Steven D. Grierson, Clerk of the Court

4  
5 /s/ Cierra Borum

6 Cierra Borum, Deputy Clerk  
7 200 Lewis Ave  
8 PO Box 551601  
9 Las Vegas, Nevada 89155-1601  
10 (702) 671-0512

11 cc: Betty Chan, Broker; Asian American Realty & Property Management  
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## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. A-16-744109-C**

**Betty Chan, Plaintiff(s)**  
**vs.**  
**Wayne Wu, Defendant(s)**

§  
§  
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§  
§  
§

Location: **Department 20**  
 Judicial Officer: **Johnson, Eric**  
 Filed on: **09/27/2016**  
 Case Number History:  
 Cross-Reference Case Number: **A744109**  
 Supreme Court No.: **78666**  
**82208**  
**87506**

**CASE INFORMATION****Statistical Closures**

08/09/2021 Summary Judgment

Case Type: **Other Contract**

Case Status: **08/09/2021 Closed**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-16-744109-C  
 Court Department 20  
 Date Assigned 07/02/2018  
 Judicial Officer Johnson, Eric

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>Asian American Realty &amp; Property Management</b>	<b>Frizell, R Duane</b> <i>Retained</i> 702-657-6000(W)
	<b>Chan, Betty</b>	<b>Pro Se</b>
<b>Defendant</b>	<b>Chiu, Jerrin</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)
	<b>KB Home Sales-Nevada Inc</b>	<b>Michaels, Janice M</b> <i>Retained</i> 702-251-4100(W)
	<b>Nevada Real Estate Corp</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)
	<b>Sullivan, Judith</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)
	<b>Wu, Wayne</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)
<b>Counter Claimant</b>	<b>Chiu, Jerrin</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)
	<b>Nevada Real Estate Corp</b>	<b>Olsen, Michael A.</b> <i>Retained</i> 702-855-5658(W)












**CASE SUMMARY****CASE NO. A-16-744109-C****Sullivan, Judith****Olsen, Michael A.***Retained*

702-855-5658(W)

**Wu, Wayne****Olsen, Michael A.***Retained*

702-855-5658(W)

**Counter  
Defendant****Chan, Betty****Pro Se**

DATE	EVENTS & ORDERS OF THE COURT	INDEX
<b><u>EVENTS</u></b>		
09/27/2016	 Complaint Filed By: Counter Defendant Chan, Betty <i>[1] Complaint</i>	
11/15/2016	 Amended Complaint Filed By: Counter Defendant Chan, Betty <i>[2] Amended Complaint</i>	
11/21/2016	 Affidavit of Service Filed By: Counter Defendant Chan, Betty <i>[3] Affidavit of Service</i>	
11/21/2016	 Affidavit of Service Filed By: Counter Defendant Chan, Betty <i>[4] Affidavit of Service</i>	
11/21/2016	 Affidavit of Service Filed By: Counter Defendant Chan, Betty <i>[5] Affidavit of Service</i>	
11/21/2016	 Affidavit of Service Filed By: Counter Defendant Chan, Betty <i>[6] Affidavit of Service</i>	
12/01/2016	 Affidavit of Service Filed By: Counter Defendant Chan, Betty <i>[7] Affidavit of Service</i>	
12/06/2016	 Answer and Counterclaim Filed By: Counter Claimant Wu, Wayne <i>[8] Answer and Counterclaim</i>	
12/06/2016	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Wu, Wayne <i>[9] Initial Appearance Fee Disclosure</i>	
12/07/2016	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[10] Certificate of Service</i>	
12/19/2016	 Reply to Counterclaim Filed by: Counter Defendant Chan, Betty	

**CASE SUMMARY**

**CASE NO. A-16-744109-C**

*[11] Reply to Counterclaim*

01/06/2017



Motion to Amend

Filed By: Counter Defendant Chan, Betty

*[12] Counterdefendant's Motion to Amend Reply to Counterclaim and to Strike Initial Reply to Counterclaim from the Record*

01/10/2017



Stipulation

Filed by: Counter Defendant Chan, Betty

*[13] Stipulation to Continue Early Case Conference*

01/10/2017



Notice of Non Opposition

Filed By: Counter Claimant Wu, Wayne

*[14] Notice of Non-Opposition to Counterdefendant's Motion to Amend Reply to Counterclaim and to Strike Initial Reply to Counterclaim From the Record*

01/11/2017



Certificate of Service

Filed by: Counter Claimant Wu, Wayne

*[15] Certificate of Service*

01/13/2017



Motion to Stay

Filed By: Counter Defendant Chan, Betty

*[16] Motion for Stay Pending Arbitration*

01/23/2017



Motion to Withdraw As Counsel

Filed By: Counter Defendant Chan, Betty

*[17] Motion to Withdraw as Counsel of Record for Plaintiffs Betty Chan and Asian American Realty and Property Management*

02/02/2017



Opposition

Filed By: Counter Claimant Wu, Wayne

*[18] Opposition to Motion to Stay Pending Arbitration and Countermotion to Dismiss with Prejudice or in the Alternative for Summary Judgment*

02/03/2017



Initial Appearance Fee Disclosure

Filed By: Counter Claimant Wu, Wayne

*[20] Initial Appearance Fee Disclosure*

02/06/2017



Certificate of Service

Filed by: Counter Claimant Wu, Wayne

*[19] Certificate of Service*

02/07/2017



Supplemental

Filed by: Counter Claimant Wu, Wayne

*[22] Supplement to Opposition to Motion to Stay Pending Arbitration and Countermotion to Dismiss with Prejudice or in the Alternative for Summary Judgment*

02/07/2017



Certificate of Service

Filed by: Counter Claimant Wu, Wayne

*[21] Certificate of Service*

02/09/2017



Order

Filed By: Counter Defendant Chan, Betty

*[23] Order to Amend Reply to Counterclaim and to Strike Initial Reply to Counterclaim from the Record.*

# CASE SUMMARY

CASE NO. A-16-744109-C

02/10/2017	 Amended Filed By: Counter Defendant Chan, Betty <i>[24] Amended Reply to Counterclaim</i>
02/14/2017	 Reply to Opposition Filed by: Counter Defendant Chan, Betty <i>[25] Plaintiffs Reply to Opposition to Motion to Stay Pending Arbitration and Opposition to Defendants Coutermotion to Dismiss with Prejudice or in the Alternative for Summary Judgment</i>
02/16/2017	 Stipulation and Order Filed by: Counter Defendant Chan, Betty <i>[26] Stipulation and Order to Continue Hearing</i>
02/28/2017	 Notice of Hearing Filed By: Counter Defendant Chan, Betty <i>[27] Notice of Hearing on Motion to Withdraw as Counsel of Record for Plaintiffs Betty Chan and Asian American Realty and Property Management</i>
03/30/2017	 Order Filed By: Counter Defendant Chan, Betty <i>[28] Order Granting Motion to Stay and Denying Motion to Dismiss and Motion for Summary Judgment</i>
04/03/2017	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty <i>[29] Notice of Entry of Order Granting Motion to Stay and Denying Motion for Summary Judgment</i>
04/17/2017	 Order Granting Motion Filed By: Counter Defendant Chan, Betty <i>[30] Order Granting Motion to Withdraw as Counsel of Record for Plaintiffs Betty Chan and Asian American Realty &amp; Property Management</i>
05/04/2017	 Notice of Appearance Party: Counter Defendant Chan, Betty <i>[31] Notice of Appearance</i>
05/09/2017	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[32] Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record for Plaintiffs</i>
07/02/2018	Case Reassigned to Department 20 <i>Reassigned From Judge Leavitt - Dept 12</i>
07/18/2018	 Motion to Vacate Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[33] MOTION TO VACATE OR MODIFY ARBITRATION AWARD</i>
08/06/2018	 Opposition and Countermotion Filed By: Counter Claimant Wu, Wayne <i>[34] Opposition to Motion to Vacate or Modify Arbitration Award and Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney Fees</i>
08/07/2018	 Initial Appearance Fee Disclosure <i>[35] Initial Appearance Fee Disclosure</i>
08/15/2018	

**CASE SUMMARY**

**CASE NO. A-16-744109-C**

	 Reply in Support Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[36] Reply In Support Of Motion to Vacate or Modify Arbitration Award and Opposition to Countermotions</i>
08/21/2018	 Change of Address Filed By: Defendant KB Home Sales-Nevada Inc <i>[37] Change of Address of Attorneys for Defendant KB Home Sales - Nevada, Inc.</i>
09/05/2018	 Supplement Filed by: Counter Claimant Wu, Wayne <i>[38] First Supplement to Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorne Fees</i>
09/12/2018	 Supplement Filed by: Counter Claimant Wu, Wayne <i>[39] Supplement to First Supplement to Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney Fees</i>
09/18/2018	 Order Filed By: Counter Claimant Wu, Wayne <i>[40] Order Denying Motion to Vacate or Modify Arbitration Award</i>
09/18/2018	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne <i>[41] Notice of Entry of Order</i>
09/20/2018	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[42] Certificate of Service</i>
09/21/2018	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[43] Certificate of Service</i>
09/25/2018	 Declaration Filed By: Counter Claimant Wu, Wayne <i>[44] Declaration of Service</i>
10/04/2018	 Stipulation and Order Filed by: Counter Defendant Chan, Betty <i>[45] Stipulation and Order Extending Briefing and Continuing Hearing</i>
10/09/2018	 Substitution of Attorney Filed by: Counter Defendant Chan, Betty <i>[46] Substitution of Attorneys</i>
10/12/2018	 Motion to Extend Party: Counter Defendant Chan, Betty <i>[47] Motion to Extend Briefing on Order Shortening Time and Continue Hearing Date</i>
10/15/2018	 Notice of Entry Filed By: Counter Defendant Chan, Betty <i>[48] Notice of Entry of Order on Shortening Time</i>














# CASE SUMMARY

CASE NO. A-16-744109-C

10/15/2018	 Opposition <i>[49] Opposition to Motion to Extend Briefing on Order Shortening Time and Continue Hearing</i>
10/25/2018	 Supplement Filed by: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[50] Plaintiffs/Counterdefendants Betty Chan and Asia American Realty &amp; Property Management's Supplement to Plaintiff Opposition Defendants/Counterclaimants Wayne Wu, Judicity Sullivan, Nevada Real Estate Corp., Jerrin Chiu, KB Home Sales-Nevada, Inc.'s: (1) First Supplement to Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney Fees (filed 09/15/18); and (2) Supplement to First Supplement to Countermotion to Recognize Wu as the Procuring Cause for Summary Judgment, and for Attorneys Fees (filed )9/12/18)</i>
10/29/2018	 Reply <i>[52] Reply to Plaintiffs Supplement</i>
10/30/2018	 Certificate of Service Filed by: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[51] Certificate of Service</i>
10/31/2018	 Memorandum of Costs and Disbursements Filed By: Counter Claimant Wu, Wayne <i>[53] Memorandum of Costs and Disbursements</i>
11/14/2018	 Transcript of Proceedings <i>[54] Defendants and Counterclaimants Wayne Wu, Judith Sullivan, Nevada Real Estate Corp. and Jerrin Chiu's Opposition to Motion to Vacate or Modify Arbitration Award and Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment and for Attorney Fees, October 31, 2018</i>
12/31/2018	 Transcript of Proceedings <i>[55] All Pending Motions, August 22, 2018</i>
01/03/2019	 Motion to Withdraw As Counsel Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[56] Motion to Withdraw As Counsel of Record</i>
01/25/2019	 Recorders Transcript of Hearing <i>[57] Plaintiffs' Motion to Extend Briefing on Order Shortening Time and Continue Hearing Date, October 17, 2018</i>
01/29/2019	 Notice of Change of Firm Name Filed By: Counter Claimant Wu, Wayne <i>[58] Notice of Change and Firm Name</i>
02/19/2019	 Motion <i>[59] Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw and New Motion to Get a New Court Hearing Date</i>
03/08/2019	 Opposition to Motion <i>[60] Gentile Cristalli Miller Armeni &amp; Savarese's Opposition to Betty Chan and Asian American Realty and Property Management's Motion to Reconsider Order Granting Motion to Withdraw and Late Filed Opposition to Motion to Withdraw</i>
03/21/2019	 Order Granting Motion <i>[61] Order Granting Motion to Withdraw As Counsel of Record</i>
03/21/2019	 Notice of Entry of Order <i>[62] Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record</i>

**CASE SUMMARY**

**CASE NO. A-16-744109-C**

03/22/2019	 Order Filed By: Counter Claimant Wu, Wayne <i>[63] Order Granting Defendants Countermotion for Summary Judgment and Attorneys Fees and Costs</i>
03/22/2019	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne <i>[64] Notice of Entry of Order</i>
03/25/2019	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[65] Certificate of Service</i>
03/27/2019	 Ex Parte Order Filed By: Counter Claimant Wu, Wayne <i>[66] Ex Parte Motion for an Order Shortening Time</i>
03/27/2019	 Motion for Writ of Attachment Filed By: Counter Claimant Wu, Wayne <i>[67] Motion for Writ of Execution on Plaintiffs Commissions Awarded by GLVAR Arbitration Panel</i>
03/28/2019	 Motion for Writ of Attachment Filed By: Counter Claimant Wu, Wayne <i>[68] Motion for Writ of Execution on Plaintiffs Commissions Awarded by GLVAR Arbitration Panel</i>
04/01/2019	 Response Filed by: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[69] Response to Attorney Janiece Marshall's opposition and request additional time to locate another attorney replacemei</i>
04/01/2019	 Motion Filed By: Counter Defendant Chan, Betty <i>[70] Motion to vacate entry of order or Motion for extension of time to file reconsideration to the entry of order granting Defendant countermotion</i>
04/04/2019	 Ex Parte Motion Filed By: Counter Claimant Wu, Wayne <i>[71] Ex Parte Motion for an Order Shortenining Time</i>
04/04/2019	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne <i>[72] Notice of Entry of Order</i>
04/05/2019	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[73] Certificate of Service</i>
04/07/2019	 Opposition Filed By: Counter Defendant Chan, Betty <i>[74] motion to oppose Motion for writ of execution on Plaintiff's Commission awarded by GLVAR Arbitration Panel</i>
04/08/2019	 Motion Filed By: Counter Defendant Chan, Betty <i>[75] Motion to Vacate notice of Entry of Order Granting Shortening Time</i>

**CASE SUMMARY**

**CASE NO. A-16-744109-C**

04/14/2019	 Supplement Filed by: Counter Defendant Chan, Betty <i>[76] Supplemental to Plaintiffs' Opposition to Writ of Execution Filed on 4/7/2019</i>
04/15/2019	 Supplement Filed by: Counter Defendant Chan, Betty <i>[77] Supplemental Attachment to plaintiffs's motion filed on 4/1/2019 for reconsideration</i>
04/22/2019	 Notice of Appeal Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[78] Notice of Appeal</i>
04/22/2019	 Case Appeal Statement Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[79] Case Appeal Statement</i>
04/24/2019	 Notice of Appearance Party: Counter Defendant Chan, Betty <i>[80] Notice of Appearance</i>
04/24/2019	 Motion for Stay of Execution Filed By: Counter Defendant Chan, Betty <i>[81] Plaintiffs Motion to Stay Execution Pending Appeal (on an Ex Parte Application for an Order Shortening Time)</i>
04/25/2019	 Case Appeal Statement Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[82] Case Appeal Statement</i>
04/25/2019	 Writ Electronically Issued <i>[83] Writ of Execution</i>
04/26/2019	 Notice of Motion <i>[84] Notice of Motion; Order Shortening Time; Stay of Execution</i>
04/26/2019	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[85] NOTICE OF ENTRY OF NOTICE OF MOTION; ORDER SHORTENING TIME; STAY OF EXECUTION</i>
04/26/2019	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[86] Certificate of Service</i>
04/29/2019	 Opposition <i>[87] Partial Opposition to Plaintiff's Motion to Stay Execution</i>
04/29/2019	 Notice <i>[88] Notice of Production of Documents in camera</i>
05/01/2019	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[89] Certificate of Service</i>
05/01/2019	 Transcript of Proceedings

