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DOC # 0792512
11/10/2011 03:54 PM Deputy: SG

OFFICIAL RECORD

Requested By:
ALLISON, MACKENZIE,
PAVLAKIS, ETAL
Douglas County - NV
Karen Ellison - Recorder

Page: 1 Of 17 Fee: 30.00
BK-1111 PG- 2686 RPTT: 0.00



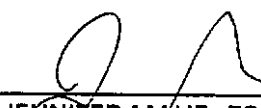
RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

JOAN C. WRIGHT, ESQ.
ALLISON, MackENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
402 North Division Street
P.O. Box 646
Carson City, NV 89702

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

The party executing this document hereby affirms
that this document submitted for recording does
not contain the social security number of any
person or persons pursuant to NRS 239B.030



JENNIFER MAHE, ESQ.
JOAN C. WRIGHT, ESQ.

**FIRST AND FINAL ACCOUNT; AND PETITION FOR FINAL DISTRIBUTION;
AND FOR ALLOWANCE OF ATTORNEY'S FEES**

FILED

Electronically
04-26-2010:01:55:21 PM
Howard W. Conyers
Clerk of the Court
Transaction # 1451206

1 **CODE: \$3590**
2 **Brian Kelly, J.D., L.L.M.**
3 **State Bar Number: 1993**
4 **HARDY LAW GROUP**
5 **96 Winter Street**
6 **Reno, NV 89503**
7 **Phone: (775) 322-7422**
8 **Attorney for Petitioner**

9
10 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
11 **IN AND FOR THE COUNTY OF WASHOE**

12
13 **In The Matter of the Estate of**
14 **THEODORE CHARLES LAMBERTSON**

CASE NO.: PR09-00072
DEPT. NO.: PC

15
16 **FIRST AND FINAL ACCOUNT; AND**
17 **PETITION FOR FINAL DISTRIBUTION; AND**
18 **FOR ALLOWANCE OF ATTORNEY'S FEES**

19 **TO THE HONORABLE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF**
20 **NEVADA, IN AND FOR THE COUNTY OF WASHOE**

21 **THEODORE E. LAMBERTSON, as Executor of the Last Will and Testament of**
22 **THEODORE CHARLES LAMBERTSON, deceased, now presents his verified First and Final**
23 **Account and Petition for Final Distribution and for Allowance of Attorney's Fees, and alleges as**
24 **follows:**

25 **I**

26 **That decedent THEODORE CHARLES LAMBERTSON died testate on the 23rd day**
27 **January 2008, in the State of Nevada, and was at the date of his death a resident of Washoe**
28 **County, Nevada.**

II

That the decedent's Last Will and Testament dated 22nd day of January 2008, was duly

1 admitted to probate by this Court on the 9th day of April 2009; and that the time for contesting
2 said Will, or the validity thereof, has expired. That said Will provided all assets were to be
3 poured over to the Theodore C. Lambertson Revocable Trust.

4
5 III

6 That petitioner is the duly appointed, qualified and acting Executor of the Will of said
7 decedent; that Letters Testamentary were duly issued to him on the 13th day of April 2009, and
8 have been continuously since said date and now are in full force and effect.

9 IV

10 That an Inventory, Appraisal and Record of Value of all the Nevada estate of the
11 deceased which has come to petitioner's possession or knowledge was returned and filed in this
12 estate matter on 10th day of June 2009, showing the total value of the decedent's estate to be
13 \$2,336,222.00 as of the decedent's date of death.

14 V

15 That notice to creditors has been mailed and published for the period and in the manner
16 prescribed by law; that the date the notice to creditors was mailed was the 4th day of May 2009,
17 and ninety (90) days from the mailing of the notice to creditors was the 4th day of August 2009,
18 and that the date of first publication of notice to creditors was the 18th day of April 2009; and
19 that ninety (90) days from the first publication of notice to creditors was the 18th day of July
20 2009; and that the time for filing or presenting claims against the estate has expired.

21 VI

22 That there was no creditor claim filed or presented herein:

23 VII

24 That all estate creditors have been paid in full.
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VIII

1
2 A Federal Estate Tax Return was required to be filed for this decedent's estate. Taxes
3 were paid through the Trust.

