

1 CASE NO. 87-01370D

2 DEPT. NO. I

FILED

'88 DEC 30 AM 1:33

ALAN GLOVER

CLERK

BY *[Signature]*

DEPUTY

3
4
5
6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR CARSON CITY

8 * * *

9 LEE E. TOMASEVIC,
10 Plaintiff,

11 vs.

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND DECREE OF DIVORCE

12 JOHN E. TOMASEVIC and
13 JOHANNA TOMASEVIC,
14 Defendant.

15 This matter having duly come on for trial, Plaintiff being
16 present and represented by ROBERT A. GRAYSON, ESQ., Defendants
17 being present and represented by MELVIN LAUB, ESQ., and MICHAEL
18 SMILEY ROWE, ESQ., the Court having considered the evidence,
19 testimony and stipulations of the parties now renders its
20 findings of fact, conclusions of law and decree of divorce as
21 follows:

22 FINDINGS OF FACT

- 23 1. That the Plaintiff is a resident of the State of
- 24 Nevada.
- 25 2. That Plaintiff and Defendant were married to each other
- 26 in Virginia City, Nevada on January 31, 1981, and ever since that
- 27 time have been, and now are, husband and wife.
- 28 3. That there are no minor children born the issue of this

194965

BOOK 189 PAGE 2968

Robert A. Grayson
Attorney At Law
300 South Curry Street
Carson City, Nevada 89703
(702) 882-6878

Robert A. Grayson
Attorney At Law
300 South Curry Street
Carson City, Nevada 89703
(702) 882-6878

1 marriage.

2 4. There is community property to be adjudged by this
3 Court.

4 5. Plaintiff and Defendant are incompatible in marriage.

5 CONCLUSIONS OF LAW

6 From such Findings of Fact, the Court concludes as a matter
7 of law that it has jurisdiction over the subject matter herein
8 and the parties hereto; that Plaintiff is entitled to an absolute
9 and Final Decree of Divorce from the Defendant upon grounds of
10 incompatibility, dissolving the bonds of matrimony and releasing
11 each of the parties from the responsibilities and obligations
12 thereof and restoring each of the parties to the status of an
13 unmarried person.

14 DECREE

15 WHEREFORE, by reason of the law and findings aforesaid,
16 Plaintiff is hereby granted an absolute Decree of Divorce,
17 forever dissolving the bonds of matrimony now and heretofore
18 existing between the Plaintiff, LEE E. TOMASEVIC and the
19 Defendant JOHN E. TOMASEVIC, and each of the parties is hereby
20 restored to the status of a single person to the same extent and
21 for all purposes if said marriage had never existed.

22 \\\

23 \\\

24 \\\

25 \\\

26 \\\

27 \\\

28 \\\

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
2 property of the respective parties is hereby distributed as more
3 fully set forth in the Stipulation entered in open court as
4 evidenced by the transcript of the Court Reporter to be filed in
5 this matter as Exhibit "A" hereto.

6 DATED this 30 day of December, 1988.

7 *Michael P. Ariff*
8 _____
9 DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Robert A. Grayson
Attorney At Law
300 South Curry Street
Carson City, Nevada 89703
(702) 882-6878

COPIED

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATED January 19, 1989
ALAN CLOVER, Clerk of the
First District Court of Nevada, in and for Carson City.

SEAL

3 BY M. Thomas Deputy **194965**
BOOK **189** PAGE **2970**

1 CASE NO. 87-01370D

2 DEPT. NO. 1

1/9/89

3 COPY

4
5
6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR CARSON CITY

8 LEE TOMASEVIC,
9 Plaintiff,

PARTIAL TRANSCRIPT OF PROCEEDINGS

Settlement

10 vs.

December 20, 1988

11 JOHN T. TOMASEVIC,
12 Defendant.

13 THE HONORABLE MICHAEL R. GRIFFIN, DISTRICT JUDGE PRESIDING

14 APPEARANCES

15 ON BEHALF OF THE PLAINTIFF:

ROBERT GRAYSON
Attorney at Law

16 ON BEHALF OF THE DEFENDANT:

MELVIN LAUB
Attorney at Law

17 ON BEHALF OF JOANNA TOMASEVIC:

MICHAEL ROWE
Attorney at Law

18
19
20 -o0o-

21
22
23
24
25 REPORTED BY: Julietta Forbes, CSR #105, Official Reporter

194965

1 1 CARSON CITY, NEVADA, TUESDAY, DECEMBER 20, 1988, 2:00 P.M.

2 -o0o-

3
4 (Settlement stipulation:)

5
6 THE COURT: I've been informed by the parties that,
7 the attorneys that the parties have reached a stipulation in
8 this matter. Tell me what it is there, counsel.

9 MR. GRAYSON: Yes, Your Honor. As we discussed, I
10 will put Mrs. Tomasevic on the stand to complete the record
11 in this case.

12 But regarding the division of property, whether it
13 be separate, community, or that claimed by third parties,
14 all of the parties have agreed as follows, Your Honor: That
15 the judgment in this case will confirm the sole ownership of
16 that property in Joanna Tomasevic, subject to an exclusive
17 right of possession to the Plaintiff, Lee Tomasevic, for a
18 period commencing immediately and ending September 30th,
19 1989.

20 THE COURT: Okay. So she lives in it approximately
21 a year. Okay.

22 MR. GRAYSON: About nine months, Your Honor.

23 THE COURT: All right. Yeah.

24 MR. GRAYSON: Have exclusive possession of the
25 property, including all rental income from the property.

194965

1 THE COURT: Okay.

2 MR. GRAYSON: During that nine month, or slightly,
3 about nine-month period, Joanna Tomasevic will, or her
4 agent, will have the right to enter onto those premises for
5 the purpose of exterior maintenance, primarily the
6 landscaping and the watering and whatever is necessary to
7 care for the exterior of the premises.

