

OFFICIAL RECORD

Requested By:
PATENAUDE & FELIX

Douglas County - NV
Karen Ellison - Recorder

Page: 1 of 3 Fee: 16.00
BK-0810 PG- 2028 RPTT: 0.00



APN#

11 Digit number may be obtained at:
<http://sandgate.co.clark.nv.us/cicsAssessor/owner.htm>

CAPITAL ONE BANK v.
MOZELLE L SLIAUTER

Type of Document-

ORDER GRANTING MOTION FOR SUMMARY
JUDGMENT

(Example: Declaration of Homestead, Quit Claim Deed, ect.)

COUNTY RECORDER
DOUGLAS NV

Recording Requested By: ✓ Patenaude & Felix, A.P.C.
PETER CLEARY, ESQ.
1771 East Flamingo Rd Suite 112A
Las Vegas NV 89119
(702) 952-2031
Attn: James Szewczyk

Return to:
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Re: 09-64427

This page added to provide additional information required by NRS 111.312, Sections 1-2

(Additional Recording fee of \$1.00 will apply)

**ORIGINAL
CERTIFIED
COPY**

No. 10-074CV

2010 JUN -4 PM 2:45

EAST FORK JUSTICE COURT

BY _____ 

1 **ORDG**
2 **WESTLEY U. VILLANUEVA, ESQ.**
3 Nevada Bar No. 8708
4 **PETER K. CLEARY, ESQ.**
5 Nevada Bar No. 11085
6 **PATENAUDE & FELIX, A.P.C.**
7 1771 East Flamingo Rd Suite 112A
8 Las Vegas NV 89119
9 (702) 952-2031
10 Attorney for Plaintiff

7 **MINDEN JUSTICE COURT**
8 **COUNTY OF DOUGLAS, STATE OF NEVADA**

9 *****

10 **CAPITAL ONE BANK (U.S.A.), N.A.**)
11 Plaintiff,)

12 vs.)

13 **MOZELLE L SLIAUTER,**)
14 **DOES I through X and**)
15 **ROE CORPORATIONS I through X,**)
16 inclusive,)

17 Defendant.)

Case No. 10-074CV
Dept. No.

18 **ORDER GRANTING MOTION FOR SUMMARY JUDGMENT**

19 This matter came before the Court on Plaintiff's Motion for Summary Judgment. The
20 motion was unopposed by the Defendant. The Court reviewed the memoranda, arguments,
21 points and authorities and is fully informed of all the relevant facts. The Court finds that
22 Defendant has breached her contractual obligation to Plaintiff by failing to make monthly
23 payments pursuant to the terms of the credit card agreement.

24 / / /

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1 The Court further finds that Plaintiff has satisfied its burden of proof by showing that
2 Defendant is liable for the Credit Card debt under NRS 97A.150, and has done so by
3 providing periodic billing statements that show proof pf purchases and payments made by
4 the Defendant pursuant to NRS 97A.160. In addition, these records were authenticated by an
5 affidavit that was compliant with the requirements as laid out in NRS 97A.160.

6 Therefore this Court finds that there is no genuine issue as to any material fact and that
7 Plaintiff is entitled to judgment as a matter of law for the relief sought in its complaint. The
8 Court expressly directs that final judgment be entered with respect to Plaintiff's claims.

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff shall have a
10 Judgment against the Defendant in the amount of \$1,414.97, plus accrued pre-judgment
11 interest in the amount of \$ 176.96, plus post-judgement interest at the legal rate per annum
12 from date of judgment until paid; as well as court costs in the amount of \$167.00 (See
13 Memorandum of Costs and Disbursements); and reasonable attorney's fees in the amount of
14 \$ 150⁰⁰ . In addition, Plaintiff will be awarded for future court costs associated
15 with collecting this judgment, including but not limited to writ fees, service fees, and court
16 filing fees.

17 THIS ORDER IS APPROVED AS TO FORM AND CONTENT

18 IT IS SO ORDERED.

19 DATED 6-9-10 .

20 BY [Signature]
21 JUSTICE COURT JUDGE

22 PATENAUDE & FELIX, A.P.C.

23 By [Signature]
24 WESTLEY U. VILLANUEVA, ESQ.
25 Nevada Bar No. 8708
26 PETER K. CLEARY, ESQ.
27 Nevada Bar No. 11085
28 1771 East Flamingo Rd Suite 102
Las Vegas NV 89119
Attorneys for Plaintiff

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.

7-23-10
Date: Clerk of the East Fork Justice Court
County of Douglas, State of Nevada
(Seal)

By: [Signature]
Deputy Clerk