

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

2007 FEB -9 P 1: 36

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN UTILITY COMPANY
FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY.

DOCKET NO. SW-20379A-05-0489

IN THE MATTER OF THE APPLICATION OF
PERKINS MOUNTAIN WATER COMPANY
FOR A CERTIFICATE OF CONVENIENCE
AND NECESSITY.

DOCKET NO. W-20380A-05-0490

NOTICE OF FILING

Staff of the Arizona Corporation Commission ("Staff") hereby files court documents regarding litigation in which Mr. James Rhodes or a corporation in which he has a controlling interest was a party.

RESPECTFULLY SUBMITTED this 9th day of February, 2007.

Keith A. Layton
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

Original and fifteen (15) copies of the foregoing were filed this 9th day of February, 2007 with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

...

Arizona Corporation Commission
DOCKETED

FEB -9 2007

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1 Copies of the foregoing mailed
this 9th day of February, 2007 to:

2

Robert J. Metli

3 Kimberley A. Grouse
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5 Phoenix, Arizona 85004

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Kimberley A. Warshawsky

7 Greenberg Traurig

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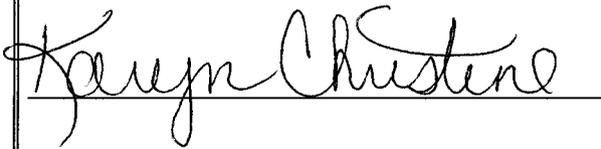
8 Phoenix, Arizona 85016

Attorneys for Sports Entertainment, LLC

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District Case Inquiry - Case Summary

Home	Case 92-A-314172-C	Status CLOSED
Summary	Plaintiff Flamingo Ridge Homeowners Assn	Attorney Selden II, Lynde
Case Activity	Defendant Westar Development Corp	Attorney Gonzalez, Elizabeth G.
Calendar	Judge Hardcastle, Kathy	Dept. 4
Continuance		
Minutes		
Parties	Filed Date 12/03/1992	Closed Date 05/15/1997
Judgments	Last Hear 05/23/1996	For DEFTS WESTSTAR DEVELOPMENT'S AND FLAMINGO RIDGE'S MOTION TO DISMISS
District Case	Outcome OFF CALENDAR	
Party Search	Next Hear	For
Corp. Search	Pre-trial	Trial
Atty. Search	Disposed 03/31/1995	Disposition IN BANKRUPTCY - STAYED
Bar# Search	Consolidated	
ID Search		
Calendar Day		
Holidays		
Help		
Comments &		
Feedback		
Legal Notice		

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District Case Inquiry - Judgments

- Home

- Summary
- Case Activity
- Calendar
- Continuance
- Minutes
- Parties
- Judgments

Case 92-A-314172-C
Plaintiff Flamingo Ridge Homeowners Assn
Defendant Westar Development Corp
Judge Hardcastle, Kathy

Status CLOSED
Attorney Selden II, Lynde
Attorney Gonzalez, Elizabeth G.
Dept. 4

- District Case
- Party Search
- Corp. Search
- Atty. Search
- Bar# Search
- ID Search

- Calendar Day
- Holidays

- Help
- Comments & Feedback
- Legal Notice

Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:38 AM	\$0.00
	Lee, Karon		\$0.00
	Rhodes, James M		\$0.00
	Hardcastle, Kathy		\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:38 AM	\$0.00
	Sampson, Elaine		\$0.00
	Rhodes, James M		\$0.00
	Hardcastle, Kathy		\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:37 AM	\$0.00
	Gross, Gary		\$0.00
	Rhodes, James M		\$0.00
	Hardcastle, Kathy		\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:37 AM	\$0.00
	Flamingo Ridge Homeowners Assn		\$0.00
	Rhodes, James M		\$0.00
	Hardcastle, Kathy		\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:37 AM	\$0.00
	Lee, Karon		\$0.00
	Rhodes Design And Development		\$0.00
	Hardcastle, Kathy		\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/19/1997 at 08:37 AM	\$0.00
	Sampson, Elaine		\$0.00

	Rhodes Design And Development	\$0.00
	Hardcastle, Kathy	\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	05/19/1997 at 08:37 AM	\$0.00
	Fleck, Ellen	\$0.00
	Rhodes Design And Development	\$0.00
	Hardcastle, Kathy	\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	05/19/1997 at 08:37 AM	\$0.00
	Fleck, Ellen	\$0.00
	Rhodes Design And Development	\$0.00
	Hardcastle, Kathy	\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	05/19/1997 at 08:37 AM	\$0.00
	Gross, Gary	\$0.00
	Rhodes Design And Development	\$0.00
	Hardcastle, Kathy	\$0.00
05/15/1997	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	05/19/1997 at 08:37 AM	\$0.00
	Flamingo Ridge Homeowners Assn	\$0.00
	Rhodes Design And Development	\$0.00
	Hardcastle, Kathy	\$0.00
05/15/1997	STIPULATION	\$75,000.00
	05/19/1997 at 08:37 AM	\$0.00
	Rhodes, James M	\$0.00
	Lee, Karon	\$0.00
	Hardcastle, Kathy	\$75,000.00
05/15/1997	STIPULATION	\$75,000.00
	05/19/1997 at 08:37 AM	\$0.00
	Rhodes, James M	\$0.00
	Sampson, Elaine	\$0.00
	Hardcastle, Kathy	\$75,000.00
05/15/1997	STIPULATION	\$75,000.00
	05/19/1997 at 08:36 AM	\$0.00
	Rhodes, James M	\$0.00
	Fleck, Ellen	\$0.00
	Hardcastle, Kathy	\$75,000.00
05/15/1997	STIPULATION	\$75,000.00
	05/19/1997 at 08:36 AM	\$0.00

	Rhodes, James M		\$0.00
	Gross, Gary		\$0.00
	Hardcastle, Kathy		\$75,000.00
05/15/1997	STIPULATION		\$75,000.00
		05/19/1997 at 08:36 AM	\$0.00
	Rhodes, James M		\$0.00
	Flamingo Ridge Homeowners Assn		\$0.00
	Hardcastle, Kathy		\$75,000.00
05/15/1997	STIPULATION		\$75,000.00
		05/19/1997 at 08:36 AM	\$0.00
	Rhodes Design And Development		\$0.00
	Lee, Karon		\$0.00
	Hardcastle, Kathy		\$75,000.00
05/15/1997	STIPULATION		\$75,000.00
		05/19/1997 at 08:36 AM	\$0.00
	Rhodes Design And Development		\$0.00
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	Hardcastle, Kathy		\$75,000.00
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	Fleck, Ellen		\$0.00
	Hardcastle, Kathy		\$75,000.00
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		05/19/1997 at 08:31 AM	\$0.00
	Rhodes Design And Development		\$0.00
	Gross, Gary		\$0.00
	Hardcastle, Kathy		\$75,000.00
05/15/1997	STIPULATION		\$75,000.00
	Yes	05/19/1997 at 08:31 AM	\$0.00
	Rhodes Design And Development		\$0.00
	Flamingo Ridge Homeowners Assn		\$0.00
	Hardcastle, Kathy		\$75,000.00
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		05/17/1996 at 09:49 AM	\$0.00
	Cooper Roofing		\$0.00
	Rhodes, James M		\$0.00
	Bongiovanni, Gerard J.		\$0.00
05/15/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00

		05/17/1996 at 09:49 AM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Rhodes, James M		\$0.00
	Bongiovanni, Gerard J.		\$0.00
05/15/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/17/1996 at 09:49 AM	\$0.00
	Westar Development Corp		\$0.00
	Rhodes, James M		\$0.00
	Bongiovanni, Gerard J.		\$0.00
05/15/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/17/1996 at 09:49 AM	\$0.00
	Cooper Roofing		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
05/15/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		05/17/1996 at 09:49 AM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
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	Rhodes Design And Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
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		05/10/1996 at 02:44 PM	\$0.00
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	Wood, M J		\$0.00
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		05/10/1996 at 02:43 PM	\$0.00
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	Bongiovanni, Gerard J.		\$0.00
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		03/07/1996 at 04:02 PM	\$0.00
	Dillon, Bob		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00

03/04/1996	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
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	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
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	House Doctor		\$0.00
	Westar Development Corp		\$0.00
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03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:02 PM	\$0.00
	Western States Contracting Inc		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:02 PM	\$0.00
	Whitaker Plastering		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:02 PM	\$0.00
	Laird Whipple Concrete		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:02 PM	\$0.00
	Danny Henderson Connstruction		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:02 PM	\$0.00
	D L Denman Construction		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/07/1996 at 04:01 PM	\$0.00
	Lee, Karon		\$0.00
	M J Wood And Assoc Inc		\$0.00

	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:01 PM	\$0.00
	Sampson, Elaine	\$0.00
	M J Wood And Assoc Inc	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:01 PM	\$0.00
	Fleck, Ellen	\$0.00
	M J Wood And Assoc Inc	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:01 PM	\$0.00
	Gross, Gary	\$0.00
	M J Wood And Assoc Inc	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:01 PM	\$0.00
	Lee, Karon	\$0.00
	Cooper Roofing	\$0.00
	Bongiovanni, Gerard J.	\$0.00
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	Sampson, Elaine	\$0.00
	Cooper Roofing	\$0.00
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03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:01 PM	\$0.00
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	Cooper Roofing	\$0.00
	Bongiovanni, Gerard J.	\$0.00
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	03/07/1996 at 04:01 PM	\$0.00
	Gross, Gary	\$0.00
	Cooper Roofing	\$0.00
	Bongiovanni, Gerard J.	\$0.00
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	03/07/1996 at 04:01 PM	\$0.00
	Lee, Karon	\$0.00

	Flamingo Ridge Partnership	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 04:00 PM	\$0.00
	Sampson, Elaine	\$0.00
	Flamingo Ridge Partnership	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
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	Flamingo Ridge Partnership	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
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	Gross, Gary	\$0.00
	Flamingo Ridge Partnership	\$0.00
	Bongiovanni, Gerard J.	\$0.00
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	03/07/1996 at 03:37 PM	\$0.00
	Lee, Karon	\$0.00
	Westar Development Corp	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 03:37 PM	\$0.00
	Sampson, Elaine	\$0.00
	Westar Development Corp	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 03:37 PM	\$0.00
	Fleck, Ellen	\$0.00
	Westar Development Corp	\$0.00
	Bongiovanni, Gerard J.	\$0.00
03/04/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/07/1996 at 03:37 PM	\$0.00
	Gross, Gary	\$0.00
	Westar Development Corp	\$0.00
	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	02/28/1996 at 04:56 PM	\$0.00

	Dillon, Bob		\$0.00
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	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		02/28/1996 at 04:56 PM	\$0.00
	Jim Rhodes Construction		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		02/28/1996 at 04:56 PM	\$0.00
	House Doctor		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:56 PM	\$0.00
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	Westar Development Corporation		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:56 PM	\$0.00
	Cooper Roofing		\$0.00
	Westar Development Corporation		\$0.00
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	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	Whitaker Plastering		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	Laird Whipple Concrete		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00

		02/28/1996 at 04:55 PM	\$0.00
	Danny Henderson Connstruction		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	D L Denman Construction		\$0.00
	Westar Development Corp		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	M J Wood And Assoc Inc		\$0.00
	Lee, Karon		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	Cooper Roofing		\$0.00
	Lee, Karon		\$0.00
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02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Lee, Karon		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:55 PM	\$0.00
	Westar Development Corp		\$0.00
	Lee, Karon		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
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	Sampson, Elaine		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Cooper Roofing		\$0.00
	Sampson, Elaine		\$0.00
	Bongiovanni, Gerard J.		\$0.00

02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Sampson, Elaine		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Westar Development Corp		\$0.00
	Sampson, Elaine		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	M J Wood And Assoc Inc		\$0.00
	Fleck, Ellen		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Cooper Roofing		\$0.00
	Fleck, Ellen		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Fleck, Ellen		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	Westar Development Corp		\$0.00
	Fleck, Ellen		\$0.00
	Bongiovanni, Gerard J.		\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:54 PM	\$0.00
	M J Wood And Assoc Inc		\$0.00
	Gross, Gary		\$0.00
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02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		02/28/1996 at 04:53 PM	\$0.00
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02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	02/28/1996 at 04:53 PM	\$0.00
	Flamingo Ridge Partnership	\$0.00
	Gross, Gary	\$0.00
	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	02/28/1996 at 04:53 PM	\$0.00
	Westar Development Corp	\$0.00
	Gross, Gary	\$0.00
	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	02/28/1996 at 04:53 PM	\$0.00
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	Flamingo Ridge Homeowners Assn	\$0.00
	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
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	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	02/28/1996 at 04:53 PM	\$0.00
	Flamingo Ridge Partnership	\$0.00
	Flamingo Ridge Homeowners Assn	\$0.00
	Bongiovanni, Gerard J.	\$0.00
02/27/1996	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	02/28/1996 at 04:53 PM	\$0.00
	Westar Development Corp	\$0.00
	Flamingo Ridge Homeowners Assn	\$0.00
	Bongiovanni, Gerard J.	\$0.00
10/05/1995	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	10/09/1995 at 08:08 AM	\$0.00
	Westar Development Corp	\$0.00
	Danny Henderson Const Co	\$0.00
	Bongiovanni, Gerard J.	\$0.00
08/14/1995	ACCEPTANCE OF OFFER OF JUDGMENT	\$7,500.00
	08/16/1995 at 09:21 AM	\$0.00
	Danny Henderson Construction	\$0.00

	Westar Development Corp	\$0.00
	Bongiovanni, Gerard J.	\$7,500.00
04/03/1995	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	04/04/1995 at 03:17 PM	\$0.00
	Danny Henderson Const Co	\$0.00
	Cooper Roofing	\$0.00
	Bongiovanni, Gerard J.	\$0.00
04/03/1995	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	04/04/1995 at 03:17 PM	\$0.00
	Whitaker Plastering MC Mojave Const Co	\$0.00
	Cooper Roofing	\$0.00
	Bongiovanni, Gerard J.	\$0.00
06/15/1994	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	06/17/1994 at 03:02 PM	\$0.00
	Flamingo Ridge Homeowners Assn	\$0.00
	Johnson Electric Inc	\$0.00
	Chairez, Don P.	\$0.00
06/08/1994	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	06/09/1994 at 04:30 PM	\$0.00
	Flamingo Ridge Homeowners Assn	\$0.00
	H And H Plumbing	\$0.00
	Chairez, Don P.	\$0.00
04/08/1993	JUDGMENT OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	Yes	04/14/1993 at 12:59 PM
	Flamingo Ridge Homeowners Assn	\$0.00
	All Defendants	\$0.00
	Guy, III, Addelias D	\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	03/31/1993 at 10:24 AM	\$0.00
	H And H Plumbing Inc	\$0.00
	Nevada Overhead Door Inc	\$0.00
	Guy, III, Addelias D	\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	03/31/1993 at 10:19 AM	\$0.00
	Johnson Electric Inc	\$0.00
	Nevada Overhead Door Inc	\$0.00
	Guy, III, Addelias D	\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	03/31/1993 at 10:19 AM	\$0.00

	M J Wood And Assoc Inc		\$0.00
	Nevada Overhead Door Inc		\$0.00
	Guy, III, Addeliar D		\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		03/31/1993 at 10:19 AM	\$0.00
	Flamingo Ridge Partnership		\$0.00
	Nevada Overhead Door Inc		\$0.00
	Guy, III, Addeliar D		\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		03/31/1993 at 10:18 AM	\$0.00
	Westar Development Corp		\$0.00
	Nevada Overhead Door Inc		\$0.00
	Guy, III, Addeliar D		\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		03/31/1993 at 10:18 AM	\$0.00
	Flamingo Ridge Homeowners Assn		\$0.00
	Nevada Overhead Door Inc		\$0.00
	Guy, III, Addeliar D		\$0.00
03/30/1993	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		03/31/1993 at 09:49 AM	\$0.00
	Cooper Roofing Co		\$0.00
	Nevada Overhead Door Inc		\$0.00
	Guy, III, Addeliar D		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Clayton, Jerilyn J
Defendant Rhodes, James M
Judge Togliatti, Jennifer

Attorney Wirth, Roger A.
Attorney ## Unknown ##
Dept. 9

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Filed Date 06/28/2002

Closed Date 08/19/2002

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Plaintiff Clayton, Jerilyn J
Defendant Rhodes, James M
Judge Togliatti, Jennifer

Attorney Wirth, Roger A.
Attorney ## Unknown ##
Dept. 9

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
08/19/2002	DISMISSAL PURSUANT TO NRCP 41(a)(1)		\$0.00
	Yes	08/21/2002 at 11:09 AM	\$0.00
	Rhodes, James M		\$0.00
	Clayton, Jerilyn J		\$0.00
	Togliatti, Jennifer		\$0.00

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Plaintiff Olen Residential Realty Corp
Defendant Rhodes, James M
Judge Glass, Jackie

Attorney Mondo, Glenn
Attorney Heaton, William H.
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Filed Date 10/12/1998

Closed Date 09/15/2003

Last Hear 09/08/2003

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OR REFERENCE TO CRIMINAL ACTS/40

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Plaintiff Olen Residential Realty Corp
Defendant Rhodes, James M
Judge Glass, Jackie

Attorney Mondo, Glenn
Attorney Heaton, William H.
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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Rhodes Design And Development Co		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Bravo Inc		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Rhodes, James M		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Svoma, Ron		\$0.00
	Rhodes Design And Development Co		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron		\$0.00
	Rhodes Framing		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron		\$0.00

	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes Design And Development Co	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes Framing	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:26 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:26 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes Design And Development	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00

	Olen Residential Realty Corp	\$0.00
	Rhodes Framing	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
05/08/2003	SATISFACTION OF JUDGMENT	\$0.00
	05/09/2003 at 11:52 AM	\$0.00
	John Peter Lee LTD	\$0.00
	Griffith, Dirk	\$0.00
	Glass, Jackie	\$0.00
05/13/2002	JUDGMENT	\$18,677.11
	05/22/2002 at 09:53 AM	\$0.00
	Griffith, Dirk	\$0.00
	John Peter Lee LTD	\$0.00
	Sobel, Jeffrey	\$18,677.11

Debtor - Individual who is ordered to honor the Judgment.

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Plaintiff Olen Residential Realty Corp
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Judge Glass, Jackie

Attorney Mondo, Glenn
Attorney Heaton, William H.
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	Signed By		Total Judgment
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Rhodes Design And Development Co		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Bravo Inc		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Griffith, Dirk		\$0.00
	Rhodes, James M		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:28 PM	\$0.00
	Svoma, Ron		\$0.00
	Rhodes Design And Development Co		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron		\$0.00
	Rhodes Framing		\$0.00
	Glass, Jackie		\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron		\$0.00

	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Svoma, Ron	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes Design And Development Co	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes Framing	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:27 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:26 PM	\$0.00
	Olenicoff, Igor	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:26 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes Design And Development	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00

	Olen Residential Realty Corp	\$0.00
	Rhodes Framing	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Bravo Inc	\$0.00
	Glass, Jackie	\$0.00
09/15/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	09/17/2003 at 01:25 PM	\$0.00
	Olen Residential Realty Corp	\$0.00
	Rhodes, James M	\$0.00
	Glass, Jackie	\$0.00
05/08/2003	SATISFACTION OF JUDGMENT	\$0.00
	05/09/2003 at 11:52 AM	\$0.00
	John Peter Lee LTD	\$0.00
	Griffith, Dirk	\$0.00
	Glass, Jackie	\$0.00
05/13/2002	JUDGMENT	\$18,677.11
	05/22/2002 at 09:53 AM	\$0.00
	Griffith, Dirk	\$0.00
	John Peter Lee LTD	\$0.00
	Sobel, Jeffrey	\$18,677.11

Debtor - Individual who is ordered to honor the Judgment.

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Plaintiff United Title Co Of Nevada
Defendant Palm City Developers LLC
Judge Herndon, Douglas W

Attorney Hoy, David R.
Attorney Nitz, W. O.
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Judgment	Remarks		Amount
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	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	03/14/2003 at 04:53 PM	\$0.00
	Chicago Title Insurance Co		\$0.00
	Rhodes, James M		\$0.00
	Parraguirre, Ron		\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/14/2003 at 04:52 PM	\$0.00
	Chicago Title Insurance Co		\$0.00
	Rainbow Canyon Ltd Liability Co		\$0.00
	Parraguirre, Ron		\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/14/2003 at 04:52 PM	\$0.00
	Chicago Title Insurance Co		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Parraguirre, Ron		\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/14/2003 at 04:52 PM	\$0.00
	Chicago Title Insurance Co		\$0.00
	Palm City Developers LLC		\$0.00
	Parraguirre, Ron		\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/14/2003 at 04:52 PM	\$0.00
	United Title Co Of Nevada		\$0.00
	Rhodes, James M		\$0.00
	Parraguirre, Ron		\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/14/2003 at 04:52 PM	\$0.00
	United Title Co Of Nevada		\$0.00

	Rainbow Canyon Ltd Liability Co	\$0.00
	Parraguirre, Ron	\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/14/2003 at 04:51 PM	\$0.00
	United Title Co Of Nevada	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Parraguirre, Ron	\$0.00
03/11/2003	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/14/2003 at 04:49 PM	\$0.00
	United Title Co Of Nevada	\$0.00
	Palm City Developers LLC	\$0.00
	Parraguirre, Ron	\$0.00

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Plaintiff Clark County Of
Defendant Estate Of James M Booth
Judge Denton, Mark R.

Attorney Mansfield, Michael K.
Attorney Benevento, Saverio (Sam)
Dept. 13

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	Creditor		Costs
	Signed By		Total Judgment
09/04/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/24/2001 at 03:59 PM	\$0.00
	Clark County Of		\$0.00
	Booth, Catherine		\$0.00
	Denton, Mark R.		\$0.00
09/04/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/24/2001 at 03:58 PM	\$0.00
	Clark County Of		\$0.00
	Estate Of James M Booth		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Crisp, Donna L		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Crisp, Dale W		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Keller, Marilyn M		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00

	Keller, James G		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Robbins, Diane M		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Robbins, Donald E		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 02:00 PM	\$0.00
	Clark County Of		\$0.00
	Booth, Catherine		\$0.00
	Denton, Mark R.		\$0.00
09/17/2001	JUDGMENT OF CONDEMNATION		\$0.00
		09/21/2001 at 01:59 PM	\$0.00
	Clark County Of		\$0.00
	Estate Of James M Booth		\$0.00
	Denton, Mark R.		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Summary	Plaintiff Kwan, Peter	Attorney Mushkin, Michael R.
Case Activity	Defendant Rhodes Design And Development Corp	Attorney Nitz, W. O.
Calendar	Judge Cherry, Michael A	Dept. 17
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Minutes		
Parties	Filed Date 05/03/2001	Closed Date 03/22/2006
Judgments	Last Hear 02/10/2006	For MANDATORY SETTLEMENT CONFERENCE
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Plaintiff Kwan, Peter
Defendant Rhodes Design And Development Corp
Judge Cherry, Michael A

Attorney Mushkin, Michael R.
Attorney Nitz, W. O.
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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
03/22/2006	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/23/2006 at 04:05 PM	\$0.00
	Multiple DEBTOR Parties		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Cherry, Michael A		\$0.00
03/22/2006	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/23/2006 at 04:03 PM	\$0.00
	Multiple DEBTOR Parties		\$0.00
	Multiple CREDITOR Parties		\$0.00
	Cherry, Michael A		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Rainbow Development Corp
Defendant Rhodes Design And Development Corp
Judge Glass, Jackie

Attorney Coulthard, William L.
Attorney Jean, Rodney M.
Dept. 5

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
11/25/2002	CLERK'S CERTIFICATE REVERSED/REMANDED		\$0.00
		11/26/2002 at 03:13 PM	\$0.00
	Rainbow Development Corp		\$0.00
	Rhodes, James		\$0.00
	Leavitt, Michelle		\$0.00
11/25/2002	CLERK'S CERTIFICATE REVERSED/REMANDED		\$0.00
		11/26/2002 at 03:12 PM	\$0.00
	Rainbow Development Corp		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Leavitt, Michelle		\$0.00
07/02/2001	Sanctions		\$1,000.00
		07/18/2001 at 09:54 AM	\$0.00
	Rhodes, James		\$0.00
	Rainbow Development Corp		\$0.00
	Mahan, James C.		\$1,000.00
07/02/2001	Sanctions		\$1,000.00
		07/18/2001 at 09:53 AM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Rainbow Development Corp		\$0.00
	Mahan, James C.		\$1,000.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Home <hr/> Summary Case Activity Calendar Continuance Minutes Parties Judgments <hr/> District Case Party Search Corp. Search Atty. Search Bar# Search ID Search <hr/> Calendar Day Holidays <hr/> Help Comments & Feedback Legal Notice	<p>Case 94-A-333060-J</p> <p>Plaintiff Southern Nevada Adult Mental Health Ser</p> <p>Defendant Rhodes, James</p> <p>Judge Huffaker, Stephen</p> <hr/> <p>Filed Date 05/11/1994</p> <p>Last Hear 02/15/1995</p> <p>Outcome GRANTED</p> <p>Next Hear</p> <p>Pre-trial</p> <p>Disposed</p> <p>Consolidated</p>	<p>Status CLOSED</p> <p>Attorney Ramos, Joyce E.</p> <p>Attorney Lucas, Craig J.</p> <p>Dept. VJ35</p> <hr/> <p>Closed Date 02/22/1995</p> <p>For DEFT RHODES' MOTION TO DISMISS</p> <p>For</p> <p>Trial</p> <p>Disposition</p>
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Plaintiff Southern Nevada Adult Mental Health Ser

Attorney Ramos, Joyce E.

Defendant Rhodes, James

Attorney Lucas, Craig J.

Judge Huffaker, Stephen

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	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
02/22/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	03/02/1995 at 08:46 AM	\$0.00
	Southern Nevada Adult Mental Health Ser		\$0.00
	Nevada Dept Of Administration Hearings		\$0.00
	Huffaker, Stephen		\$0.00
02/22/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	03/02/1995 at 08:46 AM	\$0.00
	Southern Nevada Adult Mental Health Ser		\$0.00
	State Industrial Insurance System		\$0.00
	Huffaker, Stephen		\$0.00
02/22/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	03/02/1995 at 08:46 AM	\$0.00
	Southern Nevada Adult Mental Health Ser		\$0.00
	Rhodes, James		\$0.00
	Huffaker, Stephen		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 94-A-332357-C

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Plaintiff ARC Materials Corp
Defendant D And R Construction Inc
Judge Gibbons, Mark

Attorney Blalock, Edward L.
Attorney ## Unknown ##
Dept.

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Filed Date 04/21/1994

Closed Date 09/13/1999

Last Hear 08/25/1999

For HEARING RE: SHOW CAUSE

Outcome DISMISSED

Next Hear

For

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Disposed 08/25/1999

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Plaintiff ARC Materials Corp
Defendant D And R Construction Inc
Judge Gibbons, Mark

Attorney Blalock, Edward L.
Attorney ## Unknown ##
Dept.

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
	Yes	09/15/1999 at 09:23 AM	\$0.00
	Sugarman, Joseph		\$0.00
	WMK Transit Mix		\$0.00
	Gibbons, Mark		\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/15/1999 at 09:23 AM	\$0.00
	Scarbrough, W R		\$0.00
	WMK Transit Mix		\$0.00
	Gibbons, Mark		\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/15/1999 at 09:23 AM	\$0.00
	Rhodes, James M		\$0.00
	WMK Transit Mix		\$0.00
	Gibbons, Mark		\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/15/1999 at 09:23 AM	\$0.00
	Del Rio Land And Housing		\$0.00
	WMK Transit Mix		\$0.00
	Gibbons, Mark		\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/15/1999 at 09:23 AM	\$0.00
	Sunrise Vista II Partnership		\$0.00
	WMK Transit Mix		\$0.00
	Gibbons, Mark		\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/15/1999 at 09:23 AM	\$0.00
	Sunrise Vista I Partnership		\$0.00

	WMK Transit Mix	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:23 AM	\$0.00
	Contractor's Bonding Insurance Co	\$0.00
	WMK Transit Mix	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	WMK Transit Mix	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	D And R Construction Inc	\$0.00
	WMK Transit Mix	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Sugarman, Joseph	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Scarbrough, W R	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Rhodes, James M	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Del Rio Land And Housing	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00

	Sunrise Vista II Partnership	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Sunrise Vista I Partnership	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Contractor's Bonding Insurance Co	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:22 AM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00
09/13/1999	ORDER OF DISMISSAL WITHOUT PREJUDICE	\$0.00
	09/15/1999 at 09:21 AM	\$0.00
	D And R Construction Inc	\$0.00
	ARC Materials Corp	\$0.00
	Gibbons, Mark	\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Summary	Plaintiff Byrd, Ron	Attorney Akridge, Constance L.
Case Activity	Defendant Tropicana-Durango Ltd	Attorney Albregts, Jeffrey R.
Calendar	Judge Bonaventure, Joseph T.	Dept. 6
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Plaintiff Byrd, Ron
Defendant Tropicana-Durango Ltd
Judge Bonaventure, Joseph T.