# CASE SUMMARY

CASE NO. A-16-744109-C

[90] Defendant's Motion For Writ of Execution, April 17, 2019

05/01/2019



Order

Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management  
[91] ORDER ON PLAINTIFFS MOTION TO STAY EXECUTION PENDING APPEAL

05/01/2019



Notice of Entry of Order

Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management  
[92] NOTICE OF ENTRY OF ORDER ON PLAINTIFFS MOTION TO STAY EXECUTION PENDING APPEAL

05/03/2019



Order

[93] Order Denying Plaintiffs' Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw

05/03/2019



Miscellaneous Filing

Filed by: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management  
[94] Transcript Request Statement

05/06/2019



Notice of Entry of Order

[95] Notice of Entry of Order Denying Plaintiffs' Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw

05/07/2019



Notice of Posting

Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management  
[96] PLAINTIFFS NOTICE OF POSTING SUPERSEDEAS BOND

12/11/2019



Notice of Hearing

[97] Notice of Hearing

01/07/2020



Motion

Filed By: Counter Defendant Chan, Betty  
[98] Plaintiffs' Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment as Final (on an Application for an Order Shortening Time)

01/08/2020



Clerk's Notice of Hearing

[99] Notice of Hearing

01/10/2020



Order Shortening Time

Filed By: Counter Defendant Chan, Betty  
[100] Notice of Motion; Order Shortening Time

01/16/2020



Opposition and Countermotion

Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin; Defendant KB Home Sales-Nevada Inc  
[101] Opposition to Plaintiff's Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment as Final (on an Application for an Order Shortening Time) and Countermotion for Summary Judgment on Abuse of Process Claim

01/16/2020



Certificate of Service

Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin  
[102] Certificate of Service

01/22/2020



Reply in Support

Filed By: Counter Defendant Chan, Betty  
[103] Plaintiffs Reply in Support of Their Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment

# CASE SUMMARY














CASE NO. A-16-744109-C

*as Final and Opposition to Countermotion for Summary Judgment on Abuse of Process Claim*

03/10/2020	 Order Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[104] Order on Plaintiff's Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment as Final and Countermotion for Summary Judgment on Abuse of Process Claim</i>
03/10/2020	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[105] NOTICE OF ENTRY OF ORDER ON PLAINTIFFS MOTION TO FORMALLY RESOLVE MOTION FOR RECONSIDERATION AND TO CERTIFY JUDGMENT AS FINAL AND COUNTERMOTION FOR SUMMARY JUDGMENT ON ABUSE OF PROCESS CLAIM</i>
04/06/2020	 Amended Notice of Appeal Party: Counter Defendant Chan, Betty <i>[106] Plaintiffs Amended Notice of Appeal</i>
05/29/2020	 Notice of Change of Hearing <i>[107] Notice of Change of Hearing</i>
06/04/2020	 Motion for Summary Judgment Filed By: Counter Claimant Wu, Wayne <i>[108] Motion for Summary Judgment, or in the alternative, for Award of Attorney s Fees, for Writ of Execution for on Plaintiff s Commissions Awarded by GLVAR Arbitration Pane land Release of Bond Deposited on Appeal</i>
06/04/2020	 Clerk's Notice of Hearing <i>[109] Notice of Hearing</i>
06/05/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[110] Certificate of Service</i>
06/09/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[111] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
06/25/2020	 Motion to Strike Filed By: Counter Defendant Chan, Betty <i>[112] Plaintiffs' Motion to Strike or in the Alternative to Extend Briefing and Continue the Hearing on Defendants' Motion f Summary Judgment (First Request) (On an Ex Parte Application for an Order Shortening Time)</i>
06/26/2020	 Clerk's Notice of Hearing <i>[113] Notice of Hearing</i>
06/26/2020	 Order Shortening Time Filed By: Counter Defendant Chan, Betty <i>[114] NOTICE OF MOTION; ORDER SHORTENING TIME</i>
06/29/2020	 Opposition <i>[115] Opposition to Motion to Strike</i>
07/08/2020	 Opposition and Countermotion Filed By: Counter Defendant Chan, Betty <i>[116] Plaintiffs' Opposition to Defendants' Motion for Summary Judgment, or in the Alternative, for Contractual Award of Attorney's Fees, for Writ of Execution on Plaintiff's Commissions Awarded by GLVAR Arbitration Panel and Release of Bond Deposited on Appeal and Countermotion for Summary Judgment on Defendants' Abuse-Of-Process Counterclaim</i>

# CASE SUMMARY

CASE NO. A-16-744109-C

07/13/2020	 Reply in Support Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin <i>[117] Reply in support of Motion for Summary Judgment or in the Alternative, for Contractual Award of Attorney's Fees, for Writ of Execution on Plaintiff's Commissions Awarded by GLVAR Arbitration Panel and Release of Bond Deposited on Appeal and Opposition to Countermotion for Summary Judgment on Defendant's Abuse of Process Counterclaim</i>
07/15/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[118] Certificate of Service</i>
07/17/2020	 Notice of Change of Hearing <i>[119] Notice of Change of Hearing</i>
08/11/2020	 Memorandum <i>[120] Memorandum for Production of Invoices</i>
08/12/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[121] Certificate of Service</i>
08/12/2020	 Notice Filed By: Counter Claimant Wu, Wayne <i>[122] Notice of Production of Document for In Camera Review</i>
08/13/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[123] Certificate of Service</i>
09/02/2020	 Transcript of Proceedings <i>[124] Transcript of Hearing: Motion to Stay Execution on Order Shortening Time Partial Opposition to Plaintiff's Motion to Stay Execution Pending Appeal (on an Ex Parte Application for an Order Shortening Time) and Demand for Supersedeas Bond and Countermotion to Amend Order, May 1, 2019</i>
09/02/2020	 Transcript of Proceedings <i>[125] Transcript of Hearing: All Pending Motions, January 22, 2020</i>
09/02/2020	 Transcript of Proceedings <i>[126] Transcript of Hearing: Plaintiff's Motion to Strike or in the Alternative to Extend Briefing and Continue the Hearing on Defendant's Motion for Summary Judgment, June 30, 2020</i>
09/02/2020	 Transcript of Proceedings <i>[127] Transcript of Hearing: All Pending Motions, July 21, 2020</i>
09/09/2020	 Opposition and Countermotion Filed By: Counter Defendant Chan, Betty <i>[128] Plaintiff's Opposition to Defendants Memorandum for Production of Invoices for Attorney's Fees and Costs And Countermotion to Have Defendants Invoices Filed and Made Part of the Public Record</i>
09/10/2020	 Reply in Support Filed By: Counter Claimant Wu, Wayne <i>[129] Reply in support of Memorandum for Fees</i>















# CASE SUMMARY

CASE NO. A-16-744109-C

09/11/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[130] Certificate of Service</i>
10/09/2020	 Recorders Transcript of Hearing <i>[132] Recorder's Transcript of Hearing: Plaintiff's Opposition to Defendant's Memorandum for Production of Invoices for Attorney's Fees and Costs and Countermotion to have Defendant's invoices Filed and Made Part of the Public Record; Status Check: Attorney's Fees and Costs, September 30, 2020</i>
11/23/2020	 Order <i>[133] Order Granting in Part Defendants' Motion for Summary Judgment, or in the Alternative, for Contractual Award of Attorney's Fees, for Writ of Execution on Plaintiff's Commissions Awarded by GLVAR Arbitration Panel, and Release of Bond Deposited on Appeal and Order Granting Plaintiffs' Countermotion for Summary Judgment</i>
11/23/2020	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne <i>[134] Notice of Entry of Order</i>
11/24/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[135] Certificate of Service</i>
11/24/2020	 Motion for Stay of Execution Filed By: Counter Defendant Chan, Betty <i>[136] Plaintiff's Motion to Stay Execution Pending Appeal (on an Ex Parte Application for an Order Shortening Time)</i>
11/30/2020	 Clerk's Notice of Hearing <i>[137] Notice of Hearing</i>
12/04/2020	 Order <i>[138] Notice of Motion; Order Shortening Time; Stay of Execution</i>
12/04/2020	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty <i>[139] NOTICE OF ENTRY OF NOTICE OF MOTION; ORDER SHORTENING TIME; STAY OF EXECUTION</i>
12/08/2020	 Objection <i>[140] Objection to Plaintiffs' Motion to Stay Execution Pending Appeal</i>
12/08/2020	 Notice of Appeal Filed By: Counter Defendant Chan, Betty <i>[141] PLAINTIFFS NOTICE OF APPEAL</i>
12/08/2020	 Case Appeal Statement Filed By: Counter Defendant Chan, Betty <i>[142] PLAINTIFFS CASE APPEAL STATEMENT</i>
12/08/2020	 Amended Notice of Appeal Party: Counter Defendant Chan, Betty <i>[143] PLAINTIFFS AMENDED NOTICE OF APPEAL</i>
12/22/2020	 Notice of Appeal Filed By: Counter Claimant Wu, Wayne <i>[144] Notice of Cross Appeal</i>

# CASE SUMMARY

CASE NO. A-16-744109-C

12/22/2020	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[145] Certificate of Service</i>
01/14/2021	 Order Granting Motion Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management <i>[146] Order on Plaintiffs' Motion to Stay Execution Pending Appeal</i>
02/01/2021	 Notice of Posting Filed By: Counter Defendant Chan, Betty <i>[147] PLAINTIFFS NOTICE OF POSTING SUPERSEDEAS BOND</i>
02/01/2021	 Notice of Entry of Order Filed By: Counter Defendant Chan, Betty <i>[148] NOTICE OF ENTRY OF ORDER ON PLAINTIFF S MOTION TO STAY EXECUTION PENDING APPEAL</i>
02/01/2021	 Recorders Transcript of Hearing <i>[149] Recorder's Transcript of Hearing: Status Check: Order, October 28, 2020</i>
02/01/2021	 Recorders Transcript of Hearing <i>[150] Recorder's Transcript of Hearing: Order/Case Status, November 18, 2020</i>
02/01/2021	 Recorders Transcript of Hearing <i>[151] Recorder's Transcript Re: Plaintiffs' Motion to Stay Execution Pending Appeal (On an Ex Parte Application for an Order Shortening Time), December 9, 2020</i>
02/05/2021	 Notice Filed By: Counter Claimant Wu, Wayne <i>[152] Notice for Request of Transcript for Proceedings</i>
02/05/2021	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[153] Certificate of Service</i>
08/05/2021	 Certificate of Service <i>[154] Certificate of Service</i>
08/09/2021	 Order to Statistically Close Case <i>[155] Civil Order to Statistically Close Case</i>
11/29/2022	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[156] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Rehearing Denied</i>
01/26/2023	 Motion Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin <i>[157] Defendants' Motion for Attorneys' Fees and Costs</i>
01/26/2023	 Notice Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin <i>[158] Notice of Production of Document for in Camera Review</i>

# CASE SUMMARY

CASE NO. A-16-744109-C

01/28/2023	 Clerk's Notice of Hearing Party: Counter Claimant Wu, Wayne <i>[159] Notice of Hearing</i>
01/30/2023	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[160] Certificate of Service</i>
02/14/2023	 Opposition to Motion Filed By: Counter Defendant Chan, Betty <i>[161] PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION FOR ATTORNEYS FEES AND COSTS</i>
02/22/2023	 Reply Filed by: Counter Claimant Wu, Wayne <i>[162] REPLY IN SUPPORT OF MOTION FOR ATTORNEYS FEES AND COSTS</i>
02/22/2023	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[163] Certificate of Service</i>
02/27/2023	 Motion for Order Extending Time Filed by: Counter Defendant Chan, Betty <i>[164] Plaintiffs' Motion For Order To Extend Time To File Opposition To Defendants' Motion For Attorneys' Fees And Costs For Five (5) Days And To Accept The Filing Of Said Opposition They Made On February 14, 2023 (First Extension Request) (On An Ex Parte Application For An Order Shortening Time)</i>
02/27/2023	 Clerk's Notice of Hearing <i>[165] Notice of Hearing</i>
03/01/2023	 Opposition to Motion Filed By: Counter Defendant Chan, Betty <i>[166] Plaintiff's Supplementary Opposition to Defendants' Motion for Attorneys' Fees and Costs</i>
03/14/2023	 Order <i>[167] Order Granting Request To Release Bonds</i>
03/14/2023	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith <i>[168] Notice of Entry of Order</i>
03/15/2023	 Certificate of Service Filed by: Counter Claimant Wu, Wayne <i>[169] Certificate of Service</i>
07/17/2023	 Order <i>[170] Order Re: Defendants' Motion for Attorney's Fees and Costs</i>
07/17/2023	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[171] Notice of Entry of Order</i>
07/18/2023	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin

# CASE SUMMARY

CASE NO. A-16-744109-C

*[172] Certificate of Service*

07/31/2023



Notice of Withdrawal of Attorney

Filed by: Counter Defendant Chan, Betty

*[173] Notice of Withdrawal of Attorney for Plaintiffs/Counter-Defendants*

07/31/2023



Motion to Reconsider

Filed By: Plaintiff Asian American Realty & Property Management

*[174] Motion to Request for Reconsideration*

08/11/2023



Clerk's Notice of Hearing

*[175] Notice of Hearing*

08/14/2023



Notice of Change of Hearing

*[176] Notice of Change of Hearing*

08/14/2023



Opposition

*[177] Objection to Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration and Countermotion for Award of Attorney's Fees and Finding That Betty is a Vexatious Litigant*

08/15/2023



Certificate of Service

Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith

*[178] Certificate of Service*

08/30/2023



Ex Parte Motion

Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin

*[179] Ex Parte Motion to Confirm and Award Interest, to Release Remainder of Supersedeas Bonds, and to Confirm the Continued Accrual of Interest*

08/31/2023



Certificate of Service

Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin

*[180] Certificate of Service*

09/06/2023



Notice of Attorney Lien

Filed By: Counter Defendant Chan, Betty

*[181] NOTICE AND CLAIM OF ATTORNEYS LIEN PURSUANT TO NRS 18.015(1)(a)-(b)*

09/11/2023



Motion

Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management

*[182] Request for extension of time to file motion for reconsideration and Toll deadlines*

09/11/2023



Notice

Filed By: Counter Defendant Chan, Betty; Plaintiff Asian American Realty & Property Management

*[183] Notice of Cease and Desist*

09/20/2023



Declaration

Filed By: Counter Claimant Wu, Wayne

*[184] Declaration of Michael A. Olsen, Esq. and Brunzell Analysis in Support of Award of Attorney's Fees and Costs*