8 On October 1, 1989, Lee Tomasevic will surrender
9 the property to Joanna Tomasevic in a clean and maintainable
10 condition without damage to the property or waste on the
11 property.

12 The judgment will confirm to Joanna Tomasevic the
13 backhoe, the generator and the Cadillac limousine. The boat
14 and trailer will be confirmed to Lee Tomasevic as her sole
15 and separate property and will be delivered to her home
16 within 10 days from the entry of the decree herein by Mr.
17 Tomasevic or one appointed by him to make such delivery.

18 Along with the boat, all relevant documentation,
19 whether it be the title, the -- any guarantees on any of the
20 equipment of the boat and any other relevant documents will
21 be provided to Lee Tomasevic.

22 All personal property now in the possession of Lee
23 Tomasevic will be confirmed as her sole and separate
24 property, and that will include certain property claimed by
25 Joanna Tomasevic in this action, and that would be

194965

1 freezer, a washer and a dryer, bedroom set.

2 Any other personal property in the possession now
3 of John Tomasevic will be confirmed as his sole and separate
4 property.

5 I believe there is, was an exception that there are
6 two oil paintings in the present possession of Lee that she
7 will give --

8 THE COURT: Transfer to him.

9 MR. GRAYSON: -- to John. During the nine month
10 exclusive right of possession by Lee Tomasevic, should the
11 property be listed for sale through a licensed real estate
12 broker, upon reasonable notice Lee Tomasevic will allow the
13 property to be shown through that listing broker.

14 And finally, each party will bear their own
15 attorney's fees and costs in this matter.

16 MR. LAUB: Probably one other --

17 THE COURT: Do you agree with that substantially?
18 Any changes?

19 MR. LAUB: Yes, Your Honor. The only other
20 consideration was the bus windows were to also go to my
21 client.

22 Other than that, we agree to each and every element
23 that has been so set forth by counsel. And we agree. Is
24 that correct?

25 MRS. JOANNA TOMASEVIC: Pardon me?

194965

1 MR. TOMASEVIC: Yes.

2 MR. LAUB: Yes, John does agree.

3 THE COURT: Okay. Mr. Rowe?

4 MR. ROWE: Mrs. Joanna Tomasevic agrees with the
5 points as set forth by Mr. Grayson.

6 Joanna, you heard that? Do you agree with that?

7 MRS. JOANNA TOMASEVIC: No, I didn't hear.ardon
8 me?

9 THE COURT: Did you hear the representation of Mr.
10 Grayson?

11 MRS. JOANNA TOMASEVIC: Yeah, I heard, yes.

12 MR. ROWE: You agree with those?

13 MR. LAUB: Yes.

14 MRS. JOANNA TOMASEVIC: But I think she should be
15 out on the 20th of September. That's nine months, that's
16 not --

17 MR. LAUB: September 20th.

18 MRS. JOANNA TOMASEVIC: Yeah. Today's the 20th.
19 That's 10 extra days.

20 MR. LAUB: That's fine. Is that okay, September
21 20th?

22 MRS. LEE TOMASEVIC: No, no, that's not okay.

23 MR. GRAYSON: We agreed September 30th.

24 MR. LAUB: Is that okay?

25 MR. GRAYSON: We agreed to possession through

194965

1 September 30th. On October 1st it will be surrendered in a
2 clean and marketable condition.

3 MR. ROWE: September 30th is fine, Your Honor.

4 THE COURT: Okay. What I propose to do is after we
5 hear your testimony on the divorce issues that have to be
6 gone through by Nevada law, then I will ask Mr. Grayson to
7 prepare the order granting the divorce and refer to the
8 division of property as contained in Exhibit A, which I will
9 ask Julietta to prepare, and we'll file it that way rather
10 than having it furnished all the way back and forth to see
11 if you all agree with the wording that Mr. Grayson would
12 use, since you all agree with what has been represented to
13 Julietta. That might save everybody a whole bunch of time,
14 correct?

15 MR. LAUB: That's correct, Your Honor.

16 THE COURT: Anybody have any disagreement with that
17 idea?

18 MR. ROWE: No.

19 MR. GRAYSON: Attaching the transcript to the
20 stipulation as the property --

21 THE COURT: Attach the transcript Exhibit A as
22 division of the property.

23 MR. LAUB: That's fine, Your Honor.

24 THE COURT: That way as soon as you get me the
25 order, I can grant the divorce rather than wait for Julietta

194965

1 to do that, because I can merely indicate that it will, it
2 is as contained in that transcript which will be filed.

3 MR. GRAYSON: Fine. .

4 THE COURT: And you can prepare it that way. All
5 right.

6 -o0o-

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
A large, light-colored watermark of the word "COPY" is oriented vertically across the center of the page. The letters are outlined and have a slightly irregular, hand-drawn appearance. The 'C' is on the left, 'O' is in the middle, and 'P' is on the right. The 'Y' is partially cut off at the top right.

194965

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF NEVADA)
 : ss.
CARSON CITY)

I, JULIETTA FORBES, Official Reporter and Certified Shorthand Reporter, do hereby certify as follows:

That I was present in court and took stenographic notes of the proceedings had in the matter entitled herein;

That the foregoing transcript, consisting of pages 1 through 6, is a full, true and accurate transcription of said portion of the proceedings had.

Dated this 22nd day of December, 1988.

Julietta Forbes
JULIETTA FORBES, CSR #105
Official Reporter

REQUESTED BY
Michael Smiley Rawe
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'89 JAN 24 AIO:15

SUZANNE BEAUDREAU
RECORDER
\$ 15⁰⁰ PAID: Bh DEPUTY

194965