Attorney Akridge, Constance L.
Attorney Albregts, Jeffrey R.
Dept. 6

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
05/19/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	05/22/1995 at 04:20 PM	\$0.00
	Byrd, Ron		\$0.00
	Rhodes, James M		\$0.00
	Bonaventure, Joseph T.		\$0.00
05/19/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	05/22/1995 at 04:20 PM	\$0.00
	Byrd, Ron		\$0.00
	Tropicana Durango Investments Corp		\$0.00
	Bonaventure, Joseph T.		\$0.00
05/19/1995	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	05/22/1995 at 04:20 PM	\$0.00
	Byrd, Ron		\$0.00
	Tropicana-Durango Ltd		\$0.00
	Bonaventure, Joseph T.		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Rhodes, James
Defendant Campbell, H R
Judge Foley, Thomas A.

Status CLOSED
Attorney Albregts, Jeffrey R.
Attorney ## Unknown ##
Dept. 13

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	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
02/05/1993	JUDGMENT OF DISM/W PREJUDICE ALL PARTIES		\$0.00
	Yes	02/05/1993 at 09:54 AM	\$0.00
	Campbell, H R		\$0.00
	Rhodes, James		\$0.00
	Foley, Thomas A.		\$0.00
01/27/1993	ORDR FOR DISM W/PREJUDICE/ALL PARTIES		\$0.00
	Yes	02/02/1993 at 09:00 AM	\$0.00
	Rhodes, James		\$0.00
	Campbell, H R		\$0.00
	Foley, Thomas A.		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Parties	Filed Date 12/18/1992	Closed Date 02/05/1993
Judgments	Last Hear 12/23/1992	For MOTION FOR TEMPORARY RESTRAINING ORDER PRELIMINARY INJUNCTION
District Case	Outcome STAYED	
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Case 92-A-314668-C
Plaintiff Rhodes, James
Defendant Campbell, H R
Judge Foley, Thomas A.

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Attorney Albregts, Jeffrey R.
Attorney ## Unknown ##
Dept. 13

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
02/05/1993	JUDGMENT OF DISM/W PREJUDICE ALL PARTIES		\$0.00
	Yes	02/05/1993 at 09:54 AM	\$0.00
	Campbell, H R		\$0.00
	Rhodes, James		\$0.00
	Foley, Thomas A.		\$0.00
01/27/1993	ORDR FOR DISM W/PREJUDICE/ALL PARTIES		\$0.00
	Yes	02/02/1993 at 09:00 AM	\$0.00
	Rhodes, James		\$0.00
	Campbell, H R		\$0.00
	Foley, Thomas A.		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Lyon Financial Services Inc
Defendant Rhodes Design And Development Corp
Judge Douglas, Michael L

Attorney Blalock, Edward L.
Attorney Walton, James H.
Dept. 11

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Filed Date 06/20/2000
Last Hear 10/02/2000

Closed Date 10/10/2000
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Plaintiff Lyon Financial Services Inc
Defendant Rhodes Design And Development Corp
Judge Douglas, Michael L

Attorney Blalock, Edward L.
Attorney Walton, James H.
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	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
10/10/2000	ORDER		\$0.00
	Yes	04/10/2003 at 12:10 AM	\$0.00
	Lyon Financial Services Inc		\$0.00
	Rhodes, James		\$0.00
	Douglas, Michael L		\$0.00
10/10/2000	ORDER		\$0.00
		04/10/2003 at 12:10 AM	\$0.00
	Lyon Financial Services Inc		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Douglas, Michael L		\$0.00
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:47 PM	\$0.00
	Rhodes, James		\$0.00
	Business Credit Leasing		\$0.00
	Douglas, Michael L		\$1,251,006.54
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:47 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Business Credit Leasing		\$0.00
	Douglas, Michael L		\$1,251,006.54
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:46 PM	\$0.00
	Rhodes, James		\$0.00
	BCL Capital		\$0.00
	Douglas, Michael L		\$1,251,006.54
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:46 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00

	BCL Capital		\$0.00
	Douglas, Michael L		\$1,251,006.54
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:46 PM	\$0.00
	Rhodes, James		\$0.00
	Lyon Financial Services Inc		\$0.00
	Douglas, Michael L		\$1,251,006.54
06/20/2000	JUDG + LEGAL INTEREST (VACATED 8/29/2000		\$1,251,006.54
		06/22/2000 at 04:45 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Lyon Financial Services Inc		\$0.00
	Douglas, Michael L		\$1,251,006.54

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Springall, Eamon
Defendant Rhodes Ranch Ltd Partnership
Judge Herndon, Douglas W

Attorney Adams, James R.
Attorney Urga, William R.
Dept. 3

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Filed Date 12/05/2003

Closed Date 10/14/2004

Last Hear 10/04/2004

For PLTF'S MOTION FOR DEFAULT JUDGMENT TO PROVE DAMAGES/3

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Plaintiff Springall, Eamon
Defendant Rhodes Ranch Ltd Partnership
Judge Herndon, Douglas W

Attorney Adams, James R.
Attorney Urga, William R.
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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
11/16/2004	JUDGMENT PLUS LEGAL INTEREST		\$820,500.00
		11/19/2004 at 11:34 AM	\$0.00
	Cook, Gorman		\$0.00
	Springall, Eamon		\$0.00
	Parraguirre, Ron		\$820,500.00
11/15/2004	AMENDED ORDER GRANTING DEFAULT JUDGMENT		\$0.00
		11/19/2004 at 09:49 AM	\$0.00
	Cook, Gorman		\$0.00
	Springall, Eamon		\$0.00
	Parraguirre, Ron		\$0.00
11/15/2004	JUDGMENT PLUS LEGAL INTEREST		\$820,500.00
		11/19/2004 at 09:40 AM	\$0.00
	Cook, Gorman		\$0.00
	Springall, Eamon		\$0.00
	Parraguirre, Ron		\$820,500.00
10/14/2004	DEFAULT JUDGMENT PLUS INTEREST		\$820,500.00
	Yes	10/19/2004 at 11:08 AM	\$0.00
	Cook, Gorman		\$0.00
	Springall, Eamon		\$0.00
	Parraguirre, Ron		\$820,500.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Springall, Eamon
Defendant Rhodes Ranch Ltd Partnership
Judge Herndon, Douglas W

Attorney Adams, James R.
Attorney Urga, William R.
Dept. 3

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Filed Date	Description	Performed
12/15/2005	ACKNOWLEDGEMENT OF ASSIGNMENT OF JUDGMENT	
		2 pages
02/19/2005	Reassign Case From Judge Parraguirre To Judge Herndon	
11/16/2004	JUDGMENT PLUS LEGAL INTEREST	11/19/2004
	For Cook, Gorman	
	Filed By Springall, Eamon	2 pages
11/15/2004	AMENDED ORDER GRANTING DEFAULT JUDGMENT	11/19/2004
	For Cook, Gorman	
	Filed By Springall, Eamon	2 pages
11/15/2004	JUDGMENT PLUS LEGAL INTEREST	11/19/2004
	For Cook, Gorman	
	Filed By Springall, Eamon	2 pages
10/14/2004	DEFAULT JUDGMENT PLUS INTEREST	10/19/2004
	For Cook, Gorman	
	Filed By Springall, Eamon	2 pages
09/13/2004	CERTIFICATE OF SERVICE	09/13/2004
	For Cook, Gorman	
	Filed By Springall, Eamon	2 pages
09/08/2004	NOTICE OF ENTRY OF ORDER STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE	09/07/2004
	For All Parties	
	Filed By Rhodes Ranch Ltd Partnership	4 pages
09/07/2004	STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE	09/07/2004
	For All Parties	
	Filed By Rhodes Ranch Ltd Partnership	2 pages
09/08/2004	PLTF'S MOTION FOR DEFAULT JUDGMENT TO PROVE DAMAGES/3	10/04/2004
	Outcome GRANTED IN PART	
	For NP	24 pages

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Plaintiff Palm Gardens Ltd Partnership
Defendant Gardens East Inc
Judge Gates, Lee A

Attorney Arnold, Corby D.
Attorney Marquis, Albert G.
Dept. 8

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Filed Date 06/21/1995

Closed Date 12/08/2006

Last Hear 10/26/2006

For DECISION ON ATTORNEYS FEES (10/24/06)

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Trial 10/22/1996 at 10:00 AM

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Plaintiff Palm Gardens Ltd Partnership
Defendant Gardens East Inc
Judge Gates, Lee A

Attorney Arnold, Corby D.
Attorney Marquis, Albert G.
Dept. 8

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
12/08/2006	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		12/11/2006 at 10:55 AM	\$0.00
	Multiple DEBTOR Parties		\$0.00
	Multiple CREDITOR Parties		\$0.00
	Gates, Lee A		\$0.00
12/08/2006	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	12/11/2006 at 10:53 AM	\$0.00
	Multiple DEBTOR Parties		\$0.00
	Multiple CREDITOR Parties		\$0.00
	Gates, Lee A		\$0.00
12/07/2006	SATISFACTION OF JUDGMENT		\$0.00
		12/08/2006 at 09:07 AM	\$0.00
	Goldman, Marshall		\$0.00
	Rhodes, James M		\$0.00
	Gates, Lee A		\$0.00
12/07/2006	SATISFACTION OF JUDGMENT		\$0.00
		12/08/2006 at 09:07 AM	\$0.00
	Goldman, Marshall		\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Gates, Lee A		\$0.00
12/07/2006	SATISFACTION OF JUDGMENT		\$0.00
		12/08/2006 at 09:07 AM	\$0.00
	Goldman Jr, Louis E		\$0.00
	Rhodes, James M		\$0.00
	Gates, Lee A		\$0.00
12/07/2006	SATISFACTION OF JUDGMENT		\$0.00
		12/08/2006 at 09:07 AM	\$0.00
	Goldman Jr, Louis E		\$0.00

	Palm Gardens Ltd Partnership	\$0.00
	Gates, Lee A	\$0.00
12/07/2006	SATISFACTION OF JUDGMENT	\$0.00
	12/08/2006 at 09:07 AM	\$0.00
	Prestige Development Corp	\$0.00
	Rhodes, James M	\$0.00
	Gates, Lee A	\$0.00
12/07/2006	SATISFACTION OF JUDGMENT	\$0.00
	12/08/2006 at 09:07 AM	\$0.00
	Prestige Development Corp	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Gates, Lee A	\$0.00
12/07/2006	SATISFACTION OF JUDGMENT	\$0.00
	12/08/2006 at 09:07 AM	\$0.00
	Gardens East Inc	\$0.00
	Rhodes, James M	\$0.00
	Gates, Lee A	\$0.00
12/07/2006	SATISFACTION OF JUDGMENT	\$0.00
	12/08/2006 at 09:07 AM	\$0.00
	Gardens East Inc	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Gates, Lee A	\$0.00
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:53 AM	\$0.00
	Rhodes, James M	\$0.00
	Goldman, Marshall	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:53 AM	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Goldman, Marshall	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:53 AM	\$0.00
	Rhodes, James M	\$0.00
	Goldman Jr, Louis E	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:53 AM	\$0.00

	Palm Gardens Ltd Partnership	\$0.00
	Goldman Jr, Louis E	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:52 AM	\$0.00
	Rhodes, James M	\$0.00
	Prestige Development Corp	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:52 AM	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Prestige Development Corp	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:52 AM	\$0.00
	Rhodes, James M	\$0.00
	Gardens East Inc	\$0.00
	Gates, Lee A	\$359,500.72
11/14/2006	JUDGMENT PLUS INTEREST	\$359,500.72
	11/15/2006 at 11:48 AM	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Gardens East Inc	\$0.00
	Gates, Lee A	\$359,500.72
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED	\$0.00
	03/15/2006 at 02:05 PM	\$0.00
	Rhodes, James M	\$0.00
	Goldman, Marshall	\$0.00
	Gates, Lee A	\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED	\$0.00
	03/15/2006 at 02:05 PM	\$0.00
	Rhodes, James M	\$0.00
	Goldman Jr, Louis E	\$0.00
	Gates, Lee A	\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED	\$0.00
	03/15/2006 at 02:05 PM	\$0.00
	Rhodes, James M	\$0.00
	Prestige Development Corp	\$0.00
	Gates, Lee A	\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED	\$0.00

		03/15/2006 at 02:05 PM	\$0.00
	Rhodes, James M		\$0.00
	Gardens East Inc		\$0.00
	Gates, Lee A		\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED		\$0.00
		03/15/2006 at 02:04 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Goldman, Marshall		\$0.00
	Gates, Lee A		\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED		\$0.00
		03/15/2006 at 02:04 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Goldman Jr, Louis E		\$0.00
	Gates, Lee A		\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED		\$0.00
		03/15/2006 at 02:04 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Prestige Development Corp		\$0.00
	Gates, Lee A		\$0.00
03/14/2006	CLERK'S CERTIFICATE JUDGMENT AFFIRMED		\$0.00
		03/15/2006 at 02:00 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Gardens East Inc		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:41 PM	\$0.00
	Rhodes, James M		\$0.00
	Goldman, Marshall		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:41 PM	\$0.00
	Rhodes, James M		\$0.00
	Goldman Jr, Louis E		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:41 PM	\$0.00
	Rhodes, James M		\$0.00
	Prestige Development Corp		\$0.00
	Gates, Lee A		\$0.00

03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:40 PM	\$0.00
	Rhodes, James M		\$0.00
	Gardens East Inc		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:40 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Goldman, Marshall		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:40 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Goldman Jr, Louis E		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:40 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Prestige Development Corp		\$0.00
	Gates, Lee A		\$0.00
03/08/2002	CLERK'S CERTIFICATE APPEAL DISMISSED		\$0.00
		03/14/2002 at 05:39 PM	\$0.00
	Palm Gardens Ltd Partnership		\$0.00
	Gardens East Inc		\$0.00
	Gates, Lee A		\$0.00
12/28/2001	JUDGMENT PLUS LEGAL INTEREST		\$0.00
		01/02/2002 at 11:10 AM	\$0.00
	Rhodes, James M		\$0.00
	Goldman, Marshall		\$0.00
	Gates, Lee A		\$0.00
12/28/2001	JUDGMENT PLUS LEGAL INTEREST		\$0.00
		01/02/2002 at 11:10 AM	\$0.00
	Rhodes, James M		\$0.00
	Goldman Jr, Louis E		\$0.00
	Gates, Lee A		\$0.00
12/28/2001	JUDGMENT PLUS LEGAL INTEREST		\$0.00
		01/02/2002 at 11:09 AM	\$0.00
	Rhodes, James M		\$0.00
	Prestige Development Corp		\$0.00

	Gates, Lee A	\$0.00
12/28/2001	JUDGMENT PLUS LEGAL INTEREST	\$0.00
	01/02/2002 at 11:08 AM	\$0.00
	Rhodes, James M	\$0.00
	Gardens East Inc	\$0.00
	Gates, Lee A	\$0.00
10/09/2000	JUDGMENT PLUS LEGAL INTEREST	\$1,291,000.00
	10/14/2000 at 06:26 AM	\$404,336.00
	Rhodes, James M	\$350,000.00
	Goldman, Marshall	\$121,162.85
	Gates, Lee A	\$2,166,498.85
10/09/2000	JUDGMENT PLUS LEGAL INTEREST	\$1,291,000.00
	10/14/2000 at 06:26 AM	\$404,336.00
	Rhodes, James M	\$350,000.00
	Goldman Jr, Louis E	\$121,162.85
	Gates, Lee A	\$2,166,498.85
10/09/2000	JUDGMENT PLUS LEGAL INTEREST	\$1,291,000.00
	10/14/2000 at 06:26 AM	\$404,336.00
	Rhodes, James M	\$350,000.00
	Prestige Development Corp	\$121,162.85
	Gates, Lee A	\$2,166,498.85
10/09/2000	JUDGMENT PLUS LEGAL INTEREST	\$1,291,000.00
	10/14/2000 at 06:22 AM	\$404,336.00
	Rhodes, James M	\$350,000.00
	Gardens East Inc	\$121,162.85
	Gates, Lee A	\$2,166,498.85
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:43 AM	\$0.00
	Goldman, Marshall	\$0.00
	Rhodes, James M	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:43 AM	\$0.00
	Goldman, Marshall	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:42 AM	\$0.00
	Goldman Jr, Louis E	\$0.00

	Rhodes, James M	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:42 AM	\$0.00
	Goldman Jr, Louis E	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:42 AM	\$0.00
	Prestige Development Corp	\$0.00
	Rhodes, James M	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:42 AM	\$0.00
	Prestige Development Corp	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:42 AM	\$0.00
	Gardens East Inc	\$0.00
	Rhodes, James M	\$0.00
	Huffaker, Stephen	\$209,000.00
12/27/1996	JUDGMENT - SET ASIDE 3-10-97	\$209,000.00
	12/31/1996 at 10:41 AM	\$0.00
	Gardens East Inc	\$0.00
	Palm Gardens Ltd Partnership	\$0.00
	Huffaker, Stephen	\$209,000.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Parties	Filed Date 01/10/1995	Closed Date 01/28/2002
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Plaintiff Ruiz, Louise
Defendant R And R Concrete Inc
Judge Sobel, Jeffrey

Attorney Urga, William R.
Attorney Arnold, Corby D.
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	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
10/01/2001	SATISFACTION OF JUDGMENT		\$0.00
		10/04/2001 at 11:16 AM	\$0.00
	Ruiz, Louise		\$0.00
	Rhodes, James		\$0.00
	Sobel, Jeffrey		\$0.00
10/01/2001	SATISFACTION OF JUDGMENT		\$0.00
		10/04/2001 at 11:16 AM	\$0.00
	Ruiz, Louise		\$0.00
	R And R Concrete Inc		\$0.00
	Sobel, Jeffrey		\$0.00
03/28/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/11/2001 at 12:18 AM	\$0.00
	Ruiz, Louise		\$0.00
	Rhodes, James		\$0.00
	Sobel, Jeffrey		\$0.00
03/28/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/11/2001 at 12:16 AM	\$0.00
	Ruiz, Louise		\$0.00
	R And R Concrete Inc		\$0.00
	Sobel, Jeffrey		\$0.00
10/09/2000	AMENDED JUDGMENT		\$276,554.28
		10/11/2000 at 09:29 AM	\$0.00
	Rhodes, James		\$0.00
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$276,554.28
10/09/2000	AMENDED JUDGMENT		\$276,554.28
		10/11/2000 at 09:27 AM	\$0.00
	R And R Concrete Inc		\$0.00

	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$276,554.28
10/03/2000	REMITTITUR REVERSED/REMANDED CERT.CAUSES		\$0.00
		10/04/2000 at 08:14 AM	\$0.00
	Rhodes, James		\$0.00
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$0.00
10/03/2000	REMITTITUR REVERSED/REMANDED CERT.CAUSES		\$0.00
		10/04/2000 at 08:13 AM	\$0.00
	R And R Concrete Inc		\$0.00
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$0.00
02/05/1998	JUDGMENT		\$54,844.50
		02/09/1998 at 08:56 AM	\$0.00
	Rhodes, James		\$0.00
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$54,844.50
02/04/1998	ORDER GRANTING ATTORNEY'S FEES		\$0.00
	Yes	02/06/1998 at 09:05 AM	\$0.00
	Rhodes, James		\$54,844.50
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$54,844.50
12/23/1997	JUDGMENT		\$0.00
		12/29/1997 at 09:24 AM	\$0.00
	Ruiz, Darrell		\$0.00
	Rhodes, James		\$0.00
	Douglas, Michael L		\$0.00
12/23/1997	JUDGMENT PLUS INTEREST		\$94,192.41
		12/29/1997 at 09:24 AM	\$31,023.69
	Rhodes, James		\$0.00
	Ruiz, Louise		\$0.00
	Douglas, Michael L		\$125,216.10

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 95-A-341512-C
Plaintiff Klein, Edward F
Defendant Rhodes Design And Development Inc
Judge Sobel, Jeffrey

Status CLOSED
Attorney ## Unknown ##
Attorney Albrechts, Jeffrey R.
Dept.

Filed Date 01/10/1995	Closed Date 09/23/1996
Last Hear 08/21/1996	For DEFTS' MOTION FOR SUMMARY JUDGMENT
Outcome GRANTED	
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Plaintiff Klein, Edward F
Defendant Rhodes Design And Development Inc
Judge Sobel, Jeffrey

Attorney ## Unknown ##
Attorney Albregts, Jeffrey R.
Dept.

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
09/23/1996	JUDGMENT OF DISMISSAL WITH PREJUDICE		\$0.00
		09/25/1996 at 10:01 AM	\$0.00
	Klein, Edward F		\$0.00
	Indemnity Company Of California		\$0.00
	Sobel, Jeffrey		\$0.00
09/23/1996	JUDGMENT OF DISMISSAL WITH PREJUDICE		\$0.00
		09/25/1996 at 10:01 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes, James		\$0.00
	Sobel, Jeffrey		\$0.00
09/23/1996	JUDGMENT OF DISMISSAL WITH PREJUDICE		\$0.00
		09/25/1996 at 10:01 AM	\$0.00
	Klein, Edward F		\$0.00
	Presidio Partnership		\$0.00
	Sobel, Jeffrey		\$0.00
09/23/1996	JUDGMENT OF DISMISSAL WITH PREJUDICE		\$0.00
		09/25/1996 at 10:00 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes Realty Inc		\$0.00
	Sobel, Jeffrey		\$0.00
09/23/1996	JUDGMENT OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	09/25/1996 at 10:00 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes Design And Development Inc		\$0.00
	Sobel, Jeffrey		\$0.00
08/20/1996	SUMMARY JUDGMENT		\$0.00
		08/23/1996 at 11:17 AM	\$0.00
	Klein, Edward F		\$0.00

	Indemnity Company Of California		\$0.00
	Sobel, Jeffrey		\$0.00
08/20/1996	SUMMARY JUDGMENT		\$0.00
		08/23/1996 at 11:17 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes, James		\$0.00
	Sobel, Jeffrey		\$0.00
08/20/1996	SUMMARY JUDGMENT		\$0.00
		08/23/1996 at 11:17 AM	\$0.00
	Klein, Edward F		\$0.00
	Presidio Partnership		\$0.00
	Sobel, Jeffrey		\$0.00
08/20/1996	SUMMARY JUDGMENT		\$0.00
		08/23/1996 at 11:17 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes Realty Inc		\$0.00
	Sobel, Jeffrey		\$0.00
08/20/1996	SUMMARY JUDGMENT		\$0.00
		08/23/1996 at 11:17 AM	\$0.00
	Klein, Edward F		\$0.00
	Rhodes Design And Development Inc		\$0.00
	Sobel, Jeffrey		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 99-A-408972-C

Status CLOSED

Plaintiff Rhodes Ranch Land Holding Ltd
Partnersh

Attorney Santoro, Nicholas J.

Defendant Adams, Wes

Attorney Netzorg, John M.

Judge Saitta, Nancy M

Dept. 18

Filed Date 10/04/1999

Closed Date 01/12/2006

Last Hear 08/17/2004

For PLTF RHODES' MTN TO ENFORCE
SETTLEMENT AGREEMENT & TERMINATE
RESTRICTIVE COV/09

Outcome GRANTED

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Plaintiff Rhodes Ranch Land Holding Ltd
Partnersh

Attorney Santoro, Nicholas J.

Defendant Adams, Wes

Attorney Netzorg, John M.

Judge Saitta, Nancy M

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
	Yes	01/19/2000 at 04:18 PM	\$0.00
	South Mountain Ltd Partnership		\$0.00
	Chicago Title Insurance Corp		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		01/19/2000 at 04:18 PM	\$0.00
	South Mountain Ltd Partnership		\$0.00
	United Title Of Nevada Inc		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		01/19/2000 at 04:18 PM	\$0.00
	Western States Contracting Inc		\$0.00
	Chicago Title Insurance Corp		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		01/19/2000 at 04:18 PM	\$0.00
	Western States Contracting Inc		\$0.00
	United Title Of Nevada Inc		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		01/19/2000 at 04:17 PM	\$0.00
	Asset Management Services LLC		\$0.00
	Chicago Title Insurance Corp		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		01/19/2000 at 04:17 PM	\$0.00
	Asset Management Services LLC		\$0.00

	United Title Of Nevada Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Rhodes Ranch General Partnership	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Rhodes Ranch Ltd Partnerhsip	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Coronado Properties Inc	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Southwestern Opportunities Ltd Partners	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:17 PM	\$0.00
	Mustang Properties Inc	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:16 PM	\$0.00
	Durango Springs Properties Ltd Partners	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:16 PM	\$0.00

	Rhodes Ranch Land Holdings Inc	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:15 PM	\$0.00
	Rhodes Ranch Land Holding Ltd Partnersh	\$0.00
	Western States Contracting Inc	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:15 PM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:15 PM	\$0.00
	Rhodes Ranch General Partnership	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:14 PM	\$0.00
	Rhodes Ranch Ltd Partnerhsip	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:14 PM	\$0.00
	Coronado Properties Inc	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:14 PM	\$0.00
	Southwestern Opportunities Ltd Partners	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/19/2000 at 04:14 PM	\$0.00
	Mustang Properties Inc	\$0.00
	Asset Management Services LLC	\$0.00
	Saitta, Nancy M	\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00

		01/19/2000 at 04:14 PM	\$0.00
	Durango Springs Properties Ltd Partners		\$0.00
	Asset Management Services LLC		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:14 PM	\$0.00
	Rhodes Ranch Land Holdings Inc		\$0.00
	Asset Management Services LLC		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:14 PM	\$0.00
	Rhodes Ranch Land Holding Ltd Partnersh		\$0.00
	Asset Management Services LLC		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:14 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:14 PM	\$0.00
	Rhodes Ranch General Partnership		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:14 PM	\$0.00
	Rhodes Ranch Ltd Partnerhsip		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:13 PM	\$0.00
	Coronado Properties Inc		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:13 PM	\$0.00
	Southwestern Opportunities Ltd Partners		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00

01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:13 PM	\$0.00
	Mustang Properties Inc		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:13 PM	\$0.00
	Durango Springs Properties Ltd Partners		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:13 PM	\$0.00
	Rhodes Ranch Land Holdings Inc		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00
01/14/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/19/2000 at 04:10 PM	\$0.00
	Rhodes Ranch Land Holding Ltd Partnersh		\$0.00
	Adams, Wes		\$0.00
	Saitta, Nancy M		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 91-A-294542-C
Plaintiff Rhodes, James M
Defendant Callery, Ed J
Judge Thompson, J. Charles

Status CLOSED
Attorney Jones, Mark M.
Attorney ## Unknown ##
Dept. 1

Filed Date 04/10/1991	Closed Date 08/05/2003
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Plaintiff Rhodes, James M
Defendant Callery, Ed J
Judge Thompson, J. Charles

Attorney Jones, Mark M.
Attorney ## Unknown ##
Dept. 1

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
	Yes	08/07/2003 at 10:11 AM	\$0.00
	Hunter, Deborah M		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
		08/07/2003 at 10:11 AM	\$0.00
	Hunter, Anthony D		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
		08/07/2003 at 10:10 AM	\$0.00
	Rhodes, James M		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:12 AM	\$0.00
	Callery, Ed J		\$0.00
	Hunter, Deborah M		\$125.00
	Thompson, J. Charles		\$3,486.50
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:12 AM	\$0.00
	Callery, Ed J		\$0.00
	Hunter, Anthony D		\$125.00
	Thompson, J. Charles		\$3,486.50
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:11 AM	\$0.00
	Callery, Ed J		\$0.00

	Rhodes, James M		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:39 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Hunter, Deborah M		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:39 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Hunter, Anthony D		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:33 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Rhodes, James M		\$125.00
	Thompson, J. Charles		\$3,486.50

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Rhodes, James M
Defendant Callery, Ed J
Judge Thompson, J. Charles

Attorney Jones, Mark M.
Attorney ## Unknown ##
Dept. 1

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
	Yes	08/07/2003 at 10:11 AM	\$0.00
	Hunter, Deborah M		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
		08/07/2003 at 10:11 AM	\$0.00
	Hunter, Anthony D		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/05/2003	SATISFACTION OF JUDGMENT		\$0.00
		08/07/2003 at 10:10 AM	\$0.00
	Rhodes, James M		\$0.00
	Callery, Ed J		\$0.00
	Thompson, J. Charles		\$0.00
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:12 AM	\$0.00
	Callery, Ed J		\$0.00
	Hunter, Deborah M		\$125.00
	Thompson, J. Charles		\$3,486.50
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:12 AM	\$0.00
	Callery, Ed J		\$0.00
	Hunter, Anthony D		\$125.00
	Thompson, J. Charles		\$3,486.50
08/15/1997	RENEWAL OF JUDGMENT		\$3,361.50
		08/20/1997 at 08:11 AM	\$0.00
	Callery, Ed J		\$0.00

	Rhodes, James M		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:39 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Hunter, Deborah M		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:39 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Hunter, Anthony D		\$125.00
	Thompson, J. Charles		\$3,486.50
10/03/1991	JUDGMENT		\$0.00
	Yes	10/03/1991 at 11:33 AM	\$0.00
	Callery, Ed J		\$3,361.50
	Rhodes, James M		\$125.00
	Thompson, J. Charles		\$3,486.50

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 87-A-260197-C

Status CLOSED

Plaintiff Halstead Construction Supplies Inc
Defendant Rhodes, James
Judge Foley, Thomas A.