09/20/2023



Notice












Filed By: Counter Claimant Wu, Wayne

*[185] Notice of Production of Documents for in Camera Review*

09/20/2023


# CASE SUMMARY


CASE NO. A-16-744109-C


	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[186] Certificate of Service</i>
09/25/2023	 Motion Filed By: Plaintiff Asian American Realty & Property Management <i>[187] 1) Plaintiffs', a NV S Corporation, Motions for Reconsideration of Judge's Minute Order Dated 9/15/2023 in Relation to Plaintiff's Motion of Reconsideration Filed on 7/31/2023 and Another Motion Filed on 9/11/2023 to Request of Extension of Time to File Motion for Reconsideration and Motion to Toll Deadlines to Respond to Defendant's Motions 2) Objection to Defendant's Order Granting Ex-Parte Motion to Confirm and Award Interest, to Release Remainder of Supersedeas Bonds, and to Confirm the Accrual of Interest. 3) Motion to Ask for Production of All Defendants' Documents Submitted in Camera</i>
09/26/2023	 Clerk's Notice of Hearing <i>[188] Notice of Hearing</i>
10/02/2023	 Motion Filed By: Plaintiff Asian American Realty & Property Management <i>[189] Plaintiff's Motion for Continuance for 11/1/2023 hearing and Motion for Production of all Documents Submitted in Camera By the Defendants</i>
10/02/2023	 Clerk's Notice of Hearing Party: Counter Defendant Chan, Betty <i>[190] Notice of Hearing</i>
10/02/2023	 Order Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin <i>[191] Order Granting Ex Parte Motion to Confirm and Award Interest, to Release Remainder of Supersedeas Bonds and to Confirm the Continued Accrual of Interest</i>
10/02/2023	 Notice of Entry of Order Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[192] Notice of Entry of Order</i>
10/03/2023	 Certificate of Service Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin <i>[193] Certificate of Service</i>
10/09/2023	 Objection Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Nevada Real Estate Corp; Counter Claimant Chiu, Jerrin <i>[194] Objection to Plaintiffs' Motion for Reconsideration of Minute Order</i>
10/16/2023	 Reply Filed by: Plaintiff Asian American Realty & Property Management <i>[195] Reply to Defendant's Objection to Plaintiff's Reconsideration Filing On 9/25/2023; Supplemental Motion to 9/25/2023 Filing to Set Aside All Judgements Pending Court's Certification on Proper Party For All Judgments; Reconsideration of Order Granting Ex Parte Motion to Confirm and Award Interest, to Release Remainder of Supersedeas Bond, and to Confirm the Continued Accrual of Interest</i>
10/23/2023	 Notice of Appeal Filed By: Counter Defendant Chan, Betty <i>[196] Notice of Appeal</i>
10/23/2023	 Summons Issued <i>[197] Summons</i>


# CASE SUMMARY


CASE NO. A-16-744109-C


10/24/2023  Case Appeal Statement  
[198] Case Appeal Statement


11/02/2023  Order  
[199] Order Denying Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration and Granting in Part Defendants/Counterclaimants' Countermotion for Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant


11/11/2023  Motion to Reconsider  
Filed By: Plaintiff Asian American Realty & Property Management  
[200] Reconsideration of Order Dated 11/2/2023 Re: Untrue Accusation, No Circulation of Draft Order and Atty Fees Amount Not Submitted in August 14 Filing

11/12/2023  Supplemental  
Filed by: Plaintiff Asian American Realty & Property Management  
[201] Supplemental interest calculation

11/15/2023  Notice of Entry of Order  
Filed By: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin  
[202] Notice of Entry of Order

11/15/2023  Certificate of Service  
Filed by: Counter Claimant Wu, Wayne; Counter Claimant Sullivan, Judith; Counter Claimant Chiu, Jerrin  
[203] Certificate of Service

12/01/2023  Notice of Appeal  
Filed By: Counter Defendant Chan, Betty  
[204] Notice of Appeal

12/05/2023  Case Appeal Statement  
[205] Case Appeal Statement

## **DISPOSITIONS**

03/22/2019 **Summary Judgment** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
Judgment: 03/22/2019, Docketed: 03/22/2019

03/22/2019 **Order** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
Judgment: 03/22/2019, Docketed: 03/22/2019  
Total Judgment: 22,355.83

06/09/2020 **Clerk's Certificate** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
KB Home Sales-Nevada Inc (Defendant)  
Judgment: 06/09/2020, Docketed: 06/16/2020  
Comment: Supreme Court No 78666 - Appeal Dismissed

11/23/2020 **Summary Judgment** (Judicial Officer: Johnson, Eric)  
Debtors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
Creditors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Judgment: 11/23/2020, Docketed: 11/24/2020

11/23/2020 **Order** (Judicial Officer: Johnson, Eric)

# CASE SUMMARY

CASE NO. A-16-744109-C


Debtors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
Judgment: 11/23/2020, Docketed: 11/24/2020  
Total Judgment: 35,630.00

07/17/2023 **Judgment for Attorney's Fees** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Defendant), Judith Sullivan (Defendant), Nevada Real Estate Corp (Defendant), Jerrin Chiu (Defendant)  
KB Home Sales-Nevada Inc (Defendant)  
Judgment: 07/17/2023, Docketed: 07/18/2023  
Total Judgment: 51,888.63

10/02/2023 **Judgment for Attorney's Fees** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Counter Defendant, Plaintiff)  
Creditors: Wayne Wu (Counter Claimant, Defendant), Judith Sullivan (Counter Claimant, Defendant), Nevada Real Estate Cor  
(Counter Claimant, Defendant)  
Judgment: 10/02/2023, Docketed: 10/03/2023  
Total Judgment: 23,057.21


11/02/2023 **Judgment for Attorney's Fees** (Judicial Officer: Johnson, Eric)  
Debtors: Betty Chan (Counter Defendant, Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Counter Claimant, Defendant), Judith Sullivan (Counter Claimant, Defendant), Nevada Real Estate Cor  
(Counter Claimant, Defendant), Jerrin Chiu (Counter Claimant, Defendant)  
Judgment: 11/02/2023, Docketed: 11/03/2023  
Total Judgment: 5,608.68  
Debtors: Betty Chan (Counter Defendant, Plaintiff), Asian American Realty & Property Management (Plaintiff)  
Creditors: Wayne Wu (Counter Claimant, Defendant), Judith Sullivan (Counter Claimant, Defendant), Nevada Real Estate Cor  
(Counter Claimant, Defendant), Jerrin Chiu (Counter Claimant, Defendant)  
Judgment: 11/02/2023, Docketed: 11/03/2023

## HEARINGS

02/06/2017  **Motion to Amend** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
*Counterdefendant's Motion to Amend Reply to Counterclaim and to Strike Initial Reply to Counterclaim from the Record*  
Granted;  
Journal Entry Details:  
*Ms. Higbee not present. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order. CLERK'S NOTE: Ms. Higbee arrived late and was notified by Clerk regarding Court's ruling. Ms. Higbee provided a proposed order for Chambers. /// sj;*

02/27/2017 **Motion For Stay** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
*Plaintiffs' Motion for Stay Pending Arbitration*  
Granted;

02/27/2017 **Opposition and Countermotion** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
*Defendants' and Counterclaimants' Opposition to Motion to Stay Pending Arbitration and Countermotion to Dismiss with Prejudice or in the Alternative for Summary Judgment*  
Denied;

02/27/2017  **All Pending Motions** (8:30 AM) (Judicial Officer: Leavitt, Michelle)  
Matter Heard;  
Journal Entry Details:  
*PLAINTIFFS' MOTION FOR STAY PENDING ARBITRATION...DEFENDANTS' AND COUNTERCLAIMANTS' OPPOSITION TO MOTION TO STAY PENDING ARBITRATION AND COUNTERMOTION TO DISMISS WITH PREJUDICE OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT Discussions regarding additional claims to be filed, and additional parties. Ms. Higbee argued the matter should not be dismissed, pending arbitration. Court noted there are parties and claims not addressing arbitration. Discussions as to commission dispute. Mr. Olsen argued as to direct violation of ethical rules, amount having exceeded and approaching \$15,000.00, GLVAR rules, and there having been no contact between buyer and Defendant. Further arguments were made regarding arbitration proceedings, KB Home Sales-Nevada Inc., having been seller of property, and the matter needing to be dismissed with prejudice, or summary judgment needing to be granted. Discussions as to Court having enough evidence for dismissal or to grant summary judgment,*

# CASE SUMMARY

CASE NO. A-16-744109-C

opposing counsel not having alleged otherwise, and Jerin Chiu not having had a contractual relationship with Plaintiff. Further arguments by Ms. Higbee as to alleged contact, violation of agreement, reduction of commission having been sought, there being no basis for summary judgment or a dismissal, and determination to be made at time of trial. COURT ORDERED, Motion for stay pending arbitration GRANTED. Ms. Higbee to prepare the order. ;

04/03/2017



**Motion to Withdraw as Counsel** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

*The Law Firm of Marquis Aurbach Coffing's Notice of Hearing on Motion to Withdraw as Counsel of Record for Plaintiffs Betty Chan and Asian American Realty and Property Management*

## MINUTES

Granted;

Journal Entry Details:

COURT ORDERED, Motion GRANTED; counsel for Plaintiffs WITHDRAWN. FURTHER, matter SET for status check. Ms. Sansone to prepare the order, and to also include the status check hearing in the written order. 5/01/17 8:30 A.M. STATUS CHECK: NEW COUNSEL FOR PLAINTIFFS;

## SCHEDULED HEARINGS



**Status Check** (05/01/2017 at 8:30 AM) (Judicial Officer: Leavitt, Michelle)

*Status Check: New Counsel For Plaintiffs*

05/01/2017



**Status Check** (8:30 AM) (Judicial Officer: Leavitt, Michelle)

*Status Check: New Counsel For Plaintiffs*

Off Calendar;

Journal Entry Details:

Mr. Kennedy advised he did not file a notice yet, however, he is confirming as counsel for Plaintiffs today. Mr. Olsen advised this case was stayed, however, arbitration proceedings have not happened yet. Court stated that is up to Plaintiff. Court advised defense counsel if Plaintiff does not proceed, a motion to stay may be filed. COURT ORDERED, matter OFF CALENDAR. ;

08/22/2018

**Motion** (8:30 AM) (Judicial Officer: Johnson, Eric)

*Plaintiffs' Motion to Vacate or Modify Arbitration Award*

Denied;

08/22/2018



**Opposition and Countermotion** (8:30 AM) (Judicial Officer: Johnson, Eric)

08/22/2018, 10/31/2018

*Defendants and Counterclaimants Wayne Wu, Judith Sullivan, Nevada Real Estate Corp., and Jerrin Chiu's Opposition to Motion to Vacate or Modify Arbitration Award and Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney Fees*

Matter Continued;

Decision Made;

Journal Entry Details:

Court advised it was not inclined to modify the Arbitration Order. Arguments by Ms. Marshall and Mr. Olsen in support of their respective positions. Following lengthy arguments, COURT ORDERED, Motion for Summary Judgment is GRANTED however, the request for Attorney Fees is UNDER ADVISEMENT. Mr. Olsen to prepare the Order.;

Matter Continued;

Decision Made;

08/22/2018

**Response and Countermotion** (8:30 AM) (Judicial Officer: Johnson, Eric)

*Plaintiffs' Reply in Support of Motion to Vacate or Modify Arbitration Award and Opposition / Motion to Strike Improper Countermotion*

Denied;

08/22/2018



**All Pending Motions** (8:30 AM) (Judicial Officer: Johnson, Eric)

Matter Heard;

Journal Entry Details:

AS TO: PLAINTIFF'S REPLY IN SUPPORT OF MOTION TO VACATE OR MODIFY ARBITRATION AND OPPOSITION/MOTION TO STRIKE IMPROPER COUNTERMOTION: Arguments by Mr. Kennedy and Mr. Olsen in support of their respective positions. Following, Court stated its FINDINGS and ORDERED, Motion DENIED. Mr. Olsen to prepare the Order. DEFENDANTS AND COUNTERCLAIMANTS WAYNE WU, JUDITH SULLIVAN, NEVADA REAL ESTATE CORP., AND JERRIN CHIU'S OPPOSITION TO MOTION TO VACATE OR MODIFY ARBITRATION AWARD AND COUNTERMOTION TO RECOGNIZE WU AS THE PROCURING CAUSE, FOR SUMMARY JUDGMENT AND FO

# CASE SUMMARY

CASE NO. A-16-744109-C

**ATTORNEY FEES:** Arguments by Mr. Olsen and Mr. Kennedy in support of their respective positions. Mr. Olsen to supplement the billing records. Following, **COURT ORDERED**, the following briefing schedule: Mr. Olsen to file supplement as to the Motion for Summary Judgment and attorney fees by 9/5; Mr. Kennedy to reply by 9/19 and matter **CONTINUED** for argument. **PLAINTIFF'S MOTION TO VACATE OR MODIFY ARBITRATION AWARD:** Arguments by Mr. Kennedy and Mr. Olsen in support of their respective positions. Following, Court stated its **FINDINGS** and **ORDERED** Motion **DENIED**. Mr. Olsen to prepare the Order. Mr. Olsen stated in regards to his Motion for Summary Judgment, there still a claim against KB Homes for Breach of Contract. Court directed counsel to talk about this issue. 10/10/18 8:30 AM **DEFENDANTS AND COUNTERCLAIMANTS WAYNE WU, JUDITH SULLIVAN, NEVADA REAL ESTATE CORP., AND JERRIN CHIU'S OPPOSITION TO MOTION TO VACATE OR MODIFY ARBITRATION AWARD AND COUNTERMOTION TO RECOGNIZE WU AS THE PROCURING CAUSE, FOR SUMMARY JUDGMENT AND FOR ATTORNEY FEES;**

10/17/2018



**Motion** (10:30 AM) (Judicial Officer: Johnson, Eric)

*Plaintiffs' Motion to Extend Briefing on Order Shortening Time and Continue Hearing Date Denied;*

Journal Entry Details:

*Upon Court's inquiry, Mr. Cristalli advised he needs a continuance pursuant to the Motion. Objections by Mr. Olsen. Following colloquy, COURT ORDERED, Motion DENIED and ORDERED the following briefing schedule: Mr. Cristalli to file his response by 10/24; Mr. Olsen to file reply by 10/26. Further, future date of 10/31 STANDS.;*