4 IX

5 That Article III of the decedent's Will dated the 22nd day of January 2008, provides as
6 follows:

7 "I give bequeath all my clothing, household furniture and furnishings,
8 motor vehicles and all other tangible articles of household use or of a personal
9 nature which I own at the time of my death to the THEODORE C.
10 LAMBERTSON REVOCABLE TRUST of even date herewith."

11 X

12 That pursuant to NRS 150.020 petitioner is entitled to receive a minimum statutory
13 commission in the amount of \$47,874.44; and hereby accepts this commission for services
14 rendered in administering this estate.

15 XI

16 That Brian C. Kelly, J.D.L.L.M., of Hardy Law Group has rendered legal services for the
17 petitioner in this estate matter, including the preparation and filing of all the required pleadings
18 in this estate matter, and has otherwise assisted and advised the petitioner in administering the
19 affairs of the decedent's probate estate; that said attorney is therefore entitled to receive as
20 reasonable compensation the sum of \$4,951.00 for legal services rendered through the closing of
21 this estate and the final discharge; that said attorney has also advanced costs in this estate matter
22 in the amount of \$267.85 See Exhibit 1 attached hereto and that the executed verification of this
23 petition by the Executor shall constitute his agreement to pay the aforesaid attorney fees and
24 costs pursuant to NRS 150.060.

25 XII

26 That the names, ages, relationships to the decedent, and residences of the heirs, next-of-
27
28

1 kin, legatees and devisees of the decedent, so far as are known to petitioner, are:

2 THEODORE E. LAMBERTSON, Trustee of the Theodore C. Lambertson
3 Revocable Trust;
4 2650 Merchantile Drive
5 Suite C
6 Rancho Cordova, CA 95742

7 XIII

8 No request for special notice has been filed in this matter.

9 WHEREFORE, the petitioner respectfully requests that this account and petition be set
10 for hearing by the Court; that notice of the time and place fixed for such hearing be given in the
11 manner required by law, and that after hearing the matters of this petition,

12 1. That the foregoing First and Final Account be settled, allowed and approved by
13 this Court, and all actions taken by the Executor as set forth herein, be ratified and approved.

14 2. That this Court make its order authorizing and directing the Executor to pay from
15 the funds of the estate the total sum of \$4,951.00 to Brian C. Kelly, J.D.L.L.M., of Hardy Law
16 Group for attorney's fees and costs advanced \$267.85 in this estate matter.

17 3. That this Court make its decree of final distribution distributing and transferring
18 the decedent's entire estate, together with all of the decedent's other property not now known or
19 hereafter discovered to Trustee THEODORE E. LAMBERTSON in part as set forth in the Trust
20 Document.

21 4. That this Court make its order authorizing and directing the Executor to pay from
22 the funds of the estate the minimum statutory commission in the amount of \$47,874.44;

23 5. That when the estate has been fully administered and the Executor has filed herein
24 his supplementary accounting showing he has paid all monies due from him, and delivered up all
25 the property of the estate to the beneficiary entitled thereto, and has performed all acts lawfully
26 required by him, that the Court shall make a decree discharging him for all liability hereafter to
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1 be incurred.

2 6. That all other proper orders be made in the premises.

3
4 AFFIRMATION: The undersigned hereby affirms that this document does not contain
5 the Social Security Number of any person pursuant to NRS 239B.030.

6 DATED this 12th day of April 2010.

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8
9 /s/ Brian C. Kelly, J.D.L.L.M.
10 BRIAN C. KELLY, J.D.L.L.M.
11 Attorney for Petitioner
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VERIFICATION

STATE OF CALIFORNIA)
 : ss.
COUNTY OF)

THEODORE E. LAMBERTSON, does hereby swear under penalty of perjury that the assertions of this affidavit are true:

That he is the petitioner herein; that he has read the foregoing First and Final Account and Petition for Final Distribution and for Allowance of Attorney's Fees and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters therein stated on information, and as to such matters he believes them to be true.



THEODORE E. LAMBERTSON

SIGNED AND SWORN TO OR AFFIRMED
before me on this 16 day of February, 2010.
by THEODORE E. LAMBERTSON.



NOTARY PUBLIC



EXHIBIT LIST

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EXHIBIT NUMBER

DESCRIPTION

1.

Attorney Billing Sheets

2.