Attorney Wanderer, John P.
Attorney Williams, Joseph H.
Dept. 13

Filed Date 10/08/1987

Closed Date 07/16/1990

Last Hear 07/11/1990

For MOTION TO APPROVE MASTERS REPORT AND TO AWARD ATTORNEYS FEES AND COSTS

Outcome GRANTED

Next Hear

For

Pre-trial 10/13/1989 at 09:00 AM

Trial 12/04/1989 at 10:00 AM

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Plaintiff Halstead Construction Supplies Inc
Defendant Rhodes, James
Judge Foley, Thomas A.

Attorney Wanderer, John P.
Attorney Williams, Joseph H.
Dept. 13

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
07/16/1990	JUDGMENT PLUS 18% INTEREST PER ANNUM		\$2,739.29
	Yes	07/16/1990 at 07:25 AM	\$0.00
	Rhodes, James		\$7,190.00
	Halstead Construction Supplies Inc		\$423.91
	Foley, Thomas A.		\$10,353.20

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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\$16.2 mil. Settlement

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Plaintiff Alves, Don
Defendant Rhodes Design And Development Corp

Attorney Canepa, Scott K.
Attorney Gonzalez, Elizabeth G.

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Filed Date 09/23/1997

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Last Hear 11/06/2000

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Plaintiff McCleve, Richard
Defendant Rhodes, James
Judge Herndon, Douglas W

Attorney Nehme, Doris E.
Attorney Santoro, Nicholas J.
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Filed Date 05/28/2002

Closed Date 01/12/2004

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Plaintiff McCleve, Richard
Defendant Rhodes, James
Judge Herndon, Douglas W

Attorney Nehme, Doris E.
Attorney Santoro, Nicholas J.
Dept. 3

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
01/12/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	01/15/2004 at 01:50 PM	\$0.00
	McCleve, Pat		\$0.00
	Rhodes Homes Inc		\$0.00
	Parraguirre, Ron		\$0.00
01/12/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/15/2004 at 01:50 PM	\$0.00
	McCleve, Pat		\$0.00
	Rhodes, James		\$0.00
	Parraguirre, Ron		\$0.00
01/12/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/15/2004 at 01:49 PM	\$0.00
	McCleve, Richard		\$0.00
	Rhodes Homes Inc		\$0.00
	Parraguirre, Ron		\$0.00
01/12/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/15/2004 at 01:49 PM	\$0.00
	McCleve, Richard		\$0.00
	Rhodes, James		\$0.00
	Parraguirre, Ron		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Home	Case 96-A-358227-C	Status CLOSED
Summary	Plaintiff Rhodes Design And Development Corp	Attorney Albregts, Jeffrey R.
Case Activity	Defendant Integrity Homes Inc	Attorney Schnitzer, Gary E.
Calendar	Judge Gibbons, Mark	Dept.
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Minutes		
Parties	Filed Date 04/15/1996	Closed Date 08/04/1997
Judgments	Last Hear 03/10/1997	For MINUTE ORDER RE: COURT'S DECISION
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Plaintiff Rhodes Design And Development Corp
Defendant Integrity Homes Inc
Judge Gibbons, Mark

Attorney Albrechts, Jeffrey R.
Attorney Schnitzer, Gary E.
Dept.

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
08/04/1997	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	08/06/1997 at 08:41 AM	\$0.00
	Integrity Homes Inc		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Gibbons, Mark		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Home	Case 99-A-401733-C	Status CLOSED
Summary	Plaintiff Delta Plastering Stucco Inc	Attorney Reed, Richard R.
Case Activity	Defendant Rhodes, James	Attorney ## Unknown ##
Calendar	Judge Earl, Allan R	Dept. 19
Continuance		
Minutes		
Parties	Filed Date 04/09/1999	Closed Date 02/01/2002
Judgments	Last Hear	For
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Case 99-A-401733-C
Plaintiff Delta Plastering Stucco Inc
Defendant Rhodes, James
Judge Earl, Allan R

Status CLOSED
Attorney Reed, Richard R.
Attorney ## Unknown ##
Dept. 19

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
02/01/2002	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
	Yes	02/05/2002 at 02:31 PM	\$0.00
	Rhodes Homes		\$0.00
	Delta Plastering Stucco Inc		\$0.00
	Earl, Allan R		\$0.00
02/01/2002	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		02/05/2002 at 02:31 PM	\$0.00
	Elkhorn Partners LP		\$0.00
	Delta Plastering Stucco Inc		\$0.00
	Earl, Allan R		\$0.00
02/01/2002	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		02/05/2002 at 02:31 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Delta Plastering Stucco Inc		\$0.00
	Earl, Allan R		\$0.00
02/01/2002	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		02/05/2002 at 02:31 PM	\$0.00
	Rhodes, James		\$0.00
	Delta Plastering Stucco Inc		\$0.00
	Earl, Allan R		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Home	Case 99-A-400855-C	Status CLOSED
Summary	Plaintiff Smith, David R	Attorney Markel, Sheldon M.
Case Activity	Defendant Rhodes, James	Attorney Arnold, Corby D.
Calendar	Judge Herndon, Douglas W	Dept. 3
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Parties	Filed Date 03/19/1999	Closed Date 09/05/2000
Judgments	Last Hear 06/05/2000	For DEFT'S RENEWED MTN FOR SUMMARY JUDGMENT
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Case 99-A-400855-C
Plaintiff Smith, David R
Defendant Rhodes, James
Judge Herndon, Douglas W

Status CLOSED
Attorney Markel, Sheldon M.
Attorney Arnold, Corby D.
Dept. 3

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	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
09/05/2000	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	09/11/2000 at 02:54 PM	\$0.00
	Smith, David R		\$0.00
	Rhodes, James		\$0.00
	Parraguirre, Ron		\$0.00
07/27/2000	JUDGMENT OF DISMISSAL ENTRY BY CLERK		\$0.00
		08/01/2000 at 09:08 AM	\$0.00
	Thacker, Millard		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Parraguirre, Ron		\$0.00
07/27/2000	JUDGMENT OF DISMISSAL ENTRY BY CLERK		\$0.00
		08/01/2000 at 09:08 AM	\$0.00
	Thacker, Millard		\$0.00
	Rhodes, James		\$0.00
	Parraguirre, Ron		\$0.00
06/20/2000	SUMMARY JUDGMENT		\$0.00
		07/07/2000 at 09:59 AM	\$0.00
	Smith, David R		\$0.00
	Rhodes, James		\$0.00
	Parraguirre, Ron		\$0.00

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Case 98-A-384183-C
Plaintiff Brown, Wendell
Defendant Rhodes Homes
Judge Hardcastle, Kathy

Status CLOSED
Attorney Wirth, Roger A.
Attorney Albregts, Jeffrey R.
Dept. 4

Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
11/10/1998	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	11/17/1998 at 08:10 AM	\$0.00
	Rhodes Homes		\$0.00
	Brown, Wendell		\$0.00
	Lehman, Jack		\$0.00

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Plaintiff Rhodes Design And Development Corp
Defendant Lyon Financial Services Inc
Judge Cherry, Michael A

Attorney Walton, James H.
Attorney Blalock, Edward L.
Dept. 17

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Filed Date 09/28/2000 **Closed Date** 03/05/2001
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Plaintiff Rhodes Design And Development Corp
Defendant Lyon Financial Services Inc
Judge Cherry, Michael A

Attorney Walton, James H.
Attorney Blalock, Edward L.
Dept. 17

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	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	03/08/2001 at 10:18 AM	\$0.00
	Business Credit Leasing		\$0.00
	Elkhorn Partners		\$0.00
	Cherry, Michael A		\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/08/2001 at 10:18 AM	\$0.00
	Business Credit Leasing		\$0.00
	Rhodes, James		\$0.00
	Cherry, Michael A		\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/08/2001 at 10:18 AM	\$0.00
	Business Credit Leasing		\$0.00
	Rhodes Design And Development Corp		\$0.00
	Cherry, Michael A		\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/08/2001 at 10:18 AM	\$0.00
	BCL Capital		\$0.00
	Elkhorn Partners		\$0.00
	Cherry, Michael A		\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/08/2001 at 10:18 AM	\$0.00
	BCL Capital		\$0.00
	Rhodes, James		\$0.00
	Cherry, Michael A		\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		03/08/2001 at 10:18 AM	\$0.00
	BCL Capital		\$0.00

	Rhodes Design And Development Corp	\$0.00
	Cherry, Michael A	\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/08/2001 at 10:18 AM	\$0.00
	Lyon Financial Services Inc	\$0.00
	Elkhorn Partners	\$0.00
	Cherry, Michael A	\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/08/2001 at 10:18 AM	\$0.00
	Lyon Financial Services Inc	\$0.00
	Rhodes, James	\$0.00
	Cherry, Michael A	\$0.00
03/05/2001	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	03/08/2001 at 10:18 AM	\$0.00
	Lyon Financial Services Inc	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Cherry, Michael A	\$0.00

Debtor - Individual who is ordered to honor the Judgment.

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Plaintiff Warthen Services Co Inc
Defendant Palm City Developers LLC
Judge Earl, Allan R

Attorney Netzorg, John M.
Attorney Nitz, W. O.
Dept. 19

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Filed Date 07/11/2000

Closed Date 05/01/2002

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Pre-trial 05/28/2002 at 02:00 PM

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Plaintiff Warthen Services Co Inc
Defendant Palm City Developers LLC
Judge Earl, Allan R

Attorney Netzorg, John M.
Attorney Nitz, W. O.
Dept. 19

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	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	06/06/2002 at 02:58 PM	\$0.00
	Rhodes, James		\$0.00
	John Warthen Family Trust		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Rhodes, James		\$0.00
	Warthen, J M		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Rhodes, James		\$0.00
	Nicholas Naff Family Trust		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Rhodes, James		\$0.00
	Naff, Nicholas		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Rhodes, James		\$0.00
	Warthen Services Co Inc		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Palm City Developers LLC		\$0.00

	John Warthen Family Trust		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Palm City Developers LLC		\$0.00
	Warthen, J M		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:58 PM	\$0.00
	Palm City Developers LLC		\$0.00
	Nicholas Naff Family Trust		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:57 PM	\$0.00
	Palm City Developers LLC		\$0.00
	Naff, Nicholas		\$0.00
	Earl, Allan R		\$0.00
05/01/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		06/06/2002 at 02:56 PM	\$0.00
	Palm City Developers LLC		\$0.00
	Warthen Services Co Inc		\$0.00
	Earl, Allan R		\$0.00

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Creditor - Individual who will receive benefit of the Judgment.

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Case 99-A-407056-C

Plaintiff Phoenixcor Inc
Defendant Rhodes, James M
Judge Loehrer, Sally

Status CLOSED

Attorney Cory, Timothy S.
Attorney ## Unknown ##
Dept. 15

Filed Date 08/16/1999**Closed Date** 08/30/2001**Last Hear** 12/15/1999**For** MINUTE ORDER RE: RECUSAL - DEPT XIII**Outcome****Next Hear****For****Pre-trial****Trial****Disposed****Disposition****Consolidated**[Top Of Page](#)

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Plaintiff Phoenixcor Inc
Defendant Rhodes, James M
Judge Loehrer, Sally

Attorney Cory, Timothy S.
Attorney ## Unknown ##
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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
08/30/2001	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
	Yes	09/04/2001 at 03:58 PM	\$0.00
	Rhodes Design And Development Inc		\$0.00
	Phoenixcor Inc		\$0.00
	Loehrer, Sally		\$0.00
08/30/2001	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/04/2001 at 03:58 PM	\$0.00
	Rhodes Realty Inc		\$0.00
	Phoenixcor Inc		\$0.00
	Loehrer, Sally		\$0.00
08/30/2001	ORDER OF DISMISSAL WITHOUT PREJUDICE		\$0.00
		09/04/2001 at 03:58 PM	\$0.00
	Rhodes, James M		\$0.00
	Phoenixcor Inc		\$0.00
	Loehrer, Sally		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Plaintiff Cluff, Mark
Defendant Rhodes, James
Judge Togliatti, Jennifer

Attorney Hawley, Lawrence E.
Attorney Gillette, Ronald E.
Dept. 9

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Filed Date 12/07/2001

Closed Date 09/23/2002

Last Hear 06/03/2002

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District Case Inquiry - Judgments

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Case 01-A-443560-C

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Plaintiff Cluff, Mark
Defendant Rhodes, James
Judge Togliatti, Jennifer

Attorney Hawley, Lawrence E.
Attorney Gillette, Ronald E.
Dept. 9

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	09/24/2002 at 02:13 PM	\$0.00
	Desert Communities Inc		\$0.00
	Cluff, Mary A		\$0.00
	Togliatti, Jennifer		\$0.00
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/24/2002 at 02:13 PM	\$0.00
	Rhodes Homes		\$0.00
	Cluff, Mary A		\$0.00
	Togliatti, Jennifer		\$0.00
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/24/2002 at 02:13 PM	\$0.00
	Rhodes, James		\$0.00
	Cluff, Mary A		\$0.00
	Togliatti, Jennifer		\$0.00
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/24/2002 at 02:13 PM	\$0.00
	Desert Communities Inc		\$0.00
	Cluff, Mark		\$0.00
	Togliatti, Jennifer		\$0.00
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/24/2002 at 02:12 PM	\$0.00
	Rhodes Homes		\$0.00
	Cluff, Mark		\$0.00
	Togliatti, Jennifer		\$0.00
09/23/2002	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		09/24/2002 at 02:12 PM	\$0.00
	Rhodes, James		\$0.00

	Cluff, Mark	\$0.00
	Togliatti, Jennifer	\$0.00

Debtor - Individual who is ordered to honor the Judgment.

Creditor - Individual who will receive benefit of the Judgment.

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Case 00-A-417983-C

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Plaintiff Argovitz, Jerry
Defendant United Title Of Nevada
Judge Adair, Valerie

Attorney Larsen, Brent A.
Attorney Gerrard, Douglas D.
Dept. 21

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Filed Date 04/21/2000

Closed Date 01/26/2004

Last Hear 10/24/2003

For DEFTS UNITED TITLE & S COLEMAN'S MOTION FOR PARTIAL SUMMARY JUDGMENT/27

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Outcome DENIED

Next Hear

For

Pre-trial 11/17/2003 at 02:00 PM

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Case 00-A-417983-C

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Plaintiff Argovitz, Jerry
Defendant United Title Of Nevada
Judge Adair, Valerie

Attorney Larsen, Brent A.
Attorney Gerrard, Douglas D.
Dept. 21

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Judgment	Remarks		Amount
	Final	Entered	Interest
	Debtor		Fees
	Creditor		Costs
	Signed By		Total Judgment
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
	Yes	01/27/2004 at 03:25 PM	\$0.00
	Coleman, Susan		\$0.00
	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:25 PM	\$0.00
	Rhodes, James		\$0.00
	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:25 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:25 PM	\$0.00
	Coronado Properties Inc		\$0.00
	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:25 PM	\$0.00
	Southwestern Opportunities Ltd Partnerh		\$0.00
	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	United Title Of Nevada		\$0.00

	AOJ One LLC		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	Coleman, Susan		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	Rhodes, James		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	Rhodes Design And Development Corp		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	Coronado Properties Inc		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	Southwestern Opportunities Ltd Partnerh		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:24 PM	\$0.00
	United Title Of Nevada		\$0.00
	Jannotta, Jon		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:23 PM	\$0.00
	Coleman, Susan		\$0.00
	Ober, Hal		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:23 PM	\$0.00

	Rhodes, James	\$0.00
	Ober, Hal	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:23 PM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Ober, Hal	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:23 PM	\$0.00
	Coronado Properties Inc	\$0.00
	Ober, Hal	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:23 PM	\$0.00
	Southwestern Opportunities Ltd Partnerh	\$0.00
	Ober, Hal	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:23 PM	\$0.00
	United Title Of Nevada	\$0.00
	Ober, Hal	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:23 PM	\$0.00
	Coleman, Susan	\$0.00
	Argovitz, Jerry	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:22 PM	\$0.00
	Rhodes, James	\$0.00
	Argovitz, Jerry	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00
	01/27/2004 at 03:22 PM	\$0.00
	Rhodes Design And Development Corp	\$0.00
	Argovitz, Jerry	\$0.00
	Adair, Valerie	\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE	\$0.00

		01/27/2004 at 03:22 PM	\$0.00
	Coronado Properties Inc		\$0.00
	Argovitz, Jerry		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:22 PM	\$0.00
	Southwestern Opportunities Ltd Partnerh		\$0.00
	Argovitz, Jerry		\$0.00
	Adair, Valerie		\$0.00
01/26/2004	ORDER OF DISMISSAL WITH PREJUDICE		\$0.00
		01/27/2004 at 03:21 PM	\$0.00
	United Title Of Nevada		\$0.00
	Argovitz, Jerry		\$0.00
	Adair, Valerie		\$0.00

Debtor - Individual who is ordered to honor the Judgment.

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Officer & Director Case List

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Herrera for Congress: In re James A. Bevan	MUR 5305	9/26/02	Civil Penalty of \$5,500	Closed	James A. Bevan was the Chief Financial Officer at Rhodes Design and Development Corp.
Herrera for Congress: In re Ronald E. Gillette	MUR 5305	9/26/02	Federal Elections Commission ("FEC") No Further Action Decision 9/20/05; No Civil Liability	Closed	Ronald E. Gillette was President of Sagebrush Enterprises, Inc.; The FEC Decided to Take No Further Action With Regard to Mr. Gillette's Involvement in This Matter
Palm Gardens Ltd. Partnership, James M. Rhodes v. Gardens East, Inc., Prestige Development Corp., Louis E. Goldman, Jr., and Marshall Goldman	A347438	6/21/95	\$2,166,498.85 Judgment Entered Against James M. Rhodes On 10/14/00	Reopened	Partnership Dispute; James M. Rhodes is President of Sagebrush Enterprises, Inc., Sedora Holdings, LLC, Desert Communities, Inc., and The Rhodes Companies, LLC
Louise Ruiz v. R and R Concrete, Inc., James M. Rhodes	A341530	1/10/95	\$276,554.28 Amended Judgment Entered 10/11/00 in Favor of Plaintiff	Closed	Asset Allocation Dispute; James M. Rhodes is President of Sagebrush Enterprises, Inc., Sedora Holdings, LLC, Desert Communities, Inc., and The Rhodes Companies, LLC

RELATED ENTITIES CASE LIST

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Dennis Ewing, et al. v. Rhodes Design and Development Corp., Rainbow Canyon, LLC, Desert Communities, Inc., Artistic Tile, Inc.	A408473	9/22/99	Settled	Closed	Alleged Construction Defect
Peter Licata, Lauri Licata v. Spanish Hills Community Association, Tropicana Durango Ltd., Tropicana Durango Investments Corp., James M. Rhodes	A402754	5/4/99	\$9,529.88 Judgment of Dismissal Entered in Favor of Defendants 7/21/04	Closed	Alleged Misrepresentation of Lot Size Purchased at Spanish Hills
Rhodes Ranch Land Holding Limited Partnership, Rhodes Ranch Land Holdings, Inc., Durango Springs Properties Limited Partners, Mustang Properties, Inc., Southwestern Opportunities Limited Partners, Coronado Properties, Inc., Rhodes Ranch Limited Partnership, Rhodes Ranch General Partnership, Rhodes Design and Development Corp., Bravo, Inc., James Rhodes v. Wes Adams, Asset Management Services, LLC, Western States Contracting, Inc.	A408972	10/4/99	Settled; Rhodes' Motion to Enforce Settlement Agreement Granted 8/17/04	Closed	

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Desert Communities, Inc., Jim Rhodes v. Brad Boe	A514942	12/23/05		Inactive	Case stayed in order to arbitrate claims.
Mark Cluff and Mary A. Cluff v. James Rhodes dba Rhodes Homes, Desert Communities, Inc.	A443560	12/7/01	Settled; Order of Dismissal with Prejudice entered 9/24/02	Closed	
Jerilyn J. Clayton v. James M. Rhodes	A452737	6/28/02		Closed	Dismissed pursuant to NRCPC 41(a)(1); Voluntary Dismissal by Plaintiff
Olen Residential Realty Corp. v. James M. Rhodes, Bravo, Inc., dba Rhodes Framing, Dirk Griffith, Rhodes Design & Development Corp.	A394611	10/12/98	Order of Dismissal With Prejudice Entered 9/17/03	Closed	
United Title Company of Nevada, Chicago Title Insurance Co. v. Palm City Developers, LLC, Rhodes Design & Development Corp., Commerce Association, LLC, Rainbow Canyon, LLC, James M. Rhodes	A418517	5/4/00	Order of Dismissal With Prejudice Entered 3/14/03	Closed	
Rhodes Design and Development Corp., James M. Rhodes v. Park West Golf, Inc.	A388049 A401184 (consolidated)	5/7/98 3/26/99	Arbitration Award Confirmed 4/22/02	Closed	

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Phoenixcor, Inc. v. James M. Rhodes, Rhodes Realty, Inc., Rhodes Design & Development Corp.	A407056	8/16/99	Order of Dismissal Without Prejudice Entered 9/4/01	Closed	
Clark County of Nevada v. the Estate of James M. Booth, Catherine Booth, Diane M. Robins, James G. Keller, Marilyn M. Keller, Dale W. Crisp, Donna L. Crisp, E. J. Callery, Ed Callery, Title Insurance and Trust Company, Cara Walstrum, US Office of IRS Special Liens Division, James M. Rhodes, Anthony D. Hunter, Deborah M. Hunter, Familian Corp., dba Familian Pipe & Supply, USAA Property and Casualty Insurance	A397017	12/14/98	Judgment of Condemnation Entered 9/21/01	Closed	
First Security Bank of Nevada v. Rhodes Design & Development Corp., James M. Rhodes	A402327	4/23/99	Notice of Dismissal Without Prejudice Granted 10/18/99	Closed	
Zion Credit Corp. v. Rhodes Design & Development Corp., James M. Rhodes	A400660	3/16/99	Settled	Closed	
MDC Holdings, Inc. v. Ronald Gorski dba Richmond American Homes of Nevada, Inc., James M. Rhodes	A489374	7/26/04		Active; Trial Date 10/17/06	Alleged Breach of Contract, Intentional Interference with Contractual Relationship

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Hart/Volland Enterprises, LLC v. Durango/Springs Properties, Ltd., Partner, Mustang Properties, Inc., Bravo, Inc., James M. Rhodes, United Title of Nevada, Inc.	A386967	4/10/98	Order of Dismissal With Prejudice Entered 6/27/01	Closed	
Indemnity Co. of California v. Bravo, Inc. dba Rhodes Framing, Tropicana Durango Investments Corp., Tropicana Durango Ltd., James M. Rhodes	A383344	1/15/98	Order Entered 3/31/98	Closed	
Wendell Brown v. Rhodes Homes, Madrid Properties, Ltd. Partnership, Madrid Estates Homeowner's Association, Inc., Rhodes Realty, James M. Rhodes, Robert M. Beville, Robert W. Sweeney, Ray Calles	A384183	2/5/98	Order of Dismissal With Prejudice Entered 11/17/98	Closed	
Tileworks, Inc. v. Rhodes Design & Development Corp., Indemnity Co. of California, James M. Rhodes, Deborah L. Rhodes	A372026	4/8/97	Stipulation and Order to Close Case Entered 3/5/98	Closed	
Michael A. Silvaggio, Terra West Realty and Development v. Rhodes Design & Development Corp., Teal Investments General Partnership, James M. Rhodes, Robert M. Beville	A362781	8/12/96	Order of Dismissal With Prejudice Entered 9/5/97	Closed	

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Eanon Springall v. Rhodes Ranch Ltd. Partnership, Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, James Rhodes, Gorman Cook	A477413	12/5/03	Default Judgment Entered Against Gorman Cook on 11/19/04 in the Amount of \$820,500	Closed	
Lisa Povill, et al. v. Rhodes Ranch, Ltd. Partnership, Rhodes Design & Development Corp., Sagebrush Enterprises, Inc., Vistana Condominium Owner's Association	A471433 A471463 (consolidated)	7/30/03 7/31/03	A471463 Order of Dismissal Without Prejudice Entered 4/27/04	Closed	Appealed to Supreme Court 6/16/05
Rhodes Ranch Ltd. Partnership, Sagebrush Enterprises, Inc. v. KB Home Nevada, Inc.	A466561	4/21/03	Order of Dismissal With Prejudice Entered 7/1/03	Closed	
Washington Homes-Nevada dba Washington Homes of Nevada v. Southwestern Opportunities, Ltd. Partners, Stewart Title of Nevada, Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, Rhodes Ranch General Partnership	A442581	11/15/01	Order of Dismissal With Prejudice Entered 4/15/03	Closed	

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Delta Plastering Stucco, Inc. v. James Rhodes, Rhodes Design & Development Corp., Elkhorn Partners Limited Partnership, Rhodes Homes	A401733	4/9/99	Order of Dismissal Without Prejudice Entered 2/5/02	Closed	
Ready Mix, Inc., v. Rhodes Ranch, Ltd. Partnership, Durango/Springs, Ltd. Partnership, Sagebrush Enterprises, Inc., Elkhorn Partners, Abraham Benefraim, et al.	A478000	12/17/03	Judgment of Dismissal Entered 5/17/04	Closed	
Walnut Creek Estates, McAlister Investments, Duntton & Duntton, LLP v. American Land Management, LLC, Rhodes Design and Development Corp., Matt Lawson	S-8015-CV-20050026	1/7/05			Mohave County Superior Court
Sedora Holdings, LLC v. Arizona State Department of Revenue, Mohave County	TX2006-050005 TX2006-050006 TX2006-050007	1/6/06	Order of Dismissal Entered 5/18/06		
Vistana Condominium Owners Association, Inc. v. Rhodes Ranch Limited Partnership, Rhodes Design and Development Corp., Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, Rhodes Ranch General Partnership, Rhodes Home, James A. Bevan	CV2006-006306	5/2/2006			

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Claudia Mirkin v. Jim Rhodes, Rhodes Design and Development Corp.	CA795602	6/16/98			
Deutsche Bank Securities, Inc. v. Rhodes Companies, Jim Rhodes	SDNY 1:06cv413	1/19/06		Active	Alleged Breach of Contract
Richard McCleve, Pat McCleve v. James Rhodes, Rhodes Homes, Inc.	A451229	5/28/02	Order of Dismissal With Prejudice Entered 1/15/04	Closed	
Lyon Financial Services, Inc. dba BCL Capital v. Rhodes Design and Development Corp., James M. Rhodes	A420601	6/20/00	\$1,251,006.54 Judgment Entered 6/22/00 in Favor of Plaintiff	Closed	Partial Summary Judgment Granted in Favor of Lyon Financial Services; Judgment Lien
Sharon Allen, et al. v. Elkhorn Partners, Elkhorn Investments, Inc., D and B Holdings General Partnership, Rhodes Design and Development Corp. dba Rhodes Homes, Rhodes Realty, Inc., James M. Rhodes, Willis Roof Consulting, Inc.	A478315	12/24/03	Defendants' Motion to Dismiss Granted 5/17/04	Closed	Alleged Construction Defect