11/30/2018



**Minute Order** (11:30 AM) (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

*Plaintiffs' Motion to Vacate or Modify Arbitration Award was filed on July, 18, 2018. Defendants' Opposition and Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney's Fees was filed on August 6, 2018. Both matters came on for a hearing before Department XX of the Eighth Judicial District Court, the Honorable Eric Johnson presiding, on August 22, 2018. At that time, Plaintiffs' Motion to Vacate or Modify Arbitration Award was DENIED and Defendant Wu was determined to be the procuring cause. Defendants' Countermotions for Summary Judgment and Attorney's Fees and Costs were continued to October 31, 2018. Defendants' Countermotions for Summary Judgment and for Attorney's Fees came on for hearing on October 31, 2018. At that time, Defendants' Countermotion for Summary Judgment was GRANTED. The Countermotion for Attorney's Fees and Costs was taken UNDER ADVISEMENT. After considering the pleadings and argument of counsel, the Court GRANTS Defendants' Motion for Attorney's Fees and Costs. The Court finds that the contractual provision contained in the Arbitration Agreement signed by both Plaintiff and Defendant provided that "In the event [a party does] not comply with the award and it is necessary for any party to obtain judicial confirmation and enforcement of the award against me, [the party] agree[s] to pay that party costs and reasonable attorney's fees incurred in obtaining such confirmation and enforcement." The Court further finds that provision was reasonable and enforceable. As costs were never challenged, the Court hereby ORDERS costs in the amount of \$920.83 pursuant to Defendants' Memorandum of Costs and Disbursements. The Court hereby ORDERS attorney's fees in the amount of \$21,435.00. The Court finds this amount is reasonable and actually incurred by Defendants in enforcing the arbitration award. The Court is awarding attorney fees after the entry of the arbitration award and Plaintiffs' filing of motion to vacate award, starting on July 25, 2018, 2018. The Court declines to award fees requested on the invoices dated December 31, 2016, January 31, 2017, and February 28, 2017, as the redactions made to Plaintiffs' counsel's billing records prevent the Court from determining if those fees were reasonable and necessary. The Court has reviewed the remaining fee and finds they were reasonable and appropriate for litigating the matter and in keeping with attorney fees for such work in Southern Nevada. The Court further finds that the Brunzell factors have been met for the reasons stated in Defendant's motion for attorney fees and exhibits. Counsel for Defendants is directed to prepare a proposed order including finding of facts and conclusions of law, in particular outlining the Brunzell factors and supporting facts included in their motion, and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Law Clerk to notify the parties.;*

02/11/2019



**Minute Order** (8:30 AM) (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

*A Motion to Withdraw as Attorney of Record was filed by Michael V. Cristalli, Esq., & Janiece S. Marshall, Esq., of Gentil Cristalli Miller Armeni Savarese, counsel for the Plaintiff, on January 3, 2019. The matter was subsequently placed on the Calendar of Department XX on February 20, 2019. No opposition having been filed and good cause showing, pursuant to EDCR 2.20 and EDCR 2.23(c) the Court hereby GRANTS the Motion to Withdraw. The Court hereby VACATES the February 20, 2019 hearing. Withdrawing Attorneys are to prepare a proposed order listing all future deadlines and hearing, and submit to chambers for signature. Withdrawing attorneys are also ordered to inform Plaintiff of the withdrawal as well as any future hearing dates. Law Clerk to notify the parties. ;*




02/20/2019

**CANCELED Motion to Withdraw as Counsel** (8:30 AM) (Judicial Officer: Johnson, Eric)

*Vacated*

# CASE SUMMARY




CASE NO. A-16-744109-C

- 04/01/2019  **Minute Order** (7:15 AM) (Judicial Officer: Johnson, Eric)  
*Minute Order Re: Plaintiff's Motion for Reconsideration*  
 Minute Order - No Hearing Held;  
 Journal Entry Details:  
*Plaintiffs Betty Chan and Asian American Realty & Property Management filed a Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw on February 19, 2019. The matter was subsequently scheduled for hearing on April 3, 2019. After considering the pleadings and argument of counsel, the Court DENIES Plaintiffs' Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw. The Court finds that Plaintiffs have not provided "substantially different evidence" or demonstrated that the Court's decision was "clearly erroneous" as required for a motion for reconsideration. Further, the Court finds that there is nothing pending in this litigation. The Court has granted Summary Judgment in favor of Defendants and dealt with all claims pending in this litigation. Therefore, allowing counsel to withdraw at this time does not place Plaintiffs in a materially adverse position. The Court further finds that counsel had good cause for withdrawing from this matter. The Court finds that there was a significant breakdown in both communication and in the attorney-client relationship such that the representation could not continue. Therefore, withdrawal was appropriate in this instance and the Court declines to reconsider its ruling. The Court hereby VACATES the April 3, 2019 hearing. Janiece Marshall, Esq., is directed to prepare a proposed order and submit it to chambers for signature. Law Clerk to notify the parties.;*
- 04/03/2019 **CANCELED Motion For Reconsideration** (8:30 AM) (Judicial Officer: Johnson, Eric)  
*Vacated - per Law Clerk*  
*Plaintiff's Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw and New Motion to Get a New Court Hearing Date*
- 04/17/2019  **Motion** (8:30 AM) (Judicial Officer: Johnson, Eric)  
*Defendant's Motion for Writ of Execution*  
 Granted;  
 Journal Entry Details:  
*Ms. Chan stated she would like to hire an attorney. Court concurred, however, noted she has already had 4 attorneys and she knew this hearing was set for today. Ms. Chan advised she has an appointment tomorrow with an attorney. Mr. Olsen objected to a continuance as this is a stall tactic of Ms. Chan's, that he would request the funds being held by GLVAR be released. Following additional arguments by Ms. Chan, COURT ORDERED, Motion GRANTED and noted it will take effect on April 26, 2019. Court advised Ms. Chan that will give her time to seek counsel to review the Motion. Statements by Plaintiff as to her Motion for Reconsideration. Following statements by Ms. Chan, Court DENIED the Motion as there is no basis for reconsideration. Statements by Mr. Olsen as to additional attorney fees.;*
- 05/01/2019 **Motion to Stay** (8:30 AM) (Judicial Officer: Johnson, Eric)  
*Motion to Stay Execution on OST*  
 Granted;
- 05/01/2019 **Opposition and Countermotion** (8:30 AM) (Judicial Officer: Johnson, Eric)  
*Partial Opposition to Plaintiff's Motion to Stay Execution Pending Appeal (On an Ex Parte Application for an Order Shortening Time) and Demand for Supersedeas Bond and Countermotion to Amend Order*  
 Granted in Part;
- 05/01/2019  **All Pending Motions** (8:30 AM) (Judicial Officer: Johnson, Eric)  
 Matter Heard;  
 Journal Entry Details:  
*MOTION TO STAY EXECUTION ON OST...PARTIAL OPPOSITION TO PLAINTIFF'S MOTION TO STAY EXECUTION PENDING APPEAL (ON AN EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME) AND DEMAND FOR SUPERSEDEAS BOND AND COUNTERMOTION TO AMEND ORDER* Statements by Mr. Frizell and Mr. Olsen in support of their respective positions. Colloquy as to the posting of a bond. Mr. Olsen argued for 3x's the amount of the Judgment. Opposition by Mr. Frizell. Court noted it is inclined to grant 1 1/2x's the Judgment. Following additional colloquy, Court directed the bond be posted by 5/10. Further, Motion to Stay Execution is GRANTED and Partial Opposition to Plaintiff's Motion is GRANTED-IN-PART. Mr. Frizell provided an Order with the approval of Mr. Olsen that was SIGNED IN OPEN COURT.;
- 01/22/2020 **Motion** (8:30 AM) (Judicial Officer: Johnson, Eric)  
*Plaintiffs' Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment as Final (on an Application for an Order Shortening Time)*  
 Denied;

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-16-744109-C**

01/22/2020	<p><b>Opposition and Countermotion (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Opposition to Plaintiff's Motion to Formally Resolve Motion for Reconsideration and to Certify Judgment as Final (on an Application for an Order Shortening Time) and Countermotion for Summary Judgment on Abuse of Process Claim</i></p> <p>Granted in Part;</p>
01/22/2020	<p> <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>PLAINTIFFS' MOTION TO FORMALLY RESOLVE MOTION FOR RECONSIDERATION AND TO CERTIFY JUDGMENT AS FINAL (ON AN APPLICATION FOR AN ORDER SHORTENING TIME)...OPPOSITION TO PLAINTIFF'S MOTION TO FORMALLY RESOLVE MOTION FOR RECONSIDERATION AND TO CERTIFY JUDGMENT AS FINAL (ON AN APPLICATION FOR AN ORDER SHORTENING TIME) AND COUNTERMOTION FOR SUMMARY JUDGMENT ON ABUSE OF PROCESS CLAIM</i> Conference at the Bench. Court advised it does not believe it has jurisdiction as this case is on appeal. Arguments by Mr. Frizell and Mr. Olsen in support of their respective positions. Following, <b>COURT ORDERED</b> Plaintiff's Motion is <b>DENIED</b> and Defendant's Motion is <b>GRANTED IN PART/ DENIED IN PART</b>. Mr. Frizell to prepare the Order.;</p>
06/16/2020	<p><b>CANCELED Status Check (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Vacated</i></p> <p><i>Status Check: Appeal</i></p>
06/30/2020	<p> <b>Motion to Strike (8:30 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Plaintiffs' Motion to Strike or in the Alternative to Extend Briefing and Continue the Hearing on Defendants' Motion for Summary Judgment (First Request) (On an Ex Parte Application for an Order Shortening Time)</i></p> <p>on OST</p> <p>Denied in Part;</p> <p>Journal Entry Details:</p> <p><i>Mr. Frizell appeared by telephone and Mr. Olsen appeared by video via Blue Jeans. Court noted it will deny the Motion to Strike and ORDERED, MOTION DENIED IN PART. Arguments by Mr. Frizell and Mr. Olsen. Following, COURT ORDERED, the following briefing schedule as to the Motion for Summary Judgment: Mr. Frizell to respond by 7/7 Mr. Olsen to reply by 7/13. Further, COURT ORDERED, Motion for Summary Judgment set for 7/7 is CONTINUED. 7/21/20 8:30 AM DEFENDANT'S MOTION FOR SUMMARY JUDGMENT;</i></p>
07/21/2020	<p><b>Motion for Summary Judgment (11:00 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Defendant's Motion for Summary Judgment, or in the alternative, for Award of Attorney's Fees, for Writ of Execution for on Plaintiff's Commissions Awarded by GLVAR Arbitration Panel and Release of Bond Deposited on Appeal</i></p> <p>Granted in Part;</p>
07/21/2020	<p><b>Opposition and Countermotion (11:00 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p><i>Plaintiffs' Opposition to Defendants' Motion for Summary Judgment, or in the Alternative, for Contractual Award of Attorney's Fees, for Writ of Execution on Plaintiff's Commissions Awarded by GLVAR Arbitration Panel and Release of Bond Deposited on Appeal and Countermotion for Summary Judgment on Defendants' Abuse-Of-Process Counterclaim</i></p> <p>Granted;</p>
07/21/2020	<p> <b>All Pending Motions (11:00 AM)</b> (Judicial Officer: Johnson, Eric)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AWARD OF ATTORNEY'S FEES, FOR WRIT OF EXECUTION FOR ON PLAINTIFF'S COMMISSIONS AWARDED BY GLVAR ARBITRATION PANEL AND RELEASE OF BOND DEPOSITED ON APPEAL...PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR CONTRACTUAL AWARD OF ATTORNEY'S FEES, FOR WRIT OF EXECUTION ON PLAINTIFF'S COMMISSIONS AWARDED BY GLVAR ARBITRATION PANEL AND RELEASE OF BOND DEPOSITED ON APPEAL AND COUNTERMOTION FOR SUMMARY JUDGMENT ON DEFENDANTS' ABUSE-OF PROCESS COUNTERCLAIM</i> Court FINDS Ms. Chan represented the worst of litigants, her filing of the complaint was not enough for abuse of process and she had an ethical obligation with the realtor board to attend either arbitration or mediation, which she claims she did. Court noted she may have violated her ethical obligations, however she had a right to file the complaint which appeared was not filed for an ulterior motive. Court <b>FURTHER FINDS</b>, Ms. Chan had the right to appeal, therefore, <b>ORDERED</b>, Defendant's Motion <b>GRANTED</b> as to Summary Judgment, attorney's fees, release of bond and <b>DENIED</b> as to the Writ of Execution. Arguments by Mr. Olsen and Mr. Frizell. Colloquy regarding billing for attorney's fees and costs. <b>COURT FURTHER ORDERED</b>, Plaintiff's Countermotion for Summary Judgment on Defendant's Abuse-of- Process Counterclaim is <b>GRANTED</b>. Following colloquy, counsel agreed to the following dates: Mr. Olsen to file Request for Attorney's Costs and Fees on or before: 8/5/20 Mr. Frizell to file any Objection to the Request for</p>

# CASE SUMMARY

CASE NO. A-16-744109-C

Attorney's Costs and Fees on or before: 8/19/20 Mr. Olsen to file any Reply on or before: 8/26/20 At the request of counsel, COURT ORDERED, matter SET for status check. 9/16/20 8:30 AM STATUS CHECK: ATTORNEY'S FEES AND COSTS ;

09/30/2020 **Status Check (10:30 AM)** (Judicial Officer: Johnson, Eric)


Status Check: Attorney's Fees and Costs

Matter Heard;

09/30/2020 **Opposition and Countermotion (10:30 AM)** (Judicial Officer: Johnson, Eric)

Plaintiffs Opposition to Defendants Memorandum for Production of Invoices for Attorney s Fees and Costs And Countermotion to Have Defendants Invoices Filed and Made Part of the Public Record


Matter Heard;

09/30/2020  **All Pending Motions (10:30 AM)** (Judicial Officer: Johnson, Eric)

Matter Heard;

Journal Entry Details:


PLAINTIFFS OPPOSITION TO DEFENDANTS MEMORANDUM FOR PRODUCTION OF INVOICES FOR ATTORNEY FEES AND COSTS AND COUNTERMOTION TO HAVE DEFENDANTS INVOICES FILED AND MADE PART OF THE PUBLIC RECORD ... STATUS CHECK: ATTORNEYS FEES AND COSTS Following arguments by counsel, Court noted the history of this matter. Further, COURT ORDERED, \$35,630.00 in costs allowed in attorneys fees and costs after the last award in October 2018. COURT STATED FINDINGS. Court noted there is an issue of the invoices be made as part of the record. Mr. Olsen stated he will file the invoices. COURT FURTHER ORDERED, matter SET for Status Check regarding a Final Order being sent to the Court. Mr. Olsen inquired as to the Writ of Attachment and being allowed to collect the full amount instead of leaving \$3,000.00 for Ms. Chan. Mr. Frizzell stated they can file a motion for stay. Court noted the issue of changing the Writ of Execution and stated it does not see an issue in doing that. Court stated this court will allow a Writ of Execution as to all of the funds and this will require a new Writ of Execution. Mr. Olsen stated he will submit a new Writ COURT SO NOTED. At request of Mr. Frizzell, COURT ORDERED, leave GRANTED to file a Motion. 10/28/20 10:30 AM STATUS CHECK: ORDER;

10/09/2020  **Minute Order (2:39 PM)** (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

COURT ORDERED, the Order Granting Summary Judgement, dated 10/9/20 VACATED and STRICKEN as filed in error, pending presentation of a final order.;


10/28/2020  **Status Check (10:30 AM)** (Judicial Officer: Johnson, Eric)

Status Check: Order

Continued;

Journal Entry Details:

Upon Court's inquiry, Mr. Fritzell stated he received the order but has not reviewed it yet; the order should be submitted within a week. COURT ORDERED, matter CONTINUED. CONTINUED TO: 11/18/20 8:30 AM;


11/18/2020  **Status Check (8:30 AM)** (Judicial Officer: Johnson, Eric)

Order/case status

Matter Heard;

Journal Entry Details:

Mr. Routsong stated that the matter was resolved and he submitted an order earlier in the day for the Court's review and signature. Upon inquiry of the Court, Mr. Frizzell confirmed that he approved with the order as written. Counsel further stated that they did not need another status check to be set. ;

12/09/2020  **Motion to Stay (8:30 AM)** (Judicial Officer: Johnson, Eric)

Plaintiffs Motion to Stay Execution Pending Appeal (on an Ex Parte Application For An Order Shortening Time)

Granted;

Journal Entry Details:

