

DOUGLAS COUNTY, NV

2021-975875

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10/22/2021 11:15 AM

ALLING & JILLSON LTD

KAREN ELLISON, RECORDER

APN: Not Applicable

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Richard J. McGuffin, Esq.

ALLING & JILLSON, LTD.

276 Kingsbury Grade, Suite 2000

Post Office Box 3390

Lake Tahoe, NV 89449-3390

**AFFIDAVIT OF RENEWAL OF JUDGMENT
[NRS 17.214]**

COOPER

RECEIVED

OCT 19 2021

FILED

1 CASE NO.: 15-CV-0017

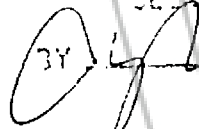
Douglas County
District Court Clerk

2021 OCT 19 PM 2:37

2 DEPT NO.: 1

SEC. J. WILLIAMS
CLERK

3 The undersigned affirms that this document does
4 not contain any person(s)' personal information.

BY  DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS

8 FMX, INC., a Florida corporation,

9 Plaintiff/Judgment Creditor,

10 vs.

11 CARLA CRUZ, an individual,

12 Defendant/Judgment Debtor.

AFFIDAVIT OF RENEWAL OF
JUDGMENT [NRS 17.214]

13 CARLA CRUZ, Defendant, and

15 DUANE VIVATSON and SALLY BOGGS,

16 Implead Defendants.

17
18 Upon being duly sworn, your affiant, RICHARD J. McGUFFIN, ESQ., deposes and testifies upon
19 personal knowledge as follows:

- 20 1. Affiant has personal knowledge of the facts stated herein, and is competent to testify to the matters
21 stated herein.
- 22 2. I am the attorney of record for Plaintiff/Judgment Creditor, FMX, INC., a Florida corporation
23 (hereinafter "FMX"), in this matter.
- 24 3. FMX filed a Complaint with the Circuit Court, Fourth Judicial Circuit, in and for Duval County,
25 Florida, and received a Final Judgment on February 28, 2013, in the amount of \$3,386,069.04.
26 together with interest at the rate of 4.75% per annum, against Defendant/Judgment Debtor
27 CARLA CRUZ, nka, CARLA VIVATSON (hereinafter "CRUZ/VIVATSON").

28 ///

- 1 4 On April 1, 2013, a Supplemental Final Judgment was entered in the Circuit Court, Fourth Judicial
2 Circuit, in and for Duval County, Florida, awarding Plaintiff/Judgment Creditor attorney's fees in
3 the amount of \$764,829.00, costs in the amount of \$13,493.42, and pre-judgment interest in the
4 amount of \$331,618.60.
- 5 5. On October 19, 2015, the Court issued an Order that the Determination issued from the Circuit
6 Court, Fourth Judicial District, in and for Duval County, Florida, is confirmed in the State of
7 Nevada as a matter of law.
- 8 6. The amount of the judgment was \$4,496,010.06.
- 9 7. The names of the parties to that judgment are FMX, Inc., a Florida corporation, which is the
10 Plaintiff/Judgment Creditor and CARLA CRUZ aka VIVITSON, an Individual, who is the
11 Defendant/Judgment Debtor.
- 12 8. The Judgment has been recorded in Douglas County (Document Number: 2015-057435) and in
13 Washoe County (Document Number: 4872759).
- 14 9. A Verified Memorandum of Costs after Judgment, Acknowledgment of Credit and Declaration of
15 Accrued Interest, filed concurrently herewith, shows \$1,831,390.34 in accrued interest since the
16 Order Confirming Determination on October 19, 2015 and \$76.00 in costs incurred for the filing
17 of this renewal of judgment.
- 18 10. Interest continues to accrue from and including February 28, 2013, and April 1, 2013, at 4.75%
19 per annum, however, Plaintiff/Judgment Creditor issues a 1099-C to Defendant/Judgment Debtor
20 each year for all accrued interest.
- 21 11. There is no outstanding writ of execution for enforcement of the Judgment.
- 22 12. No payments have been made on the Judgment.
- 23 13. There are no set-offs or counterclaims in favor of Defendants/Judgment Debtors.
- 24 14. As of today's date, the total amount due on the judgment, which includes interest calculated at the
25 rate of \$440.65 per day for the February 23, 2013 Final Judgment and \$144.44 per day for the
26 Supplemental Final Judgment, is \$4,496,010.06
- 27 15. The judgment was not docketed by the clerk of the court of any Nevada court upon a certified copy
28 from any other court.

1 16. No abstract was recorded with any county clerk in the state of Nevada.

2 17 Further your affiant saith naught.

3
4 Dated: October 19, 2021



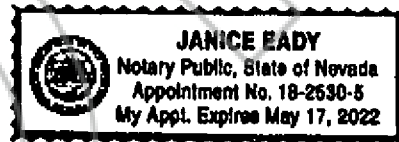
RICHARD J. MCGUFFIN, ESQ., #12819
Attorneys for Plaintiff
rmcguffin@ajattorneys.com

5
6
7 STATE OF NEVADA)
8)
9 COUNTY OF DOUGLAS)

10 Subscribed and or affirmed) before me Janice Eady, Notary Public, on this 2nd day of October
11 2021, by Richard J. McGuffin, Esq., proved to me on the basis of satisfactory evidence to be the person
12 who appeared before me.

13 SUBSCRIBED and AFFIRMED to before
14 me this 19th day of October, 2021.

15 ^{10/19/21}
NOTARY PUBLIC



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CERTIFICATE OF MAILING

Pursuant to Nevada Rules of Civil Procedure, I certify I served **AFFIDAVIT OF RENEWAL OF JUDGMENT [NRS 17.214]** before filing it with the Court, on each attorney below who represents a party and/or each self-represented party listed in this action:

Tracy L. Valente, Esq.
Bachara Construction Law Group
One Independent Drive, Suite 1800
Jacksonville, FL 32202
tvalente@bacharagroup.com
Counsel for Plaintiff and Judgment Creditor

Carla Cruz aka Vivatson
7265 Hurst Park Road
Reno, NV 89502

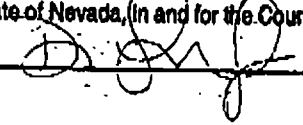
Carla Cruz aka Vivatson
10580 N. McCarran Blvd., #115-418
Reno, NV 89503

by mailing a copy, by first class mail, postage prepaid on: October 19, 2021


MATTHEW LASTER

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 October 22, 2021
BOBBIE R. WILLIAMS, Clerk of Court
of the State of Nevada, (in and for the County of Douglas,
By  Deputy