Case Name	Case Number	Date Filed	Judgment	Status	Comments
Jerry Argovitz, et al. v. United Title of Nevada, Southwestern Opportunities Ltd. Partnership, Coronado Properties, Inc., Rhodes Design & Development Corp., Durango Springs Properties Ltd. Partners, James Rhodes, Susan Coleman	A417983	4/21/00	Order of Dismissal With Prejudice Entered 1/27/04	Closed	
James Rhodes, Rhodes Design & Development Corp., Gypsum Resources, LLC v. Mark A. James	A466041	4/10/03	Dismissal Pursuant to NRCP 41(a)(1) Entered 6/2/03	Closed	NRCP 41(a)(1); Voluntary Dismissal by Plaintiff
Warthen Services Co. Inc., Nicholas Naff, et al. v. Palm City Developers, LLC, James Rhodes	A421447	7/11/00	Order of Dismissal With Prejudice Entered 6/6/02	Closed	
Rhodes Design & Development Corp., James Rhodes v. Lyon Financial Services, Inc. dba BCL Capital	A424830	9/28/00	Order of Dismissal With Prejudice Entered 3/8/01	Closed	
Vistana Condominium Owners Association, Inc. v. Rhodes Ranch Ltd. Partnership, Rhodes Design and Development Corp., Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, Rhodes Ranch General Partnership, Rhodes Homes, James A. Bevan	A498921	1/31/05	Order of Dismissal Without Prejudice Entered 5/19/06	Active	

Case Name	Case Number	Date Filed	Judgment	Status	Comments
David R. Smith v. James Rhodes, Rhodes Design & Development Corp.	A400855	3/19/99	Defendant's Renewed Motion for Summary Judgment Granted 6/5/00; Order of Dismissal With Prejudice Entered 9/11/00	Closed	
Carmine Iovino v. Darrell Ruiz, James Rhodes, R & R Concrete, Inc., Nevada Department of Motor Vehicles	A382959	1/6/98	Order of Dismissal Entered 12/22/98	Closed	
Rhodes Design & Development Corp., James Rhodes v. Integrity Homes, Inc.	A358227	4/15/96	Order of Dismissal With Prejudice Entered 8/6/97	Closed	
Coldwell Banker, Inc. v. James Rhodes, Jim Rhodes Construction, Inc., Robert Rishling, Phylcon, Inc.	A271417	1/26/98	Order of Dismissal With Prejudice Entered 12/4/91	Closed	Notice of Withdrawal of Appeal 6/29/92
Herrera For Congress: In re James M. Rhodes, Rhodes Design and Development Corp., Bravo, Inc. dba Rhodes Framing, Rhodes Ranch General Partnership	MUR 5305	9/26/02	\$148,000 Civil Penalty	Closed	The Parties Entered a Conciliation Agreement With the FEC and Paid a Civil Penalty; The Case Was Not Criminal in Nature

ORIGINAL

FILED

AUG 21 11 13 AM '00

Shirley A. Mangione
CLERK

1 STIP
 2 JAMES H. WALTON, ESQ.
 Nevada Bar #0449
 3 NITZ, WALTON & HEATON, LTD.
 4 301 East Clark Ave., Suite 1000
 Las Vegas, Nevada 89101
 5 (702) 474-4004
 Attorneys for Defendants

DISTRICT COURT

CLARK COUNTY, NEVADA

9 LYON FINANCIAL SERVICES, INC. a)
 Minnesota corporation, d/b/a)
 10 BCL Capital f/k/a BUSINESS CREDIT)
 LEASING,)
 11)
 12 Plaintiff.)
 13 v.)
 14 RHODES DESIGN & DEVELOPMENT)
 CORPORATION, a Nevada corporation)
 15 and JAMES RHODES, individually,)
 16)
 Defendants.)
 17)

Case No.: A420601
Dept. No.: XI

Date: N/A
Time: N/A

LAW OFFICES
 NITZ, WALTON & HEATON, LTD.
 301 EAST CLARK AVENUE, SUITE 1000
 LAS VEGAS, NV 89101
 TELEPHONE (702) 474-4004

STIPULATION AND ORDER

18
 19 IT IS HEREBY STIPULATED by and between the parties through their respective
 20 counsel of record that Plaintiff shall have to and including Monday, August 21, 2000,
 21 within which to file its opposition to the "Motion to Vacate or Stay Enforcement of
 22 Foreign Judgment, to Approve Undertaking and Supersedeas Bond and to Expunge
 23 and Release Judgment Lien" (the "Motion"), and to deliver a copy thereof to counsel for
 24 Defendants.
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IT IS FURTHER STIPULATED that the hearing on the Motion shall be continued from Monday, August 21, 2000, at 9:00 A.M. to Wednesday, August 23, 2000, at 9:30 A.M.

IT IS FURTHER STIPULATED that Plaintiff will not execute upon the Partial Summary Judgment which was filed in this action on June 20, 2000, until the Court has heard and ruled upon the Motion.

DATED this 16 day of August, 2000.

NITZ, WALTON & HEATON, LTD.

BLALOCK & ASSOCIATES

By: [Signature]
JAMES H. WALTON, ESQ.
Nevada Bar #0449
301 E. Clark Avenue Suite 1000
Las Vegas, NV 89101
(702) 474-4004
Attorneys for Defendants, Rhodes Design & Development Corporation and James Rhodes, individually

By: [Signature]
Edward L. Blalock
Nevada Bar No. 003493
Donna M. Osborn
Nevada Bar No. 0006527
20 Bonneville Avenue
Las Vegas, NV 89101
702/474-6677
Attorneys for Plaintiff

IT IS SO ORDERED this 16th day of August, 2000.

[Signature]
Michael L. Douglas, District Court Judge *m.p.*

Prepared and submitted by,

NITZ, WALTON & HEATON, LTD.

By: [Signature]
James H. Walton, Esq.
301 East Clark Ave., Suite 1000
Las Vegas, NV 89101

LAW OFFICES
NITZ, WALTON & HEATON, LTD.
301 EAST CLARK AVENUE, SUITE 1000
LAS VEGAS, NV 89101
TELEPHONE (702) 474-4004

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

Lyon Financial Services, Inc., a
Minnesota corporation, d/b/a
BCL Capital *l/r/a* Business Credit Leasing,
Plaintiff

vs

ORDER GRANTING PARTIAL
SUMMARY JUDGMENT
File No. C1-99-1098

Rhodes Design & Development
Corporation, a Nevada corporation
and James Rhodes, individually,
Defendants.

The above entitled matter came before the Court at the Lyon County Courthouse
in the City of Marshall on April 17, 2000, pursuant to Plaintiff's motion for summary
judgment. Plaintiff was represented by John D. Docken and Defendants were represented
by Robert L. Gjorvad.

Based upon all the files and records herein, and the Memorandum attached hereto,

IT IS HEREBY ORDERED:

1. That Plaintiff is denied summary judgment against Defendant James Rhodes;
2. That Plaintiff is denied summary judgment against Defendant RDD for the
agreements numbered 620129, 625345, and 635462; and
3. That Plaintiff is granted summary judgment against Defendant RDD for:
 - a. Agreement 624711 in the amount of \$89,037.68 with interest of \$19.52 per
diem from December 22, 1999;
 - b. Agreement 648720 in the amount of \$25,668.61 with interest of \$5.63 per
diem from December 22, 1999;

Exhibit "1"

- ✓ c. Agreement 676105 reset to 682228 in the amount of \$312,012.50 with interest of \$68.39 per diem from December 22, 1999;
- ✓ d. Agreement 676107 reset to 682229 in the amount of \$104,548.12 with interest of \$22.91 per diem from December 22, 1999;
- ✓ e. Agreement 676108 reset to 682230 in the amount of \$184,979.17 with interest of \$40.54 per diem from December 22, 1999;
- ✓ f. Agreement 676104 in the amount of \$496,552.58 with interest of \$108.83 per diem from December 22, 1999;
- ✓ g. Agreement 676490 in the amount of \$38,207.88 with interest of \$8.37 per diem from December 22, 1999;

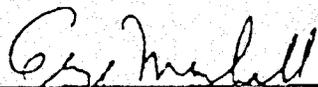
constituting the total amount of \$1,251,006.54 and interest of \$274.19 per diem from December 22, 1999, plus attorney fees in the amount of \$2000 and Plaintiff's costs and disbursements herein.

ORDER FOR PARTIAL SUMMARY JUDGMENT

The Court Administrator is directed to enter partial Summary Judgment in favor of Plaintiff against Defendant for \$1,251,006.54 plus interest on the principal amount of \$1,251,006.54 at 8% per annum from December 22, 1999, plus costs and disbursements without further delay.

Dated this 23rd day of May, 2000.

BY THE COURT:



George Marshall
Judge of District Court

STATE OF MINNESOTA
IN COURT OF APPEALS

OFFICE OF
APPELLATE COURTS
AUG 07 2000
FILED

Lyon Financial Services, Inc.,
d/b/a BCL Capital, f/k/a Business
Credit Leasing,

Respondent,

ORDER

vs.

C3-00-1292

Rhodes Design & Development
Corporation, a Nevada corporation,
et al.,

Appellants.

**BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE THERE
IS A QUESTION WHETHER THIS COURT HAS JURISDICTION:**

1. This appeal was filed by mail on July 24, 2000.
2. Appellant Rhodes Design & Development Corporation seeks review of a May 23, 2000, partial judgment. Appellants' statement of the case indicates that respondent's claims against James Rhodes individually are still pending.
3. In the statement of the case, appellants indicate that the district court directed entry of a final partial judgment for immediate appeal pursuant to Minn. R. Civ. App. P. 104.01.
4. An appeal may be taken from a partial judgment within 60 days after its entry "only if the trial court makes an express determination that there is no just

reason for delay and expressly directs the entry of a final judgment." Minn. R. Civ. App. P. 104.01, subd. 1.

5. The underlying May 23 order directs the trial court administrator to enter a partial summary judgment "without further delay." The May 23 order does not contain the express determination that there is no just reason for delay, nor does the order expressly direct the entry of a final judgment. It is unclear whether the district court intended to certify the partial judgment for immediate appeal.

6. The attention of the parties and the district court is directed to *Emme v. C.O.M.B., Inc.*, 418 N.W.2d 176, 179 (Minn. 1988) (thrust of appellate rules is that appeals should not be brought or considered piecemeal) and *First Nat'l Bank v. Rosenkranz*, 430 N.W.2d 267 (Minn. App. 1988) (decision whether to make express determination to allow immediate review of a partial judgment falls within district court's discretion).

IT IS HEREBY ORDERED:

1. On or before August 15, 2000, the parties shall serve and file informal memoranda (an original and four copies) with the clerk of the appellate courts, 25 Constitution Avenue, St. Paul, MN 55155, which shall address the following:

(a) Was the May 23 partial judgment entered pursuant to an order containing the express determination that there is no just reason for delay and the express direction for entry of a final judgment?

(b) If the answer to (a) is no, is the May 23 partial judgment appealable? See Minn. R. Civ. App. P. 104.01, subd. 1; *Olmstead v. Minneapolis Northfield & S. Ry.*, 425 N.W.2d 312, 313 (Minn. App. 1988) (partial judgment not immediately appealable unless entered pursuant to an order which contains the express determination required by Minn. R. Civ. App. P. 104.01 and Minn. R. Civ. P. 54.02).

DISTRICT COURT
CLARK COUNTY, NEVADA

FILED

OCT 9 1987
A-260/97 P.4 '87

CASE NO. A-260/97 P.4 '87
DEPT. NO. XXX-XXXX
DOCKET G
CLERK

89.00

1 HALSTEAD CONSTRUCTION SUPPLIES,
2 INC.,
3
4 Plaintiff,

5
6 vs.

7 JAMES RHODES, individually, and
8 JAMES SPEAR, individually and dba
9 SPEAR DEVELOPMENT and SPEAR &
10 ASSOCIATES BUILDING COMPANY,

COMPLAINT

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Defendants.

11 Plaintiff, by and through its attorney, JOHN P. WANDERER, ESQ. of the law
12 firm of WANDERER & WANDERER, alleges as follows:

FIRST CLAIM FOR RELIEF

13 1. That the Plaintiff sold and delivered construction materials to the
14 business known as JIM RHODES CONSTRUCTION, INC.

15 2. That there is an account presently due and owing from the business
16 known as JIM RHODES CONSTRUCTION, INC. to the Plaintiff in the sum of
17 \$14,006.30 together with interest at 18% per annum from November 28, 1986.

18 3. That the aforesaid account owed to the Plaintiff by the business
19 known as JIM RHODES CONSTRUCTION, INC. was personally guaranteed by the
20 Defendant, JAMES RHODES, a copy of which personal guaranty is attached hereto
21 and by reference made a part hereof.

22 4. That by reason of the aforesaid personal guaranty the Defendant is
23 indebted to the Plaintiff in the sum of \$14,006.30 together with interest at
24 18% per annum from November 28, 1986.

25 5. That demand for payment has been made upon the Defendant which de-
26 mand has been refused and which obligation still remains unpaid.

27 6. That the Plaintiff is entitled to a reasonable attorneys fee.



LAW OFFICES
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FIRST INTERSTATE BANK BUILDING
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SECOND CLAIM FOR RELIEF

7. The Plaintiff repeats and realleges all of the allegations of Paragraphs 1 through 6 as if fully set forth at length and incorporated herein by reference.

8. The Plaintiff supplied construction materials to the Defendants JAMES RHODES and JAMES SPEARS to be used on a project located at 5050 S. Duneville, Las Vegas, Clark County, Nevada, the legal description of the property being set forth herein. These materials were supplied between the dates of October 9, 1986 and June 30, 1987. The last materials were supplied on June 30, 1987.

9. The materials which were supplied for use on the aforesaid project had a fair and reasonable value of \$14,006.30.

10. The Plaintiff caused to be served upon the Defendant SPEAR DEVELOPMENT a Notice of Intent to be a lien as required by Nevada Revised Statutes; a true and correct copy of which is attached hereto and by reference made a part hereof.

11. Plaintiff was not paid for the materials supplied to JAMES RHODES for used upon the following described property of the Defendant SPEAR DEVELOPMENT.

12. That on the 8th day of April, 1987, Plaintiff timely caused to be recorded in the office of the County Recorder in Clark County, Nevada, a Mechanic's and Materialman's Lien, and an amendment thereto was recorded on August 27, 1987, true and correct copies of which are attached hereto and by reference made a part hereof, in the total sum of \$14,006.30 plus interest at 18% per annum from November 28, 1986, in reference to the premises known as:

Situate in the County of Clark, State of Nevada, described as follows:

The West Half (W 1/2) of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 25, Township 21 South, Range 60 East, M.D.B. & M.

.....

LAW OFFICES
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First Interstate Bank Building
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LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-9338

LAW OFFICES
WANDERER AND WANDERER
FIRST INTERSTATE BANK BUILDING
908 EAST CARSON AVENUE, SUITE 510
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 582-9558

1 EXCEPT the Northerly 50.00 feet thereof as claimed by Clark County,
2 Nevada.

3 ALSO EXCEPTING THEREFROM, the interest in and to the West 30.00
4 feet and the South 30.00 feet of together with that certain
5 spandrel area in the Northwest Corner (NW C) thereof, also being
6 the Southeast Corner (SE C) of the intersection of Duneville Street
7 and Tropicana Avenue, bounded as follows:

8 On the North by the South line of the North fifty feet (50.00'); on
9 the West by the East line of the West thirty feet (30.00'); and on
10 the Southeast by an arc of a curve concave Southeasterly, having a
11 radius of twenty-five feet (25.00') and being tangent to the South
12 line of said North fifty feet (50.00') and to the East line of the
13 West thirty feet (30.00'); and together with that certain spandrel
14 area in the Southwest Corner (SW C) thereof, also being the North-
15 east Corner (NE) of the intersection of Duneville Street and Reno
16 Avenue, bounded as follows:

17 On the South by the North line of the South thirty feet (30.00');
18 on the West by the East line of the West thirty feet (30.00'); and
19 on the Northeast by the arc of a curve concave Northeasterly,
20 having a radius of fifteen feet (15.00') and being tangent to the
21 North line of said South thirty feet (30.00') and to the East line
22 of said West thirty feet (30.00'), as conveyed to Clark County
23 by Deed recorded March 13, 1985 in Book 2077 of Official Records as
24 Document No. 2036675.

25 AND

26 All that certain real property situated in the County of Clark,
27 State of Nevada, more particularly described as follows:

28 PARCEL 1:

29 All that certain fractional portion of the West Half (W 1/2) of the
30 West Half (1/2) of the Northeast Quarter of the Northwest Quarter
31 of Section 25, Township 21 South, Range 60 East, Mount Diablo Mer-
32 idian to-wit:

33 LOTS 1, 2, and 3 of that certain minor subdivision recorded January
34 30, 1986 in Book 48 of Parcel Maps, page 88, in the Office of the
35 County Recorder of Clark County, State of Nevada.

36 Also except all coal, oil, gas and other mineral deposits in said
37 and, as excepted and reserved in Patent executed by the United
38 States of America, recorded May 2, 1979, in Book 1048, as
39 Instrument Number 1007495, of Official Records in the office of the
40 County Recorder of said county, which instrument further provides
41 as follows: "Together with the right to prospect for, mine and
42 remove the same according to the provisions of said Act of June 1,
43 1938."

LAW OFFICE
WANDERER AND WANDERER
FIRST INTERSTATE BANK BUILDING
303 EAST CARSON AVENUE, SUITE 350
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-9556

1 PARCEL 2:

2 The East Half of the Southeast Quarter of the Northwest Quarter of
3 the Northwest Quarter of Section 25, Township 21 South, Range 60
4 East, of the Mount Diablo Meridian, in the unincorporated area of
5 the County of Clark, State of Nevada, according to the Official
6 Plats of said land filed in the District Land Office.

7 Except that portion thereof described in deed to the County of
8 Clark, recorded March 13, 1985, in Book 2077, as Instrument Number
9 2036076, of Official Records in the office of the County Recorder
10 of said county, being more particularly described as follows:

11 The South 30.00 feet and the East 30.00 feet of the
12 East half of the Southeast quarter of the Northwest
13 quarter of the Northwest quarter of said Section 25;
14 together with that certain spandrel area in the
15 Southeast corner thereof, also being the Northwest
16 corner of the intersection of Duneville Street and Reno
17 Avenue, bounded as follows: On the East by the West
18 line of the East 30.00 feet; on the south by the North
19 line of the South 30.00 feet; and on the Northwest by
20 the arc of a curve concave Northwesterly, having a
21 radius of 15.00 feet and being tangent to the West line
22 of said East 30.00 feet and to the North line of said
23 South 30.00 feet.

24 Also except all coal, oil, gas and other mineral deposits in said
25 land, as excepted and reserved in Patent executed by the United
26 States of America, recorded May 2, 1979, in Book 1048, as Instru-
27 ment Number 1007495, of Official Records in the office of the
28 County Recorder of said county, which instrument further provides
as follows: "Together with the right to prospect for, mine and
remove the same according to the provisions of said Act of June 1,
1938."

THIRD CLAIM FOR RELIEF

13. The Plaintiff repeats and realleges all of the allegations of Para-
graphs 1 through 12 as if fully set forth at length and incorporated herein by
reference.

14. Defendants JAMES SPEAR has not paid for the construction materials
and has received the benefit and use of those materials and to allow him the
continued use and benefit of the materials without buying them would consti-
tute unjust enrichment.

15. The construction materials which were supplied for the benefit of
the Defendant JAMES SPEAR has a fair and reasonable value of \$14,006.30.

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WHEREFORE, Plaintiff prays for judgment against the Defendants as follows:

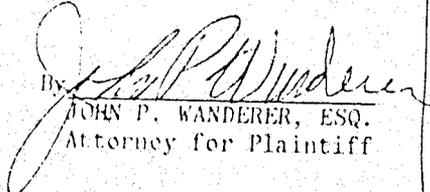
1. Pursuant to Plaintiff's First Claim for Relief, Judgment against JAMES RHODES in the sum of \$14,006.30 with interest at 18% per annum from November 28, 1986, costs of suit incurred herein, attorneys fees of \$4600.00, and for such other and further relief as the Court may find just and proper.

2. Pursuant to Plaintiff's Second Claim for Relief, Judgment ordering the foreclosure of Plaintiff's Mechanic's and Materialman's Lien by execution sale for satisfaction of said lien in the amount of \$14,006.30 plus interest at 18% per annum from November 28, 1986, attorneys fees of \$4600.00, costs of suit incurred herein, and for such other and further relief as the Court may find just and proper.

3. Pursuant to Plaintiff's Third Claim for Relief, Judgment against JAMES SPEAR for unjust enrichment in the sum of \$14,006.30 with interest at 18% per annum from November 28, 1986, costs of suit incurred herein, attorneys fees of \$4600.00, and for such other and further relief as the Court may find just and proper.

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TELEPHONE (702) 388-9898

WANDERER & WANDERER

BY 
JOHN P. WANDERER, ESQ.
Attorney for Plaintiff

ORIGINAL

10

1 **ORDR**
2 **ADAMS LAW GROUP, LTD.**
3 **JAMES R. ADAMS, ESQ.**
4 Nevada Bar No. 6874
5 7674 W. Lake Mead Blvd., Suite 108
6 Las Vegas, NV 89128
7 Ph: 702-838-7200
8 Fax: 702-838-3636

FILED

Nov 15 2 50 PM '04

Shirley B. Pennington
CLERK

9 Attorney for Plaintiff

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

12 **EAMON SPRINGALL, an individual,**
13 **Plaintiff**

CASE NO.: A477413
DEPARTMENT: III

14 vs.

15 **RHODES RANCH LIMITED PARTNERSHIP,**
16 **a Nevada limited partnership, SAGEBRUSH**
17 **ENTERPRISES, INC., General Partner,**
18 **RHODES RANCH, LLC., a Nevada limited**
19 **liability company; JAMES RHODES, an**
20 **individual, GORMAN COOK, an individual,)**
21 **and DOES I through X, and ROE**
22 **CORPORATIONS I through X, inclusive,**
23 **Defendants.**

EC

AMENDED ORDER GRANTING DEFAULT JUDGMENT & DAMAGES

Upon review of the papers and pleadings on file in this matter, as proper service has been provided, this Court notes no opposition has been filed, in addition to the joinder of the motion submitted. Accordingly, pursuant to EDCR 2.20(b) the unopposed Plaintiff's Motion for Default Judgment to Prove Damages has been construed as an admission that the motion is meritorious and consent to granting the same.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion is GRANTED only as to Defendant Gorman Cook.

IT IS FURTHER ORDERED that the Court, having reviewed the exhibits and declarations attached to Plaintiff's Motion, has determined that Plaintiff has been damaged in the amount of Eight

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RECEIVED

NOV 15 2004

CLERK

1 Hundred and Twenty Thousand Five Hundred Dollars (\$820,500.00).

2 DATED this 22nd day of October, 2004.

3
4 Ron Lawrence ff
DISTRICT COURT JUDGE

5
6 SUBMITTED BY:

cc

7 ADAMS LAW GROUP, LTD.

8
9 BY: [Signature]
10 JAMES R. ADAMS, ESQ.
11 Nevada Bar No. 6874
12 7674 W. Lake Mead Blvd., Suite 108
13 Las Vegas, NV 89128
14 Ph: 702-838-7200
15 Fax: 702-838-3636

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Oct 24 4 01 PM '89

Sally Loehrer
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DISTRICT COURT
CLARK COUNTY, NEVADA

HALSTEAD CONSTRUCTION SUPPLIES, INC.,)
)
Plaintiff,)
)
vs.)
)
JAMES RHODES, individually, and JAMES)
SPEAR, individually, and dba SPEAR)
DEVELOPMENT and SPEAR & ASSOCIATES)
BUILDING COMPANY.)
)
Defendants.)

CASE NO. A 260197
DEPT. NO. XIII
DOCKET NO. "C"

NOTICE OF ENTRY OF ORDER

LAW OFFICES
WANDERER AND WANDERER
FIRST INTERSTATE BANK BUILDING
302 EAST CARSON AVENUE, SUITE 520
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-9556

- TO: JAMES RHODES, Defendant and
- TO: JEFFREY R. ALBREGTS, Esq., defendant's attorney of record
- TO: CHARLES W. DEANER, Esq., appointed SPECIAL MASTER

PLEASE TAKE NOTICE that on the 20th day of October, 1989, a
Stipulation and Order Appointing Master of which a copy is enclosed
herewith, was entered in the above-entitled matter.

WANDERER & WANDERER

By *Sally Loehrer*
SALLY LOEHRER, ESQ.
Nevada State Bar No. 000846
302 E. Carson Ave., Suite 520
Las Vegas, Nevada 89101



1 DEPT. NO. XIII

2 DOCKET "G"

3

DISTRICT COURT

4

CLARK COUNTY, NEVADA

5

6

ORDER SETTING CIVIL NON-JURY TRIALS

7

TO COUNSEL:

8

IT IS HEREBY ORDERED that the civil non-jury cases appearing on the list attached hereto are set for trial on Monday, the 20th day of March, 1989, on a stacked one-week calendar and it is

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FURTHER ORDERED that a Calendar Call for the said cases, requiring the appearance of counsel only, will be held on Friday, the 17th day of March, 1989, at 9:00 o'clock A.M. in the order in which the cases are shown on the attached list, at which time a time certain for trial will be given. Each set of attorneys must be ready when the previous set has finished; and it is

FURTHER ORDERED that pursuant to EDCR 7.27 pre-trial memorandums shall be filed and exchanged at the time of the Calendar Call (if it is a domestic relations matter, please refer to the Domestic Relations Memorandum attached); and it is

FURTHER ORDERED that sanctions will be imposed if undue delay is exercised by counsel in bringing motions to continue or any other action that will disturb the trial date.

DATED: This 24th day of August, 1988.

Thomas A. Foley
THOMAS A. FOLEY
DISTRICT JUDGE

I hereby certify that on the 24 day of August, 1988, I placed a copy of the within Order in the folder(s) in the Clerk's Office of each of the attorneys listed on the attached trial setting.

Shirley B. Partridge
SHIRLEY B. PARTRIDGE
Judicial Secretary
Dept. No. XIII

2000 DEC 22 2:30

DISTRICT COURT
CLARK COUNTY, NEVADA

AUG 21 10 11 AM '83
A

HORIZON CONSTRUCTION, INC.,
a Nevada corporation,

Plaintiff(s),

vs.

CASE NO. A259591
A259805
A260197

JAMES A. SPEAR; and DOES I
through X, inclusive,

DEPT. NO. XIII
DOCKET "G"

Defendant(s).

JAMES A. SPEAR,

Counterclaimant,

vs.

HORIZON CONSTRUCTION, INC.,
a Nevada corporation,

Counterdefendant.

ORDER

FAMILIAN CORPORATION dba
FAMILIAN PIPE & SUPPLY COMPANY,

Plaintiff,

vs.

SPEAR DEVELOPMENT; SPEAR AND
ASSOCIATES; SPEAR AND ASSOCIATES
BUILDING COMPANY; JAMES SPEAR,
and individually; HORIZON CONSTRUCTION
COMPANY, INC.; RICK O'DELL, an
individual; PAM O'DELL, an
individual; AMWEST SURETY INSURANCE
COMPANY; and ALLSTATE INSURANCE
COMPANY,

Defendant.

/ / /

/ / /

(R)

LAW OFFICES
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SPEAR DEVELOPMENT; SPEAR AND ASSOCIATES; SPEAR AND ASSOCIATES BUILDING COMPANY and JAMES SPEAR,

Cross-Claimants,

vs.

HORIZON CONSTRUCTION COMPANY, INC.; RICK O'DELL, PAM O'DELL and AMWEST SURETY INSURANCE COMPANY,

Cross-Defendants.

HALSTEAD CONSTRUCTION SUPPLIES, INC.,

Plaintiff,

vs.

JAMES RHODES, individually, and JAMES SPEAR, individually and dba SPEAR DEVELOPMENT and SPEAR & ASSOCIATES BUILDING COMPANY,

Defendants

JAMES SPEAR, individually and dba SPEAR DEVELOPMENT and SPEAR & ASSOCIATES BUILDING COMPANY,

Cross-claimants,

vs.

JAMES RHODES, individually,

Cross-Defendant.

