



KAREN ELLISON, RECORDER

APN# 1220-01-002-003

Recording Requested by/Mail to:

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Order

**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)

\_\_\_\_\_  
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1 CASE NO. 17-CV-0094

2 DEPT. NO. I

3 This document DOES NOT contain the social security  
4 number or personal information of any individual.

Mailing Address  
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Facsimile (775)782-3685

5  
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

8  
9 DAVID L. KLEIN, TRUSTEE OF THE  
10 KLEIN REVOCABLE LIVING TRUST

11 Plaintiff,

ORDER

12 vs.

13 PATRICIA BLISS KNIGHT aka BLISS  
14 KNIGHT, an individual, DEREK LOWE, an  
15 individual, TEDDY CARLSON McKONE,  
16 broker and owner of INTERO REAL  
17 ESTATE SERVICES, and DOES 1-20

18 Defendants.

Rowe & Hales  
Attorneys At Law

Physical Address  
1638 Esmeralda Street  
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19 This matter came on for hearing on the 8<sup>th</sup> day of June, 2017. Pursuant to NRS 14.015  
20 Defendant Bliss Knight challenged Plaintiff David Klein's recording of a Notice of Pendency of Action  
21 on Ms. Knight's real property.

22 Both parties were present in Court and represented by counsel. Also present in Court was Paul  
23 Anderson, Esq, and his clients Teddy Carlson McKone and Derek Lowe.

24 The Court has reviewed all evidence presented by the parties, and finds as follows:

- 25 1. This motion was brought pursuant to NRS 14.015.
- 26 2. This action as plead affects the title or possession of real property.
- 27 3. The action was not brought in bad faith or for an improper motive.
- 28 4. From the evidence presented it appears that the Plaintiff could preform under the

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1 contract in that he testified that he has cash available for the purchase of the home and could close in a  
2 matter of days.

3 5. The Plaintiff's claim that he would be damaged by failure to close because he would  
4 not be able to establish residency in the state of Nevada in sufficient time to avoid payment of California  
5 income taxes was not established. While each piece of real property is unique, the Plaintiff also failed  
6 to establish that there was something about this property that provided intrinsic value not available on  
7 any other piece of property. Accordingly the Plaintiff failed to establish that he would be injured by any  
8 transfer of interest in the property before the action is concluded.

9 6. The Plaintiff is not likely to prevail in this action. Among other things he did not  
10 establish that the striking out of language in the cancellation instruction addressing the reason for  
11 canceling the escrow resulted in a failure of the parties to reach an agreement to cancel escrow.

12 7. The Plaintiff does not stand a fair chance of success on the merits.

13 8. Because the Court finds that the Plaintiff does not stand a fair chance of success on the  
14 merits it declines to conduct the rest of the analysis under NRS 14.015(3)(b) and does not weigh whether  
15 the hardship on the Plaintiff would be greater than the hardship on the defendant.

16 Accordingly, IT IS HEREBY ORDERED that the *Lis Pendens* dated May 9, 2017, in this case,  
17 recorded with the Douglas County Recorder's Office as document number 2017-898468 on the 10<sup>th</sup> day  
18 of May, 2017, is hereby cancelled. The *Lis Pendens* is null and void and is of no effect.

19 Should for any reason any title company refuse to accept the provisions of this order that  
20 completely cancel the *Lis Pendens*, Ms. Knight is authorized to submit to this Court *Ex Parte* any  
21 document required by the title company to cancel and void the *Lis Pendens*. It's the Court's desire that  
22 this *Lis Pendens* not in any way impair or impact the ability of Ms. Knight to close with the new buyer

23 ///

24 ///

as scheduled on June 15, 2017.

DATED this 9 day of June, 2017.