Duane Frizzell, Esq. and Michael Olsen, Esq. present via Bluejeans video conference. Arguments by counsel. Following arguments, COURT STATED ITS FINDINGS, ORDERED, Plaintiff's Motion to Stay Execution Pending Appeal (on Ex Parte Application For An Order Shortening Time) GRANTED; BOND in the amount of \$33,283.50. Court advised Mr. Frizzell to prepare the Order. COURT FURTHER ORDERED, Plaintiff's Motion to Stay Execution Pending Appeal VACATED.;

01/06/2021 **CANCELED Motion for Stay of Execution (9:00 AM)** (Judicial Officer: Johnson, Eric)

Vacated - per Judge

# CASE SUMMARY

CASE NO. A-16-744109-C

*Plaintiff's Motion to Stay Execution Pending Appeal (on an Ex Parte Application for an Order Shortening Time)*

03/01/2023



**Motion for Attorney Fees and Costs (9:00 AM)** (Judicial Officer: Johnson, Eric)

Events: 01/26/2023 Motion

*Defendants' Motion for Attorneys' Fees and Costs*

Granted in Part;

Journal Entry Details:

*Appearances made via the BlueJeans Videoconferencing Application: Duane Frizell, Esq. Arguments made by counsel in support of and in opposition to the motion. Court stated its findings and ORDERED, Defendant's Motion for Attorney Fees and Costs GRANTED IN PART as to Attorney Fees and TAKEN UNDER ADVISEMENT regarding costs. CLERK S NOTE. Minutes prepared from JAVS recording. //-jm 03.31.23;*

03/29/2023

**CANCELED Motion for Order Extending Time (10:30 AM)** (Judicial Officer: Johnson, Eric)

*Vacated - per Judge*

*Plaintiffs' Motion For Order To Extend Time To File Opposition To Defendants' Motion For Attorneys' Fees And Costs For Five (5) Days And To Accept The Filing Of Said Opposition They Made On February 14, 2023 (First Extension Request) (On An Ex Parte Application For An Order Shortening Time)*

09/15/2023



**Minute Order (3:00 AM)** (Judicial Officer: Johnson, Eric)

Minute Order - No Hearing Held;

Journal Entry Details:

*Plaintiff filed her Motion to Request for Reconsideration on July 31, 2023. Defendant's filed their Opposition to Plaintiff's Motion on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. After considering the pleadings and arguments of Counsel, the Court hereby DENIES the Plaintiff's Motion to Request for Reconsideration. First the Plaintiff's filing is an improper filing: as stated by Defense counsel, it was filed as a Request for Reconsideration, but is actually a motion for an extension of time in which to file her Motion for Reconsideration. Further, the Plaintiff has offered no legal authority or circumstances to merit her extension in this case. She states she has parted ways with her attorney and now states she needs more time to analyze her "strategic options." However, Plaintiff has had numerous attorney on this matter and continuous sought to litigate this case since 2016. The rules provide for a party to have 60 days to seek reconsideration. Plaintiff has not provided the Court with a sufficient basis for which to grant her motion for extension of time. As noted, her case started in 2016 and Plaintiff has had ample opportunity to have her case considered in light of her appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception in 2016. At this point in time, the Court denies Plaintiff's motion for extension of time. The Court hereby VACATES the September 18, 2023 hearing Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.*

*Defendant's filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion. Here, Plaintiff has repeatedly stated her intentions to continue the litigation in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to challenge" her. Defendant's motion is based Plaintiff's ongoing contractual obligation to pay reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration agreement and the fees and costs the Court has awarded. As long as Plaintiff continues to fight Defendant's legal efforts to enforce the arbitration agreement, Defendant can move under the contract for reasonable attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court confirmed this Court could award such fees under the arbitration agreement "so long as Ms. Chan fights against collection of the original award." Defendant's Motion for Attorney's fees will be granted. Defense counsel is to provide billing information as to their time spent working on defending the Plaintiff's current motion. According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a "vexatious litigant" under the rules and relevant case law. The Court hereby VACATES the September 18, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 9-15-23khm;*

09/18/2023

**CANCELED Motion (9:00 AM)** (Judicial Officer: Johnson, Eric)

*Vacated - per Law Clerk*

*Motion for Extension of Time to File a Motion for Reconsideration (Captioned Motion to Request for Reconsideration)*

09/18/2023

**CANCELED Opposition and Countermotion (9:00 AM)** (Judicial Officer: Johnson, Eric)



*Vacated - per Law Clerk*

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-16-744109-C

*Objection to Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration and Countermotion for Award of Attorney's Fees and Finding That Betty is a Vexatious Litigant*

10/04/2023	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Johnson, Eric) Minute Order - No Hearing Held; Journal Entry Details: <i>Plaintiff, Betty Chan, filed a Motion for Reconsideration on September 25, 2023. The Motion for Reconsideration was subsequently scheduled for hearing on November 1, 2023. The Plaintiff, Betty Chan, then filed a Motion to Continue the Motion for Reconsideration on October 2, 2023. The Motion for Continuation was subsequently scheduled for hearing on November 8, 2023. No opposition has been filed, and opposing counsel agrees to continue the hearing for the Motion for Reconsideration. Thereby, good cause showing, and pursuant to EDCR 2.23(c) the Court hereby GRANTS the Motion to Continue and reschedules the Motion for Reconsideration hearing to be held on November 15, 2023 at 8:30 am. The Court hereby VACATES the hearing for the Motion to Continue on November 8, 2023 and the Court hereby MOVES the Motion for Reconsideration hearing for November 15, 2023 at 8:30 am. ;</i>
11/08/2023	<b>CANCELED Motion</b> (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Vacated - per Law Clerk</i> <i>Plaintiff's Motion for Continuance for 11/1/2023 hearing and Motion for Production of all Documents Submitted in Camera By the Defendants</i>
11/15/2023	<b>CANCELED Motion For Reconsideration</b> (8:30 AM) (Judicial Officer: Johnson, Eric) <i>Vacated - per Law Clerk</i> <i>1) Plaintiffs', a NV S Corporation, Motions for Reconsideration of Judge's Minute Order Dated 9/15/2023 in Relation to Plaintiff's Motion of Reconsideration Filed on 7/31/2023 and Another Motion Filed on 9/11/2023 to Request of Extension of Time to File Motion for Reconsideration and Motion to Toll Deadlines to Respond to Defendant's Motions 2) Objection to Defendant's Order Granting Ex-Parte Motion to Confirm and Award Interest, to Release Remainder of Supersedeas Bonds, and to Confirm the Accrual of Interest. 3) Motion to Ask for Production of All Defendants' Documents Submitted in Camera</i>
11/20/2023	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Johnson, Eric) Minute Order - No Hearing Held; Journal Entry Details: <i>Plaintiff filed the Motion for Reconsideration of Judge's Minute Order Dated September 15, 2023 in relation to Plaintiffs' Motion of Reconsideration filed on July 31, 2023 and another Motion filed on September 11, 2023 to Request of Extension of time to file Motion for Reconsideration and Motion to Toll deadlines to Respond to Defendant's Motions. On October 9, 2023 Defendants Objected to Plaintiff's Motion for Reconsideration. On October 16, 2023 the Plaintiffs filed their Reply in Support of their Motion. The Matter was subsequently scheduled for a hearing on November 15, 2023. After considering the pleadings and arguments of counsel, the Court hereby Denies Plaintiff's Motion for Reconsideration. Pursuant to EDCR 2.24, EDCR 5.516 a Motion for Reconsideration is proper when new facts or law are brought to light that would have a tendency to change the ruling in the case. Moore v. City of Las Vegas. Here, the Plaintiff has not alleged any new facts, law or evidence that has any tendency to change the Court's ruling from their July 17, 2023 order granting Defendants' Attorney Fees and Costs. Plaintiff asserts that they were merely attempting to make an "administrative filing" which would grant the more time to respond to the Defendants' filings, and would toll the briefing schedule for the Motion for Reconsideration. However, the Plaintiff was acting pro se, and both EDCR 7.42 and NRS 7.285 prohibit a corporation from being represented by anyone but an attorney. Here, as Plaintiff Betty Chan is not an attorney, and she has been filing motions and briefs on behalf of the Plaintiff AARPM, all of which include legal and factual analyses, the Plaintiff's Motions to Extend and Motion for Reconsideration are not proper in front of this Court. The Plaintiff brings up the contents of the Arbitration Agreement improperly in their Reply to the Defendants' Opposition. Plaintiffs' Motion for Reconsideration and Defendants Opposition did not address the contents of the Arbitration Agreement, therefore, this issue should be addressed in a separate motion. Plaintiffs allege that they have not received any documentation to support Defendant's award of attorney fees and costs ordered on July 17, 2023. However, the documents filed under seal have been properly provided to the Plaintiff through email from the Defendants. Although such documents were provided to Plaintiffs in a redacted format, the redacted information is confidential, of which the Plaintiff is not entitled. The Court hereby VACATES the November 15, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File &amp; Serve. 11.20.23khm;</i>

DATE

FINANCIAL INFORMATION

<b>Counter Claimant</b> Chiu, Jerrin	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>

**CASE SUMMARY****CASE NO. A-16-744109-C**

<b>Counter Claimant</b> Nevada Real Estate Corp	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>
 <b>Counter Claimant</b> Sullivan, Judith	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>
 <b>Counter Claimant</b> Wu, Wayne	
Total Charges	1,057.00
Total Payments and Credits	1,057.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>
 <b>Plaintiff</b> Asian American Realty & Property Management	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>
 <b>Counter Defendant</b> Chan, Betty	
Total Charges	422.00
Total Payments and Credits	422.00
<b>Balance Due as of 12/5/2023</b>	<b>0.00</b>
 <b>Counter Claimant</b> Wu, Wayne	
Appeal Bond Balance as of 12/5/2023	<b>1,000.00</b>
 <b>Plaintiff</b> Asian American Realty & Property Management	
Supersedeas Bond Balance as of 12/5/2023	<b>0.00</b>
 <b>Counter Defendant</b> Chan, Betty	
Appeal Bond Balance as of 12/5/2023	<b>500.00</b>
 <b>Counter Defendant</b> Chan, Betty	
Appeal Bond Balance as of 12/5/2023	<b>500.00</b>

## XII

## DISTRICT COURT CIVIL COVER SHEET

Clark 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):  
BETTY CHAN and ASIAN AMERICAN REALTY & PROPERTY  
MANAGEMENTyAttorney (name/address/phone):  
Avece M. Higbee, Esq. (NV Bar No. 3739)  
Marquis Aurbach Coffing  
10001 Park Run Drive  
Las Vegas, NV 89145  
(702) 382-0711Defendant(s) (name/address/phone):  
WAYNE WU, JUDITH SULLIVAN, NEVADA REAL  
ESTATE CORP., JERRIN CHIU, KB HOME SALES –  
NEVADA INC., DOES I through X, and ROES I  
through X

Attorney (name/address/phone):

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

Real Property	Torts	
<b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input checked="" type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (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 <b>Estate Value</b> <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	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <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 checked="" type="checkbox"/> Other Contract p. m. w	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <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	<b>Other Civil Filing</b> <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.

9/26/16  
Date

Signature of initiating party or representative

*Heaven & Sun*  
CLERK OF THE COURT

**ORDR**

MICHAEL A. OLSEN, ESQ.  
Nevada Bar No. 6076  
THOMAS R. GROVER, ESQ.  
Nevada Bar No. 12387  
SKYLER J. THORNTON, ESQ.  
Nevada Bar No. 16331  
**BLACKROCK LEGAL, LLC**  
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[mike@blackrocklawyers.com](mailto:mike@blackrocklawyers.com)  
[tom@blackrocklawyers.com](mailto:tom@blackrocklawyers.com)  
[skyler@blackrocklawyers.com](mailto:skyler@blackrocklawyers.com)

*Attorneys for Defendants/Counterclaimants*  
*Wayne Wu, Judith Sullivan, Nevada Real Estate*  
*Corp. and Jerrin Chiu*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

BETTY CHAN and ASIAN AMERICAN  
REALTY & PROPERTY MANAGEMENT,

Plaintiffs/Counterdefendants,

v.

WAYNE WU, JUDITH SULLIVAN,  
NEVADA REAL ESTATE CORP., JERRIN  
CHIU, KB HOME SALES – NEVADA INC.,  
DOES I through X, and ROES I through X,

Defendants/Counterclaimants.

Case No: A-16-744109-C  
Dept. No.: XX

**ORDER DENYING PLAINTIFFS/COUNTER-DEFENDANTS' MOTION TO  
REQUEST FOR RECONSIDERATION AND GRANTING IN PART  
DEFENDANTS/COUNTERCLAIMANTS' COUNTERMOTION FOR AWARD  
OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A VEXATIOUS  
LITIGANT**

This matter came on for hearing In Chambers on September 15, 2023, before the  
Honorable Eric Johnson presiding on Plaintiffs/Counter-Defendants' *Motion to Request for*  
*Reconsideration* (hereafter "Motion") and Defendants/Counterclaimants' *Countermotion for*

1 *Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant* (hereafter  
2 "Counter-motion"). The Court having read and considered the papers and pleadings on file and  
3 good cause appearing, therefore the Court makes the following findings of fact and conclusions  
4 of law:  
5

6 **FINDINGS OF FACT**  
7

8 1. The Court denies Plaintiff's Motion to Request for Reconsideration.

9 2. The Plaintiff's filing is an improper filing in that it was filed as a Request for  
10 Reconsideration but is actually a motion for an extension of time in which to file her Motion for  
11 Reconsideration.

12 3. Furthermore, the Plaintiff has offered no legal authority or circumstances to merit  
13 her requested extension in this case. Arguments raised by a party must be supported by relevant  
14 authority and cogent argument; "issues not so presented need not be addressed." Maresa v. State,  
15 103 Nev. 669, 673 (1987). Indeed, a district court need not consider arguments lacking citation  
16 to legal authority. State Dept. Motor Vehicles v. Rowland, 107 Nev. 475, 479, 814 P.2d 80, 83  
17 (1991).  
18

19 4. The Plaintiff has not provided the Court with a sufficient basis for which to grant  
20 her motion for an extension of time even had it been properly filed. EDCR 2.25 requires motions  
21 for an extension of time to "state the reasons for the extension requested." In support of her  
22 motion, the Plaintiff states that she has parted ways with her attorney and needs more time to  
23 analyze her "strategic options." However, Plaintiff has had numerous attorneys on this matter  
24 and has continuously sought to litigate this case since 2016.  
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1           5.       Plaintiff has had ample opportunity to have her case considered in light of her  
2 appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception  
3 in 2016.

4           6.       Moreover, Plaintiff has repeatedly stated her intentions to continue the litigation  
5 in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to  
6 challenge" her.

7           7.       The Court therefore denies Plaintiff's Motion for Extension of Time

8           8.       Regarding the Defendants' countermotion for attorney's fees and costs, the  
9 Defendants' countermotion is based on Plaintiff's ongoing contractual obligation to pay  
10 reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration  
11 agreement and the fees and costs the Court has awarded.

12           9.       Therefore, as long as Plaintiff continues to fight Defendant's legal efforts to  
13 enforce the arbitration agreement, Defendant can move under the contract for reasonable  
14 attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court  
15 confirmed this Court could award such fees under the arbitration agreement "so long as Ms.  
16 Chan fights against collection of the original award."

