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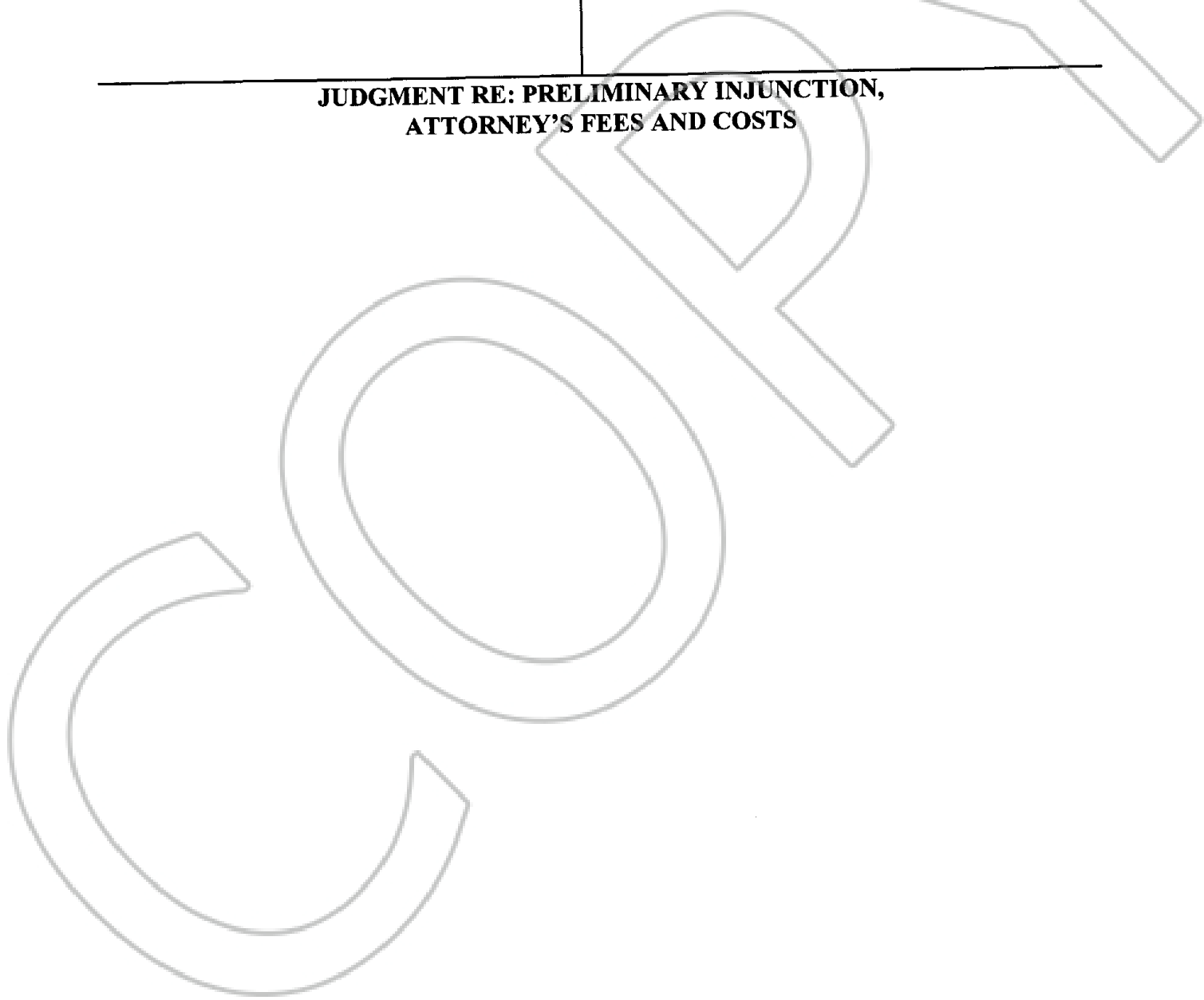
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**JUDGMENT RE: PRELIMINARY INJUNCTION,
ATTORNEY'S FEES AND COSTS**



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1 CASE NO. 00CV0252
2 DEPT. NO. II

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JAN 18 2005
DOUGLAS COUNTY
DISTRICT COURT CLERK

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7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF DOUGLAS

9 JUDY LU SHALLENBERGER, Trustee
10 of the Judy Lu Shallenberger
11 Trust, dated February 29, 1984,

11 Plaintiff/
12 Counterdefendant,

12 vs.

13 MICHAEL BOGDANOVICH; RUSKA
14 BOGDANOVICH and DOES I-X,

JUDGMENT RE: PRELIMINARY
INJUNCTION, ATTORNEY'S FEES AND
COSTS

15 Defendants/
16 Counterclaimants,

16 _____ /
17 AND RELATED COUNTERCLAIMS
18 _____ /
19 AND RELATED THIRD PARTY ACTION
20 _____ /

21 **THIS ACTION** came on before the Court by virtue of a Complaint
22 filed by Plaintiff JUDY LU SHALLENBERGER, Trustee of the Judy Lu
23 Shallenberger Trust dated February 29, 1984 ("SHALLENBERGER") and
24 SHALLENBERGER's First Amended Complaint filed January 24, 2001. The
25 Court, the Honorable Michael P. Gibbons District Court Judge
26 presiding, resolved the issues presented by the SHALLENBERGER First
27 Amended Complaint and the responsive pleadings filed by MICHAEL
28 BOGDANOVICH and RUSKA BOGDANOVICH ("BOGDANOVICH") by orders entered

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1 granting two motions for partial summary judgment, the Court's oral
2 ruling granting costs to SHALLENBERGER announced on December 22,
3 2004, and the Court's written order filed January 10, 2005, granting
4 SHALLENBERGER an award of attorney's fees and a permanent injunction
5 as requested in SHALLENBERGER's First Amended Complaint.

6 In the Court's January 10, 2005, Order, the Court ordered that
7 SHALLENBERGER submit a Judgment consistent with the January 10, 2005,
8 Order.

9 The Court, having duly considered and ruled upon all issues
10 relating to this action, hereby enters its Judgment.

11 **IT IS ORDERED AND ADJUDGED** that the Defendants, MICHAEL
12 BOGDANOVICH and RUSKA BOGDANOVICH, and each of them and their agents,
13 servants, employees and all persons acting under, in concert with or
14 for them, are permanently enjoined from any action which is in any
15 way in contravention of the Maintenance Agreement signed by
16 BOGDANOVICH and SHALLENBERGER and dated May 31, 1989, recorded July
17 31, 1989, in Book 789, Pages 3608-3611; Document No. 207699 Official
18 Records of Douglas County, Nevada.

19
20 MICHAEL BOGDANOVICH and RUSKA BOGDANOVICH, and all of
21 their agents, servants, employees and all persons acting under, in
22 concert with or for them, are further permanently enjoined from
23 taking any action in violation of the Orders of this Court,
24 specifically the Orders granting partial summary judgment entered on
25 May 16, 2002, and on August 31, 2004, and the Court's January 10,
26 2005, Order.

27
28 The actions of BOGDANOVICH which are enjoined include, but



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1 are not limited to, trespass upon the 30' private access roadway and
2 public utility easement existing between Parcels 6A and 6B as
3 delineated on the Parcel Map for Rose Bogdanovich recorded on or
4 about February 8, 1989, in Book 289, Page 920; Document No. 195996
5 Official Records of Douglas County, Nevada as amended by that
6 Certificate of Amendment filed for record on March 10, 1989, in Book
7 389, Page 1334; Document No. 197916 Official Records of Douglas
8 County, Nevada, and from any act or action modifying or destroying
9 the existing bridge or impairing, cutting down, or harming any of the
10 trees which align the 30' private access roadway and public utility
11 easement.
12

13 The Defendants MICHAEL BOGDANOVICH and RUSKA BOGDANOVICH,
14 and each of them, and all persons claiming under them, have no
15 estate, right, title, lien, interest or easement in or to the 30'
16 private access roadway and public utility easement described in the
17 referenced Parcel Map and Maintenance Agreement, or any part thereof,
18 for ingress and egress for any purpose to the Defendant's property
19 which has been commonly identified in this litigation as the Braun
20 Parcel, and the Defendants are permanently enjoined from asserting
21 any adverse claim to Plaintiff's title to said roadway as it is
22 defined and depicted in the referenced Parcel Map and Maintenance
23 Agreement.
24

25 2. IT IS FURTHER ORDERED AND ADJUDGED that Judgment is also
26 entered in favor of Plaintiff JUDY LU SHALLENBERGER as Trustee of the
27 Judy Lu Shallenberger Trust dated February 29, 1984, and against
28 Defendants MICHAEL BOGDANOVICH and RUSKA BOGDANOVICH, and all persons



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1 claiming under them, on the Defendants' counterclaims for quiet
2 title, injunction, declaratory judgment, slander of title,
3 intentional interference with prospective economic advantage,
4 trespass to chattels, breach of contract and abuse of process. As
5 set forth in the Court's January 10, 2005, Order, SHALLENBERGER has
6 successfully sought a judicial declaration of her and BOGDANOVICHES'
7 rights vis-a-vis the property and the Maintenance Agreement in
8 question.

9
10 3. **IT IS FURTHER ORDERED AND ADJUDGED** that the Grant of
11 Easement of Way dated September 13, 1994, prepared by the
12 BOGDANOVICHES in the name of Rose Bogdanovich, and filed for record
13 at Book 0994, Page 4898, et. seq.; Document No. 347145 Official
14 Records of Douglas County, Nevada, and the Supplement to Maintenance
15 Agreement prepared by BOGDANOVICHES also dated September 13, 1994,
16 and recorded at Book 0994, Page 4894, et. seq.; Document No. 347145
17 shall be permanently expunged from the records of the County Recorder
18 for Douglas County, Nevada.

19
20 4. **IT IS FURTHER ORDERED AND ADJUDGED** that Plaintiff JUDY LU
21 SHALLENBERGER as Trustee of the Judy Lu Shallenberger Trust, dated
22 February 29, 1984, shall recover from MICHAEL BOGDANOVICH and RUSKA
23 BOGDANOVICH the sum of \$3,607.84 in allowed costs which the Court has
24 found were reasonable and necessary expenses and costs incurred in
25 connection with this action by SHALLENBERGER. The amount awarded
26 shall bear interest as prescribed by NRS 17.130 from the date of
27 entry of this Judgment.

28 5. **IT IS FURTHER ORDERED AND ADJUDGED** that Plaintiff JUDY LU



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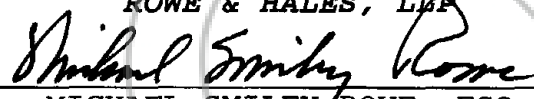
1 SHALLENBERGER as Trustee of the Judy Lu Shallenberger Trust, dated
2 February 29, 1984, shall recover of the Defendants MICHAEL
3 BOGDANOVICH and RUSKA BOGDANOVICH, in addition to the relief set
4 forth hereinabove, her attorney's fees in the sum of \$60,000.00. The
5 amount awarded shall bear interest as prescribed by NRS 17.130 from
6 the date of entry of this judgment.

7 6. The Court hereby expressly determines that there is no
8 just reason for delay in the entry of this Judgment, and expressly
9 directs that this Judgment be entered. This is a final judgment
10 pursuant to NRCP 54 (b).

11 Dated this 18 day of January, 2005.

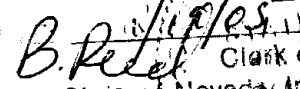
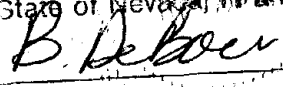
12
13 
14 MICHAEL P. GIBBONS
15 DISTRICT COURT JUDGE

16 Submitted by:

17 ROWE & HALES, LLP
18 
19 MICHAEL SMILEY ROWE, ESQ.
20 Nevada Bar Number 1374
21 1638 Esmeralda Avenue
22 P.O. Box 2080
23 Minden, Nevada 89423
24 (775) 782-8141
25 Attorney for Plaintiff

26 CERTIFIED COPY

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

By  Clerk of the 1st Judicial District Court
of the State of Nevada, In and for the County of Douglas,
By  Deputy

SEAL