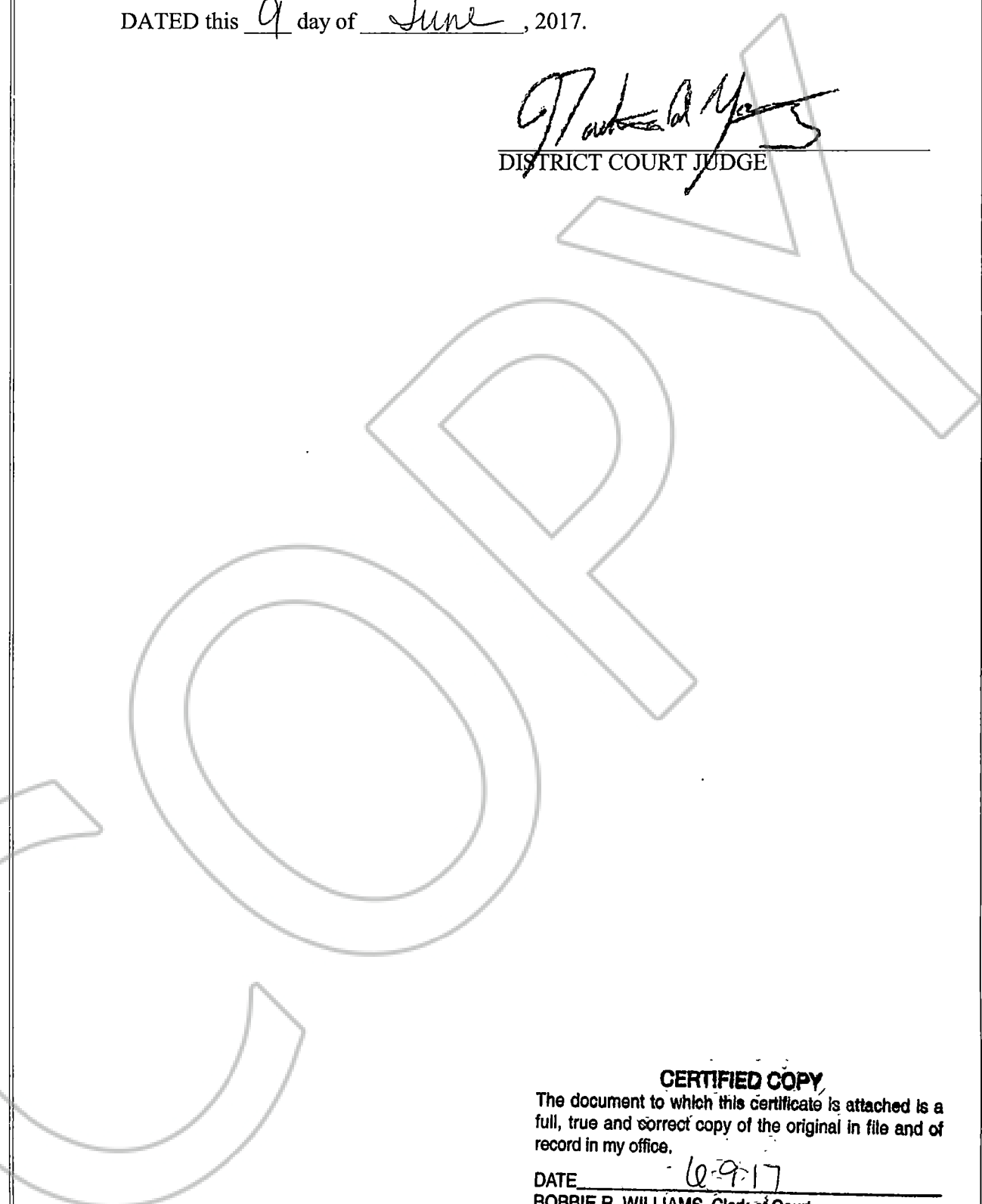
*[Handwritten Signature]*  
DISTRICT COURT JUDGE

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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 6-9-17

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

By [Handwritten Signature] Deputy