The Court having reviewed the Stipulation of the parties and good cause appearing therefore it is hereby

ORDERED the claims of HALSTEAD CONSTRUCTION SUPPLIES, INC. against JAMES SPEAR, SPEAR DEVELOPMENT, and SPEAR AND ASSOCIATES BUILDING COMPANY and any Counterclaims of JAMES SPEAR, SPEAR DEVELOPMENT, and SPEAR AND ASSOCIATES BUILDING COMPANY against HALSTEAD CONSTRUCTION SUPPLIES, INC. are hereby dismissed with

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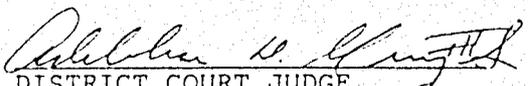
1 prejudice, each party to bear its own costs and fees. It is
2 further

3 ORDERED that the claims of JAMES SPEAR individually and dba
4 SPEAR DEVELOPMENT and SPEAR AND ASSOCIATES BUILDING COMPANY
5 against JAMES RHODES individually and JAMES RHODES CONSTRUCTION
6 COMPANY are to be dismissed with prejudice, each party bearing
7 its own costs and fees. It is further

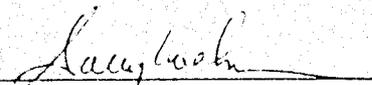
8 ORDERED that the claims of JAMES RHODES individually and
9 JAMES RHODES CONSTRUCTION COMPANY against JAMES SPEAR
10 individually and dba SPEAR DEVELOPMENT and SPEAR AND ASSOCIATES
11 BUILDING COMPANY are to be dismissed with prejudice, each party
12 bearing its own costs and fees.

13 This dismissal does not effect HALSTEAD CONSTRUCTION
14 SUPPLIES, INC.'s claims against JAMES RHODES.

15 DATED this 16th day of August, 1989.

16
17 
18 DISTRICT COURT JUDGE
19 For Judge. Foggy

20 Submitted by:
21 WANDERER & WANDERER

22
23 
24 SALLY LOHRER, ESQ.
25 Attorney for Halstead
26
27
28

CLERK

LAW OFFICES
WANDERER AND WANDERER
FIRST INTERSTATE BANK BUILDING
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FILED
DISTRICT COURT
CLARK COUNTY, NEVADA JUL 25 AM '90

HALSTEAD CONSTRUCTION SUPPLIES,
INC.,

Loetta Dammann
CLERK

Plaintiff

vs.

JAMES RHODES, individually and
JAMES SPEAR, individually and
dba SPEAR DEVELOPMENT and SPEAR
& ASSOCIATES BUILDING COMPANY,

CASE NO. A260197
DEPT. NO. XIII
DOCKET NO. G

Defendants

JUDGMENT

Plaintiff's Motion to Approve the Master's Report and to Award Attorney's Fees and Costs having come on regularly before the Court the 11th day of July, 1990, Honorable Thomas Foley presiding and the Plaintiff represented by Sally Loehrer, Esq. and the Defendant James Rhodes represented by Jeff Albrecht, Esq. and the Court having reviewed the Master's Report the Plaintiff's Motion and Opposition of the Defendant, and having considered arguments of counsel and good cause appearing therefore now

ORDERS the Master's Report is approved and the Plaintiff is awarded Judgment against the Defendant in the sum of \$2739.29 together with interest at 18% per annum from July 25, 1989. It is further

ORDERED Plaintiff is granted Judgment against the Defendant James Rhodes in the sum of \$7,190.00 as and for attorney's fees and the sum of \$423.91 in costs. It is further

CE

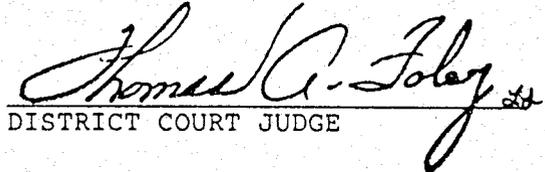
(A)

LAW OFFICES
WANDERER AND WANDERER
FIRST INTERSTATE BANK BUILDING
302 EAST CARSON AVENUE, SUITE 520
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 382-9858

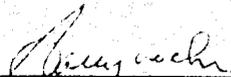
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ORDERED the Master shall be compensated at the rate of \$150.00 per hour for a total of \$450.00 which sum shall be paid one-half by each the Plaintiff and the Defendant.

Dated this 16th day of July, 1990.


DISTRICT COURT JUDGE

Submitted by:


SALLY LOEHRER
Attorney for Plaintiff
State Bar No. 000846

2008 JUL 22 10 23 AM
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FILED

AUG 29 4 39 PM '00

Shirley L. Augustine
CLERK

1 0066
 2 BLALOCK & ASSOCIATES
 3 Edward L. Blalock, Esq.
 4 Nevada Bar Number 003493
 5 Donna M. Osborn, Esq.
 6 Nevada Bar Number 006527
 7 20 Bonneville Avenue
 8 Las Vegas, Nevada 89101
 9 (702) 474-6677
 10 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

10 LYON FINANCIAL SERVICES, INC., a
 11 Minnesota corporation, d/b/a BCL
 12 CAPITAL f/k/a BUSINESS CREDIT
 13 LEASING,

Case No: A420601
 Dept. No: XI

Plaintiff,

vs.

MOTION TO MODIFY
 ORDER EXPUNGING AND
 RELEASING JUDGMENT LIEN

14 RHODES DESIGN & DEVELOPMENT
 15 CORPORATION, a Nevada
 16 corporation and JAMES RHODES,
 17 individually,

Defendant.

HEARING DATE: _____
 HEARING TIME: _____

18 COMES NOW, Plaintiff, LYON FINANCIAL SERVICES, INC. d/b/a BCL
 19 CAPITAL, by and through their attorneys, BLALOCK & ASSOCIATES, and
 20 brings its Motion to Modify the Order Expunging and Releasing
 21 Judgment Lien.

22
 23
 24

 28

LAW OFFICES
 BLALOCK & ASSOCIATES
 ATTORNEYS AT LAW
 20 BONNEVILLE AVENUE
 LAS VEGAS, NEVADA 89101
 TELEPHONE (702) 474-6677 FAX (702) 474-6678

COUNTY CLERK
 AUG 29 2000

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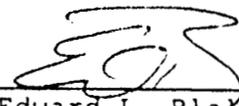


CE11

1 This Motion is made and based upon the prior hearing and Order
2 entered herein.

3 DATED this 29 day of August, 2000.

4 BLALOCK & ASSOCIATES

5
6 By: 
7 Edward L. Blalock, Esq.
8 Nevada Bar Number 003493
9 Donna M. Osborn, Esq.
10 Nevada Bar Number 006527
11 20 Bonneville Avenue
12 Las Vegas, Nevada 89101
13 (702) 474-6677
14 Attorneys for Plaintiff

11 * * * * *

12 NOTICE OF MOTION

13 TO: ALL INTERESTED PARTIES

14 PLEASE TAKE NOTICE that counsel for Plaintiff will bring the
15 foregoing Motion to Modify the Order Expunging and Releasing
16 Judgment Lien on for hearing before the above-entitled Court on the
17 2 day of Oct, 2000, at the hour of
18 4 PM or as soon thereafter as counsel may be heard.

19 DATED this 29 day of August, 2000.

20 BLALOCK & ASSOCIATES

21
22 By: 
23 Edward L. Blalock, Esq.
24 Nevada Bar Number 003493
25 Donna M. Osborn, Esq.
26 Nevada Bar Number 006527
27 20 Bonneville Avenue
28 Las Vegas, Nevada 89101
(702) 474-6677
Attorneys for Plaintiff

27 * * * * *

LEE BATES
BLALOCK & ASSOCIATES
ATTORNEYS AT LAW
20 BONNEVILLE AVENUE
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 474-6677 FAX (702) 474-6677

420681.139

LAW OFFICES
BLALOCK & ASSOCIATES
ATTORNEYS AT LAW
2000 W. HARRIS AVENUE
LAS VEGAS, NEVADA 89102
TELEPHONE (702) 735-1100 FACSIMILE (702) 735-1101

POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

1
2
3
4 Defendant's Motion to Vacate or Stay Enforcement of Foreign
5 Judgment, to Approve Undertaking and Supersedeas Bond, and to
6 Expunge and Release Judgment Lien came on for hearing before the
7 Court on August 23, 2000.

8 At the August 23, 2000 hearing, this Court found that
9 Plaintiff's initial mailing of the Foreign Judgment did not fully
10 comply with N.R.S. 17.360 in that separate notices were not sent to
11 Defendant and to its Counsel of Record.

12 The Court further found that the issue of whether the Partial
13 Summary Judgment was final should be determined by the Minnesota
14 Court of Appeals, and not this Court. The Court also stated that
15 it did not believe Defendant's undertaking was adequate, but the
16 Court reserved this and all other issues until after the Judgment
17 was fully domesticated. It was believed that the Minnesota Court
18 of Appeals would render a decision prior to this time, rendering
19 any further motions before this Court moot.

20 The Minnesota Court of Appeals has since determined the
21 Partial Summary Judgment should not be treated as a final Judgment.

22 Based upon the foregoing, Plaintiff is prepared to enter into
23 a stipulation dismissing this action.

24 However, prior to this matter being dismissed, Plaintiff would
25 like the Order Expunging and Releasing Judgment Lien modified to
26 properly reflect this Court's Order. Defendant's counsel took
27 great liberty in preparing the Order which includes numerous
28 findings which were not expressly made by this Court.

420601.140

1 Plaintiff would request that the Order be amended as set forth
2 in Plaintiff's Exhibit "1" attached hereto.

3 II.

4 CONCLUSION

5 It is respectfully requested that this Court's Order Expunging
6 and Releasing Judgment Lien be modified as set forth in Exhibit "1"
7 attached hereto.

8 DATED this 29 day of August, 2000.

9 BLALOCK & ASSOCIATES

10
11 By: 

12 Edward L. Blalock, Esq.
13 Nevada Bar Number 003493
14 Donna M. Osborn, Esq.
15 Nevada Bar Number 006527
16 20 Bonneville Avenue
17 Las Vegas, Nevada 89101
18 (702) 474-6677
19 Attorneys for Plaintiff
20
21
22
23
24
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26
27
28

LAW OFFICES
BLALOCK & ASSOCIATES
ATTORNEYS AT LAW
20 BONNEVILLE AVENUE
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 474-6677 FACSIMILE (702) 474-6678

CERTIFICATE OF MAILING

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I hereby certify that on the 29th day of August, 2000, I served a copy of the Motion to Modify the Order Expunging and Releasing Judgment Lien by placing a true copy in the United States Mail, first class, postage prepaid, to the following:

James H. Walton, Esq.
NITZ, WALTON & HEATON, LTD.
301 East Clark Avenue, Suite 1000
Las Vegas, Nevada 89101
Attorneys for Defendants



Employee of the Law Offices
of BLALOCK & ASSOCIATES

LAW OFFICES
BLALOCK & ASSOCIATES
301 EAST CLARK AVENUE
SUITE 1000
LAS VEGAS, NEVADA 89101
TELEPHONE (702) 666-8777 FACSIMILE (702) 666-8788

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AUG 30 2000
CLERK

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FILED

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Shelley L. Pungis
CLERK

1 COMP
2 LAW OFFICES OF JAMES R. ADAMS
3 JAMES A. ADAMS, ESQ.
4 Nevada Bar No. 6874
5 7674 W. Lake Mead Blvd., Suite 108
6 Las Vegas, NV 89128
7 702-838-7200

8 Attorney for Plaintiff

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

11 EAMON SPRINGALL, an individual,
12 Plaintiff

CASE NO.: A477413
DEPARTMENT: 111

13 vs.

14 RHODES RANCH LIMITED PARTNERSHIP,
15 a Nevada limited partnership, SAGEBRUSH
16 ENTERPRISES, INC., General Partner,
17 RHODES RANCH, LLC., a Nevada limited
18 liability company; JAMES RHODES, an
19 individual, GORMAN COOK, an individual,
20 and DOES I through X, and ROE
21 CORPORATIONS I through X, inclusive,
22 Defendants.

23 **COMPLAINT**

24 COMES NOW, the Plaintiff, EAMON SPRINGALL, by and through his attorney,
25 JAMES R. ADAMS, ESQ., and for his complaint against the Defendants, RHODES RANCH
26 LIMITED PARTNERSHIP, SAGEBRUSH ENTERPRISES, INC., RHODES RANCH, LLC.,
27 JAMES RHODES, an individual; GORMAN COOK, an individual, and DOES I through X, and
28 ROE CORPORATIONS I through X, inclusive, and alleges as follows.

1. At all relevant times, the Plaintiff Eamon Springall ("Plaintiff") was a resident of County of Clark, State of Nevada.
2. Plaintiff is informed and believes, and thereon alleges that at all relevant times Defendants RHODES RANCH LIMITED PARTNERSHIP, SAGEBRUSH ENTERPRISES, INC., RHODES RANCH, LLC., were entities doing business in Clark County, State of Nevada.
3. Plaintiff is further informed and believes, and thereon alleges that at all relevant times herein, Defendant JAMES RHODES was a resident of Clark County, State of Nevada (James

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1 Rhodes and the entities listed in paragraph 4 above collectively referred to as "Rhodes
2 Defendants").

3 4. Plaintiff is further informed and believes, and thereon alleges that at all relevant times
4 herein, Defendant GORMAN COOK was a resident of Clark County, State of Nevada, and an
5 employee of the Rhodes Defendants.

6 5. The individuals and entities identified as Does I through X and Roe Corporations I
7 through X are presently unknown to the Plaintiff, but are believed to be the agents, servants,
8 employees or other persons who may be responsible for the damage caused to the Plaintiff. The
9 Plaintiff will seek leave of the Court to amend this Complaint upon ascertaining the true names
10 and capacities of such individuals and entities. Accordingly, Plaintiff is informed and believes,
11 and therefore alleges, that each of the Defendants designated as a Doe or a Roe Corporation is
12 responsible in some manner for the events and happenings herein referred to, and each Doe and
13 Roe Corporation Defendant caused the injuries and damages complained of herein.

14 6. Plaintiff is informed and believes and thereon alleges the Defendants, and each of
15 them, wholly own and control each other; that said individual Defendants are the sole owners,
16 stockholders, members, limited partners, general partners, officers, or directors of the Defendant
17 corporations, limited liability companies, and limited partnerships ("Defendant Entities"); that
18 said Defendants Entities are so controlled and managed by said individual Defendant that the
19 monies of Defendants Entities and of the individual Defendant are co-mingled and intermingled;
20 that there is a unity of ownership and interest between them; that the credit of one is used for the
21 credit of the others; that the obligations of the individual Defendant are paid by the Defendant
22 Entities; that the Defendant Entities were capitalized for a sum of money insufficient to meet
23 reasonable requirements of Defendant Entities; that as a result of the foregoing, Defendant
24 Entities are the instrumentality, conduit, adjunct and alter ego of the individual Defendant, and
25 the individual Defendant has managed and controlled said Defendant Entities to avoid personal
26 liability and to defraud creditors and others of the individual Defendant and the Defendant
27 Entities, and that unless the fiction of the separateness of the individual Defendant from said
28 Defendant Entities, and from each other, is ignored, great injustice will result and fraud will be
sanctioned, all to the irreparable damage and injury to Plaintiff.

1 28. Plaintiff has been required to employ legal counsel to prosecute these legal
2 proceedings, and is, therefore, entitled to reasonable attorney's fees and costs of suit incurred
3 herein.

4 **THIRD CAUSE OF ACTION**

5 **(Unjust Enrichment)**

6 29. Plaintiff repeats, again alleges, and incorporates by reference each and every
7 allegation contained in Paragraphs 1 through 30, as though set forth fully herein.

8 30. Based upon the conduct of Defendants, the Defendants has received undeserved
9 monetary benefits from the Plaintiff.

10 31. The Defendants have been, therefore, unjustly enriched at the expense of the Plaintiff
11 giving rise to a legal and equitable duty to repay the Plaintiff for all sums.

12 **FOURTH CAUSE OF ACTION**

13 **(Intentional Misrepresentation/Fraud)**

14 32. Plaintiff repeats, again alleges, and incorporates by reference each and every
15 allegation contained in Paragraphs 1 through 31, as though set forth fully herein.

16 33. On or about May, 2003, through July, 2003, while in the course and scope with his
17 employment with the Rhodes Defendants, Defendant Cook made false representations to Plaintiff
18 regarding Defendant's intention and ability to purchase homes at a discounted price and
19 quitclaim a 50% interest in said homes to Plaintiff.

20 34. Defendant made such false representations with knowledge or belief that the
21 representations were false or without a sufficient basis for making such representations.

22 35. Defendant intended to induce Plaintiff to enter into the contract and remit to
23 Defendant \$20,500.00 based on such intentional misrepresentations.

24 36. The above-described misrepresentations by Defendant to Plaintiff were done
25 intentionally and were willful, wanton and malicious acts justifying an award of punitive
26 damages.

27 37. As a direct and proximate result of the actions and conduct of the Defendant, Plaintiff
28 has been damaged in an amount in excess of \$10,000.00.

///

1 38. Plaintiff may be entitled to recover attorneys' fees and cost of suit by statute from
2 Defendants for having to retain an attorney to prosecute the action.

3 **FIFTH CAUSE OF ACTION**

4 **(Negligent Misrepresentation)**

5 39. Plaintiff repeats, again alleges, and incorporates by reference each and every
6 allegation contained in Paragraphs 1 through 38, as though set forth fully herein.

7 40. From May, 2003, through July, 2003, Defendant negligently supplied false
8 information to Plaintiff about Defendants' ability and intention to purchase three Champions
9 Division homes and quitclaim a 50% interest in said homes to Plaintiff.

10 41. Plaintiff, to its detriment, relied upon Defendant's false information and remitted to
11 Defendant \$20,500.00 which has been lost to Plaintiff, no homes having ever been purchased or
12 quit claimed to Plaintiff.

13 42. Due to the actions and conduct of the Defendant as described herein, Plaintiff has
14 been damaged in an amount in excess of \$10,000.00.

15 43. Plaintiff may be entitled to recover attorneys' fees and costs of suit by statute from the
16 Defendants for having to retain an attorney to prosecute this action.

17 **SIXTH CAUSE OF ACTION**

18 **(Negligence)**

19 44. Plaintiff repeats, again alleges, and incorporates by reference each and every
20 allegation contained in Paragraphs 1 through 43, as though set forth fully herein.

21 45. At all relevant times herein, the Rhodes Defendants negligently hired and supervised
22 their employee, Defendant Gorman Cook, such that Cook, while during the course and scope of
23 his employment with the Rhodes Defendants, committed the breaches and wrongful acts against
24 Plaintiff as herein described.

25 46. Due to the actions and conduct of the Defendants as described herein, Plaintiff has
26 been damaged in an amount in excess of \$10,000.00.

27 47. Plaintiff may be entitled to recover attorneys' fees and costs of suit by statute from the
28 Defendants for having to retain an attorney to prosecute this action.

///

PRAYER FOR RELIEF

WHEREFORE, Plaintiff expressly reserves its rights to amend this Complaint at the time of the trial of the actions herein, to include all items of damages not yet ascertained, demand judgment against the Defendants, as follows:

1. General damages in a sum in excess of \$10,000.00;
2. Special damages in a sum in excess of \$10,000.00;
3. Punitive damages in a sum in excess of \$10,000.00;
4. For reasonable attorneys' fees and costs incurred herein;
5. For such other and further relief as this Court deems just and proper under the circumstances.

DATED this 30 of November, 2003.

LAW OFFICES OF JAMES R. ADAMS

By 

LAW OFFICES OF JAMES R. ADAMS
JAMES A. ADAMS, ESQ.
Nevada Bar No. 6874
7674 W. Lake Mead Blvd., Suite 108
Las Vegas, NV 89128
702-838-7200

Attorney for Plaintiff

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Shirley B. Langjume
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1 NEOJ
2 WILLIAM R. URGA, ESQ.
3 Nevada Bar No. 1195
4 CHRISTOPHER D. CRAFT, ESQ.
5 Nevada Bar No. 7314
6 JOLLEY URGA WIRTH WOODBURY & STANDISH
7 3800 Howard Hughes Parkway, 16th Floor
8 Las Vegas, Nevada 89109
9 (702) 699-7500
10 *Attorneys for Defendants Rhodes Ranch*
11 *Limited Partnership, Sagebrush Enterprises, Inc.,*
12 *Rhodes Ranch, LLC, and James Rhodes*

13 DISTRICT COURT
14 CLARK COUNTY, NEVADA

15 EAMON SPRINGALL, an individual,
16)
17)
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27)
28)
Plaintiff,

Case No. A477413
Dept. No. III

vs.

15 RHODES RANCH LIMITED PARTNERSHIP,
16 a Nevada limited partnership, SAGEBRUSH
17 ENTERPRISES, INC., General Partner, RHODES
18 RANCH, LLC., a Nevada limited liability
19 company; JAMES RHODES, an individual,
20 GORMAN COOK, an individual, and DOES I
21 through X, and ROE CORPORATIONS I through
22 X, inclusive,
23)
24)
25)
26)
27)
28)
Defendants.

NOTICE OF ENTRY OF
STIPULATION AND ORDER
FOR DISMISSAL WITH
PREJUDICE

PLEASE TAKE NOTICE that an Order for Dismissal with Prejudice was entered on
September 7, 2004 in the above entitled matter, a true and correct copy of which is attached hereto

DATED: September 8, 2004.

JOLLEY URGA WIRTH WOODBURY
& STANDISH

By: 
WILLIAM R. URGA, ESQ., #1195
CHRISTOPHER D. CRAFT, ESQ., #7314
3800 Howard Hughes Parkway, 16th Floor
Las Vegas, Nevada 89109
Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes

JOLLEY, URGA, WIRTH & WOODBURY
3800 Howard Hughes Parkway, Suite 1600, Las Vegas, NV 89109
Telephone: (702) 699-7500 Fax: (702) 699-7555

RECEIVED
SEP 08 2004
COUNTY CLERK

1 CERTIFICATE OF SERVICE BY MAIL

2 I, the undersigned, hereby certify that I am employed in the County of Clark, State of
3 Nevada, am over the age of 18 years and not a party to this action. My business address is that of
4 Jolley Uрга Wirth Woodbury & Standish, 3800 Howard Hughes Parkway, Suite 1600, Las Vegas,
5 Nevada 89109.

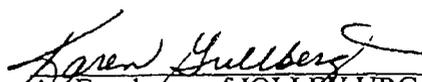
6 On this date, I served the within **NOTICE OF ENTRY OF STIPULATION AND**
7 **ORDER FOR DISMISSAL WITH PREJUDICE** on the parties in said action or proceeding by
8 placing a true copy thereof enclosed in a sealed envelope, addressed as follows:

9 James R. Adams, Esq.
10 Law Offices of James R. Adams
11 7674 W. Lake Mead Blvd., Suite 108
12 Las Vegas, Nevada 89128

13 and placing the envelope in the mail bin at the firm's office.

14 I am readily familiar with the firm's practice of collection and processing correspondence
15 for mailing. Under that practice it is deposited with the U. S. Postal Service on the same day it is
16 placed in the mail bin, with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary
17 course of business.

18 I certify under penalty of perjury that the foregoing is true and correct, and that this
19 Certificate of Service by Mail was executed by me on September 8th, 2004 at Las Vegas,
20 Nevada.

21 
22 An Employee of JOLLEY URGA WIRTH
23 WOODBURY & STANDISH

JOLLEY, URGA, WIRTH & WOODBURY
3800 Howard Hughes Parkway, Suite 1600, Las Vegas, NV 89109
Telephone: (702) 699-7500 Fax: (702) 699-7555

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SAO
WILLIAM R. URGA, ESQ.
Nevada Bar No. 1195
CHRISTOPHER D. CRAFT, ESQ.
Nevada Bar No. 7314
JOLLEY URGA WIRTH WOODBURY & STANDISH
3800 Howard Hughes Parkway, 16th Floor
Las Vegas, Nevada 89109
(702) 699-7500
*Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes*

FILED

SEP 7 1 53 PM '04

Christy S. Rungius
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

EAMON SPRINGALL, an individual,)
)
Plaintiff,)
)
vs.)
)
RHODES RANCH LIMITED PARTNERSHIP,)
)
a Nevada limited partnership, SAGEBRUSH)
ENTERPRISES, INC., General Partner, RHODES)
RANCH, LLC., a Nevada limited liability)
company; JAMES RHODES, an individual,)
)
GORMAN COOK, an individual, and DOES I)
through X, and ROE CORPORATIONS I through)
X, inclusive,)
)
Defendants.)
)

Case No. A477413
Dept. No. III

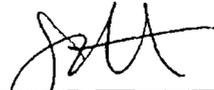
**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, that pursuant to NRCP 41(a) Plaintiff Eamon Springall ("Springall"), by and through his attorney, James R. Adams, Esq. and Defendants Rhodes Ranch Limited Partnership, Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, and James Rhodes (collectively the "Rhodes Defendants") by and through their attorneys Christopher D. Craft, Esq. of the firm of Jolley Urga Wirth Woodbury & Standish, hereby stipulate to dismissal of all Plaintiff's claims against the Rhodes Defendants only, with prejudice. This Stipulation for Dismissal does not entail or include a dismissal of Plaintiff's claims against Gorman Cook. Each

1 party shall bear its own attorney's fees and costs incurred in connection with the dismissed claims.

2 DATED this 3 day of September, 2004.

3 JOLLEY URGA WIRTH WOODBURY
4 & STANDISH

5 By: 
6 WILLIAM R. URGA, ESQ., #1195
7 CHRISTOPHER D. CRAFT, ESQ., #7314
8 3800 Howard Hughes Parkway, 16th Floor
9 Las Vegas, Nevada 89109
10 Attorneys for Defendants Rhodes Ranch
11 Limited Partnership, Sagebrush Enterprises,
12 Inc., Rhodes Ranch, LLC, and James Rhodes

11 ADAMS LAW GROUP, LTD.

12 By: 
13 James R. Adams, Esq.
14 Nevada Bar No. 6874
15 7674 W. Lake Mead Blvd., Suite 108
16 Las Vegas, Nevada 89128
17 Attorney for Plaintiff

17 SO ORDERED.

18 Dated this 7th day of September, 2004.

19 **RON PARRAGUIRRE**

20 DISTRICT COURT JUDGE

21 Submitted by:

22 JOLLEY URGA WIRTH WOODBURY
23 & STANDISH

24 By: 
25 WILLIAM R. URGA, ESQ., #1195
26 CHRISTOPHER D. CRAFT, ESQ., #7314
27 3800 Howard Hughes Parkway, 16th Floor
28 Las Vegas, Nevada 89109
Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes

JOLLEY URGA WIRTH WOODBURY & STANDISH
ATTORNEYS AT LAW
800 HOWARD HUGHES PARKWAY
SIXTEENTH FLOOR
WELLS FARGO TOWER
LAS VEGAS, NEVADA 89109

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SAO
WILLIAM R. URGA, ESQ.
Nevada Bar No. 1195
CHRISTOPHER D. CRAFT, ESQ.
Nevada Bar No. 7314
JOLLEY, URGA, WIRTH & WOODBURY
3800 Howard Hughes Parkway, 16th Floor
Las Vegas, Nevada 89109
(702) 699-7500
*Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes*

FILED
MAY 11 4 27 PM '04
Shirley B. Ranzine
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

EAMON SPRINGALL, an individual,)
)
) Case No. A477413
) Plaintiff,) Dept. No. III
)
)
) vs.)
)
) RHODES RANCH LIMITED PARTNERSHIP,)
) a Nevada limited partnership; SAGEBRUSH)
) ENTERPRISES, INC., General Partner, RHODES)
) RANCH, LLC., a Nevada limited liability)
) company; JAMES RHODES, an individual,)
) GORMAN COOK, an individual, and DOES I)
) through X, and ROE CORPORATIONS I through)
) X, inclusive,)
)
) Defendants.)

**STIPULATION AND ORDER TO ALLOW
AMENDED ANSWER AND CROSSCLAIM**

Defendants Rhodes Ranch Limited Partnership, Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, and James Rhodes (collectively "Rhodes") by and through its attorneys Christopher D. Craft, Esq. of the firm of Jolley, Urga, Wirth & Woodbury, and Plaintiff Eamon Springall ("Springall"), by and through his attorney, James R. Adams, Esq. hereby stipulate to allow Defendant Rhodes

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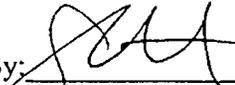
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JOLLEY URGA
WIRTH & WOODBURY
ATTORNEYS AT LAW
3800 HOWARD HUGHES
PARKWAY
SIXTEENTH FLOOR
WELLS FARGO TOWER
LAS VEGAS,
NEVADA 89109
TELEPHONE
(702) 699-7500

1 to file its Amended Answer and Crossclaim in the form attached hereto as Exhibit A.