17           10.      Defendant's Motion for Attorney's Fees will be granted and Defendant's counsel  
18 is required to provide billing information as to time spent working on defending Plaintiff's  
19 current motion, filed July 31, 2023.

20           11.      Finally, despite the near 7-year history of this case, this Court does not find Betty  
21 Chan to be a vexatious litigant within the definition of NRCP 11 and Nevada case law.

22           12.      According to NRCP 11 and Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586,  
23 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. While  
24 Plaintiff's voracious litigation in this matter has spanned nearly 7 years, it has involved only one  
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lawsuit throughout that time. Therefore, the Court does not at this time find Betty Chan a vexatious litigant.

### CONCLUSIONS OF LAW

1. On July 31, 2023, Plaintiffs filed a Motion to Request for Reconsideration. The Motion was an improper filing as it was filed as a Request for Reconsideration but is actually a motion for an extension of time in which to file her Motion for Reconsideration.

2. Plaintiff has offered no legal authority or circumstances to merit her extension in this case. Plaintiff has not provided the Court with sufficient basis for which to grant her motion for extension of time.

3. Defendants filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion.

4. The Defendants' request for attorney's fees and costs is GRANTED. The Court finds that the attorney's fees and costs requested by Defendants are reasonable under the factors outlined in Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 455 P.2d 31 (1969). The Court therefore awards such fees as requested by Defendants incurred in their opposition to Betty Chan's *Motion to Request for Reconsideration*, in the total amount of ~~\$6,448.68~~ <sup>\$5,608.68</sup>, of which ~~\$6,430~~ <sup>\$5,590.00</sup> represents attorney fees and \$18.68 in costs

5. According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a

"vexatious litigant" under the rules and relevant case law, however the Court will continue to award Defendant/Counterclaimants motions for attorney's fees and costs based upon contract as stated herein.

**IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED:**

a. That Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration is Denied.

b. That Plaintiffs/Counter-Defendants' Request for Extension of Time is Denied.

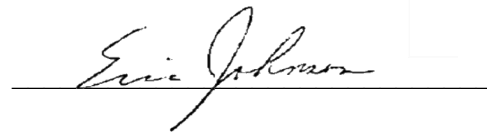
c. That Defendants/Counterclaimants' Countermotion for Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant is Granted In Part pursuant to EDCR 2.20(e) and EDCR 2.23(c).

d. That Defendants/Counterclaimants' Motion for Attorney' Fees and costs is  
Granted in the amount of <sup>\$5,590.00</sup> ~~\$6,430~~ in fees and <sup>\$5,608.68</sup> ~~\$6,448.68~~ in costs for a combined total of <sup>\$5,608.68</sup> ~~\$6,448.68~~.

e. That Defendants/Counterclaimants must provide the Court with billing information as to their time spent working on defending Plaintiff's *Motion for Request for Reconsideration*.

f. That the Court Vacates the September 18, 2023, hearing pursuant to the Minute Order served on September 15, 2023.

Dated this 2nd day of November, 2023



Respectfully submitted by:

/s/ Michael A. Olsen, Esq.  
MICHAEL A. OLSEN, ESQ.  
Nevada Bar No. 6076  
THOMAS R. GROVER, ESQ.  
Nevada Bar No. 12387  
SKYLER J. THORNTON, ESQ.  
Nevada Bar No. 16331

**ED7 FE0 4D27 AC4E**  
**Eric Johnson**  
**District Court Judge**

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Betty Chan, Plaintiff(s)

CASE NO: A-16-744109-C

7 vs.

DEPT. NO. Department 20

8 Wayne Wu, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/2/2023

15 Thomas Grover

tom@blackrocklawyers.com

16 Daniel Ormsby .

DOrmsby@goodsellolsen.com

17 Janice M. Michaels .

jmichaels@wshblaw.com

18 Laura Myers .

laura@goodsellolsen.com

19 Michelle N Ledesma .

mledesma@wshblaw.com

20 Roman Harper .

Roman@goodsellolsen.com

21 Thomas Grover .

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22 Janiece Marshall

jmarshall@gcmaslaw.com

23 Betty Chan

aarpm09@gmail.com

24 Michael Olsen

mike@blackrocklawyers.com

25 Michael Olsen

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26

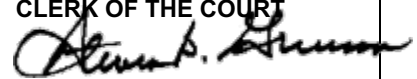
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28

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Liz Ditmore	editmore@wshblaw.com
Alea Duford	alea@blackrocklawyers.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/3/2023

Janice Michaels	Wood Smith Henning Berman LLP Attn: Janice Michaels, Esq 2881 Business Park Court, Suite 200 Las Vegas, NV, 89128-9020
R Frizell	Frizell Law Firm, PLLC c/o: R. Duane Frizell 400 N. Stephanie St., Suite 265 Henderson, NV, 89014



1 **NEOJ**  
2 MICHAEL A. OLSEN, ESQ.  
3 Nevada Bar No. 6076  
4 THOMAS R. GROVER, ESQ.  
5 Nevada Bar No. 12387  
6 SKYLER J. THORNTON, ESQ.  
7 Nevada Bar No. 16331  
8 **BLACKROCK LEGAL, LLC**  
9 10155 W. Twain Ave. Ste. 100  
10 Las Vegas, Nevada 89147  
11 Tel: (702) 855-5658  
12 Fax: (702) 869-8243  
13 *Attorneys for Defendants/Counterclaimants*  
14 *Wayne Wu, Judith Sullivan, Nevada Real Estate*  
15 *Corp. and Jerrin Chiu*

10 **DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

11 BETTY CHAN and ASIAN AMERICAN ) Case No: A-16-744109-C  
12 REALTY & PROPERTY MANAGEMENT, )  
13 ) Dept. No: XX  
14 Plaintiffs/Counterdefendants, )  
15 v. )  
16 )  
17 WAYNE WU, JUDITH SULLIVAN, )  
18 NEVADA REAL ESTATE CORP., JERRIN )  
19 CHIU, KB HOME SALES – NEVADA INC., )  
20 DOES I through X, and ROES I through X )  
21 )  
22 Defendants/Counterclaimants. )

19 **NOTICE OF ENTRY OF ORDER**

20 PLEASE TAKE NOTICE that the **ORDER DENYING PLAINTIFFS/COUNTER-**  
21 **DEFENDANTS' MOTION TO REQUEST FOR RECONSIDERATION AND**  
22 **GRANTING IN PART DEFENDANTS/COUNTERCLAIMANTS' COUNTERMOTION**  
23 **FOR AWARD OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A**  
24 **VEXATIOUS LITIGANT** was entered on the Court's record on the 2nd day of November  
25 2023. A copy of said Order is attached hereto as **Exhibit "1"**.  
26 DATED this 15th day of November 2023.

26 /s/Michael A. Olsen, Esq.  
27 MICHAEL A. OLSEN, ESQ.  
28 Nevada Bar No. 6076  
*Attorney for Defendants/Counterclaimants*  
*Wayne Wu, Judith Sullivan, Nevada Real Estate*  
*Corp. and Jerrin Chiu*



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**EXHIBIT “1”**

*Heaven & Sun*  
CLERK OF THE COURT

**ORDR**

MICHAEL A. OLSEN, ESQ.  
Nevada Bar No. 6076  
THOMAS R. GROVER, ESQ.  
Nevada Bar No. 12387  
SKYLER J. THORNTON, ESQ.  
Nevada Bar No. 16331

**BLACKROCK LEGAL, LLC**  
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[mike@blackrocklawyers.com](mailto:mike@blackrocklawyers.com)  
[tom@blackrocklawyers.com](mailto:tom@blackrocklawyers.com)  
[skyler@blackrocklawyers.com](mailto:skyler@blackrocklawyers.com)

*Attorneys for Defendants/Counterclaimants*  
*Wayne Wu, Judith Sullivan, Nevada Real Estate*  
*Corp. and Jerrin Chiu*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

BETTY CHAN and ASIAN AMERICAN  
REALTY & PROPERTY MANAGEMENT,

Plaintiffs/Counterdefendants,

v.

WAYNE WU, JUDITH SULLIVAN,  
NEVADA REAL ESTATE CORP., JERRIN  
CHIU, KB HOME SALES – NEVADA INC.,  
DOES I through X, and ROES I through X,

Defendants/Counterclaimants.

Case No: A-16-744109-C  
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**ORDER DENYING PLAINTIFFS/COUNTER-DEFENDANTS' MOTION TO  
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LITIGANT**

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Honorable Eric Johnson presiding on Plaintiffs/Counter-Defendants' *Motion to Request for*  
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1 *Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant* (hereafter  
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3 good cause appearing, therefore the Court makes the following findings of fact and conclusions  
4 of law:  
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6 **FINDINGS OF FACT**  
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8 1. The Court denies Plaintiff's Motion to Request for Reconsideration.

9 2. The Plaintiff's filing is an improper filing in that it was filed as a Request for  
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12 3. Furthermore, the Plaintiff has offered no legal authority or circumstances to merit  
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22 motion, the Plaintiff states that she has parted ways with her attorney and needs more time to  
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24 and has continuously sought to litigate this case since 2016.  
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2 appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception  
3 in 2016.

4           6.       Moreover, Plaintiff has repeatedly stated her intentions to continue the litigation  
5 in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to  
6 challenge" her.

7           7.       The Court therefore denies Plaintiff's Motion for Extension of Time

8           8.       Regarding the Defendants' countermotion for attorney's fees and costs, the  
9 Defendants' countermotion is based on Plaintiff's ongoing contractual obligation to pay  
10 reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration  
11 agreement and the fees and costs the Court has awarded.

12           9.       Therefore, as long as Plaintiff continues to fight Defendant's legal efforts to  
13 enforce the arbitration agreement, Defendant can move under the contract for reasonable  
14 attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court  
15 confirmed this Court could award such fees under the arbitration agreement "so long as Ms.  
16 Chan fights against collection of the original award."

17           10.      Defendant's Motion for Attorney's Fees will be granted and Defendant's counsel  
18 is required to provide billing information as to time spent working on defending Plaintiff's  
19 current motion, filed July 31, 2023.

20           11.      Finally, despite the near 7-year history of this case, this Court does not find Betty  
21 Chan to be a vexatious litigant within the definition of NRCP 11 and Nevada case law.

22           12.      According to NRCP 11 and Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586,  
23 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. While  
24 Plaintiff's voracious litigation in this matter has spanned nearly 7 years, it has involved only one  
25  
26  
27  
28

lawsuit throughout that time. Therefore, the Court does not at this time find Betty Chan a vexatious litigant.

### CONCLUSIONS OF LAW

1. On July 31, 2023, Plaintiffs filed a Motion to Request for Reconsideration. The Motion was an improper filing as it was filed as a Request for Reconsideration but is actually a motion for an extension of time in which to file her Motion for Reconsideration.

2. Plaintiff has offered no legal authority or circumstances to merit her extension in this case. Plaintiff has not provided the Court with sufficient basis for which to grant her motion for extension of time.

3. Defendants filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion.

4. The Defendants' request for attorney's fees and costs is GRANTED. The Court finds that the attorney's fees and costs requested by Defendants are reasonable under the factors outlined in Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 455 P.2d 31 (1969). The Court therefore awards such fees as requested by Defendants incurred in their opposition to Betty Chan's *Motion to Request for Reconsideration*, in the total amount of ~~\$6,448.68~~ <sup>\$5,608.68</sup>, of which ~~\$6,430~~ <sup>\$5,590.00</sup> represents attorney fees and \$18.68 in costs

5. According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a

"vexatious litigant" under the rules and relevant case law, however the Court will continue to award Defendant/Counterclaimants motions for attorney's fees and costs based upon contract as stated herein.

**IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED:**

a. That Plaintiffs/Counter-Defendants' Motion to Request for Reconsideration is Denied.

b. That Plaintiffs/Counter-Defendants' Request for Extension of Time is Denied.

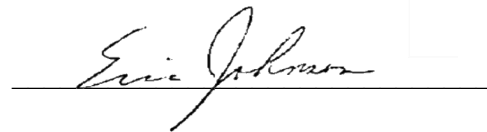
c. That Defendants/Counterclaimants' Countermotion for Award of Attorney's Fees and Finding that Betty is a Vexatious Litigant is Granted In Part pursuant to EDCR 2.20(e) and EDCR 2.23(c).

d. That Defendants/Counterclaimants' Motion for Attorney' Fees and costs is  
Granted in the amount of ~~\$6,430~~ <sup>\$5,590.00</sup> in fees and \$18.68 in costs for a combined total of ~~\$6,448.68~~ <sup>\$5,608.68</sup>.

e. That Defendants/Counterclaimants must provide the Court with billing information as to their time spent working on defending Plaintiff's *Motion for Request for Reconsideration*.

f. That the Court Vacates the September 18, 2023, hearing pursuant to the Minute Order served on September 15, 2023.

Dated this 2nd day of November, 2023



Respectfully submitted by:

/s/ Michael A. Olsen, Esq.  
MICHAEL A. OLSEN, ESQ.  
Nevada Bar No. 6076  
THOMAS R. GROVER, ESQ.  
Nevada Bar No. 12387  
SKYLER J. THORNTON, ESQ.  
Nevada Bar No. 16331

**ED7 FE0 4D27 AC4E**  
**Eric Johnson**  
**District Court Judge**

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Betty Chan, Plaintiff(s)

CASE NO: A-16-744109-C

7 vs.

DEPT. NO. Department 20

8 Wayne Wu, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/2/2023

15 Thomas Grover	tom@blackrocklawyers.com
16 Daniel Ormsby .	DOrmsby@goodsellolsen.com
17 Janice M. Michaels .	jmichaels@wshblaw.com
18 Laura Myers .	laura@goodsellolsen.com
19 Michelle N Ledesma .	mledesma@wshblaw.com
20 Roman Harper .	Roman@goodsellolsen.com
21 Thomas Grover .	tom@goodsellolsen.com
22 Janiece Marshall	jmarshall@gcmaslaw.com
23 Betty Chan	aarpm09@gmail.com
24 Michael Olsen	mike@blackrocklawyers.com
25 Michael Olsen	mike@blackrocklawyers.com
26	
27	
28	

Aiqin Niu	aniu@frizelllaw.com
WSHB-LV Efilings Inbox	lvfilings@wshblaw.com
Skyler Thornton	skyler@blackrocklawyers.com
Liz Ditmore	editmore@wshblaw.com
Alea Duford	alea@blackrocklawyers.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/3/2023

Janice Michaels	Wood Smith Henning Berman LLP Attn: Janice Michaels, Esq 2881 Business Park Court, Suite 200 Las Vegas, NV, 89128-9020
R Frizell	Frizell Law Firm, PLLC c/o: R. Duane Frizell 400 N. Stephanie St., Suite 265 Henderson, NV, 89014

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**February 06, 2017**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**February 06, 2017      8:30 AM      Motion to Amend**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

**PRESENT:**      Higbee, Avece Marie      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- Ms. Higbee not present. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order.

