

APN# Not Applicable

Recording Requested by/Mail to:

Name: DAVID T. GLUTH, ESQ.

Address: 3770 Howard Hughes Parkway, Suite 100

City/State/Zip: Las Vegas, Nevada 89169

Mail Tax Statements to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_



00025283201508722910200205

KAREN ELLISON, RECORDER

**NOTICE OF ENTRY OF FOREIGN JUDGMENT (AGAINST JEAN MERKELBACH)**

Title of Document (required)

----- (Only use if applicable) -----

The undersigned hereby affirms that the document submitted for recording contains personal information as required by law: (check applicable)

Affidavit of Death – NRS 440.380(1)(A) & NRS 40.525(5)

Judgment – NRS 17.150(4)

Military Discharge – NRS 419.020(2)

Signature

DAVID T. GLUTH, ESQ.

Printed Name

This document is being (re-)recorded to correct document # \_\_\_\_\_, and is correcting

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\_\_\_\_\_  
\_\_\_\_\_

\$1.00 Additional Recording Fee for Use of This Page



CLERK OF THE COURT

1 NJUD  
ROBERT S. LARSEN, ESQ.  
2 Nevada Bar No. 7785  
DAVID T. GLUTH, ESQ.  
3 Nevada Bar No. 10596  
GORDON & REES LLP  
4 3770 Howard Hughes Parkway, Suite 100  
Las Vegas, Nevada 89169  
5 Telephone: (702) 577-9300  
Facsimile: (702) 255-2858  
6 Email: [rlarsen@gordonrees.com](mailto:rlarsen@gordonrees.com)  
[dgluth@gordonrees.com](mailto:dgluth@gordonrees.com)

7 *Attorneys for Plaintiff*  
8 *Paul Flynn*

9  
10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

12  
13 PAUL FLYNN,

14 Plaintiff,

15 vs.

16 JEAN MERKELBACH, an individual,

17 Defendant.

CASE NO.: A-15-720825  
DEPT. NO.: X

NOTICE OF ENTRY OF  
FOREIGN JUDGMENT

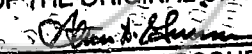
18  
19 YOU, and each of you, will please take notice that a Foreign Judgment was filed and  
20 entered by the Clerk of the above-entitled Court on the 2<sup>nd</sup> day of July, 2015, a copy of which is  
attached hereto.

21 DATED this 14<sup>th</sup> day of August, 2015.

GORDON & REES LLP

22  
23  
24 */s/ David T. Gluth*  
ROBERT S. LARSEN, ESQ.  
Nevada Bar No. 7785  
25 DAVID T. GLUTH, ESQ.  
Nevada Bar No. 105963770 Howard Hughes  
26 Parkway, Suite 100  
Las Vegas, Nevada 89169  
27 *Attorneys for Plaintiff*  
PAUL FLYNN

28  
CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

  
CLERK OF THE COURT

OCT 28 2015

Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169



Douglas County Recorder's Office

Karen Ellison, Recorder

<http://recorder.co.douglas.nv.us>

kellison@co.douglas.nv.us

(775) 782-9027

**LEGIBILITY NOTICE**

The Douglas County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties right may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed, it may not reproduce a legible copy.

  
\_\_\_\_\_  
Signature

11/2/15  
\_\_\_\_\_  
Date

David T. Gluth  
\_\_\_\_\_  
Printed Name

1 CERTIFICATE OF MAILING

2 I HEREBY CERTIFY that, on the 14<sup>th</sup> day of August, 2015, and pursuant to NRCP 5(b),  
3 I served via the Eighth Judicial Court's electronic filing and service system and/or deposited for  
4 mailing in the U. S. Mail a true and correct copy of the foregoing **NOTICE OF ENTRY OF**  
5 **FOREIGN JUDGMENT**, postage prepaid and addressed (if necessary) to:

6 Jean Merkelbach  
7 2190 Lands End Drive  
8 Glenbrook, NV 89143

9 Joseph C. Campo, Esq.  
10 Lewis Brisbois Bisgaard Smith  
11 221 N. Figueroa St. Suite 1200  
12 Los Angeles, CA 90012  
13 Attorney for Jean Merkelbach