2 DATED this 10 day of May, 2004.

3 JOLLEY, URGA, WIRTH & WOODBURY

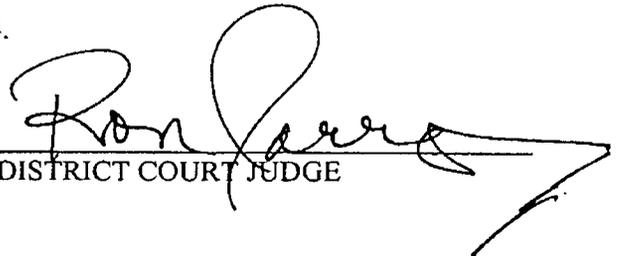
4
5 By: 
6 WILLIAM R. URGA, ESQ., #1195
7 CHRISTOPHER D. CRAFT, ESQ., #7314
8 3800 Howard Hughes Parkway, 16th Floor
9 Las Vegas, Nevada 89109
10 *Attorneys for Defendants Rhodes Ranch*
11 *Limited Partnership, Sagebrush Enterprises,*
12 *Inc., Rhodes Ranch, LLC, and James Rhodes*

13 LAW OFFICES OF JAMES R. ADAMS

14 By: 
15 James R. Adams, Esq.
16 Nevada Bar No. 6874
17 7674 W. Lake Mead Blvd., Suite 108
18 Las Vegas, Nevada 89128
19 Attorney for Plaintiff

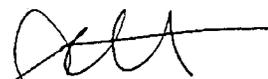
20 SO ORDERED.

21 Dated this 11th day of May, 2004.

22 
23 DISTRICT COURT JUDGE

24 Submitted by:

25 JOLLEY, URGA, WIRTH & WOODBURY

26 By: 
27 WILLIAM R. URGA, ESQ., #1195
28 CHRISTOPHER D. CRAFT, ESQ., #7314
3800 Howard Hughes Parkway, 16th Floor
Las Vegas, Nevada 89109
Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes

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AANS
WILLIAM R. URGA, ESQ.
Nevada Bar No. 1195
CHRISTOPHER D. CRAFT, ESQ.
Nevada Bar No. 7314
JOLLEY, URGA, WIRTH & WOODBURY
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*Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes*

DISTRICT COURT

CLARK COUNTY, NEVADA

EAMON SPRINGALL, an individual,)
)
) Case No. A477413
) Plaintiff,) Dept. No. III
)
)
) vs.)
)
)
) RHODES RANCH LIMITED PARTNERSHIP,)
) a Nevada limited partnership, SAGEBRUSH)
) ENTERPRISES, INC., General Partner, RHODES)
) RANCH, LLC., a Nevada limited liability)
) company; JAMES RHODES, an individual,)
) GORMAN COOK, an individual, and DOES I)
) through X, and ROE CORPORATIONS I through)
) X, inclusive,)
)
) Defendants.)
)

AMENDED ANSWER AND CROSS-CLAIM

Defendants Rhodes Ranch Limited partnership, Rhodes Ranch, LLC, Sagebrush enterprises,
Inc. and James Rhodes (collectively "Rhodes"), by and through their attorneys, Jolley, Urga, Wirth
& Woodbury, as and for their First Amended Answer to the Complaint on file herein, admit, deny
and allege as follows:

GENERAL ALLEGATIONS

1. Answering paragraphs 1, 4, 7, 12, 13 and 16 of the Complaint, Rhodes is without

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1 sufficient knowledge or information to form a belief as to the truth or falsity of the allegations
2 contained therein, and, therefore, denies the same.

3 2. Answering paragraphs 2 and 3 of the Complaint, Rhodes admit the allegations
4 contained therein.

5 3. Answering paragraphs 5, 6, 14, 19, 20, 21, 24, 25, 26, 27, 28, 30, 31, 33, 34, 35, 36,
6 37, 38, 40, 41, 42, 43, 45, 46 and 47, Rhodes denies each and every allegation contained therein.

7 4. Answering paragraphs 15, 22, 29, 32, 39 and 44, Rhodes repeats and realleges its
8 responses as previously set forth and its responses are incorporated herein by this reference.

9 5. Answering paragraph 8 of the Complaint, Rhodes denies that Cook was a supervisor
10 for the Rhodes defendants in the Lakes and Links Division of the Rhodes Ranch development. As
11 to the remainder of the allegations contained therein, Rhodes is without sufficient knowledge or
12 information to form a belief as to the truth or falsity of the allegations contained therein, and,
13 therefore, denies the same.

14 6. Answering paragraph 9 of the Complaint, Rhodes denies that Rhodes authorized the
15 sale of three 4,200 square foot homes to Cook in its Champions Division of Rhodes Ranch. As to
16 the remainder of the allegations contained therein, Rhodes is without sufficient knowledge or
17 information to form a belief as to the truth or falsity of the allegations contained therein, and,
18 therefore, denies the same.

19 7. Answering paragraph 10 of the Complaint, Rhodes denies that Rhodes offered any
20 homes to Cook for a discounted price because of his superior performance as a supervisor for the
21 Rhodes defendants. As to the remainder of the allegations contained therein, Rhodes is without
22 sufficient knowledge or information to form a belief as to the truth or falsity of the allegations
23 contained therein, and, therefore, denies the same.

24 8. Answering paragraph 11 of the Complaint, Rhodes denies that Cook was able to
25 purchase three homes as set forth in the Complaint or that Cook was to pay \$20,500 to Rhodes in
26

1 connection with any such sale. As to the remainder of the allegations contained therein, Rhodes
2 is without sufficient knowledge or information to form a belief as to the truth or falsity of the
3 allegations contained therein, and, therefore, denies the same.

4
5 9. Answering paragraph 17 of the Complaint, Rhodes denies that it has any obligation
6 to Plaintiff under his contract with Cook, but admits that it has refused to quitclaim a fifty percent
7 interest in three Champions Division homes to Plaintiff. As to any other allegations contained
8 therein, Rhodes is without sufficient knowledge or information to form a belief as to the truth or
9 falsity of the allegations contained therein, and, therefore, denies the same.

10
11 10. Answering paragraph 18 of the Complaint, Rhodes admits that it has refused to give
12 Plaintiff \$20,500 or to give him an interest in three homes at Rhodes Ranch. As to the remainder
13 of the allegations contained therein, Rhodes is without sufficient knowledge or information to form
14 a belief as to the truth or falsity of the allegations contained therein, and, therefore, denies the same.

15
16 11. Answering paragraph 23 of the Complaint, Rhodes admits that all legal and valid
17 contracts contain an implied covenant of good faith and fair dealing, however, Rhodes denies that
18 it is a party to any contract between Plaintiff and Cook or that it has any obligations under such
19 contract.

20 **AFFIRMATIVE DEFENSES**

21 **FIRST AFFIRMATIVE DEFENSE**

22 Eamon Springall ("Plaintiff") has failed to state a claim upon which relief can be granted.

23 **SECOND AFFIRMATIVE DEFENSE**

24 Plaintiff's claims are barred by the Statute of Frauds.

25 **THIRD AFFIRMATIVE DEFENSE**

26
27 Plaintiff's action against Rhodes is maintained without reasonable ground or is being pursued
28 for the purpose of harassing Rhodes.

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FOURTH AFFIRMATIVE DEFENSE

Plaintiff has failed to take reasonable steps to mitigate his damages, if any, thus completely or partially barring his claims.

FIFTH AFFIRMATIVE DEFENSE

Rhodes has not acted in a malicious, oppressive or fraudulent manner.

SIXTH AFFIRMATIVE DEFENSE

At all times pertinent to the Complaint, Rhodes acted in accordance with its statutory obligations.

SEVENTH AFFIRMATIVE DEFENSE

Rhodes at all times acted in good faith.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's damages, if any, were directly and proximately caused by Plaintiff's own conduct, acts or omissions, thereby completely barring his claims.

NINTH AFFIRMATIVE DEFENSE

Plaintiff's action is barred by the doctrines of laches and waiver.

TENTH AFFIRMATIVE DEFENSE

Plaintiff has suffered no recoverable damages.

ELEVENTH AFFIRMATIVE DEFENSE

At no time did Rhodes intentionally act to harm Plaintiff.

TWELFTH AFFIRMATIVE DEFENSE

The complained of acts or omissions of Rhodes were legal, justified and reasonable under the circumstances.

THIRTEENTH AFFIRMATIVE DEFENSE

Assuming Plaintiff's allegations regarding Defendant Cook are true, Rhodes is not liable for Cook's actions as Cook acted outside the scope of his employment and the scope of his authority.

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FOURTEENTH AFFIRMATIVE DEFENSE

Rhodes has made no false representation to Plaintiff.

FIFTEENTH AFFIRMATIVE DEFENSE

Rhodes was not negligent in its hiring or retention of Defendant Cook.

SIXTEENTH AFFIRMATIVE DEFENSE

By virtue of his conduct, Plaintiff should be estopped from making any claim against Rhodes.

SEVENTEENTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred in whole or in part by the Economic Loss Doctrine.

EIGHTEENTH AFFIRMATIVE DEFENSE

Plaintiff's damages, if any, were solely caused by the acts or omissions of third parties over whom Rhodes had no control.

NINETEENTH AFFIRMATIVE DEFENSE

Rhodes is not liable on Plaintiff's contract claim as Rhodes was not a party to the contract between Plaintiff and Cook.

TWENTIETH AFFIRMATIVE DEFENSE

Plaintiff's claim against Rhodes constitutes an abuse of process and Rhodes reserves the right to make counterclaim or initiate separate litigation against Plaintiff on this basis.

TWENTY-FIRST AFFIRMATIVE DEFENSE

It has been necessary for Rhodes to obtain the services of an attorney to defend this action and a reasonable sum should be allowed Rhodes as and for attorney's fees, together with its costs expended in this action.

TWENTY-SECOND AFFIRMATIVE DEFENSE

Pursuant to NRCP 11, as amended, all possible affirmative defenses may not have been alleged herein, insofar as sufficient facts were not available, after reasonable inquiry, upon the filing

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1 of this answer, and, therefore, Rhodes reserves the right to amend this answer to allege additional
2 affirmative defenses if subsequent investigation warrants.

3 WHEREFORE, Rhodes prays for judgment as follows:

- 4 1. That Plaintiff's Complaint be dismissed, with prejudice;
- 5 2. For attorney's fees and costs of suit incurred herein; and
- 6 3. For such other and further relief as the Court deems just and proper.

7 DATED this ____ day of May, 2004.

8 JOLLEY, URGA, WIRTH & WOODBURY

9 By: _____
 10 WILLIAM R. URGA, ESQ., No. 1195
 11 CHRISTOPHER D. CRAFT, ESQ., No. 7314
 12 3800 Howard Hughes Parkway, 16th Floor
 13 Las Vegas, Nevada 89109
 14 Attorneys for Defendants Rhodes Ranch GP,
 15 Rhodes Ranch Limited Partnership, and
 16 Rhodes Design and Development Corp.

17 CROSS-CLAIM

18 1. In 2003, Cross-defendant Gorman Cook was employed as a construction supervisor
19 for Cross-claimant Rhodes Ranch.

20 2. According to Plaintiff Eamon Springall, Cook contracted with Springall for the
21 purchase of three Rhodes Ranch homes at significantly discounted prices. According to Springall,
22 Cook also represented that \$20,000 paid by Springall to Cook would be used as a down payment on
23 the Rhodes Ranch homes.

24 3. Assuming such statements were made by Cook, they were false. Assuming the
25 contract was concluded between Cook and Springall, it was beyond the scope of Cook's authority
26 to enter into such an agreement.
27

28 ///

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1 **FIRST CLAIM FOR RELIEF**

2 4. Rhodes repeats and realleges each and every allegation contained in the foregoing
3 paragraphs as though fully set forth herein.

4 5. As Cook's actions as set forth above, were beyond the scope of his authority and may
5 have the effect of exposing Rhodes Ranch to liability to Springall, Rhodes Ranch is entitled to full
6 indemnification from Cook for any damages awarded against Rhodes Ranch in favor of Springall.

7 6. It has been necessary for Rhodes to obtain the services of an attorney to defend this
8 action and a reasonable sum should be allowed Rhodes as and for attorney's fees, together with its
9 costs expended in this action.

10 **SECOND CLAIM FOR RELIEF**

11 7. Rhodes repeats and realleges each and every allegation contained in the foregoing
12 paragraphs as though fully set forth herein.

13 8. As a direct and proximate result of the intentional misrepresentations made by Cook,
14 Rhodes Ranch has suffered monetary damages and other damages relating to lost good will.

15 9. As a direct and proximate result of the foregoing, Rhodes Ranch has suffered
16 damages in excess of \$10,000.

17 10. It has been necessary for Rhodes to obtain the services of an attorney to defend this
18 action and a reasonable sum should be allowed Rhodes as and for attorney's fees, together with its
19 costs expended in this action.

20 WHEREFORE, Rhodes prays for judgment as follows:

21 1. That Rhodes be awarded damages in excess of \$10,000;
22 2. That an order be issued declaring that Cook is required to fully indemnify Rhodes
23 Ranch for any damages awarded against Rhodes Ranch and on claims brought by Plaintiff Eamon
24 Springall;

25 3. For pre-judgment and post-judgment interest;

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- 1 4. For attorneys fees and costs incurred; and
2 5. For such other and further relief as the Court deems just and proper.

3 DATED this ____ day of May, 2004.

4 JOLLEY, URGA, WIRTH & WOODBURY

5
6 By: _____
7 WILLIAM R. URGA, ESQ., No. 1195
8 CHRISTOPHER D. CRAFT, ESQ., No. 7314
9 3800 Howard Hughes Parkway, 16th Floor
10 Las Vegas, Nevada 89109
11 Attorneys for Defendants Rhodes Ranch GP,
12 Rhodes Ranch Limited Partnership, and
13 Rhodes Design and Development Corp.

14 **CERTIFICATE OF SERVICE BY MAIL AND FACSIMILE TRANSMISSION**

15 I, the undersigned, hereby certify that I am employed in the County of Clark, State of
16 Nevada, am over the age of 18 years and not a party to this action. My business address is that of
17 Jolley, Urga, Wirth & Woodbury, 3800 Howard Hughes Parkway, Suite 1600, Las Vegas, Nevada
18 89109.

19 On May _____, 2004, I served the within **AMENDED ANSWER AND CROSS-CLAIM**
20 on the parties in said action or proceeding by placing a true copy thereof enclosed in a sealed
21 envelope, addressed as follows:

22
23 James R. Adams, Esq.
24 Law Offices of James R. Adams
25 7674 W. Lake Mead Blvd., Suite 108
26 Las Vegas, Nevada 89128
27 Attorney for Plaintiff

Facsimile No.

(702) 838-3636

28 and placing the envelope in the mail bin at the firm's office.

I am readily familiar with the firm's practice of collection and processing correspondence

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NEVADA 89109
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(702) 699-7300

1 for mailing. Under that practice it is deposited with the U. S. Postal Service on the same day it is
2 placed in the mail bin, with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary
3 course of business.

4
5 I also served the above document via facsimile to the parties listed above, to their facsimile
6 numbers listed above. A copy of the transmit confirmation report is attached hereto.

7 I certify under penalty of perjury that the foregoing is true and correct, and that this
8 Certificate of Service by Mail and Facsimile Transmission was executed by me on May _____,
9 2004 at Las Vegas, Nevada.

10
11 An employee of JOLLEY, URGA, WIRTH
12 & WOODBURY

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Shirley B. Higgins
CLERK

1 NEO
2 WILLIAM R. URG A, ESQ.
3 Nevada Bar No. 1195
4 CHRISTOPHER D. CRAFT, ESQ.
5 Nevada Bar No. 7314
6 JOLLEY, URG A, WIRTH & WOODBURY
7 3800 Howard Hughes Parkway, 16th Floor
8 Las Vegas, Nevada 89109
9 (702) 699-7500
10 (702) 699-7555 Fax

11 *Attorneys for Defendants Rhodes Ranch
12 Limited Partnership, Sagebrush Enterprises, Inc.,
13 Rhodes Ranch, LLC, and James Rhodes*

14 DISTRICT COURT
15 CLARK COUNTY, NEVADA

16 EAMON SPRINGALL, an individual,
17 Plaintiff,

Case No. A477413
Dept. No. III

18 vs.

19 RHODES RANCH LIMITED PARTNERSHIP,
20 a Nevada limited partnership, SAGEBRUSH
21 ENTERPRISES, INC., General Partner, RHODES
22 RANCH, LLC., a Nevada limited liability
23 company; JAMES RHODES, an individual,
24 GORMAN COOK, an individual, and DOES I
25 through X, and ROE CORPORATIONS I through
26 X, inclusive,
27 Defendants.

28 NOTICE OF ENTRY OF ORDER
REGARDING DEFENDANT'S MOTION TO DISMISS

PLEASE TAKE NOTICE that an Order regarding Defendant's Motion to Dismiss was entered on February 13, 2004 in the above entitled matter, a true and correct copy of which is

///

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3800 Howard Hughes Parkway, Suite 1600, Las Vegas, NV 89109
Telephone: (702) 699-7500 Fax: (702) 699-7555

COUNTY CLERK

FEB 19 2004

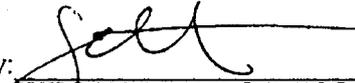
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attached hereto

DATED: February 18, 2004.

JOLLEY, URGA, WIRTH & WOODBURY

By: 
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CHRISTOPHER D. CRAFT, ESQ., #7314
3800 Howard Hughes Parkway, 16th Floor
Las Vegas, Nevada 89109
*Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Inc.,
Rhodes Ranch, LLC, and James Rhodes*

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Telephone: (702) 699-7500 Fax: (702) 699-7555

CERTIFICATE OF SERVICE BY MAIL

I, the undersigned, hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Jolley, Urga, Wirth & Woodbury, 3800 Howard Hughes Parkway, Suite 1600, Las Vegas, Nevada 89109.

On this date, I served the within **NOTICE OF ENTRY OF ORDER REGARDING DEFENDANT'S MOTION TO DISMISS** on the parties in said action or proceeding by placing a true copy thereof enclosed in a sealed envelope, addressed as follows:

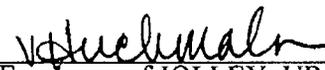
James R. Adams, Esq.
Law Offices of James R. Adams
7674 W. Lake Mead Blvd., Suite 108
Las Vegas, Nevada 89128

and placing the envelope in the mail bin at the firm's office.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it is deposited with the U. S. Postal Service on the same day it is placed in the mail bin, with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary course of business.

I certify under penalty of perjury that the foregoing is true and correct, and that this Certificate of Service by Mail was executed by me at Las Vegas, Nevada.

Dated: February 18, 2004.


An Employee of JOLLEY, URG, WIRTH
& WOODBURY

JOLLEY, URGA, WIRTH & WOODBURY
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ORDER
WILLIAM R. URGA, ESQ.
Nevada Bar No. 1195
CHRISTOPHER D. CRAFT, ESQ.
Nevada Bar No. 7314
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(702) 699-7500
*Attorneys for Defendants Rhodes Ranch
Limited Partnership, Sagebrush Enterprises, Inc.,
Rhodes Ranch, LLC, and James Rhodes*

FILED

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Christy D. Thompson
CLERK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

EAMON SPRINGALL, an individual,
Plaintiff,
vs.
RHODES RANCH LIMITED PARTNERSHIP,
a Nevada limited partnership, SAGEBRUSH
ENTERPRISES, INC., General Partner, RHODES
RANCH, LLC., a Nevada limited liability
company; JAMES RHODES, an individual,
GORMAN COOK, an individual, and DOES I
through X, and ROE CORPORATIONS I through
X, inclusive,
Defendants.

Case No. A477413
Dept. No. III

ORDER

Date of Hearing: February 9, 2004
Time of Hearing: 9:00 a.m.

This matter having come on for hearing before the Honorable Judge Ron Parraguire pursuant to Defendants' Motion to Dismiss. Plaintiff appearing by and through his counsel, James Adams, Esq., and Rhodes Ranch Limited Partnership, Sagebrush Enterprises, Inc., Rhodes Ranch, LLC, and James Rhodes, individually, appearing by and through their counsel, Christopher D. Craft, Esq. of Jolley, Urga, Wirth & Woodbury. The Court having reviewed the papers and pleadings on file, having heard oral argument from counsel, and good cause appearing,

JOLLEY, URGA, WIRTH & WOODBURY
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Telephone: (702) 699-7500 Fax: (702) 699-7555

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IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion to Dismiss is hereby DENIED without prejudice.

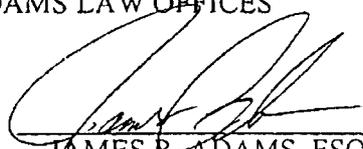
DATED this 11th day of February, 2004.

~~James R. Adams~~
DISTRICT COURT JUDGE

Submitted by:
JOLLEY, URGA, WIRTH & WOODBURY

Approved as to form and content:
ADAMS LAW OFFICES

By: 
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CHRISTOPHER D. CRAFT, ESQ., #7314
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*Attorneys for Defendants Rhodes Ranch
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Rhodes Ranch, LLC, and James Rhodes*

By: 
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7674 W. Lake Mead Blvd. #108
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Attorneys for Plaintiff

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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 384-0020
Attorneys for Plaintiff

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Janet [Signature]
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
Plaintiff,)

vs.)

THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)

Defendants.)

CASE NO. : A347438
DEPT. NO. : IX
DOCKET : W

MOTION TO AMEND COMPLAINT

THE GARDENS EAST, INC., A)
Nevada corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)

Counterclaimants,)

vs.)

DATE: 10-11-95
TIME: 10AM

MC

CE18

1 on the 11 day of October, 1995, at the hour of 10 AM, in
2
3 Department IX, or as soon thereafter as counsel can be heard.

4 DATED this _____ day of September, 1995.

5 ROBERT L. BOLICK, LTD.
6 A Professional Corporation

7 By: _____
8 STEWART A. GOLLMER, ESQ.
9 Nevada Bar No. 005002
10 3216 W. Charleston Blvd., Suite B
11 Las Vegas, Nevada 89102
12 Attorney Plaintiffs/Counterdefendants

13 POINTS AND AUTHORITIES

14 I. STATEMENT OF FACTS

15 Plaintiff, Palm Gardens is a limited partnership. The general partner in Palm
16 Gardens Limited Partnership is the Palm Gardens Corporation, which is affiliated
17 with and owned by the plaintiff James M. Rhodes. In June, 1993 the defendants
18 approached Mr. Rhodes with a business plan for the development of certain real
19 property located on East Tropicana Avenue at Jimmy Durante Avenue. At the time
20 they told Mr. Rhodes that they were in the process of purchasing a piece of real
21 property for 4.5 million dollars and that they would be putting a one million dollar
22 cash down payment on this property. Mr. Rhodes agreed to act as the developer
23 for the project and in July 1993 a letter of intent was signed. In this letter of intent,
24 a copy of which is attached hereto as Exhibit 1, the defendants specifically
25
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28

1 represented to Rhodes, once again, that they would be purchasing real property for
2 4.5 million dollars and making a cash down payment of one million dollars.
3

4 On September 28, 1993, a formal partnership agreement was executed.
5 Once again, the defendants represented to plaintiff Jim Rhodes that they had
6 purchased or would be purchasing property for the total purchase price of 4.5
7 million dollars and that they would be paying a one million dollar cash down
8 payment on this property. On September 29, 1993 the defendants purchased the
9 real property and transferred it to the partnership. (See Partnership Agreement
10 attached hereto as Exhibit 2, at page 5-6).
11

12 Shortly after the formation of the partnership the defendants represented
13 that they needed to obtain \$375,000.00 cash. It was agreed that the defendants
14 would be allowed to place an additional deed of trust against the partnership
15 property in order to obtain the funds which they needed. The plaintiffs now
16 believed that the defendants had \$625,000.00 cash equity in the property.
17

18 In September 1994 the defendants against indicated they needed to obtain
19 more cash. At this point an amendment to the Partnership Agreement was made.
20 In this amendment it was agreed that plaintiffs would pay to the defendants the sum
21 of \$625,000.00 as a return of their capital contribution to the partnership. The
22 figure of \$625,000.00 was based upon the defendants' representation that they had
23 purchased the partnership property for the total sum of 4.5 million dollars and had
24 made a one million dollar cash down payment.
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In April 1995 the plaintiffs paid to the defendants the sum of \$209,000.00.

At the same time the plaintiffs executed a promissory note in the amount of \$409,000.00. Again, this payment and the execution of the promissory note were to be for a return of the defendants capital contribution to the partnership and were based upon the defendants' representation that they had paid 4.5 million dollars for the property and had made a one million dollar cash down payment.

During this period of time, the plaintiffs also made repeated requests from the defendants for documentation to show the actual purchase price and cash down payment on this property. While the defendants had assured the plaintiffs that they would in fact produce this documentation, after the \$209,000.00 cash payment was made and the promissory note was executed, the defendants refused to produce the documentation.

In early June 1995 George F. Holman, the vice-president and corporate counsel for Rhodes Design and Development met with George Morse, Esq., defendants' counsel, to discuss this matter. Mr. Morris then informed Mr. Holman that the defendants had not in fact made a one million dollar cash down payment on the property. This was the first time that the defendants or any of their agents had ever disclosed that they had not in fact made a one million dollar cash down payment as had previously been represented. (See Affidavit of George F. Holman, attached hereto as Exhibit 3).

Immediately thereafter, plaintiffs demanded to be repaid the \$209,000.00 and further informed the defendants that they viewed the promissory note as being

1 null and void. After the defendants refusal to repay the \$209,000.00, the plaintiffs
2 instituted this action seeking the repayment of the \$209,000.00 as well as a
3 declaratory judgment from this court that the promissory note is null and void as the
4 plaintiffs were induced to sign it as a result of the Defendants' fraudulent
5 representations.
6

7 After the plaintiffs instituted this action, the defendants filed a counterclaim
8 in which they sought the imposition of a constructive trust. In their prayer for relief,
9 the defendants have specifically requested the imposition of a constructive trust
10 upon the proceeds of any sale of partnership property. Nowhere in their
11 counterclaim have they requested actual title to the real property.
12

13 After the filing of the counterclaim the Defendants filed a Lis Pendens
14 effecting the entire partnership property. Immediately after the filing of the Lis
15 Pendens the plaintiffs met with United Title. United Title was provided with copies
16 of the relevant documents and given an opportunity to review them. United Title,
17 and their counsel, ultimately agreed with plaintiffs that the defendants can make no
18 claim to title to the real property and, therefore, agreed to continue to issue title
19 insurance on the lots that were being sold so that the partnership could continue its
20 business.
21

22 When the defendants realized that their efforts to stop the partnership's
23 business by filing a Lis Pendens had failed, they then filed a motion for a temporary
24 restraining order. This motion was denied by Judge Chairez. Defendants'
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subsequent Motion for Preliminary Injunction was denied by this Court on July 26, 1995.

After the hearing on the motion for preliminary injunction the Plaintiffs were finally able to obtain documents regarding the defendants' purchase of the partnership real property. These documents were subpoenaed from First American Title, the title company which handled the transaction as well as from Nevada State Bank, the Trustees of the trust which previously owned the property. These documents establish that the Defendants have in fact defrauded the Plaintiffs.

Attached hereto as Exhibit 4, is the Purchase Contract which was shown to the Plaintiffs prior to the formation of the partnership. This Purchase Contract is dated June 18, 1993 and indicates that the Defendants would be making a One Million Dollar cash down payment on the property. The Plaintiffs obtained from First American Title a copy of second contract (a copy of this contract is attached hereto as Exhibit 5), dated June 17, 1993, which was never shown to the Plaintiffs. This contract provides that the Defendants would receive a credit of \$750,000.00 towards their down payment by assuming the off-site improvement obligations for the property. After the partnership was formed, the Plaintiff, James M. Rhodes, posted a bond in the amount of \$750,000.00 for the off-site improvements. At no time did the Defendants ever reveal to Mr. Rhodes that his posting of the \$750,000.00 bond was in satisfaction of the Defendants obligations on the down payment. See Affidavit of James Rhodes, attached hereto as Exhibit 6.

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In fact, the Defendants cash down payment was only \$250,000.00. Taken in conjunction with the fact that they received \$375,000.00 in cash at the formation of the partnership, the Defendants have had a negative capital balance of \$125,000.00. However, as a result of the Defendants misrepresentations they were actually credited with a capital contribution of \$625,000.00. The Plaintiff, James M. Rhodes, has contributed in excess of Two Million Dollars towards the partnership and has received no distributions from the partnership. The Defendants have contributed no capital to the partnership and have in fact now received from the partnership \$336,000.00.

