

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: _____



00025284201508722920220226

KAREN ELLISON, RECORDER

AFFIDAVIT OF DAVID T. GLUTH, ESQ. IN SUPPORT OF RECORDING OF JUDGMENT AGAINST DEFENDANT JEAN MERKELBACK (WITH ATTACHED 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

\$1.00 Additional Recording Fee for Use of This Page

**AFFIDAVIT OF DAVID T. GLUTH, ESQ. IN SUPPORT OF RECORDING OF
JUDGMENT AGAINST DEFENDANT JEAN MERKELBACH**

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, DAVID T. GLUTH, ESQ., having been duly sworn on oath and under all penalties of perjury of the State of Nevada, depose and state as follows:

1. I state and affirm that I am over the age of eighteen and am competent and willing to testify in court to the same if necessary, and that I have personal knowledge concerning this matter and the statements made herein.

3. I am an attorney licensed to practice law in all courts of the State of Nevada, and am an attorney with the law firm Gordon & Rees LLP which represents PAUL FLYNN with respect to the domestication of a foreign judgment against Defendant JEAN MERKELBACH, an individual, Eighth Judicial District Court Case No. A-15-720825.

4. Defendant JEAN MERKELBACH, an individual, had a judgment entered against her in the principal amount of ONE HUNDRED ONE SEVEN HUNDRED EIGHTY-ONE AND 43/100 DOLLARS (\$101,781.43), and costs in the amount of SIX HUNDRED FOURTEEN AND 56/100 DOLLARS (\$614.56) for a total judgment amount of ONE HUNDRED TWO THREE HUNDRED NINETY-SIX AND 99/100 DOLLARS (\$102,395.66), plus post-judgment interest at the legal rate. Plaintiff PAUL FLYNN, domesticated the foreign judgment in the State of Nevada on July 2, 2015, Eighth Judicial District Court Case No. A-15-720825. The Notice of Entry of Foreign Judgment was filed and served on August 14, 2015 and is attached hereto as **Exhibit 1**.

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///

5. The address for judgment debtor JEAN MERKELBACH is 2190 Lands End Drive, Glenbrook, Nevada 89143. The last four digits of judgment debtor's Ms. Merkelbach's social security number and driver's license are unavailable.



DAVID T. GLUTH, ESQ.

SUBSCRIBED and SWORN to
before me this 21st day of October 2015.



NOTARY PUBLIC

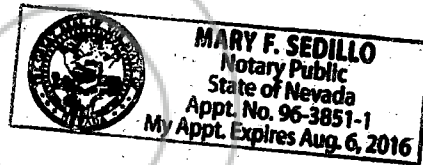


EXHIBIT 1

COPY

Allen D. Quinn
CLERK OF THE COURT

1 NJUD
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
12 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.

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

NOTICE OF ENTRY OF
FOREIGN JUDGMENT

22 YOU, and each of you, will please take notice that a Foreign Judgment was filed and
23 entered by the Clerk of the above-entitled Court on the 2nd day of July, 2015, a copy of which is
24 attached hereto.

25 DATED this 14th day of August, 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

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 14th day of August, 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 **NOTICE OF ENTRY OF FOREIGN JUDGMENT**, postage prepaid and addressed (if necessary) to:

Jean Merkelbach
2190 Lands 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



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
12 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
23 DEPT. NO.: X

24 NOTICE OF FILING
25 APPLICATION OF FOREIGN
26 JUDGMENT AND AFFIDAVIT OF
27 JUDGMENT CREDITOR

28 TO: JEAN MERKELBACH, Defendant;

YOU, and each of you, will please take notice that an Application of Foreign Judgment, a copy of which is attached hereto as Exhibit 1, and an Affidavit of Judgment Creditor, a copy of which is attached hereto as Exhibit 2, were filed in the above-referenced case on the 1st day of 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

Robert S. Larsen
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
12 dgluth@gordonrees.com

13 *Attorneys for Plaintiff*
14 *Paul Flynn*

DISTRICT COURT
CLARK COUNTY, NEVADA

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

15 PAUL FLYNN,

16 Plaintiff,

17 vs.

18 JEAN MERKELBACH, an individual,

19 Defendant.

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

APPLICATION OF FOREIGN
JUDGMENT

20 COMES NOW, Plaintiff PAUL FLYNN (hereinafter "Plaintiff"), by and through
21 counsel, ROBERT S. LARSEN, ESQ. and DAVID T. GLUTH, ESQ., of the law firm of Gordon
22 & Rees LLP, and hereby files its Foreign Judgment pursuant to NRS 17, specifically NRS
23 17.350, and registers an exemplified copy of the Judgment against JEAN MERKELBACH,
24 attached hereto as Exhibit 1, as follows:

25 ///

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27 ///

28 ///

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 1st 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

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 1st 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 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 180
Las Vegas, Nevada 89169

COPY

EXHIBIT 1

CERTIFIED COPY

FILED

DEC 23 2014

EL DORADO CO. SUPERIOR COURT
BY Shaul (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").

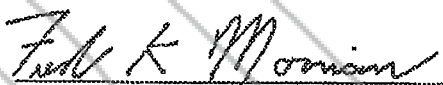
7 Pursuant to the Referee's April 21, 2014 Order Granting Mr. Flynn's Motion for Summary
8 Judgment and the September 9, 2014 Order Granting Mr. Flynn's Motion for Attorneys' Fees and Costs:

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: 12/10/14



The Honorable Fred Morrison (Ret.)

17
18 Prepared by: Sean P. Flynn, Esq., Gordon and Rees, LLP
19 Attorneys for: Cross-Defendant, PAUL FLYNN

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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

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

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

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 public ink, the date of issuance and an original signature.

Date: 5/13/15.

Superior Court 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 D. Johnson
CLERK OF THE COURT

1 ROBERT S. LARSEN, ESQ.
Nevada Bar No. 7783
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
dgluth@gordonrees.com

7 *Attorneys for Plaintiff*
8 *Paul Flynn*

DISTRICT COURT
CLARK COUNTY, NEVADA

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

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) ss:
21 COUNTY OF ORANGE)

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
3700 Howard Hughes Parkway, Suite 100
Las Vegas, Nevada 89169

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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.

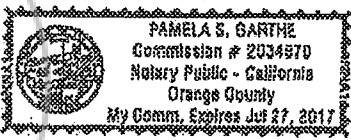
FURTHER AFFIANT SAYETH NAUGHT.


SEAN P. FLYNN, ESQ

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this 1st 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)

Gordon & Rees LLP
3776 Howard Hughes Parkway Suite 100
Las Vegas, Nevada 89169

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on the 1st day of July, 2015, and pursuant to NRCPC 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 Lands 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