14 Alan R. Smith, Esq.  
15 505 Ridge Street  
16 Reno, NV 89501  
17 Attorney for Jean Merkelbach

18 /s/ Vickie Campbell  
19 An employee of Gordon & Rees LLP

20  
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Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

*Ann T. Larson*  
CLERK OF THE COURT

1 NOTC  
2 ROBERT S. LARSEN, ESQ.  
3 Nevada Bar No. 7785  
4 DAVID T. GLUTH, ESQ.  
5 Nevada Bar No. 10596  
6 GORDON & REES LLP  
7 3770 Howard Hughes Parkway, Suite 100  
8 Las Vegas, Nevada 89169  
9 Telephone: (702) 577-9300  
10 Facsimile: (702) 255-2858  
11 Email: [rlarsen@gordonrees.com](mailto:rlarsen@gordonrees.com)  
12 [dgluth@gordonrees.com](mailto:dgluth@gordonrees.com)

13 *Attorneys for Plaintiff*  
14 *Paul Flynn*

DISTRICT COURT  
CLARK COUNTY, NEVADA

15 PAUL FLYNN,  
16 Plaintiff,  
17 vs.  
18 JEAN MERKELBACH, an individual,  
19 Defendant.

CASE NO.: A-15-720825  
DEPT. NO.: X

NOTICE OF FILING  
APPLICATION OF FOREIGN  
JUDGMENT AND AFFIDAVIT OF  
JUDGMENT CREDITOR

20 TO: JEAN MERKELBACH, Defendant;  
21 YOU, and each of you, will please take notice that an Application of Foreign Judgment, a  
22 copy of which is attached hereto as Exhibit 1, and an Affidavit of Judgment Creditor, a copy of  
23 which is attached hereto as Exhibit 2, were filed in the above-referenced case on the 1st day of  
24 July, 2015.

The name and post office address of the Judgment Creditor is:

Paul Flynn  
c/o Sean P. Flynn, Esq.  
Gordon Rees, LLP  
2211 Michelson Drive, Suite 400  
Irvine CA, 92612

Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

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The name and post office address of the Judgment Creditor's attorney is:

Robert S. Larsen, Esq.  
Gordon & Rees LP  
3770 Howard Hughes Parkway, Suite 100  
Las Vegas, Nevada 89169

DATED this 2nd day of July, 2015.

**GORDON & REES LLP**

*/s/ David T. Gluth*  
ROBERT S. LARSEN, ESQ.  
Nevada Bar No. 7785  
DAVID T. GLUTH, ESQ.  
Nevada Bar No. 105963770 Howard Hughes  
Parkway, Suite 100  
Las Vegas, Nevada 89169  
*Attorneys for Plaintiff Paul Flynn*

**Gordon & Rees LLP**  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

COPY

**EXHIBIT 1**

*Alfred S. Larson*  
CLERK OF THE COURT

1 FORJ  
2 ROBERT S. LARSEN, ESQ.  
3 Nevada Bar No. 7785  
4 DAVID T. GLUTH, ESQ.  
5 Nevada Bar No. 10596  
6 GORDON & REES LLP  
7 3770 Howard Hughes Parkway, Suite 100  
8 Las Vegas, Nevada 89169  
9 Telephone: (702) 577-9300  
10 Facsimile: (702) 255-2858  
11 Email: [rlarsen@gordonrees.com](mailto:rlarsen@gordonrees.com)  
12 [dgluth@gordonrees.com](mailto:dgluth@gordonrees.com)

13 *Attorneys for Plaintiff*  
14 *Paul Flynn*

15 DISTRICT COURT  
16 CLARK COUNTY, NEVADA

17 PAUL FLYNN,

18 Plaintiff,

19 vs.

20 JEAN MERKELBACH, an individual,

21 Defendant.

22 CASE NO.: A- 15- 720825- F  
23 DEPT. NO.: X

24 APPLICATION OF FOREIGN  
25 JUDGMENT

26 COMES NOW, Plaintiff PAUL FLYNN (hereinafter "Plaintiff"), by and through  
27 counsel, ROBERT S. LARSEN, ESQ. and DAVID T. GLUTH, ESQ., of the law firm of Gordon  
28 & Rees LLP, and hereby files its Foreign Judgment pursuant to NRS 17, specifically NRS  
17.350, and registers an exemplified copy of the Judgment against JEAN MERKELBACH,  
attached hereto as Exhibit 1, as follows:

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Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169



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EXEMPLIFICATION OF COURT RECORD from the Superior Court of State of California for the County of El Dorado, signed by the Honorable Fred Morrison, and filed on December 12, 2014.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED this 1<sup>st</sup> day of July, 2015.