II. PLAINTIFFS SHOULD BE PERMITTED TO AMEND THEIR COMPLAINT PURSUANT TO NRCP 15(a)

NRCP 15(a) provides that a party may amend his pleading by leave of the Court. The Rule further provides that "leave shall be freely given when justice so requires." The Court has discretion in determining whether or not to grant leave to amend, however, in exercising its discretion the Court is required to grant amendments freely. It has been held that it is an abuse of discretion to deny leave to amend if the denial is not based upon valid grounds. Adams v. Bowker, 85 Nev. 115, 450 P.2d 796 (1969).

In this case justice requires that leave be given for the Plaintiffs to amend their Complaint. The Defendants in this action filed and recorded their notice of lis pendens, thus giving rise to acclaim for slander of title, subsequent to the Plaintiffs' initiation of this action. Based upon the facts outlined in this motion, title to the

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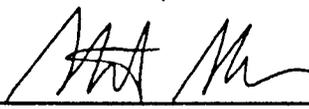
Plaintiffs' property has very clearly been slandered and this Court should allow the
Plaintiffs now to include cause of action for slander of title in their Complaint.

III. CONCLUSION

For all the foregoing reasons, Plaintiffs respectfully request that this Court
grant their Motion to Amend Complaint.

RESPECTFULLY SUBMITTED this 13 day of September, 1995.

ROBERT L. BOLICK, LTD.
A Professional Corporation

By: 
STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
Attorney Plaintiffs/Counterdefendants

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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
)
Plaintiff,)
)
vs.)
)
THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)
)
Defendants.)

CASE NO. :
DEPT. NO. :
DOCKET :

EXEMPT FROM ARBITRATION:
AMOUNT IN CONTROVERSY IN
EXCESS OF \$25,000

AMENDED COMPLAINT

DATE OF HEARING: N/A
TIME OF HEARING: N/A

COME NOW the Plaintiffs, PALM GARDEN LIMITED PARTNERSHIP,
a Nevada Limited Partnership and JAMES M. RHODES, by and through their
attorneys, ROBERT L. BOLICK, LTD., and hereby complain and allege as follows:

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GENERAL ALLEGATIONS

1.

PALM GARDENS LIMITED PARTNERSHIP is a Nevada Limited Partnership with its principal place of business in Clark County, State of Nevada.

2.

JAMES M. RHODES is an individual currently residing and doing business in Clark County, State of Nevada.

3.

THE GARDENS EAST, INC., is a Nevada corporation with its principal place of business in Clark County, State of Nevada.

4.

PRESTIGE DEVELOPMENT CORPORATION, is a Florida corporation currently doing business in Clark County, State of Nevada.

5.

LOUIS E. GOLDMAN, JR., is an individual currently residing and doing business in Clark County, State of Nevada.

6.

MARSHALL GOLDMAN, is an individual currently residing and doing business in Clark County, State of Nevada.

7.

The acts complained of herein have occurred in Clark County, State of Nevada.

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FIRST CAUSE OF ACTION

(Fraud)

8.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 7, as though fully set forth herein.

9.

In or about July 1993, the defendants approached plaintiff Jim Rhodes regarding forming a partnership for the development of certain real property located on East Tropicana Avenue in Clark County, Nevada.

10.

Defendants represented to plaintiffs that they had initially invested \$1,000,000.00 in certain property which they agreed to transfer to the partnership in exchange for receiving an interest in the partnership.

11.

On or about September 23, 1994, the plaintiffs agreed to pay to the defendants the sum of \$625,000.00 as a return of their capital contribution which the defendants represented had been made to the partnership.

12.

On or about May 3, 1995, plaintiffs met with defendants to discuss a payment for the return of their capital contribution. Defendants were specifically questioned regarding the amount of capital which they had contributed to the partnership.

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Defendants specifically represented to plaintiffs that in fact they had contributed \$625,000.00 in cash to the partnership.

13.

Plaintiffs are informed and believe and thereupon allege that in fact the defendants have not contributed \$625,000.00 in cash to the partnership.

14.

Plaintiffs are informed and believe and thereupon allege that at all times relevant hereto, the defendants, and each of them, knew that the representations made to plaintiffs regarding their capital contributions were in fact false.

15.

In reliance upon the defendants representations, plaintiffs agreed to make a return of the defendants capital in the total amount of \$625,000.00. Plaintiffs paid to the defendants the sum of \$209,000.00 on May 3, 1995, and executed a promissory note in the total amount of \$416,000.00 on that same date.

16.

The defendants knew or should have known that the plaintiffs would rely upon their representations in agreeing to pay to the defendants the total sum of \$625,000.00.

17.

The plaintiffs have reasonably and detrimentally relied upon the defendants misrepresentations in paying to the defendants the sum of \$209,000.00 and in executing a promissory note in the amount of \$416,000.00.

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18.

As a direct and proximate result of the defendants fraudulent conduct, the plaintiffs have been damaged in an amount in excess of \$10,000.00.

19.

The defendants actions in this regard have been willful, wanton and malicious and an award of punitive damages would be appropriate.

20.

As a direct and proximate result of defendants actions it has been necessary for the plaintiffs to engage the services of an attorney to prosecute this matter and the plaintiffs are entitled to an award of their attorneys fees and costs expended in this matter.

SECOND CAUSE OF ACTION
(Negligent Misrepresentation)

21.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 20, as though fully set forth herein.

22.

In making the representations as previously set forth herein, the defendants knew or should have known that the representations were false.

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23.

The defendants knew and intended that the plaintiffs would rely upon their representations in agreeing to pay the defendants the sum of \$625,000.00.

24.

The plaintiffs have reasonably and detrimentally relied upon the defendants misrepresentations in agreeing to pay the defendants \$625,000.00.

25.

As a direct and proximate result of defendants negligent misrepresentations, the plaintiffs have been damaged in an amount in excess of \$10,000.00.

26.

As a direct and proximate result of defendants negligent misrepresentations, the plaintiffs have been required to engage the services of an attorney to prosecute this action and are entitled to an award of their attorneys fees and costs incurred in this action.

THIRD CAUSE OF ACTION
(Breach of Fiduciary Duty)

27.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 26, as though fully set forth herein.

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28.

At the time of the misrepresentations set forth herein, the defendants were partners of the plaintiffs and as such owed a fiduciary obligation to the plaintiffs to act in their best interest and to disclose to the plaintiffs all material facts regarding their capital contributions to the partnership.

29.

By failing to fully disclose to the plaintiffs the amount of the capital contributions made to the partnership, and by misleading the plaintiffs into believing that they had invested \$625,000.00 in cash in the partnership, the defendants have breached their fiduciary duties to the plaintiffs.

30.

As a direct and proximate result of the defendants breach of their fiduciary duties, plaintiffs have been damaged in an amount in excess of \$10,000.00.

31.

The defendants actions in this regard have been willful, wanton and malicious and an award of punitive damages would be appropriate.

32.

As a direct and proximate result of defendants breach of their fiduciary duties, plaintiffs have been required to engage the services of an attorney to prosecute this action and are entitled to an award of attorneys fees and costs incurred in this matter.

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FOURTH CAUSE OF ACTION

(Declaratory Relief)

33.

Plaintiffs repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 32, as though fully set forth herein.

34.

As a result of the misrepresentations of the defendants the plaintiffs have executed a promissory note in the amount of \$416,000.00 as referenced herein.

35.

The defendants have demanded that the plaintiffs make the payments required under the promissory note and further claim to have accelerated any and all payments which may be due under the promissory note. Plaintiffs were induced to sign the promissory note as the result of the fraudulent representations made by the defendants and, therefore, do not believe that the promissory note is valid.

36.

An actual and justiciable controversy exists regarding the enforceability of the promissory note.

37.

Plaintiffs are entitled to a judgment declaring the promissory note to be null and void.

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38.

It has been necessary for the plaintiffs to engage the services of an attorney to prosecute this action and plaintiffs are entitled to an award of their attorneys fees and costs incurred in this matter.

FIFTH CAUSE OF ACTION

(Alter Ego)

39.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 38, as though fully set forth herein.

40.

Plaintiffs are informed and believe and thereupon allege that the Gardens East, Inc. and Prestige Development Corporation are closely held corporations that are controlled by the defendants Louis E. Goldman, Jr. and Marshall Goldman.

41.

Plaintiffs are informed and believe and thereupon allege that Louis E. Goldman, Jr. and Marshall Goldman have used the Gardens East, Inc. and Prestige Development Corporation as mere instrumentalities of their own personal interests.

42.

Plaintiffs are informed and believe and thereupon allege that there is such a unity of interest and ownership that the separate personalities of the Garden East,

1
2 Inc. and Prestige Development Corporation and their owners have ceased to exist,
3 and therefore Louis E. Goldman, Jr. and Marshall Goldman, as individuals, are
4 personally liable to plaintiffs by reason of the Gardens East, Inc. and Prestige
5 Development Corporation's tortious conduct, which damages are in an amount in
6 excess of \$10,000.00.

7
8 43.

9 It has been necessary for the plaintiffs to retain the services of legal counsel
10 to prosecute this action and plaintiffs are entitled to an award of their attorneys fees
11 and costs incurred herein.

12 SIXTH CAUSE OF ACTION

13 (Slander of Title)

14
15 44.

16 Plaintiffs reallege and incorporate all the allegations contained in paragraphs
17 1 through 43 above, as though fully set forth herein.

18
19 45.

20 On or about July 13, 1995, Defendants executed and acknowledged a Notice
21 of Lis Pendens and recorded it in the Official Records of the Office of the Clark
22 County Recorder, State of Nevada, against Plaintiff's real property.

23
24 47.

25 That the Notice of Lis Pendens is false and untrue, and was made by
26 Defendant with full knowledge that it was false and untrue, and for the sole purpose
27 of clouding Plaintiffs' title and Plaintiffs' rights and interests regarding such title in
28

1 the real property and for the purposes of damaging Plaintiffs, all of which were
2 willfully, maliciously and intentionally done by Defendant without just occasion or
3 excuse, and with full knowledge on the part of the Defendants that the Defendants
4 did not have any right, title, interest, claim, or lien as so claimed in and to the real
5 property.
6

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8 48.

9 Defendants knew, or should have known, that the publication of the foregoing
10 notice, by causing it to be filed with the County Recorder and spread on the deed
11 records of the county, would, in the ordinary course of things, damage Plaintiffs by
12 destroying the value of the real property and making it difficult for Plaintiffs to
13 transfer or sell said property. There has been continuous publication of the
14 foregoing notice by Defendants from July 13, 1995, to this date, and will continue
15 until said notice is released and declared void, released, canceled, and such that it
16 is unenforceable and has no effect whatsoever.
17

18 49.

19 That such publication was willfully and maliciously made by Defendants to
20 injure Plaintiffs, and the statements did injure Plaintiffs, causing Plaintiffs to sustain
21 damages, to-wit: (a) Plaintiffs allege that it has been difficult to sell or transfer said
22 real property; (b) title agencies are unwilling to issue a title insurance policy against
23 the real property with said notices appearing on record; (c) the reputation and
24 standing of the Plaintiffs in the community has been adversely effected by the
25 Notice of Lis Pendens.
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50.

The acts of Defendants in executing and recording the Notice of Lis Pendens was the proximate cause of the damages which were sustained and are being sustained by Plaintiffs.

51.

By reason of recording and publication of the Notice of Lis Pendens containing false statements, representations, and claims of Defendants, Plaintiffs are greatly embarrassed in the free enjoyment, use, and disposition of the subject property, and the interest of Plaintiffs are greatly depreciated and Plaintiffs are greatly damaged from and growing out of the false, malicious, and willful statements and claims made in the recorded Notice of Lis Pendens.

52.

That Plaintiffs have been required to retain the legal services of the law firm of ROBERT L. BOLICK, LTD., to prosecute this action and should be awarded a reasonable sum to compensate it for the cost of these services.

WHEREFORE, plaintiffs pray for relief as follows:

1. For general damages in an amount in excess of \$10,000.00;
 2. For special damages in an amount in excess of \$10,000.00;
 3. For punitive damages in an amount in excess of \$10,000.00;
 4. For their costs and attorneys fees incurred in prosecuting this matter,
- and

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5. For such other and further relief as this court deems appropriate.

RESPECTFULLY SUBMITTED this ____ day of August, 1995.

ROBERT L. BOLICK, LTD.

By: _____
STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
Attorneys for Plaintiff

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IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiffs' motion is granted.

IT IS SO ORDERED THIS 23rd day of October, 1995.

Stephen Huffaker
STEPHEN HUFFAKER,
DISTRICT COURT JUDGE

Submitted by:

ROBERT L. BOLICK, LTD.

By: Stewart A. Gollmer
Stewart A. Gollmer
Nevada Bar No. 005002
3216 W. Charleston Blvd. Suite B
Las Vegas, Nevada 89102

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Stewart A. Gollmer
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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiff

FILED

Nov 1 2 04 PM '95

Laetta Luman
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
Plaintiff,)

vs.

CASE NO. : A347438
DEPT. NO. : IX
DOCKET : W

THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)

NOTICE OF ENTRY OF ORDER

Defendants.)

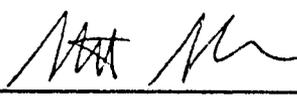
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PLEASE TAKE NOTICE that an Order was hereby entered in the above-captioned proceeding on the 24th day of October, 1995.

DATED this 1 day of November, 1995.

Respectfully submitted,

ROBERT L. BOLICK, LTD.
A Professional Corporation

By: 

STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiffs

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1 STEWART A. GOLLMER, ESQ.
2 Nevada Bar No. 005002
3 ROBERT L. BOLICK, LTD.
4 3216 W. Charleston Blvd., Suite B
5 Las Vegas, Nevada 89102
6 (702) 364-0020
7 Attorneys for Plaintiff

FILED
Nov 7 1 53 PM '95
Patricia Lawrence
CLERK

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 PALM GARDENS LIMITED)
11 PARTNERSHIP, A Nevada Limited)
12 Partnership and JAMES M. RHODES,)

13 Plaintiff,)

14 vs.)

15 THE GARDENS EAST, INC., A)
16 Nevada Corporation, PRESTIGE)
17 DEVELOPMENT CORPORATION, A)
18 Florida Corporation, LOUIS E.)
19 GOLDMAN, JR. and MARSHALL)
20 GOLDMAN,)

21 Defendants.)

CASE NO.: A347438
DEPT. NO.: IX
DOCKET: W

EXEMPT FROM ARBITRATION:
AMOUNT IN CONTROVERSY IN
EXCESS OF \$25,000

22 AMENDED COMPLAINT

23 DATE OF HEARING: N/A
24 TIME OF HEARING: N/A

25 COME NOW the Plaintiffs, PALM GARDEN LIMITED PARTNERSHIP,
26 a Nevada Limited Partnership and JAMES M. RHODES, by and through their
27 attorneys, ROBERT L. BOLICK, LTD., and hereby complain and allege as follows:
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GENERAL ALLEGATIONS

1.

PALM GARDENS LIMITED PARTNERSHIP is a Nevada Limited Partnership with its principal place of business in Clark County, State of Nevada.

2.

JAMES M. RHODES is an individual currently residing and doing business in Clark County, State of Nevada.

3.

THE GARDENS EAST, INC., is a Nevada corporation with its principal place of business in Clark County, State of Nevada.

4.

PRESTIGE DEVELOPMENT CORPORATION, is a Florida corporation currently doing business in Clark County, State of Nevada.

5.

LOUIS E. GOLDMAN, JR., is an individual currently residing and doing business in Clark County, State of Nevada.

6.

MARSHALL GOLDMAN, is an individual currently residing and doing business in Clark County, State of Nevada.

7.

The acts complained of herein have occurred in Clark County, State of Nevada.

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FIRST CAUSE OF ACTION

(Fraud)

8.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 7, as though fully set forth herein.

9.

In or about July 1993, the defendants approached plaintiff Jim Rhodes regarding forming a partnership for the development of certain real property located on East Tropicana Avenue in Clark County, Nevada.

10.

Defendants represented to plaintiffs that they had initially invested \$1,000,000.00 in certain property which they agreed to transfer to the partnership in exchange for receiving an interest in the partnership.

11.

On or about September 23, 1994, the plaintiffs agreed to pay to the defendants the sum of \$625,000.00 as a return of their capital contribution which the defendants represented had been made to the partnership.

12.

On or about May 3, 1995, plaintiffs met with defendants to discuss a payment for the return of their capital contribution. Defendants were specifically questioned regarding the amount of capital which they had contributed to the partnership.

1 Defendants specifically represented to plaintiffs that in fact they had contributed
2 \$625,000.00 in cash to the partnership.
3

4 13.

5 Plaintiffs are informed and believe and thereupon allege that in fact the
6 defendants have not contributed \$625,000.00 in cash to the partnership.
7

8 14.

9 Plaintiffs are informed and believe and thereupon allege that at all times
10 relevant hereto, the defendants, and each of them, knew that the representations
11 made to plaintiffs regarding their capital contributions were in fact false.
12

13 15.

14 In reliance upon the defendants representations, plaintiffs agreed to make a
15 return of the defendants capital in the total amount of \$625,000.00. Plaintiffs paid to
16 the defendants the sum of \$209,000.00 on May 3, 1995, and executed a promissory
17 note in the total amount of \$416,000.00 on that same date.
18

19 16.

20 *The defendants knew or should have known that the plaintiffs would rely*
21 *upon their representations in agreeing to pay to the defendants the total sum of*
22 *\$625,000.00.*
23

24 17.

25 The plaintiffs have reasonably and detrimentally relied upon the defendants
26 misrepresentations in paying to the defendants the sum of \$209,000.00 and in
27 executing a promissory note in the amount of \$416,000.00.
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18.

As a direct and proximate result of the defendants fraudulent conduct, the plaintiffs have been damaged in an amount in excess of \$10,000.00.

19.

The defendants actions in this regard have been willful, wanton and malicious and an award of punitive damages would be appropriate.

20.

As a direct and proximate result of defendants actions it has been necessary for the plaintiffs to engage the services of an attorney to prosecute this matter and the plaintiffs are entitled to an award of their attorneys fees and costs expended in this matter.

SECOND CAUSE OF ACTION
(Negligent Misrepresentation)

21.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 20, as though fully set forth herein.

22.

In making the representations as previously set forth herein, the defendants knew or should have known that the representations were false.

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23.

The defendants knew and intended that the plaintiffs would rely upon their representations in agreeing to pay the defendants the sum of \$625,000.00.

24.

The plaintiffs have reasonably and detrimentally relied upon the defendants misrepresentations in agreeing to pay the defendants \$625,000.00.

25.

As a direct and proximate result of defendants negligent misrepresentations, the plaintiffs have been damaged in an amount in excess of \$10,000.00.

26.

As a direct and proximate result of defendants negligent misrepresentations, the plaintiffs have been required to engage the services of an attorney to prosecute this action and are entitled to an award of their attorneys fees and costs incurred in this action.

THIRD CAUSE OF ACTION
(Breach of Fiduciary Duty)

27.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 26, as though fully set forth herein.

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28.

At the time of the misrepresentations set forth herein, the defendants were partners of the plaintiffs and as such owed a fiduciary obligation to the plaintiffs to act in their best interest and to disclose to the plaintiffs all material facts regarding their capital contributions to the partnership.

29.

By failing to fully disclose to the plaintiffs the amount of the capital contributions made to the partnership, and by misleading the plaintiffs into believing that they had invested \$625,000.00 in cash in the partnership, the defendants have breached their fiduciary duties to the plaintiffs.

30.

As a direct and proximate result of the defendants breach of their fiduciary duties, plaintiffs have been damaged in an amount in excess of \$10,000.00.

31.

The defendants actions in this regard have been willful, wanton and malicious and an award of punitive damages would be appropriate.

32.

As a direct and proximate result of defendants breach of their fiduciary duties, plaintiffs have been required to engage the services of an attorney to prosecute this action and are entitled to an award of attorneys fees and costs incurred in this matter.

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FOURTH CAUSE OF ACTION

(Declaratory Relief)

33.

Plaintiffs repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 32, as though fully set forth herein.

34.

As a result of the misrepresentations of the defendants the plaintiffs have executed a promissory note in the amount of \$416,000.00 as referenced herein.

35.

The defendants have demanded that the plaintiffs make the payments required under the promissory note and further claim to have accelerated any and all payments which may be due under the promissory note. Plaintiffs were induced to sign the promissory note as the result of the fraudulent representations made by the defendants and, therefore, do not believe that the promissory note is valid.

36.

An actual and justiciable controversy exists regarding the enforceability of the promissory note.

37.

Plaintiffs are entitled to a judgment declaring the promissory note to be null and void.

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38.

It has been necessary for the plaintiffs to engage the services of an attorney to prosecute this action and plaintiffs are entitled to an award of their attorneys fees and costs incurred in this matter.

FIFTH CAUSE OF ACTION

(Alter Ego)

39.

Plaintiffs' repeat and reallege and by this reference incorporate herein each and every allegation contained in paragraphs 1 through 38, as though fully set forth herein.

40.

Plaintiffs are informed and believe and thereupon allege that the Gardens East, Inc. and Prestige Development Corporation are closely held corporations that are controlled by the defendants Louis E. Goldman, Jr. and Marshall Goldman.

41.

Plaintiffs are informed and believe and thereupon allege that Louis E. Goldman, Jr. and Marshall Goldman have used the Gardens East, Inc. and Prestige Development Corporation as mere instrumentalities of their own personal interests.

42.

Plaintiffs are informed and believe and thereupon allege that there is such a unity of interest and ownership that the separate personalities of the Garden East,

1 Inc. and Prestige Development Corporation and their owners have ceased to exist,
2 and therefore Louis E. Goldman, Jr. and Marshall Goldman, as individuals, are
3 personally liable to plaintiffs by reason of the Gardens East, Inc. and Prestige
4 Development Corporation's tortious conduct, which damages are in an amount in
5 excess of \$10,000.00.
6

7 43.

8 It has been necessary for the plaintiffs to retain the services of legal counsel
9 to prosecute this action and plaintiffs are entitled to an award of their attorneys fees
10 and costs incurred herein.
11

12 SIXTH CAUSE OF ACTION

13 (Slander of Title)

14 44.

15 Plaintiffs reallege and incorporate all the allegations contained in paragraphs
16 1 through 43 above, as though fully set forth herein.
17

18 45.

19 On or about July 13, 1995, Defendants executed and acknowledged a Notice
20 of Lis Pendens and recorded it in the Official Records of the Office of the Clark
21 County Recorder, State of Nevada, against Plaintiff's real property.
22

23 47.

24 That the Notice of Lis Pendens is false and untrue, and was made by
25 Defendant with full knowledge that it was false and untrue, and for the sole purpose
26 of clouding Plaintiffs' title and Plaintiffs' rights and interests regarding such title in
27
28

1 the real property and for the purposes of damaging Plaintiffs, all of which were
2 willfully, maliciously and intentionally done by Defendant without just occasion or
3 excuse, and with full knowledge on the part of the Defendants that the Defendants
4 did not have any right, title, interest, claim, or lien as so claimed in and to the real
5 property.
6

7 48.

8 Defendants knew, or should have known, that the publication of the foregoing
9 notice, by causing it to be filed with the County Recorder and spread on the deed
10 records of the county, would, in the ordinary course of things, damage Plaintiffs by
11 destroying the value of the real property and making it difficult for Plaintiffs to
12 transfer or sell said property. There has been continuous publication of the
13 foregoing notice by Defendants from July 13, 1995, to this date, and will continue
14 until said notice is released and declared void, released, canceled, and such that it
15 is unenforceable and has no effect whatsoever.
16

17 49.

18 That such publication was willfully and maliciously made by Defendants to
19 injure Plaintiffs, and the statements did injure Plaintiffs, causing Plaintiffs to sustain
20 damages, to-wit: (a) Plaintiffs allege that it has been difficult to sell or transfer said
21 real property; (b) title agencies are unwilling to issue a title insurance policy against
22 the real property with said notices appearing on record; (c) the reputation and
23 standing of the Plaintiffs in the community has been adversely effected by the
24 Notice of Lis Pendens.
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50.

The acts of Defendants in executing and recording the Notice of Lis Pendens was the proximate cause of the damages which were sustained and are being sustained by Plaintiffs.

51.

By reason of recording and publication of the Notice of Lis Pendens containing false statements, representations, and claims of Defendants, Plaintiffs are greatly embarrassed in the free enjoyment, use, and disposition of the subject property, and the interest of Plaintiffs are greatly depreciated and Plaintiffs are greatly damaged from and growing out of the false, malicious, and willful statements and claims made in the recorded Notice of Lis Pendens.

52.

That Plaintiffs have been required to retain the legal services of the law firm of ROBERT L. BOLICK, LTD., to prosecute this action and should be awarded a reasonable sum to compensate it for the cost of these services.

WHEREFORE, plaintiffs pray for relief as follows:

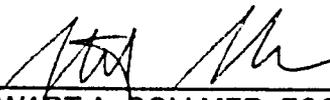
1. For general damages in an amount in excess of \$10,000.00;
 2. For special damages in an amount in excess of \$10,000.00;
 3. For punitive damages in an amount in excess of \$10,000.00;
 4. For their costs and attorneys fees incurred in prosecuting this matter;
- and

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5. For such other and further relief as this court deems appropriate.

RESPECTFULLY SUBMITTED this 6 day of November, 1995.

ROBERT L. BOLICK, LTD.

By: 

STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
Attorneys for Plaintiff

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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiff

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Lawrence
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DISTRICT COURT

CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)

Plaintiff,)

vs.)

THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)

Defendants.)

CASE NO. : A347438
DEPT. NO. : IX
DOCKET : W

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that a Stipulation and Order was hereby
entered in the above-captioned proceeding on the 7th day of November, 1995.

RESPECTFULLY SUBMITTED this 14 day of November, 1995.

ROBERT L. BOLICK, LTD.

By: *Stewart A. Gollmer*

STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiffs

Stipulation and Order
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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
3216 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
(702) 364-0020
Attorneys for Plaintiff

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DISTRICT COURT
CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
)
Plaintiff,)
)
vs.)
)
THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)
)
Defendants.)
)

CASE NO. : A347438
DEPT. NO. : IX
DOCKET : W

ORDER

Travel USA's Motion for Intervention having come on regularly on hearing in
Department IX, the Honorable Judge Stephen Huffaker presiding, Travel USA
represented by Kirk Kennedy, Esq., Plaintiffs represented by Stewart A. Gollmer,

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Esq., the Court being fully advised in the premises and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Travel USA's Motion for Intervention is denied, without prejudice.

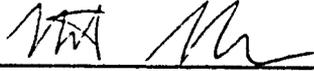
IT IS SO ORDERED THIS 7 day of November, 1995.

STEPHEN L. HUFFAKER

STEPHEN HUFFAKER,
DISTRICT COURT JUDGE

Submitted by:

ROBERT L. BOLICK, LTD.

By: 

Stewart A. Gollmer
Nevada Bar No. 005002
3216 W. Charleston Blvd. Suite B
Las Vegas, Nevada 89102

pd

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1 GEORGE T. MORSE III, ESQ.
2 Nevada Bar No. 004012
3 KEEN L. ELLSWORTH, ESQ.
4 Nevada Bar No. 004981
5 EDWARDS & KOLESAR, CHTD.
6 3320 W. Sahara Ave., #380
7 Las Vegas, Nevada 89102
8 (702) 362-7800

FILED

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Laetta L. L...
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7 Attorneys for Defendants

9 DISTRICT COURT

10 CLARK COUNTY, NEVADA

11 * * *

13 PALM GARDENS LIMITED)
14 PARTNERSHIP, A Nevada Limited)
15 Partnership and JAMES M. RHODES,)

CASE NO. A347438
DEPT. NO. IX
DOCKET NO. "W"

15 Plaintiffs,

16 vs.

ANSWER TO AMENDED
COMPLAINT

17 THE GARDENS EAST, INC., A)
18 Nevada Corporation, PRESTIGE)
19 DEVELOPMENT CORPORATION, A)
20 Florida Corporation, LOUIS E.)
21 GOLDMAN, JR. and MARSHALL)
22 GOLDMAN,)

EXEMPT FROM
ARBITRATION
AMOUNT IN CONTROVERSY
IN EXCESS OF \$25,000.00

22 Defendants.

23 THE GARDENS EAST, INC., A)
24 Nevada Corporation, PRESTIGE)
25 DEVELOPMENT CORPORATION, A)
26 Florida Corporation, LOUIS E.)
27 GOLDMAN, JR. and MARSHALL)
28 GOLDMAN,)

HEARING DATE: N/A
HEARING TIME: N/A

Counter-Claimants,

CE08

EDWARDS & KOLESAR, CHTD.
ATTORNEYS AT LAW
3320 WEST SAHARA
SUITE 380
LAS VEGAS, NV 89102
702 362 7800

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vs.)
)
PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
)
Counter-Defendants.)

