#### APN # 1319-10-211-014

Escrow # 00237530 -- COM

Recording Requested By: First Centennial Title Company 1450 Ridgeview Dr. #100 Reno, NV 89509

When Recorded Return to: First Centennial Title Company 1450 Ridgeview Dr. #100 Reno, NV 89509 **DOUGLAS COUNTY, NV** 

2018-922364

Rec:\$35.00

\$35.00 Pgs=4

11/16/2018 04:06 PM

FIRST CENTENNIAL - RENO (MAIN OFFICE)

KAREN ELLISON, RECORDER

| SPACE ABOV | E FOR RECORDERS | LISE |
|------------|-----------------|------|

#### Order

(Title of Document)

#### Please complete Affirmation Statement below:

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

#### -OR-

☐ 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: NRS 239B.030 (state specific law).

...,

Kathy Pavlik Print Signature

239B.030 Section 4.

Title Officer

TITLE

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

SPACE BELOW FOR RECORDER

## RECEIVED

NOV 08 2018

Douglas County District Court Clerk FILED

2018 NOV -8 PM 1: 12

BOBBIE R. WILLIAMS CLERK

D. GOELZDEPUTY

# IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF NEVADA IN AND FOR THE COUNTY OF DOUGLAS

IN THE MATTER OF THE SES GENOA TRUST, dated November 17, 2011.

CASE NO.: 18-PB-00122-DC

DEPT. NO.: I

### ORDER

On November 7, 2018, a Petition, filed by the petitioner Jean Merkelbach ("Merkelbach"), a co-trustee of the SES Genoa Trust ("Trust"), came on for evidentiary hearing at the time set. Merkelbach was represented by Mark G. Simons and Chad Smittkamp ("Smittkamp") appeared in *prosper*. Pursuant to the stipulation of the parties, placed on the record, the terms of which are hereby incorporated, and for good cause appearing:

1. IT IS HEREBY ORDERED, effective immediately, Smittkamp resigns as a co-trustee of the Trust. Merkelbach is hereby confirmed as the Sole Trustee of the Trust. There are no limits or restrictions on Merkelbach's authority as the Sole Trustee of the Trust other than as contained in the Trust.

1

2.

16 17

18

19 20

21

24

23

25 26

27 28 the Sole Trustee of the Trust, the Trust waives any claim against Smittkamp for any attorneys' fees and costs incurred by the Trust in this proceeding (Case No. 18-PB-00122-DC) as well as those incurred by the Trust in the action expunging Smittkamp's five (5) personal IRS tax liens from the Trust's Property (the "Lien Litigation").1 The amounts incurred by the Trust as of the date of the hearing for attorney's fees and costs incurred in the foregoing proceedings, which are hereby waived as against Smittkamp, are \$25,555.00 in attorneys' fees and costs in the amount of \$1,074.00.

IT IS FURTHER ORDERED, that based upon Merkelbach's authority as

3. IT IS FURTHER ORDERED that as a result of the stipulations of the parties, and the terms of the Order, the remaining motions on file are rendered moot and this action is hereby dismissed.

DATED this 6 day of November, 2018.

DISTRICT JUDGE

Respectfully submitted by:

Mark G./Simons, Esq.

SIMONS LAW, PC 6490 S. McCarran Blvd. #C-20

6490 S. McCarran Blv Reno, NV 89509

Attorneys for Plaintiff Jean Merkelbach Sole Trustee of the SES Genoa Trust

Agreed as to form and content:

Chad Smittkamp, pro per

<sup>1</sup> The Lien Litigation encompasses the original action filed by the Trust in the Ninth Judicial District Court, Case No. 18-CV-0204 as well as the removed action Civil No. 3:18-CV-00436-MMD-CBD.