Final Accounting of Estate

Q

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FILED

Electronically
04-26-2010:01:55:21 PM
Howard W. Conyers
Clerk of the Court
Transaction # 1451206

EXHIBIT "1"

COPY

EXHIBIT "1"

1/26/2010
10:52 AM

HARDY LAW GROUP
Slip Listing

Page 1

Selection Criteria

Slip.Date 2/18/2009 - 1/26/2010
 Acti.Selection Include: Client Meeting; Court Hearing; Delivery; Deposition; Draft Document; Email; FAX; LETTER RE: CASE; Letter; MISC. CHARGE; Office meeting; PHONE CONF.; PREPARE MOTION; RESEARCH; REVIEW DOCUMENT; Status Hearing; Trial; Trial Prep
 Slip.Classification Open
 Clie.Selection Include: Lambertson, Theodore

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Posting Status	Description	user	Activity	Client	Reference	Units	DNB Time	Rate	Slip Value
								Est. Time	Rate Info	Bill Status	
								Variance			
55247	TIME			Kelly, Brian C.				1.00	250.00		250.00
	3/9/2009				Draft Document			0.00	T@1		
	Billed	G:17350		4/1/2009	Lambertson, Theodore			0.00			
			DRAFTED PETITION					0.00			
55320	TIME			paralegal				2.50	90.00		225.00
	3/19/2009				Draft Document			0.00	T@1		
	Billed	G:17350		4/1/2009	Lambertson, Theodore			0.00			
			Prepare Ex-Parte Motion for attorney reivew, request for submission order, reviewed by attorney filed w/court; affidavit of mailing prepared and filed; proof of publication and affidavit filed; cured all deficiencies.					0.00			
55281	TIME			Kelly, Brian C.				0.80	250.00		200.00
	3/28/2009				REVIEW DOCUMENT			0.00	T@1		
	Billed	G:17350		4/1/2009	Lambertson, Theodore			0.00			
			REVIEWED CORRESPONDENCE FROM PROBATE COMMISSIONER, DRAFTED ORDER , DRAFTED AND FILED MOTION TO CHANGE CAPTION DRAFTED AFFIDAVIT OF PUBLICATION FROM PAPER					0.00			
55287	TIME			Kelly, Brian C.				0.30	250.00		75.00
	3/30/2009				PHONE CONF.			0.00	T@1		
	Billed	G:17350		4/1/2009	Lambertson, Theodore			0.00			
			TELECONFERENCE FROM COURT, RESENT ORDER BY EMAIL REGARDING CHANGING CAPTION					0.00			
55492	TIME			Kelly, Brian C.				0.40	250.00		100.00
	4/9/2009				PHONE CONF.			0.00	T@1		
	Billed	G:17457		5/7/2009	Lambertson, Theodore			0.00			
			TELECONFERENCE FROM CLIENT REGARDING NOTICE TO CREDITORS, TRANSMITTED PROCEEDURES NOTICE					0.00			

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HARDY LAW GROUP
Slip Listing

Page 3

Slip ID	Dates and Time	Posting Status	Description	user Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
			Changes, additions and deletions to Inventory, returned to attorney for review		0.00		
56197	6/9/2009	TIME		paralegal	0.30	90.00	27.00
	Billed	G:17787	8/6/2009	Email Lambertson, Theodore	0.00	T@1	
			Emailed inventory to client for approval client called approved; scanned and filed with court, mailed to all paritesq		0.00		
56040	6/10/2009	TIME		Kelly, Brian C. PHONE CONF.	0.20	250.00	50.00
	Billed	G:17674	7/3/2009	Lambertson, Theodore	0.00	T@1	
			TELECONFERENCE FROM CLIENT		0.00		
56259	7/15/2009	TIME		Kelly, Brian C. PHONE CONF.	0.30	300.00	90.00
	Billed	G:17787	8/6/2009	Lambertson, Theodore	0.00	T@1	
			TELECONFERENCE FROM PFROMMER REGARDING LETTERS, SENT COPY		0.00		
56694	8/19/2009	TIME		Kelly, Brian C. PHONE CONF.	2.10	300.00	630.00
	Billed	G:17908	9/3/2009	Lambertson, Theodore	0.00	T@1	
			TELECONFERENCE FROM WRIGHT, LEGAL RESEARCH REGARDING REQUIREMENT OF ANCILARY PROBATE IN CALIFORNIA, DRAFTED CORRESPONDENCE TO TED, DRAFTED CORRESPONDENCE TO JOAN, 2X TELECONFERENCE FROM WRIGHT		0.00		
57882	12/4/2009	TIME		Kelly, Brian C. Draft Document	3.00	300.00	900.00
	Billed	G:18240	1/2/2010	Lambertson, Theodore	0.00	C	
			DRAFTED FIRST AND FINAL ACCOUNTING		0.00		
57902	12/4/2009	TIME		Paralegal Lezlie Draft Document	1.83	100.00	183.00
	Billed	G:18240	1/2/2010	Lambertson, Theodore	0.00	T@1	
			Prepared Draft First and Final accounting for attorneys review; requested from Office manager full accounting;		0.00		
57915	12/8/2009	TIME		Paralegal Lezlie Draft Document	0.42	100.00	42.00
	Billed	G:18240	1/2/2010	Lambertson, Theodore	0.00	T@1	
			Changes additions, deletions to draft First and Final accounting per attorneys instruction resubmitted to attorney for approval;		0.00		