COME NOW, Defendants, THE GARDENS EAST, INC. A Nevada Corporation, PRESTIGE DEVELOPMENT CORPORATION, A Florida Corporation, LOUIS E. GOLDMAN, JR. and MARSHALL F. GOLDMAN, by and through their attorneys, George T. Morse III, Esq., and Keen L. Ellsworth, Esq. of the law firm of Edwards & Kolesar, Chtd. and in answer to Plaintiffs' Amended Complaint, admit, deny and aver as follows:

GENERAL ALLEGATIONS

1. Answering Paragraph 1 of the General Allegations, Defendants admit each and every allegation contained therein.
2. Answering Paragraph 2 of the General Allegations, Defendants admit each and every allegation contained therein.
3. Answering Paragraph 3 of the General Allegations, Defendants admit each and every allegation contained therein.
4. Answering Paragraph 4 of the General Allegations, Defendants admit each and every allegation contained therein.
5. Answering Paragraph 5 of the General Allegations, Defendants admit each and every allegation contained therein.

....

1 6. Answering Paragraph 6 of the General Allegations,
2 *Defendants admit each and every allegation contained therein.*

3 7. Answering Paragraph 7 of the General Allegations,
4 *Defendants deny each and every allegation contained therein.*

5
6 FIRST CAUSE OF ACTION
7 (FRAUD)

8 8. Answering Paragraph 8 of the First Cause of Action,
9 *Defendants repeat and reallege their responses to Paragraphs 1 through 7,*
10 *inclusive of the General Allegations of Plaintiffs' Amended Complaint on file*
11 *herein.*

12 9. Answering Paragraph 9 of the First Cause of Action,
13 *Defendants admit each and every allegation contained therein.*

14 10. Answering Paragraph 10 of the First Cause of Action,
15 *Defendants deny each and every allegation contained therein.*

16 11. Answering Paragraph 11 of the First Cause of Action,
17 *Defendants admit each and every allegation contained therein.*

18 12. Answering Paragraph 12 of the First Cause of Action,
19 *Defendants deny each and every allegation contained therein.*

20 13. Answering Paragraph 13 of the First Cause of Action,
21 *Defendants admit they have contributed no cash, but did contribute real*
22 *property to the partnership.*

23 14. Answering Paragraph 14 of the First Cause of Action,
24 *Defendants deny each and every allegation contained therein.*

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24. Answering Paragraph 24 of the Second Cause of Action, Defendants deny each and every allegation contained therein.

25. Answering Paragraph 25 of the Second Cause of Action, Defendants deny each and every allegation contained therein.

26. Answering Paragraph 26 of the Second Cause of Action, Defendants deny each and every allegation contained therein.

THIRD CAUSE OF ACTION
(Breach of Fiduciary Duty)

27. Answering Paragraph 27 of the Third Cause of Action, Defendants repeat and reallege their responses to Paragraphs 1 through 7, inclusive of the General Allegations, Paragraphs 8 through 20, inclusive of the First Cause of Action and Paragraphs 21 through 26, inclusive of the Second Cause of Action of Plaintiffs' Amended Complaint on file herein.

28. Answering Paragraph 28 of the Third Cause of Action, Defendants deny each and every allegation contained therein.

29. Answering Paragraph 29 of the Third Cause of Action, Defendants deny each and every allegation contained therein.

30. Answering Paragraph 30 of the Third Cause of Action, Defendants deny each and every allegation contained therein.

31. Answering Paragraph 31 of the Third Cause of Action, Defendants deny each and every allegation contained therein.

32. Answering Paragraph 32 of the Third Cause of Action, Defendants deny each and every allegation contained therein.

1 FIFTH CAUSE OF ACTION

2 (Alter Ego)

3 39. Answering Paragraph 39 of the Fifth Cause of Action,

4 Defendants repeat and reallege their responses to Paragraphs 1 through 7,
5 inclusive of the General Allegations, Paragraphs 8 through 20, inclusive of the
6 First Cause of Action, Paragraphs 21 through 26, inclusive of the Second
7 Cause of Action, Paragraphs 27 through 32 of the Third Cause of Action and
8 Paragraphs 33 through 38 of the Fourth Cause of Action of Plaintiffs' Amended
9 Complaint on file herein.
10

11 40. Answering Paragraph 40 of the Fifth Cause of Action,

12 Defendants deny each and every allegation contained therein.

13 41. Answering Paragraph 41 of the Fifth Cause of Action,

14 Defendants deny each and every allegation contained therein.

15 42. Answering Paragraph 42 of the Fifth Cause of Action,

16 Defendants deny each and every allegation contained therein.

17 43. Answering Paragraph 43 of the Fifth Cause of Action,

18 Defendants deny each and every allegation contained therein.
19

20 SIXTH CAUSE OF ACTION

21 (Slander of Title)

22 44. Answering Paragraph 44 of the Sixth Cause of Action,

23 Defendants repeat and reallege their responses to Paragraphs 1 through 7,
24 inclusive of the General Allegations, Paragraphs 8 through 20, inclusive of the
25 First Cause of Action, Paragraphs 21 through 26, inclusive of the Second
26

1 Cause of Action, Paragraphs 27 through 32 of the Third Cause of Action,
2 Paragraphs 33 through 38 of the Fourth Cause of Action and Paragraphs 39
3 through 43 of the Fifth Cause of Action of Plaintiffs' Amended Complaint on file
4 herein.
5

6 45. Answering Paragraph 45 of the Sixth Cause of Action,
7 Defendants admit each and every allegation contained therein.

8 46. Paragraph 46 has been omitted.

9 47. Answering Paragraph 47 of the Sixth Cause of Action,
10 Defendants deny each and every allegation contained therein.
11

12 48. Answering Paragraph 48 of the Sixth Cause of Action,
13 Defendants deny each and every allegation contained therein.

14 49. Answering Paragraph 49 of the Sixth Cause of Action,
15 Defendants deny each and every allegation contained therein.

16 50. Answering Paragraph 50 of the Sixth Cause of Action,
17 Defendants deny each and every allegation contained therein.
18

19 51. Answering Paragraph 51 of the Sixth Cause of Action,
20 Defendants deny each and every allegation contained therein.

21 52. Answering Paragraph 52 of the Sixth Cause of Action,
22 Defendants deny each and every allegation contained therein.

23 AFFIRMATIVE DEFENSES

24 FIRST AFFIRMATIVE DEFENSE

25 Plaintiffs Complaint on file herein fails to state a claim against
26
27
28

1 these Defendants upon which relief can be granted.

2 SECOND AFFIRMATIVE DEFENSE

3 Plaintiffs failed to mitigate their damages.

4 THIRD AFFIRMATIVE DEFENSE

5 Defendants allege that the damages, if any suffered by Plaintiffs
6 were caused in whole or in part, or were contributed to by reason of the
7 negligence of the Plaintiffs.

8 FOURTH AFFIRMATIVE DEFENSE

9 Plaintiffs are estopped from asserting or has waived any claims
10 against Defendants.

11 FIFTH AFFIRMATIVE DEFENSE

12 Defendants represented only that their capital contribution was a
13 certain value, and all represented value was present at the time of conveyance.

14 Defendants reserve the right to plead additional affirmative
15 defenses without limitation as the case proceeds through discovery.

16 WHEREFORE, Defendants requests judgment against the
17 Plaintiffs, and each of them, as follows:

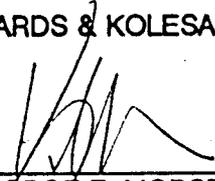
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- 19 1. That Plaintiffs' claim be dismissed with prejudice and
 - 20 Plaintiffs take nothing by way of their Amended Complaint;
 - 21 2. For reasonable attorney's fees;
 - 22 3. For costs of suit; and
 - 23 4. For such further and other relief as this Court deems just
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and proper.

DATED this 30th day of November, 1995.

EDWARDS & KOLESAR, CHTD.

By: 

GEORGE T. MORSE III, ESQ.
Nevada Bar No. 004012
KEEN L. ELLSWORTH, ESQ.
Nevada Bar No. 004981
3320 W. Sahara Ave., #380
Las Vegas, Nevada 89102
(702) 362-7800

Attorneys for Defendants

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CERTIFICATE OF SERVICE BY MAIL

I hereby certify that I am an employee of Edwards & Kolesar, Chtd., and that on the 30th day of November, 1995, I caused to be deposited in the United States mail, via first class, postage prepaid, at Las Vegas, Nevada, a true and correct copy of the accompanying ANSWER TO AMENDED COMPLAINT, addressed as follows:

Stewart A. Gollmer, Esq.
3216 W. Charleston Blvd., Ste. B
Las Vegas, NV 89102

Maxine Goldman
Employee of Edwards & Kolesar

FAKLE2744#35AMEN1129.4D1

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STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
ROBERT L. BOLICK, LTD.
6060 W. Elton Ave., Suite A
Las Vegas, Nevada 89107
(702) 870-6060
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

PALM GARDENS LIMITED)
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
Plaintiff,)

CASE NO. : A347438
DEPT. NO. : IX
DOCKET : W

vs.

THE GARDENS EAST, INC., A)
Nevada Corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida Corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)
Defendants.)

PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT

THE GARDENS EAST, INC., A)
Nevada corporation, PRESTIGE)
DEVELOPMENT CORPORATION, A)
Florida corporation, LOUIS E.)
GOLDMAN, JR. and MARSHALL)
GOLDMAN,)
Counterclaimants,)

DATE: 4-8-96
TIME: 9 AM

vs.

PALM GARDENS LIMITED)



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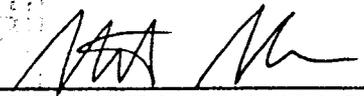
PARTNERSHIP, A Nevada Limited)
Partnership and JAMES M. RHODES,)
Counterdefendants.)

COME NOW Plaintiffs, PALM GARDENS LIMITED PARTNERSHIP, a Nevada Limited Partnership and JAMES M. RHODES, an individual, by and through their attorneys, Robert L. Bolick, Ltd., and hereby move this court for summary judgment. This motion is made and based upon the pleadings and papers on file herein, the following memorandum of points and authorities and such argument of counsel as may be permitted at the hearing on this matter.

DATED this 12 day of March, 1996.

Respectfully submitted,

ROBERT L. BOLICK, LTD.

By: 

STEWART A. GOLLMER, ESQ.
Nevada Bar No. 5002
6060 W. Elton Ave., Suite A
Las Vegas, NV. 89107
Attorneys for Plaintiffs/
Counterdefendants

NOTICE OF MOTION

TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL

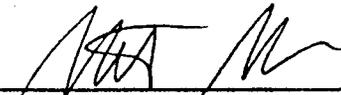
PLEASE TAKE NOTICE that the undersigned will bring the foregoing PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT on for hearing before the

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above-entitled Court on the 8 day of April, 1996, at the hour of
9:00, in Department IX, or as soon thereafter as counsel can be heard.

DATED this 12 day of March, 1996.

ROBERT L. BOLICK, LTD.

By: 
STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
6060 W. Elton Ave., Suite A
Las Vegas, Nevada 89107
Attorney for Plaintiff/
Counterdefendants

POINTS AND AUTHORITIES

I. STATEMENT OF FACTS

In the spring of 1993 Plaintiff James Rhodes was contacted by Defendants, Marshall Goldman and Louis Goldman, regarding the potential formation of a joint venture for the development of certain real property. At the time the Defendants were negotiating with Nevada State Bank to purchase approximately 135 acres of land located near the intersection of Tropicana Avenue and Jimmy Durante Avenue in Las Vegas, Nevada. Defendants informed Mr. Rhodes that the total purchase price for this property would be \$4.5 million dollars and that they would be making a \$1 million dollar cash down payment on the property.

On June 18, 1993, Defendant Marshall Goldman signed a Purchase Agreement with Nevada State Bank for the subject property. This Agreement, a copy of which is attached hereto as Exhibit 1, indicates that the total purchase price for the property would be \$4.5 million dollars and that Marshall Goldman would be making a

1 \$1 million dollar "cash down payment" as part of the purchase price. A copy of this
2 Purchase Agreement was provided to Jim Rhodes. This Agreement also contains a
3 provision indicating that the document constitutes the entire Agreement of the parties.
4

5 At approximately the same time as the Purchase Agreement was executed
6 Defendant Marshall Goldman executed an Addendum to the Agreement, a copy of
7 which is attached hereto as Exhibit 2.¹ This Addendum sets forth that in lieu of a \$1
8 million dollar cash down payment, Mr. Goldman would make a \$250,000.00 cash
9 down payment and receive a \$750,000.00 credit for assuming the obligations to
10 complete the offsite improvements at the project. This Addendum to the contract was
11 never provided to Jim Rhodes until after this litigation had begun and then was
12 obtained only after a subpoena was issued to Nevada State Bank.
13

14 On July 28, 1993, the parties executed a Letter of Intent, a copy of which is
15 attached hereto as Exhibit 3, setting forth their intention to form a partnership to
16 develop the real property. This Letter of Intent also indicates that the purchase price
17 for the real property would be \$4.5 million dollars with a \$1 million dollar down
18 payment to be made by the Defendants. No mention was made of any credit to be
19 received by the Defendants for the offsite improvement obligations.
20

21 After the Letter of Intent was signed, the Defendants approached Mr. Rhodes
22 and told him that they would be unable to make the entire \$1 million dollar down
23 payment. They requested to be allowed to take a Deed of Trust on a portion of the
24 property and receive \$375,000.00 cash from the Deed of Trust. They told Mr. Rhodes
25 that this would leave a remaining balance of \$625,000.00 for their down payment on
26

27
28 ¹ While the Addendum is dated June 17, 1993, and the Purchase Agreement itself is dated June 18,
1993, Mr. Goldman testified in his deposition that he could not recall specifically when the Addendum
was executed, but that he believed that the June 17, 1993 date was incorrect.

1 the property. Mr. Rhodes agreed to this adjustment in the capital contribution of the
2 Defendants. At no time in reaching this Agreement was Mr. Rhodes ever informed by
3 the Defendants of the Addendum to the contract giving them a \$750,000.00 credit for
4 assuming the obligations for the offsite improvements. See Affidavit of Jim Rhodes
5 attached hereto as Exhibit 4.
6

7 On September 28, 1993, the parties executed the Palm Gardens Limited
8 Partnership Agreement, a copy of which is attached hereto as Exhibit 5. Article I(p)
9 specifically references the Purchase Contract and states that the required down
10 payment is \$1 million dollars. Again, no reference is made in the Partnership
11 Agreement to the credit to be received by the Defendants nor is the separate
12 Addendum to the Contract referred to or incorporated in the Agreement. At this time
13 Mr. Rhodes was still unaware of the \$750,000.00 credit to be received by the
14 Goldmans. On the following day, September 29, 1993, Defendant Marshall Goldman,
15 as the President of the Gardens East, Inc., purchased the property for the total
16 purchase price of \$4.5 million dollars. The Gardens East executed an Assumption
17 Agreement, a copy of which is attached hereto as Exhibit 6, assuming responsibility
18 for the offsite improvements.²
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21 Pursuant to the Assumption Agreement, the Gardens East and Defendant
22 Marshall Goldman would be relieved of any further liability for the offsite
23 improvements once a bond was posted for these obligations. On October 25, 1994,
24 Plaintiff Jim Rhodes caused a bond in the amount of \$734,183.12, a copy of which is
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26
27 ² It is interesting to note, however, that Defendant Marshall Goldman testified at his deposition that the
28 Gardens East, as the owner of the property, would be responsible for the offsite improvements regardless of whether or not any formal written assumption agreement were signed with the bank. This is also the understanding that the bank had, as it received a letter from the Clark County Department of Comprehensive Planning on August 5, 1993, a copy of which is attached hereto as Exhibit 7, explaining that in fact the responsibility for the offsite improvements ran with the land.

1 attached hereto as Exhibit 8, be posted for the completion of the offsite
2 improvements. At no time prior to the posting of this bond was Mr. Rhodes ever
3 informed by the Defendants that they had received a \$750,000.00 credit for their
4 assumption of the liability for the offsite improvements or that his posting of the bond
5 would relieve them of any liability whatsoever for the offsite improvements.
6

7 On May 3, 1995, Plaintiffs paid to the Defendants the sum of \$209,000.00 and
8 executed a Promissory Note in the amount of \$416,000.00 payable to the Defendants.
9 This total sum, \$625,000.00, was intended to be a return of the Defendant's capital
10 contribution to the partnership. As was previously noted, this valuation was arrived at
11 as a result of the Defendant's representations that they would be making a
12 \$625,000.00 cash down payment on the property without any disclosure on their part
13 regarding the \$750,000.00 credit which they received for "assuming" the offsite
14 improvement obligations.
15

16 On June 21, 1995, Plaintiffs filed the present action asserting causes of action
17 for fraud, negligent misrepresentation and breach of fiduciary duty. The Defendants
18 have filed a counterclaim asserting causes of action for, among other things,
19 imposition of a constructive trust upon the property and breach of the promissory note.
20

21 II. STANDARD FOR GRANTING MOTION FOR SUMMARY JUDGMENT

22 Summary Judgment is appropriate where the pleadings, depositions, answers
23 to interrogatories, admissions and affidavits on file show that there is no genuine
24 issue of fact and that the moving party is entitled to judgment as a matter of law.
25 NRCP 56(c). If no genuine issue of fact exists, or is shown to exist, summary
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1 judgment should be granted. Bird vs. Casa Royale West, 624 P.2d 17 (Nev. 1981);
2 Odell vs. Martin, 696 P.2d 996 (Nev. 1985).

3 **III. AS A MATTER OF LAW, THE DEFENDANTS BREACHED THEIR**
4 **FIDUCIARY DUTIES AND THIS COURT SHOULD DECLARE THE PROMISSORY**
5 **NOTE TO BE NULL AND VOID AND ENTER JUDGMENT AGAINST THE**
6 **DEFENDANTS IN THE AMOUNT OF \$334,000.00**

7 The partnership relationship is a fiduciary relationship, requiring each partner
8 to disclose partnership business to other partners and to exercise the highest degree
9 of honesty and good faith in dealings with each other. Borys v. Rudd, 566 N.E.2d 310
10 (Ill.App. 1991). NRS 87.210 provides:

11 Every partner must account to the partnership for any benefit
12 and hold as trustee for it any profits derived by him without the
13 consent of the other partners from any transaction connected
14 with the formation, conduct, or liquidation of the partnership or
15 from any use by him of its property.

16 One of the fundamental duties of any partner who deals on his own account on
17 matters within the scope of his fiduciary relationship is the affirmative duty to make full
18 disclosure to his partners not only of the fact that he is dealing on his account, but of
19 all facts which are material to the transaction. Starr v. International Realty, Ltd., 533
20 P.2d 165 (Or. 1975). "A fiduciary has a duty 'not only to misrepresent' but to 'disclose
21 fully all the material facts within his knowledge.'" Id. at 169.

22 The Starr case is similar to the present case. In Starr one of the partners in a
23 real estate venture was also a real estate broker. The broker failed to reveal to his
24 partners that he would be receiving a commission of \$100,000.00 together with an
25 escrow fee of \$2,500.00 for his participation in negotiating and arranging the
26 purchase of certain partnership property. The Oregon Supreme Court held that this
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1 was a breach of his fiduciary obligations and that he had a duty to reveal all material
2 facts regarding the transaction to his partners.

3 In reaching this decision the Court relied on its previous decision in Liggett v.
4 Lester, 390 P.2d 351 (Or. 1964). In Liggett one member of the partnership had
5 secretly obtained a discount on a purchase which he made on behalf of the
6 partnership. The Court stated:

7
8 The rule which requires an accounting for secret profits
9 applies to commissions and discounts secretly obtained by a
10 partner on purchases made by him for the firm. (citations
11 omitted). It was Lester's duty to obtain petroleum products for
12 the partnership at the best price possible. The case at bar
13 involves purchases for the partnership resulting in secret
14 commissions or discounts. Where a secret discount is
15 withheld by one partner on purchases which he has made on
16 behalf of the partnership, the entire amount of the discount
17 must be accounted for. See RESTATEMENT, RESTITUTION, §
18 197 (1937). 390 P.2d at 354.

19 Like the Starr and Liggett cases the Defendants in this matter secretly obtained
20 a discount or commission as a result of the purchase of property connected with the
21 formation of the partnership. The Defendants had a duty to disclose all material facts
22 related to this transaction to the Plaintiffs. They breached their duty to the Plaintiffs
23 by failing to disclose the material facts regarding their \$750,000.00 credit for the
24 assumption of the offsite improvements.

25 The Plaintiffs have now received the \$750,000.00 benefit for themselves. They
26 received \$125,000.00 at the closing which the Plaintiffs were unaware of and which
27 the Defendants were not entitled to. They also received \$209,000.00 in May 1995
28 along with a Promissory Note in the amount of \$416,000.00.

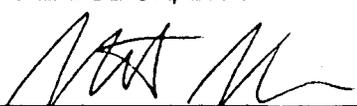
III. CONCLUSION

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For all the foregoing reasons, Plaintiffs respectfully request that this Court enter a Summary Judgment in their favor declaring that the Promissory Note dated May 3, 1996, is null and void and unenforceable and further entering judgment in favor of the Plaintiffs and against the Defendants in the amount of \$334,000.00 and further dismissing Defendants' counterclaims for imposition of a constructive trust and breach of promissory note.

DATED this 12 day of March, 1996.

Respectfully submitted,
ROBERT L. BOLICK, LTD.

By: 
STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
6060 W. Elton Ave., Suite A
Las Vegas, NV. 89107
Attorneys for Plaintiffs/
Counterdefendants

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2006 FEB 22 P 3:02
[Signature]
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ORIGINAL

1 BAO
2 STEWART A. GOLLMER, ESQ.
3 Nevada Bar No. 5002
4 KOLESAR & LEATHAM, CHTD.
5 3320 W. Sahara Avenue, Suite 380
6 Las Vegas, Nevada 89102
7 (702) 362-7800

8 Attorneys for Defendants

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DISTRICT COURT
CLARK COUNTY, NEVADA

9 PALM GARDENS LIMITED
10 PARTNERSHIP, a Nevada Limited
11 Partnership and JAMES M.
12 RHODES,

13 Plaintiff,

14 vs.

15 THE GARDENS EAST, INC., a
16 Nevada Corporation, PRESTIGE
17 DEVELOPMENT CORPORATION, a
18 Florida Corporation, LOUIS E.
19 GOLDMAN, JR. and MARSHALL
20 GOLDMAN,

21 Defendants.

CASE NO. A347438
DEPT. NO. IX
DOCKET "W"

STIPULATION AND ORDER
TO CONTINUE HEARING

22 THE GARDENS EAST, INC., a
23 Nevada Corporation, PRESTIGE
24 DEVELOPMENT CORPORATION, a
25 Florida Corporation, LOUIS E.
26 GOLDMAN, JR. and MARSHALL
27 GOLDMAN,

28 Counterclaimants,

vs.

29 PALM GARDENS LIMITED
30 PARTNERSHIP, a Nevada Limited
31 Partnership and JAMES M.
32 RHODES,

33 Counterdefendants.

DATE: 04/15/96
TIME: 9:00 a.m.

34 Plaintiffs/Counterdefendants, through their attorneys of
35 record, Kolesar & Leatham, Chtd., and Defendants/Counterclaimants,

1 through their attorneys of record, Marquis & Aurbach, stipulate to
2 continue the hearing date on Plaintiffs/Counterdefendant's Motion
3 for Summary Judgment from April ~~15~~¹⁷, 1996, to April 24, 1996.

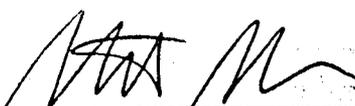
4 Any Reply to the Opposition shall be served on or before April
5 17, 1996.

6 DATED this 10 day of April, 1996.

7 MARQUIS & AURBACH

KOLESAR & LEATHAM, CHTD.

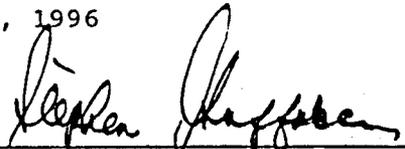
8
9 By: 
10 ALBERT G. MARQUIS, ESQ.
11 Nevada Bar No. 001919
12 JOHN B. GREENE, ESQ.
13 Nevada Bar No. 004279
14 228 South Fourth Street
15 Las Vegas, Nevada 89101
16 Attorneys for Defendants/
17 Counterclaimants

8
9 By: 
10 STEWART A. GOLLMER, ESQ.
11 Nevada Bar No. 005002
12 3320 West Sahara Avenue, #380
13 Las Vegas, Nevada 89102
14 Attorneys for Plaintiffs/
15 Counterdefendants

14 ORDER

15 IT IS ORDERED THAT the Defendants' Motion for Summary Judgment
16 in this matter shall be and is continued until April 24, 1996 at
17 9:00 a.m.

18 DATED this 10 day of April, 1996

19
20 
21 DISTRICT COURT JUDGE *BW*

22 Submitted by:
23 KOLESAR & LEATHAM

24
25 By: 
26 STEWART A. GOLLMER, ESQ.
27 Nevada Bar No. 005002
28 3320 West Sahara Avenue, #380
Las Vegas, Nevada 89102
Attorneys for Plaintiffs/
Counterdefendants

KOLESAR &
LEATHAM, CHTD.
ATTORNEYS AT LAW
3320 WEST SAHARA
SUITE 380
LAS VEGAS, NV 89102
(702) 362-7500

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1 NEOJ
2 STEWART A. GOLLMER, ESQ.
3 Nevada Bar No. 005002
4 KOLESAR & LEATHAM, CHTD.
5 3320 W. Sahara Avenue, Suite 380
6 Las Vegas, Nevada 89102
7 (702) 362-7800

Attorneys for Defendants/Counterclaimants

DISTRICT COURT
CLARK COUNTY, NEVADA

8 PALM GARDENS LIMITED
9 PARTNERSHIP, a Nevada Limited
10 Partnership and JAMES M.
11 RHODES,

Plaintiff,

vs.

13 THE GARDENS EAST, INC., a
14 Nevada Corporation, PRESTIGE
15 DEVELOPMENT CORPORATION, a
16 Florida Corporation, LOUIS E.
17 GOLDMAN, JR. and MARSHALL
18 GOLDMAN,

Defendants.

CASE NO. A347438
DEPT. NO. IX
DOCKET "W"

19 THE GARDENS EAST, INC., a
20 Nevada Corporation, PRESTIGE
21 DEVELOPMENT CORPORATION, a
22 Florida Corporation, LOUIS E.
23 GOLDMAN, JR. and MARSHALL
24 GOLDMAN,

Counterclaimants,

vs.

25 PALM GARDENS LIMITED
26 PARTNERSHIP, a Nevada Limited
27 Partnership and JAMES M.
28 RHODES,

Counterdefendants.

NOTICE OF ENTRY
OF ORDER

Hearing Date: 04/24/96
Hearing Time: 9:00a.m.

GE43

KOLESAR &
LEATHAM, CHTD.
ATTORNEYS AT LAW
SUITE 380
LAS VEGAS, NV 89102
(702) 362-7800

NOTICE OF ENTRY OF ORDER

TO: ALL INTERESTED PARTIES

PLEASE TAKE NOTICE that an Order was entered in the above-entitled matter on the 10th day of April, 1996, a copy of which is attached hereto.

DATED this 18 day of April, 1996.

KOLESAR & LEATHAM, CHTD.

By: *Stewart A. Gollmer*
STEWART A. GOLLMER, ESQ.
Nevada Bar No. 005002
3320 West Sahara Avenue Ste. 380
Las Vegas, Nevada 89102
Attorneys for Defendants/
Counterclaimants

RECEIPT OF COPY

RECEIPT OF COPY of the foregoing NOTICE OF ENTRY OF ORDER is hereby acknowledged this 18th day of April, 1996.

MARQUIS & AURBACH

John B. Greene
JOHN B. GREENE, ESQ.
Nevada Bar No. 004279
ALBERT G. MARQUIS, ESQ.
Nevada Bar No. 001919
228 South Fourth Street
Las Vegas, Nevada 89101

APR 18 1996
2005 APR 22 10 00 AM '96

Albert G. Marquis
CLERK