CLERK'S NOTE: Ms. Higbee arrived late and was notified by Clerk regarding Court's ruling. Ms. Higbee provided a proposed order for Chambers. /// sj

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract****COURT MINUTES****February 27, 2017**

A-16-744109-C      Betty Chan, Plaintiff(s)  
                                  vs.  
                                  Wayne Wu, Defendant(s)

**February 27, 2017      8:30 AM      All Pending Motions**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

**PRESENT:**      Higbee, Avece   Marie      Attorney  
                                  Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- PLAINTIFFS' MOTION FOR STAY PENDING ARBITRATION...DEFENDANTS' AND COUNTERCLAIMANTS' OPPOSITION TO MOTION TO STAY PENDING ARBITRATION AND COUNTERMOTION TO DISMISS WITH PREJUDICE OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT

Discussions regarding additional claims to be filed, and additional parties. Ms. Higbee argued the matter should not be dismissed, pending arbitration. Court noted there are parties and claims not addressing arbitration. Discussions as to commission dispute. Mr. Olsen argued as to direct violation of ethical rules, amount having exceeded and approaching \$15,000.00, GLVAR rules, and there having been no contact between buyer and Defendant. Further arguments were made regarding arbitration proceedings, KB Home Sales-Nevada Inc., having been seller of property, and the matter needing to be dismissed with prejudice, or summary judgment needing to be granted. Discussions as to Court having enough evidence for dismissal or to grant summary judgment, opposing counsel not having alleged otherwise, and Jerin Chiu not having had a contractual relationship with Plaintiff. Further arguments by Ms. Higbee as to alleged contact, violation of agreement, reduction of commission having been sought, there being no basis for summary judgment or a dismissal, and determination to be made at time of trial. COURT ORDERED, Motion for stay

pending arbitration GRANTED. Ms. Higbee to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**April 03, 2017**

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A-16-744109-C	Betty Chan, Plaintiff(s) vs. Wayne Wu, Defendant(s)
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<b>April 03, 2017</b>	<b>8:30 AM</b>	<b>Motion to Withdraw as Counsel</b>
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**HEARD BY:** Leavitt, Michelle

**COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

**PRESENT:** Sansone, Neil M.

**JOURNAL ENTRIES**

- COURT ORDERED, Motion GRANTED; counsel for Plaintiffs WITHDRAWN. FURTHER, matter SET for status check. Mr. Sansone to prepare the order, and to also include the status check hearing in the written order.

5/01/17 8:30 A.M. STATUS CHECK: NEW COUNSEL FOR PLAINTIFFS

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Other Contract****COURT MINUTES****May 01, 2017**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**May 01, 2017      8:30 AM      Status Check**

**HEARD BY:** Leavitt, Michelle      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Kristine Santi

**REPORTER:**

**PARTIES**

**PRESENT:** Kennedy, Todd E.      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- Mr. Kennedy advised he did not file a notice yet, however, he is confirming as counsel for Plaintiffs today. Mr. Olsen advised this case was stayed, however, arbitration proceedings have not happened yet. Court stated that is up to Plaintiff. Court advised defense counsel if Plaintiff does not proceed, a motion to stay may be filed. COURT ORDERED, matter OFF CALENDAR.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**August 22, 2018**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**August 22, 2018      8:30 AM      All Pending Motions**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:** Kennedy, Todd E.      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- AS TO:

PLAINTIFF'S REPLY IN SUPPORT OF MOTION TO VACATE OR MODIFY ARBITRATION AND OPPOSITION/MOTION TO STRIKE IMPROPER COUNTERMOTION: Arguments by Mr. Kennedy and Mr. Olsen in support of their respective positions. Following, Court stated its FINDINGS and ORDERED, Motion DENIED. Mr. Olsen to prepare the Order.

DEFENDANTS AND COUNTERCLAIMANTS WAYNE WU, JUDITH SULLIVAN, NEVADA REAL ESTATE CORP., AND JERRIN CHIU'S OPPOSITION TO MOTION TO VACATE OR MODIFY ARBITRATION AWARD AND COUNTERMOTION TO RECOGNIZE WU AS THE PROCURING CAUSE, FOR SUMMARY JUDGMENT AND FOR ATTORNEY FEES: Arguments by Mr. Olsen and Mr. Kennedy in support of their respective positions. Mr. Olsen to supplement the billing records. Following, COURT ORDERED, the following briefing schedule:

Mr. Olsen to file supplement as to the Motion for Summary Judgment and attorney fees by 9/5;  
Mr. Kennedy to reply by 9/19 and matter CONTINUED for argument.

PLAINTIFF'S MOTION TO VACATE OR MODIFY ARBITRATION AWARD: Arguments by Mr. Kennedy and Mr. Olsen in support of their respective positions. Following, Court stated its FINDINGS and ORDERED, Motion DENIED. Mr. Olsen to prepare the Order.

Mr. Olsen stated in regards to his Motion for Summary Judgment, there is still a claim against KB Homes for Breach of Contract. Court directed counsel to talk about this issue.

10/10/18 8:30 AM DEFENDANTS AND COUNTERCLAIMANTS WAYNE WU, JUDITH SULLIVAN, NEVADA REAL ESTATE CORP., AND JERRIN CHIU'S OPPOSITION TO MOTION TO VACATE OR MODIFY ARBITRATION AWARD AND COUNTERMOTION TO RECOGNIZE WU AS THE PROCURING CAUSE, FOR SUMMARY JUDGMENT AND FOR ATTORNEY FEES

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**October 17, 2018**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**October 17, 2018      10:30 AM      Motion**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Cristalli, Michael      Attorney  
                         Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Cristalli advised he needs a continuance pursuant to the Motion. Objections by Mr. Olsen. Following colloquy, COURT ORDERED, Motion DENIED and ORDERED the following briefing schedule:

    Mr. Cristalli to file his response by 10/24;

    Mr. Olsen to file reply by 10/26.

Further, future date of 10/31 STANDS.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**October 31, 2018**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**October 31, 2018      10:30 AM      Opposition and  
Counter-motion**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:** Marshall, Janiece S      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- Court advised it was not inclined to modify the Arbitration Order. Arguments by Ms. Marshall and Mr. Olsen in support of their respective positions. Following lengthy arguments, COURT ORDERED, Motion for Summary Judgment is GRANTED, however, the request for Attorney Fees is UNDER ADVISEMENT. Mr. Olsen to prepare the Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**November 30, 2018**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**November 30, 2018      11:30 AM      Minute Order**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiffs' Motion to Vacate or Modify Arbitration Award was filed on July, 18, 2018. Defendants' Opposition and Countermotion to Recognize Wu as the Procuring Cause, for Summary Judgment, and for Attorney's Fees was filed on August 6, 2018. Both matters came on for a hearing before Department XX of the Eighth Judicial District Court, the Honorable Eric Johnson presiding, on August 22, 2018. At that time, Plaintiffs' Motion to Vacate or Modify Arbitration Award was DENIED and Defendant Wu was determined to be the procuring cause. Defendants' Countermotions for Summary Judgment and Attorney's Fees and Costs were continued to October 31, 2018.

Defendants' Countermotions for Summary Judgment and for Attorney's Fees came on for hearing on October 31, 2018. At that time, Defendants' Countermotion for Summary Judgment was GRANTED. The Countermotion for Attorney's Fees and Costs was taken UNDER ADVISEMENT.

After considering the pleadings and argument of counsel, the Court GRANTS Defendants' Motion for Attorney's Fees and Costs. The Court finds that the contractual provision contained in the Arbitration Agreement signed by both Plaintiff and Defendant provided that "In the event [a party does] not comply with the award and it is necessary for any party to obtain judicial confirmation and enforcement of the award against me, [the party] agree[s] to pay that party costs and reasonable attorney's fees incurred in obtaining such confirmation and enforcement." The Court further finds

that provision was reasonable and enforceable.

As costs were never challenged, the Court hereby ORDERS costs in the amount of \$920.83 pursuant to Defendants' Memorandum of Costs and Disbursements.

The Court hereby ORDERS attorney's fees in the amount of \$21,435.00. The Court finds this amount is reasonable and actually incurred by Defendants in enforcing the arbitration award. The Court is awarding attorney fees after the entry of the arbitration award and Plaintiffs' filing of motion to vacate award, starting on July 25, 2018, 2018. The Court declines to award fees requested on the invoices dated December 31, 2016, January 31, 2017, and February 28, 2017, as the redactions made to Plaintiffs' counsel's billing records prevent the Court from determining if those fees were reasonable and necessary. The Court has reviewed the remaining fees and finds they were reasonable and appropriate for litigating the matter and in keeping with attorney fees for such work in Southern Nevada. The Court further finds that the Brunzell factors have been met for the reasons stated in Defendant's motion for attorney fees and exhibits.

Counsel for Defendants is directed to prepare a proposed order including finding of facts and conclusions of law, in particular outlining the Brunzell factors and supporting facts included in their motion, and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature.

Law Clerk to notify the parties.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**February 11, 2019**

---

A-16-744109-C	Betty Chan, Plaintiff(s)
	vs.
	Wayne Wu, Defendant(s)

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<b>February 11, 2019</b>	<b>8:30 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Johnson, Eric	<b>COURTROOM:</b> RJC Courtroom 12A
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**COURT CLERK:** Linda Skinner

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- A Motion to Withdraw as Attorney of Record was filed by Michael V. Cristalli, Esq., & Janiece S. Marshall, Esq., of Gentile Cristalli Miller Armeni Savarese, counsel for the Plaintiff, on January 3, 2019. The matter was subsequently placed on the Calendar of Department XX on February 20, 2019. No opposition having been filed and good cause showing, pursuant to EDCR 2.20 and EDCR 2.23(c) the Court hereby GRANTS the Motion to Withdraw.

The Court hereby VACATES the February 20, 2019 hearing. Withdrawing Attorneys are to prepare a proposed order listing all future deadlines and hearings and submit to chambers for signature. Withdrawing attorneys are also ordered to inform Plaintiff of the withdrawal as well as any future hearing dates.

Law Clerk to notify the parties.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract****COURT MINUTES****April 01, 2019**

A-16-744109-C      Betty Chan, Plaintiff(s)  
                                  vs.  
                                  Wayne Wu, Defendant(s)

**April 01, 2019      7:15 AM      Minute Order**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiffs Betty Chan and Asian American Realty & Property Management filed a Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw on February 19, 2019. The matter was subsequently scheduled for hearing on April 3, 2019.

After considering the pleadings and argument of counsel, the Court DENIES Plaintiffs' Motion to Reconsider Order Granting Motion to Withdraw and Late-Filed Opposition to Motion to Withdraw. The Court finds that Plaintiffs have not provided "substantially different evidence" or demonstrated that the Court's decision was "clearly erroneous" as required for a motion for reconsideration. Further, the Court finds that there is nothing pending in this litigation. The Court has granted Summary Judgment in favor of Defendants and dealt with all claims pending in this litigation. Therefore, allowing counsel to withdraw at this time does not place Plaintiffs in a materially adverse position.

The Court further finds that counsel had good cause for withdrawing from this matter. The Court finds that there was a significant breakdown in both communication and in the attorney-client relationship such that the representation could not continue. Therefore, withdrawal was appropriate in this instance and the Court declines to reconsider its ruling.

The Court hereby VACATES the April 3, 2019 hearing. Janiece Marshall, Esq., is directed to prepare a proposed order and submit it to chambers for signature.

Law Clerk to notify the parties.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Contract

# COURT MINUTES

**April 17, 2019**

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

**April 17, 2019**                      **8:30 AM**                      **Motion**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:** Angie Calvillo

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Chan, Betty	Plaintiff
		Counter Defendant
	Olsen, Michael A.	Attorney

## JOURNAL ENTRIES

- Ms. Chan stated she would like to hire an attorney. Court concurred, however, noted she has already had 4 attorneys and she knew this hearing was set for today. Ms. Chan advised she has an appointment tomorrow with an attorney. Mr. Olsen objected to a continuance as this is a stall tactic of Ms. Chan's, that he would request the funds being held by GLVAR be released. Following additional arguments by Ms. Chan, COURT ORDERED, Motion GRANTED and noted it will take effect on April 26, 2019. Court advised Ms. Chan that will give her time to seek counsel to review the Motion.

Statements by Plaintiff as to her Motion for Reconsideration. Following statements by Ms. Chan, Court DENIED the Motion as there is no basis for reconsideration. Statements by Mr. Olsen as to additional attorney fees.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract****COURT MINUTES****May 01, 2019**

A-16-744109-C      Betty Chan, Plaintiff(s)  
                                  vs.  
                                  Wayne Wu, Defendant(s)

**May 01, 2019****8:30 AM****All Pending Motions****HEARD BY:** Johnson, Eric**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Linda Skinner**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

<b>PRESENT:</b>	Chan, Betty	Plaintiff
		Counter Defendant
	Frizell, R Duane	Attorney
	Olsen, Michael A.	Attorney

**JOURNAL ENTRIES**

- MOTION TO STAY EXECUTION ON OST...PARTIAL OPPOSITION TO PLAINTIFF'S MOTION TO STAY EXECUTION PENDING APPEAL (ON AN EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME) AND DEMAND FOR SUPERSEDEAS BOND AND COUNTERMOTION TO AMEND ORDER

Statements by Mr. Frizell and Mr. Olsen in support of their respective positions. Colloquy as to the posting of a bond. Mr. Olsen argued for 3x's the amount of the Judgment. Opposition by Mr. Frizell. Court noted it is inclined to grant 1 1/2x's the Judgment. Following additional colloquy, Court directed the bond be posted by 5/10. Further, Motion to Stay Execution is GRANTED and Partial Opposition to Plaintiff's Motion is GRANTED-IN-PART. Mr. Frizell provided an Order with the approval of Mr. Olsen that was SIGNED IN OPEN COURT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**January 22, 2020**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**January 22, 2020      8:30 AM      All Pending Motions**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Frizell, R Duane      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- PLAINTIFFS' MOTION TO FORMALLY RESOLVE MOTION FOR RECONSIDERATION AND TO CERTIFY JUDGMENT AS FINAL (ON AN APPLICATION FOR AN ORDER SHORTENING TIME)...OPPOSITION TO PLAINTIFF'S MOTION TO FORMALLY RESOLVE MOTION FOR RECONSIDERATION AND TO CERTIFY JUDGMENT AS FINAL (ON AN APPLICATION FOR AN ORDER SHORTENING TIME) AND COUNTERMOTION FOR SUMMARY JUDGMENT ON ABUSE OF PROCESS CLAIM

Conference at the Bench. Court advised it does not believe it has jurisdiction as this case is on appeal. Arguments by Mr. Frizell and Mr. Olsen in support of their respective positions. Following, COURT ORDERED, Plaintiff's Motion is DENIED and Defendant's Motion is GRANTED IN PART/ DENIED IN PART. Mr. Frizell to prepare the Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Contract

## COURT MINUTES

**June 30, 2020**

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

**June 30, 2020                      8:30 AM                      Motion to Strike**

**HEARD BY:** Johnson, Eric                      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Linda Skinner  
Samantha Albrecht

**RECORDER:** Angie Calvillo

**REPORTER:**

## PARTIES

**PRESENT:** Frizell, R Duane Attorney  
Olsen, Michael A. Attorney

## JOURNAL ENTRIES

- Mr. Frizell appeared by telephone and Mr. Olsen appeared by video via Blue Jeans.

Court noted it will deny the Motion to Strike and ORDERED, MOTION DENIED IN PART.

Arguments by Mr. Frizell and Mr. Olsen. Following, COURT ORDERED, the following briefing schedule as to the Motion for Summary Judgment:

Mr. Frizell to respond by 7/7

Mr. Olsen to reply by 7/13.

Further, COURT ORDERED, Motion for Summary Judgment set for 7/7 is CONTINUED.