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HARDY LAW GROUP
Slip Listing

Page 4

Slip ID Dates and Time Posting Status Description	user Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
Grand Total				
	Billable	23.85		4951.00
	Unbillable	0.00		0.00
	Total	23.85		4951.00



1/26/2010
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HARDY LAW GROUP
 Slip Listing

Page 1

Selection Criteria

Slip.Date 2/18/2009 - 1/26/2010
 Acti.Selection Include: \$EXPENSE; Copies; Postage
 Slip.Classification Open
 Clie.Selection Include: Lambertson, Theodore

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Posting Status	Description	user Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
54823	2/18/2009	EXP	Billed	Patti \$EXPENSE Lambertson, Theodore	1	11.00	11.00
			Fee paid to Washoe County Health Department for certified copy of death certificate	G:17243 3/6/2009			
55347	2/19/2009	EXP	Billed	Patti \$EXPENSE Lambertson, Theodore	1	154.00	154.00
			Fee paid to Second Judicial District Court for petition for special administration	G:17457 5/7/2009			
55335	4/2/2009	EXP	Billed	Patti \$EXPENSE Lambertson, Theodore	1	46.00	46.00
			Fee paid to the Sparks Tribune for publication of Notice of Hearing	G:17457 5/7/2009			
55618	5/8/2009	EXP	Billed	Patti \$EXPENSE Lambertson, Theodore	1	42.00	42.00
			Fee paid to Tribune Publishing for newspaper publication of notice of hearing	G:17562 6/3/2009			
55919	7/1/2009	EXP	Billed	Patti \$EXPENSE Lambertson, Theodore	1	14.85	14.85
			Postage mailing of inventory and record of value x3	G:17674 7/3/2009			
Grand Total							
				Billable	0.00		267.85
				Unbillable	0.00		0.00
				Total	0.00		267.85

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04-26-2010:01:55:21 PM
Howard W. Conyers
Clerk of the Court
Transaction # 1451206

EXHIBIT "2"

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EXHIBIT "2"

1	ESTATE OF THEODORE CHARLES LAMBERTSON		
2	INITIAL ASSETS		\$2,236,222
3	A. PAYEES		
4	DONALD R. WHITE, TAX COLLECTOR		\$11,496.55
5	FMV		\$10,655.00
6	Washoe County Treasurer		\$ 6,454.98
7	Farmers Insurance		\$ 6,163.00
8	High Sierra Detail		\$ 4,921.00
9	Pfommer & McCune		\$ 3,436.50
10	Dip, LLC		\$ 2,830.75
11	All Phase Welding		\$ 1,166.03
12	US Treasury (IRS)		\$ 1,149.66
13	Wells Fargo Bank		\$ 1,101.64
14	Progressive Insurance		\$ 1,018.00
15	New Venture Attorneys		\$ 829.74
16	The Hetherton Agency		\$ 648.00
17	Bi-State Propane		\$ 633.87
18	Timothy Lockwood		\$ 480.00
19	Zephyr Cove Marina		\$ 388.00
20	All Others		<u>\$ 1,850.65</u>
21	Total Outflows		<u>\$55,223.37</u>
22	Monies Owed:		
23	Hardy Law Group		\$ 5,218.85
24	Payment to Executor		\$ 47,874.44
25			
26	TOTAL VALUE OF ESTATE		\$ 2,127,905.34
27			
28			

COPY

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.

DATE: 11/10/11
CRAIG FRANDEN, Acting Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By [Signature] Deputy