

Minden Lawyers, LLC  
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KAREN ELLISON, RECORDER

FOR RECORDER'S USE ONLY

ORDER  
TITLE OF DOCUMENT

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (NRS 239B.030)

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law. State specific law: \_\_\_\_\_

  
\_\_\_\_\_  
Signature

Charles Zumpft, Esq.  
Print Name & Title

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Case No. 16-CV-0008

Dept. I

The undersigned hereby affirms this document  
does not contain personal information

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FEB 16 2016

Douglas County  
District Court Clerk

FILED  
2016 MAR -1 PM 3:11

L. WILLIAMS  
CLERK

BY: *[Signature]*  
COURT CLERK

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

KINGSBURY GENERAL IMPROVEMENT  
DISTRICT, a political subdivision of the State  
of Nevada,

Applicant

v.

VORTEX STEEL, INC., a Nevada corporation,

Lien Claimant.

ORDER

This matter came on before this court on Applicant Kingsbury General Improvement District's Motion to Show Cause Why Lien Should Not be Deemed Frivolous, filed January 13, 2016. Pursuant to NRS 108.2275(3), the court ordered a hearing to occur on February 2, 2016. Kingsbury General Improvement District ("KGID") appeared through its counsel, Charles Scott Zumpft of Minden Lawyers, LLC. Lien Claimant Vortex Steel, Inc. ("Vortex") appeared through its counsel, John Hope.

The record reveals, and the court finds, that the improvements upon which Vortex recorded its lien was a public work as defined by NRS Chapter 338. The public work was owned by KGID, a political subdivision of the State of Nevada. As such, the lien, recorded pursuant to NRS Chapter 108, was improper, made without reasonable cause, and therefore frivolous.

Pursuant to NRS 108.2275(6), upon finding a lien frivolous the court is required to assess reasonable attorney's fees. During the hearing, KGID presented an invoice reflecting its counsel's services and costs incurred thereto. The court admitted the invoice as an exhibit at the hearing.

1 KGID's counsel was placed under oath, and testified that the services reflected on the invoice  
2 were necessarily incurred by KGID in its effort to secure the release of the lien.

3 The court heard argument from Mr. Hope. The court finds that the attorney's fees claimed  
4 in the amount of \$4,850.65 were necessarily incurred, and are reasonable, as are costs in the  
5 amount of \$59.52. The court further finds that KGID should be reimbursed its attorney's fees and  
6 costs as indicated.

7 Based on the foregoing, the court hereby orders as follows:

8 1. The lien recorded on September 14, 2015, in Douglas County, as document number  
9 2015-869541 be, and hereby is, released and of no further force or effect.

10 2. KGID is awarded its attorney's fees in the amount of \$4,850.65, and costs in the  
11 amount of \$59.52, for a total of \$4,910.17.

12 3. Judgment is hereby entered in favor of KGID and against Vortex Steel, Inc.,  
13 accordingly.

14 4. A writ of execution may issue forthwith.

15 5. The judgment will bear interest at the legal rate until paid.

16 6. The court reserves jurisdiction for the purpose of awarding attorney's fees incurred by  
17 KGID for efforts to satisfy this judgment.

18 Dated: March 1, 2016

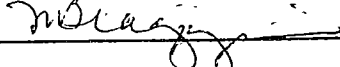
  
DISTRICT COURT JUDGE

**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 March 3, 2016

BOBBIE R. WILLIAMS, Clerk of Court  
of the State of Nevada, in and for the County of Douglas,

2 By  Deputy