GORDON & REES LLP

*/s/ David T. Gluth*  
ROBERT S. LARSEN, ESQ.  
Nevada Bar No. 7785  
DAVID T. GLUTH, ESQ.  
Nevada Bar No. 105963770 Howard Hughes  
Parkway, Suite 100  
Las Vegas, Nevada 89169  
*Attorneys for Plaintiff*

Gordon & Rees LLP  
3778 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 1<sup>st</sup> day of July, 2015, and pursuant to NRCP 5(b), I served via the Eighth Judicial Court's electronic filing and service system and/or deposited for mailing in the U. S. Mail a true and correct copy of the foregoing APPLICATION OF FOREIGN JUDGMENT, postage prepaid and addressed (if necessary) to:

Jean Merkelbach  
2190 Lands End Drive  
Glenbrook, NV 89143

Joseph C. Campo, Esq.  
Lewis Briabois Bisgaard Smith  
221 N. Figueroa St, Suite 1200  
Los Angeles, CA 90012  
Attorney for Jean Merkelbach

Alan R. Smith, Esq.  
505 Ridge Street  
Reno, NV 89501  
Attorney for Jean Merkelbach

/s/ Vickie Campbell  
An employee of Gordon & Rees LLP

Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 180  
Las Vegas, Nevada 89169

COPY

**EXHIBIT 1**

CERTIFIED COPY

FILED

DEC 23 2014

EL DORADO CO. SUPERIOR COURT  
BY S. HAWLEY (DEPUTY)

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF EL DORADO

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TAHOE KEYS MARINA & YACHT CLUB,  
LLC, a California limited liability company, *et al.*,

Plaintiffs,

vs.

JEAN MERKELBACH, *et al.*

Defendants.

AND RELATED CROSS-ACTIONS

Case No. SC20120136  
*Referred to Justice Fred Morrison (ret.) for all purposes*

AMENDED JUDGMENT BY  
THE REFEREE

Complaint Filed: June 21, 2012  
FAC Filed: July 12, 2012  
Trial Date: June 2, 2014

The Motion for Summary Judgment of Cross-Defendant, PAUL FLYNN ("Mr. Flynn"), came on regularly for hearing on April 11, 2014 before the Honorable Richard M. Sims, III (Ret.), Referee.

Sean P. Flynn of Foley & Mansfield, PLLP, appeared for Cross-Defendant and moving party, Mr. Flynn.

Eric A. Handler of Donahue Fitzgerald, LLP appeared on behalf of Cross-Complainant and opposing party, JEAN MERKELBACH ("Ms. Merkelbach").

The Motion for Attorneys' Fees and Costs of Cross-Defendant, PAUL FLYNN ("Mr. Flynn"),

CMS

AMENDED JUDGMENT BY THE REFEREE

1 came on regularly for hearing on September 5, 2014 before the Honorable Richard M. Sims, III (Ret.),  
2 Referee.

3 Sean P. Flynn of Foley & Mansfield, PLLP, appeared for Cross-Defendant and moving party,  
4 Mr. Flynn.

5 Lawrence K. Rockwell and Eric A. Handler of Donahue Fitzgerald, LLP appeared on behalf of  
6 Cross-Complainant and opposing party, JEAN MERKELBACH ("Ms. Merkelbach").

7 Pursuant to the Referee's April 21, 2014 Order Granting Mr. Flynn's Motion for Summary  
8 Judgment and the September 9, 2014 Order Granting Mr. Flynn's Motion for Attorneys' Fees and Costs:

9 ***IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT***

10 1. Judgment in favor of Cross-Defendant, Mr. Flynn, and against Cross-Complainant, Ms.  
11 Merkelbach, is entered and Ms. Merkelbach shall take nothing by reason of her June 14, 2013 Amended  
12 Cross-Complaint against Mr. Flynn; and

13 2. Mr. Flynn, as the prevailing party, is awarded Attorneys' Fees of \$101,166.87 and Costs  
14 of \$614.56.

15

16 Dated: 12/12/14

*Fred K Morrison*

17

The Honorable Fred Morrison (Ret.)

18

Prepared by: Sean P. Flynn, Esq., Gordon and Rees, LLP  
19 Attorneys for: Cross-Defendant, PAUL FLYNN

20

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**PROOF OF SERVICE BY FACSIMILE & U.S. MAIL**

Re: Tahoe Keys Marina & Yacht Club, LLC, et al., vs. Merkelbach, Jean, et al.,  
Reference No. 1130006193

I, DiJon Walker, not a party to the within action, hereby declare that on December 15, 2014 I served the attached Amended Judgment on the parties in the within action by facsimile and depositing true copies thereof enclosed in sealed envelopes with postage thereon fully prepaid, in the United States Mail, at Sacramento, CALIFORNIA, addressed as follows:

Robert Henderson Esq.  
Rollston, Henderson, et al  
591 Tahoe Keys Blvd.  
Ste. D-8  
South Lake Tahoe, CA 96150  
Fax: (530) 544-5053

Parties Represented:  
Lake Tahoe Docks  
Oakbrook Realty & Investments II, LLC  
Tahoe Keys Marina & Yacht Club, LLC

Joseph C. Campo Esq.  
Lewis Brisbois Bisgaard, et al.  
221 N. Figueroa St.  
Suite 1200  
Los Angeles, CA 90012  
Fax: 213-250-7900

Parties Represented:  
Distinctive Homes International, LLC  
Distinctive Homes Lake Tahoe, LLC  
Jean Merkelbach

Hon. Warren C. Stracner  
El Dorado Co. Superior Ct.  
495 Main St.  
Placerville, CA 95667-

Parties Represented:

Alan R. Smith Esq.  
L/O Alan R. Smith  
505 Ridge St.  
Reno, NV 89501  
Fax: 775-786-3066

Parties Represented:  
Jean Merkelbach

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sacramento,  
CALIFORNIA on December 15, 2014.



*[Signature]*  
DiJon Walker

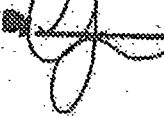
COPY

This is a true certified copy of the record if it bears the seal, imprimatur or purple ink, the date of making and an original signature.

Date: 5/13/15.

Deputy Clerk of California  
County of El Dorado



  
Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF EL DORADO  
EXEMPLIFICATION AND CERTIFICATION**

I, Elizabeth Dean, a Superior Court Clerk of the County of El Dorado, State of California, and ex-officio Clerk of the Superior Court of said County and State, do hereby certify the foregoing to be a full true and correct copy of the original documents on file in this office, and further that I have compared said copy of document with the original thereof, and it is a correct copy of the original thereof.

Witness by hand and seal of the Superior Court this 13 day of May, 2015.



TANIA G. UGRIN-CAPOBIANCO, Court Executive Officer  
Superior Court of the State of California  
In and for the County of El Dorado

by: [Signature]  
Superior Court Clerk

STATE OF CALIFORNIA )  
COUNTY OF EL DORADO )

I, Warren C. Stracener, JUDGE of the Superior Court of the State of California, In and for the County of El Dorado, do hereby certify that TANIA G. UGRIN-CAPOBIANCO is Court Executive Officer of the Superior Court of the County of El Dorado, State of California (which is a court of record having a seal) and that full force and credit are due to her official acts as such; that Elizabeth Dean is a Superior Court Clerk of said County and State; that the signature to the foregoing certificate and attestation is a genuine signature of said Elizabeth Dean as such officer; that the seal is the seal of the Superior Court; that said Elizabeth Dean, as such Superior Court Clerk, is the proper officer to execute said certificate and attestation, and that such attestation is in due form according to the laws of the State of California.



[Signature]  
Judge of the Superior Court  
State of California, County of El Dorado

STATE OF CALIFORNIA )  
COUNTY OF EL DORADO )

I, Elizabeth Dean, Clerk of the Superior Court, In and for the State of California, County of El Dorado, the same being a Court of record of said County and State, and having by law the seal, do hereby certify that the Honorable Warren C. Stracener is the duly elected, qualified and acting Judge of the Superior Court of the State of California, In and for the County of El Dorado; that I am familiar with the handwriting of the said Honorable Warren C. Stracener, and believe that signature of said Honorable Warren C. Stracener appearing herein, is the genuine signature of the said Honorable Warren C. Stracener.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Superior Court  
this 13 day of May, 2015.



TANIA G. UGRIN-CAPOBIANCO, Court Executive Officer  
Superior Court of the State of California,  
In and for the County of El Dorado.

by: [Signature]  
Superior Court Clerk

Exemplification



COPY

**EXHIBIT 2**

*Alma L. Blum*  
CLERK OF THE COURT

1 ROBERT S. LARSEN, ESQ.  
Nevada Bar No. 7785  
2 DAVID T. GLUTH, ESQ.  
Nevada Bar No. 10596  
3 GORDON & REES LLP  
3770 Howard Hughes Parkway, Suite 100  
4 Las Vegas, Nevada 89169  
5 Telephone: (702) 577-9300  
Facsimile: (702) 255-2858  
6 Email: [rlarsen@gordonrees.com](mailto:rlarsen@gordonrees.com)  
[dgluth@gordonrees.com](mailto:dgluth@gordonrees.com)

7 *Attorneys for Plaintiff*  
8 *Paul Flynn*

DISTRICT COURT  
CLARK COUNTY, NEVADA

13 PAUL FLYNN,

14 Plaintiff,

15 vs.

16 JEAN MERKELBACH, an individual,

17 Defendant.

) CASE NO.:  
) DEPT. NO.:

) AFFIDAVIT OF JUDGMENT  
) CREDITOR IN SUPPORT OF  
) APPLICATION OF FOREIGN  
) JUDGMENT

19 \_\_\_\_\_  
20 STATE OF CALIFORNIA )

21 COUNTY OF ORANGE )

ss:

22 1. The name and last known address of the Judgment Debtor is:

23 Jean Merkelbach  
24 2190 Lands End Drive  
25 Glenbrook, NV 89143

26 2. The name and last known address of the Judgment Creditor is:

Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

Gordon & Rees LLP  
37th Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89168

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Paul Flynn  
c/o Sean P. Flynn, Esq.  
Gordon Rees, LLP  
2211 Michelson Drive, Suite 400  
Irvine CA, 92612

3. The Foreign Judgment that is attached to the Application of Foreign Judgment is valid and enforceable.

4. As of June 22, 2015, none of the Foreign Judgment has been satisfied and \$101,781.43, plus interest, remains due and owing.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct.

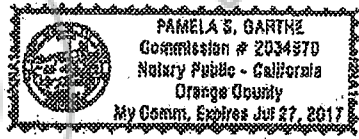
FURTHER AFFIANT SAYETH NAUGHT.

  
SEAN P. FLYNN, ESQ.

State of California  
County of Orange

Subscribed and sworn to (or affirmed) before me on this 1<sup>st</sup> day of July, 2015, by Sean P. Flynn, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Pamela S. Hartke



(Seal)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 1<sup>st</sup> day of July, 2015, and pursuant to NRCP 5(b), I served via the Eighth Judicial Court's electronic filing and service system and/or deposited for mailing in the U. S. Mail a true and correct copy of the foregoing **AFFIDAVIT OF JUDGMENT CREDITOR IN SUPPORT OF APPLICATION OF FOREIGN JUDGMENT**, postage prepaid and addressed (if necessary) to:

Jean Merkelbach  
2190 Lande End Drive  
Glenbrook, NV 89143

Joseph C. Campo, Esq.  
Lewis Brisbois Bisgaard Smith  
221 N. Figueroa St. Suite 1200  
Los Angeles, CA 90012  
Attorney for Jean Merkelbach

Alan R. Smith, Esq.  
505 Ridge Street  
Reno, NV 89501  
Attorney for Jean Merkelbach

/s/ Vickie Campbell  
An employee of Gordon & Rees LLP

Gordon & Rees LLP  
3770 Howard Hughes Parkway Suite 100  
Las Vegas, Nevada 89169

1096842019790301