7/21/20 8:30 AM DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**July 21, 2020**

---

A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

---

**July 21, 2020      11:00 AM      All Pending Motions**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Samantha Albrecht  
Kristen Brown

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Frizell, R Duane      Attorney  
Grover, Thomas R      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AWARD OF ATTORNEY'S FEES, FOR WRIT OF EXECUTION FOR ON PLAINTIFF'S COMMISSIONS AWARDED BY GLVAR ARBITRATION PANEL AND RELEASE OF BOND DEPOSITED ON APPEAL...PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR CONTRACTUAL AWARD OF ATTORNEY'S FEES, FOR WRIT OF EXECUTION ON PLAINTIFF'S COMMISSIONS AWARDED BY GLVAR ARBITRATION PANEL AND RELEASE OF BOND DEPOSITED ON APPEAL AND COUNTERMOTION FOR SUMMARY JUDGMENT ON DEFENDANTS' ABUSE-OF PROCESS COUNTERCLAIM

Court FINDS Ms. Chan represented the worst of litigants, her filing of the complaint was not enough for abuse of process and she had an ethical obligation with the realtor board to attend either arbitration or mediation, which she claims she did. Court noted she may have violated her ethical obligations, however she had a right to file the complaint which appeared was not filed for an ulterior motive. Court FURTHER FINDS, Ms. Chan had the right to appeal, therefore, ORDERED,

Defendant's Motion GRANTED as to Summary Judgment, attorney's fees, release of bond and DENIED as to the Writ of Execution. Arguments by Mr. Olsen and Mr. Frizell. Colloquy regarding billing for attorney's fees and costs. COURT FURTHER ORDERED, Plaintiff's Countermotion for Summary Judgment on Defendant's Abuse-of- Process Counterclaim is GRANTED.

Following colloquy, counsel agreed to the following dates:

Mr. Olsen to file Request for Attorney's Costs and Fees on or before: 8/5/20

Mr. Frizell to file any Objection to the Request for Attorney's Costs and Fees on or before: 8/19/20

Mr. Olsen to file any Reply on or before: 8/26/20

At the request of counsel, COURT ORDERED, matter SET for status check.

9/16/20 8:30 AM STATUS CHECK: ATTORNEY'S FEES AND COSTS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**September 30, 2020**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**September 30, 2020      10:30 AM      All Pending Motions**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Haly Pannullo

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Chan, Betty	Plaintiff
	Frizell, R Duane	Attorney
	Olsen, Michael A.	Attorney

**JOURNAL ENTRIES**

- PLAINTIFFS OPPOSITION TO DEFENDANTS MEMORANDUM FOR PRODUCTION OF INVOICES FOR ATTORNEY S FEES AND COSTS AND COUNTERMOTION TO HAVE DEFENDANTS INVOICES FILED AND MADE PART OF THE PUBLIC RECORD ... STATUS CHECK: ATTORNEYS FEES AND COSTS

Following arguments by counsel, Court noted the history of this matter. Further, COURT ORDERED, \$35,630.00 in costs allowed in attorneys fees and costs after the last award in October 2018. COURT STATED FINDINGS. Court noted there is an issue of the invoices be made as part of the record. Mr. Olsen stated he will file the invoices. COURT FURTHER ORDERED, matter SET for Status Check regarding a Final Order being sent to the Court. Mr. Olsen inquired as to the Writ of Attachment and being allowed to collect the full amount instead of leaving \$3,000.00 for Ms. Chan. Mr. Frizzell stated they can file a motion for stay. Court noted the issue of changing the Writ of Execution and stated it does not see an issue in doing that. Court stated this court will allow a Writ of Execution as to all of the funds and this will require a new Writ of Execution. Mr. Olsen stated he will submit a new Writ. COURT SO NOTED. At request of Mr. Frizell, COURT ORDERED, leave GRANTED to file a Motion.

**A-16-744109-C**

10/28/20 10:30 AM STATUS CHECK: ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**October 09, 2020**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**October 09, 2020**

**2:39 PM**

**Minute Order**

**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, the Order Granting Summary Judgement, dated 10/9/20 VACATED and STRICKEN as filed in error, pending presentation of a final order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**October 28, 2020**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**October 28, 2020      10:30 AM      Status Check**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Frizell, R Duane      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Fritzell stated he received the order but has not reviewed it yet; the order should be submitted within a week. COURT ORDERED, matter CONTINUED.

CONTINUED TO: 11/18/20 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**November 18, 2020**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**November 18, 2020      8:30 AM      Status Check**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Jill Chambers

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

**PRESENT:**      Frizell, R Duane      Attorney  
                 Routsong, Keith D.      Attorney

**JOURNAL ENTRIES**

- Mr. Routsong stated that the matter was resolved and he submitted an order earlier in the day for the Court's review and signature. Upon inquiry of the Court, Mr. Frizell confirmed that he approved with the order as written. Counsel further stated that they did not need another status check to be set.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**December 09, 2020**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**December 09, 2020      8:30 AM      Motion to Stay**

**HEARD BY:** Johnson, Eric      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Ro'Shell Hurtado

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Frizell, R Duane      Attorney  
Olsen, Michael A.      Attorney

**JOURNAL ENTRIES**

- Duane Frizell, Esq. and Michael Olsen, Esq. present via Bluejeans video conference.

Arguments by counsel. Following arguments, COURT STATED ITS FINDINGS, ORDERED, Plaintiff's Motion to Stay Execution Pending Appeal (on Ex Parte Application For An Order Shortening Time) GRANTED; BOND in the amount of \$33,283.50. Court advised Mr. Frizell to prepare the Order. COURT FURTHER ORDERED, Plaintiff's Motion to Stay Execution Pending Appeal VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**March 01, 2023**

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A-16-744109-C	Betty Chan, Plaintiff(s) vs. Wayne Wu, Defendant(s)
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<b>March 01, 2023</b>	<b>9:00 AM</b>	<b>Motion for Attorney Fees and Costs</b>
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**HEARD BY:** Johnson, Eric

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Aimee Curameng

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Frizell, R Duane Olsen, Michael A.	Attorney Attorney
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**JOURNAL ENTRIES**

- Appearances made via the BlueJeans Videoconferencing Application: Duane Frizell, Esq.

Arguments made by counsel in support of and in opposition to the motion. Court stated its findings and ORDERED, Defendant's Motion for Attorney Fees and Costs GRANTED IN PART as to Attorney Fees and TAKEN UNDER ADVISEMENT regarding costs.

CLERK S NOTE: Minutes prepared from JAVS recording. //-jm 03.31.23

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**September 15, 2023**

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A-16-744109-C	Betty Chan, Plaintiff(s)
	vs.
	Wayne Wu, Defendant(s)

---

**September 15, 2023     3:00 AM             Minute Order**

**HEARD BY:** Johnson, Eric

**COURTROOM:** Chambers

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff filed her Motion to Request for Reconsideration on July 31, 2023. Defendant's filed their Opposition to Plaintiff's Motion on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. After considering the pleadings and arguments of Counsel, the Court hereby **DENIES** the Plaintiff's Motion to Request for Reconsideration.

First, the Plaintiff's filing is an improper filing: as stated by Defense counsel, it was filed as a Request for Reconsideration, but is actually a motion for an extension of time in which to file her Motion for Reconsideration.

Further, the Plaintiff has offered no legal authority or circumstances to merit her extension in this case. She states she has parted ways with her attorney and now states she needs more time to analyze her "strategic options." However, Plaintiff has had numerous attorney on this matter and continuous sought to litigate this case since 2016. The rules provide for a party to have 60 days to seek reconsideration. Plaintiff has not provided the Court with a sufficient basis for which to grant her motion for extension of time. As noted, her case started in 2016 and Plaintiff has had ample opportunity to have her case considered in light of her appeals to the Nevada Supreme Court and in her efforts to continue this case since its inception in 2016. At this point in time, the Court denies Plaintiff's motion for extension of time.

The Court hereby VACATES the September 18, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

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Defendant's filed their Countermotion for Attorney's Fees and to Find Plaintiff, Betty Chan, a vexatious litigant, on August 14, 2023. The matter was subsequently set for hearing on September 18, 2023. No opposition having been filed, and good cause showing, pursuant to EDCR 2.20(e) and EDCR 2.23(c), the Court hereby GRANTS IN PART the Defendant's Countermotion.

Here, Plaintiff has repeatedly stated her intentions to continue the litigation in order to "teach them a lesson" for making her feel "insulted and humiliated" and for "daring to challenge" her. Defendant's motion is based Plaintiff's ongoing contractual obligation to pay reasonable attorney's fees and costs Defendant has incurred in seeking to enforce the arbitration agreement and the fees and costs the Court has awarded. As long as Plaintiff continues to fight Defendant's legal efforts to enforce the arbitration agreement, Defendant can move under the contract for reasonable attorney's fees. In its affirmance of the Court's judgement on appeal, the Nevada Supreme Court confirmed this Court could award such fees under the arbitration agreement "so long as Ms. Chan fights against collection of the original award."

Defendant's Motion for Attorney's fees will be granted. Defense counsel is to provide billing information as to their time spent working on defending the Plaintiff's current motion.

According to NRCP 11, Peck v. Crouser, 129 Nev. 120, 122, 295 P.3d 586, 587 (Nev. 2013), a vexatious litigant is one that repeatedly files frivolous lawsuits. However, as Plaintiff here has merely filed one single lawsuit, albeit one single lawsuit that has dragged on for a number of years. Therefore, there is insufficient evidence at this time to deem Plaintiff a "vexatious litigant" under the rules and relevant case law.

The Court hereby VACATES the September 18, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to dc20inbox@clarkcountycourts.us.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 9-15-23khm

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**October 04, 2023**

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A-16-744109-C	Betty Chan, Plaintiff(s) vs. Wayne Wu, Defendant(s)
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<b>October 04, 2023</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Johnson, Eric	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff, Betty Chan, filed a Motion for Reconsideration on September 25, 2023. The Motion for Reconsideration was subsequently scheduled for hearing on November 1, 2023. The Plaintiff, Betty Chan, then filed a Motion to Continue the Motion for Reconsideration on October 2, 2023. The Motion for Continuation was subsequently scheduled for hearing on November 8, 2023.

No opposition has been filed, and opposing counsel agrees to continue the hearing for the Motion for Reconsideration. Thereby, good cause showing, and pursuant to EDCR 2.23(c) the Court hereby GRANTS the Motion to Continue and reschedules the Motion for Reconsideration hearing to be held on November 15, 2023 at 8:30 am.

The Court hereby VACATES the hearing for the Motion to Continue on November 8, 2023 and the Court hereby MOVES the Motion for Reconsideration hearing for November 15, 2023 at 8:30 am.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Contract**

**COURT MINUTES**

**November 20, 2023**

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A-16-744109-C      Betty Chan, Plaintiff(s)  
vs.  
Wayne Wu, Defendant(s)

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**November 20, 2023      3:00 AM      Minute Order**

**HEARD BY:** Johnson, Eric

**COURTROOM:** Chambers

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff filed the Motion for Reconsideration of Judge's Minute Order Dated September 15, 2023 in relation to Plaintiffs' Motion of Reconsideration filed on July 31, 2023 and another Motion filed on September 11, 2023 to Request of Extension of time to file Motion for Reconsideration and Motion to Toll deadlines to Respond to Defendant's Motions. On October 9, 2023 Defendants Objected to Plaintiff's Motion for Reconsideration. On October 16, 2023 the Plaintiffs filed their Reply in Support of their Motion. The Matter was subsequently scheduled for a hearing on November 15, 2023. After considering the pleadings and arguments of counsel, the Court hereby Denies Plaintiff's Motion for Reconsideration.

Pursuant to EDCR 2.24, EDCR 5.516 a Motion for Reconsideration is proper when new facts or law are brought to light that would have a tendency to change the ruling in the case. Moore v. City of Las Vegas. Here, the Plaintiff has not alleged any new facts, law, or evidence that has any tendency to change the Court's ruling from their July 17, 2023 order granting Defendants' Attorney Fees and Costs.

Plaintiff asserts that they were merely attempting to make an "administrative filing" which would grant them more time to respond to the Defendants' filings, and would toll the briefing schedule for the Motion for Reconsideration. However, the Plaintiff was acting pro se, and both EDCR 7.42 and

NRS 7.285 prohibit a corporation from being represented by anyone but an attorney. Here, as Plaintiff Betty Chan is not an attorney, and she has been filing motions and briefs on behalf of the Plaintiff AARPM, all of which include legal and factual analyses, the Plaintiff's Motions to Extend and Motion for Reconsideration are not proper in front of this Court.

The Plaintiff brings up the contents of the Arbitration Agreement improperly in their Reply to the Defendants' Opposition. Plaintiffs' Motion for Reconsideration and Defendants' Opposition did not address the contents of the Arbitration Agreement, therefore, this issue should be addressed in a separate motion.

Plaintiffs allege that they have not received any documentation to support Defendant's award of attorney fees and costs ordered on July 17, 2023. However, the documents filed under seal have been properly provided to the Plaintiff through email from the Defendants. Although such documents were provided to Plaintiffs in a redacted format, the redacted information is confidential, of which the Plaintiff is not entitled.

The Court hereby VACATES the November 15, 2023 hearing. Counsel for Defendant is directed to prepare a proposed order and to circulate it to opposing counsel for approval as to form and content before submitting it to chambers for signature. Counsel is directed to email a word and pdf copy of the proposed order to [dc20inbox@clarkcountycourts.us](mailto:dc20inbox@clarkcountycourts.us).

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. 11.20.23khn

# 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 #2 APPEAL to the Supreme Court, RE; ORDER DENYING PLAINTIFFS/COUNTER DEFENDANTS' MOTION TO REQUEST FOR RECONSIDERATION AND GRANTING IN PART DEFENDANTS / COUNTER CLAIMANT'S COUNTERMOTION FOR AWARD OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A VEXATIOUS LITIGANT; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING PLAINTIFFS/COUNTER-DEFENDANTS' MOTION TO REQUEST FOR RECONSIDERATION AND GRANTING IN PART DEFENDANTS/COUNTERCLAIMANTS' COUNTERMOTION FOR AWARD OF ATTORNEY'S FEES AND FINDING THAT BETTY IS A VEXATIOUS LITIGANT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

BETTY CHAN; ASIAN AMERICAN REALTY  
& PROPERTY MANAGEMENT,

Plaintiff(s),

vs.

WAYNE WU; JUDITH SULLIVAN; NEVADA  
REAL ESTATE CORP.; JERRIN CHIU; KB  
HOME SALES-NEVADA, INC.,

Defendant(s),

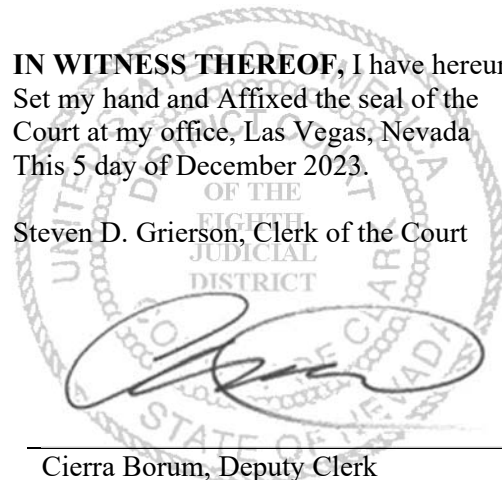
Case No: A-16-744109-C

Dept No: XX

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 5 day of December 2023.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk