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DOC # 0752476  
10/20/2009 02:57 PM Deputy: KE  
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Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 8 Fee: 21.00  
BK-1009 PG- 4004 RPTT: 0.00



Memorandum of Judgment on

(Title of Document)

Submission of A Controversy  
Without Actura  
(NRS CHAPTER 29)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

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1 Case No. 09-PB-0042

JUL 07 2009

2 Dept. I

DOUGLAS COUNTY  
DISTRICT COURT CLERK

2009 JUL -8 AM 9:42

TED THIRAN  
CLERK

*[Signature]*  
DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

10	In the Matter of the Stipulated )	<b>MEMORANDUM OF</b>
11	Agreement of MARJORIE ANN JOHNSON )	<b>JUDGMENT ON</b>
12	SPRINGMEYER and JON KNOX )	<b>SUBMISSION OF A</b>
13	SPRINGMEYER brought pursuant to )	<b>CONTROVERSY</b>
14	chapter 29 of the Nevada Revised )	<b>WITHOUT ACTION</b>
15	Statutes )	<b>(NRS chapter 29)</b>

15 On May 18, 2009, the above-entitled Court entered  
16 Judgment on Submission of a Controversy Without Action  
17 ("Judgment") pursuant to chapter 29 of the Nevada' Revised  
18 Statutes. In summary form, the Judgment stated, among other  
19 things, the following:  
20

21 1. On April 6, 2009, JON KNOX SPRINGMEYER ("Mr.  
22 Springmeyer") filed in this case an Ex Parte Petition for  
23 Appointment of Temporary Guardian to Respond to Immediate  
24 Risk of Financial Loss and Medical Needs of the person and  
25 estate of MARJORIE ANN JOHNSON SPRINGMEYER ("Mrs.  
26 Springmeyer").  
27

28 ///

1 2. On April 8, 2009, this Court entered its Order (ex  
2 parte) Appointing Temporary Guardian of the person and  
3 estate of Mrs. Springmeyer.

4 3. On April 10, 2009, Mr. Springmeyer had Mrs.  
5 Springmeyer served with a certified copy of the Order  
6 Appointing Temporary Guardian.

7 4. On April 14, 2009, counsel to Mrs. Springmeyer  
8 filed with the Clerk a Response of Marjorie Ann Johnson  
9 Springmeyer in Opposition to Ex Parte Petition for  
10 Appointment of Temporary Guardian to Respond to Immediate  
11 Risk of Financial Loss and Medical Needs and hand delivered  
12 copies thereof to Mr. Springmeyer and his counsel.

13 5. On April 14, 2009, a closed hearing was held  
14 before the Court to determine whether the Temporary  
15 Guardianship should be continued.

16 6. After hearing, the Court continued in place for 30  
17 days a modified version of the Temporary Guardianship in the  
18 interest of protecting Mrs. Springmeyer from as-yet  
19 unproven, potential elder exploitation. The Court also  
20 concluded that Mrs. Springmeyer is neither incompetent nor  
21 of limited capacity as those terms are defined in sections  
22 159.019 and 159.022, respectively, of the Nevada Revised  
23 Statutes.

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1 7. Because Mr. Springmeyer, as Temporary Guardian,  
2 among other things, was authorized by the Court's Order  
3 Appointing Temporary Guardian to "locate and secure all  
4 assets" of Mrs. Springmeyer, as temporary ward of this  
5 Court, Mr. Springmeyer took physical possession of several  
6 items belonging to Mrs. Springmeyer. Upon entry of the  
7 Judgment, all of those items must be promptly returned to  
8 the personal possession and control of Mrs. Springmeyer.

10 8. The parties have agreed to resolve their present  
11 differences.

13 9. Under Chapter 29 of NRS, the Court is entitled to  
14 and did enter an order resolving the controversy.

15 10. There follow excerpts from the Ordering paragraphs  
16 of the Judgment.

17 11. The Order Appointing Temporary Guardian in this  
18 matter is dissolved, without prejudice.

19 12. This case will remain open for the purposes of  
20 administering the instant Judgment on Submission of a  
21 Controversy Without Action and processing any future  
22 petitions for issuance of Letters of Guardianship.

24 13. Mrs. Springmeyer is ordered to follow the advice  
25 of certain healthcare providers.

26 14. If she neglects or fails to do so, the Court will  
27 set a hearing upon notice to Mrs. Springmeyer, Mr.  
28

1 Springmeyer, and their representatives, to appear and  
2 respond to the Court's order and notice to appear.

3  
4 15. Mrs. Springmeyer must bring before the Court for  
5 review and confirmation any proposal she may conceive to  
6 make gifts that exceed a certain sum in any consecutive 12-  
7 month period. An accounting professional in the Carson  
8 Valley will assist the Court as the auditor of Mrs.  
9 Springmeyer's financial transactions. If this accountant  
10 sees financial transactions that do not comply with the  
11 Court's Judgment, the accountant will notify the Court who  
12 will contact Mrs. Springmeyer's counsel for a meeting in  
13 chambers with Mr. Springmeyer and his counsel or  
14 representative.  
15

16 16. Mrs. Springmeyer will officially petition this  
17 Court for review and approval, of all her decisions' to make  
18 gifts of or to convey by gift, by creating, amending, or  
19 modifying any testamentary instrument, conveying by deed, or  
20 leasing for any term of days, months, or years, selling or  
21 otherwise encumbering any parcel of real property in which  
22 Mrs. Springmeyer has a beneficial or legal interest within  
23 the states of Nevada and California. Mrs. Springmeyer must  
24 notify Mr. Springmeyer and his counsel of all such petitions  
25 and serve notice upon them to appear, if they choose, at the  
26 time and place of all hearings held on such petitions, then  
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1 and there to represent the interests, if any, of Mr.  
2 Springmeyer, his heirs or assigns.

3  
4 17. The Court shall have jurisdiction to exercise its  
5 discretion not to confirm the gift. Any decision not to  
6 confirm such a proposed gift may be challenged in court by  
7 Mrs. Springmeyer in the manner and according to the  
8 standards provided in chapter 233B, sections 233B.130 to  
9 233B.150, inclusive, for those aggrieved by decisions of  
10 state agencies to obtain judicial review of those decisions,  
11 including appeal to the Nevada Supreme Court and any  
12 equitable relief otherwise available to such aggrieved  
13 persons.  
14

15 18. A certified copy of a memorandum, or abstract, of  
16 the Court's Order rendered in this matter may be recorded in  
17 the official records of Douglas County, Nevada, El Dorado  
18 County, California, and any other county in any state in  
19 which Mrs. Springmeyer owns real property or any interest  
20 therein.  
21

22 19. If there is any substantial change in the  
23 circumstances of Mrs. Springmeyer's physical or mental  
24 health, any person with standing to do so may commence or  
25 renew a petition in this proceeding to protect her and to  
26 further her best interests, physically, mentally, and  
27 emotionally.  
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1 20. The Court shall retain jurisdiction to resolve any  
2 and all issues arising under the Judgment until further  
3 order of the Court.

4  
5 21. There is no warrant for a guardianship of the  
6 person or estate of Mrs. Springmeyer as of May 17, 2009.

7 DATED this 8 day of July, 2009.

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11 \_\_\_\_\_  
12 DISTRICT JUDGE  
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**CERTIFIED COPY**

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

DATE 10/2/09

TED THRAN Clerk of the 9th Judicial District Court of the State of Nevada, in and for the County of Douglas.

By Talbot Deputy