

DOUGLAS COUNTY, NV

2022-988870

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08/26/2022 10:51 AM

BLANCHARD KRASNER & FRENCH, APC

KAREN ELLISON, RECORDER

APN: 1318-10-413-017

R.P.T.T.: \$0.00

Exempt: \_\_\_\_\_

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

Jennifer McMenemy, Esq.  
Blanchard, Krasner & French  
5470 Kietzke Lane, Suite 200  
Reno, NV 89511

**MAIL TAX STATEMENTS TO:**

Susan M. Boos,  
PO Box 2341  
Stateline, Nevada 89449

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**ORDER CONVERTING PROBATE TO SET ASIDE AND SETTING ASIDE  
ESTATE WITHOUT ADMINISTRATION**

(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 (Per NRS 239B.030)

Signature

Title

Printed Name

This page added to provide additional information required by NRS 111.312  
(Additional recording fee applies)

RECEIVED

AUG 12 2022

Douglas County  
District Court Clerk

FILED

2022 AUG 12 PM 3:45

BOBBIE R. WILLIAMS  
CLERK

BY *[Signature]* DEPUTY

1 Case No.: 2021-PB-00067

2 Dept. No.: II

3 The undersigned hereby affirms that this document  
4 does NOT contain the social security number of any person.

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

9 IN THE MATTER OF THE ESTATE  
10 OF

11 MATTHEW L. SEMINERIO,

12 Deceased.

**ORDER CONVERTING PROBATE TO  
SET ASIDE AND SETTING ASIDE  
ESTATE WITHOUT ADMINISTRATION**

13 \_\_\_\_\_ /  
14 THIS MATTER comes before the Court pursuant to a Petition to Convert Probate to  
15 Set Aside and Petition to Set Aside Estate Without Administration filed herein by Petitioner, JEAN  
16 ELIZABETH ROBERTS-INIGUEZ (hereinafter "Petitioner"), by and through her counsel  
17 BLANCHARD, KRASNER & FRENCH. The Court held a hearing on this matter on July 25, 2022  
18 at 1:30p.m. Present for the hearing were counsel for Petitioner, Jennifer McMenemy, Esq., counsel  
19 for Susan Boos (Creditor) Peter Jaquette, Esq. and counsel for Dunham Trust Company, Danielle  
20 Christenson. Good Cause appearing therefor, the Court finds as follows:

21 DECEDENT

22 That MATTHEW SEMINERIO, (hereinafter referred to as "Decedent"), died on  
23 March 21, 2021, being at the time of his death a resident and domiciled in Douglas County, Nevada,  
24 leaving at the time of his death, certain property located within the State of Nevada that may be  
25 subject to probate administration. A certified copy of Decedent's death certificate was filed as an  
26 exhibit to the Petition for Probate with Will Annexed and For Issuance of Letters Testamentary filed  
27 with this Court on May 12, 2021.  
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LAST WILL AND TESTAMENT

That Petitioner is informed and believes that the Decedent left a Last Will and Testament dated January 6, 2020 (hereinafter the "Will"). A copy of Decedent's Will was filed as an Exhibit to Petition for Probate with Will Annexed and For Issuance of Letters Testamentary. On the 4<sup>th</sup> day of October, 2021, Decedent's Last Will and Testament was lodged with the Court. Petitioner is informed and believes the Decedent was the age of majority, of sound mind, and held the requisite capacity to execute said Will. The original copy of Decedent's Will has been lodged with this Court.

According to Decedent's Will, Decedent devised and bequeathed his entire estate to Petitioner, ELIZABETH ROBERTS-INIGUEZ.

HEIRS AND NEXT-OF-KIN

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
Jean Elizabeth Roberts-Iniguez	Over 18	Friend	5321 De Roja Ave. Woodland Hills, CA 91364
Dominick Richard Seminerio	Over 18	Son	c/o James R. Hales, Esq. Alling & Jillson, Ltd. P. O. Box 3390 Lake Tahoe, NV 89449

ESTATE ASSETS

That Petitioner is informed and believes that the total value of the estate of Decedent subject to probate is less than One Hundred Thousand and No/100 (\$100,000.00) such that a set aside probate administration is appropriate. Decedent's estate is as follows: Eleven Thousand Four Hundred and Eighty and no/100 (\$11,480.00) from the proceeds of the sale of Decedent's vehicle and Thirteen Hundred and Sixty-Six and No/100 (\$1,366.00) from the proceeds of the Decedent's musical equipment.

DEBTS OF DECEDENT

That so far as known to Petitioner, the debts and last expenses of the Decedent have been paid and there is a creditor's claim was filed by Peter B. Jaquette for Court ordered attorneys' fees of \$16,160.00.

///

1 WELFARE BENEFITS

2 That so far as is known to the Petitioner, the Decedent was not a recipient of benefits  
3 from the Department of Health and Human Services of the State of Nevada.

4 ATTORNEYS' FEES AND COSTS

5 That the law firm BLANCHARD, KRASNER & FRENCH, APC., expended a total  
6 of 50.8 hours at \$350.00 per hour. However, in consideration of the value of the estate being  
7 substantially diminished the determination that the estate is not entitled to an interest in real property  
8 located at 636 Inspiration Drive, Zephyr Cove, Nevada (the "Property"), the law firm of  
9 BLANCHARD, KRASNER & FRENCH willingly reduced the total of legal fees to the amount of  
10 Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00). The Court heard argument regarding  
11 the reasonableness of such fees and determined that such fees were reasonable and only related to  
12 expenses in the probate. The Court also determined that such fees are priority pursuant to NRS  
13 132.135.

14 The Court also found that the law firm of BLANCHARD, KRASNER & FRENCH is also  
15 entitled to reimbursement of filing fees advanced to the estate in the amount of One Thousand and  
16 Ninety-Two and 50/100 Dollars (\$1,004.50). Such fees and costs associated with this Petition are  
17 reasonable under the *Brunzell* factors analysis and shall be paid as costs of administration prior to all  
18 creditor's claims being satisfied. Such fees shall be paid from the Estate conditioned upon counsel  
19 for Petitioner providing a copy of the fee agreement between her client and the firm of  
20 BLANCHARD, KRASNER & FRENCH to other counsel in this matter on or before August 1,  
21 2022.

22 Good Cause Appearing therefor, IT IS HEREBY ORDERED:

23 1. That this probate shall be converted to set aside under NRS 146 as the Decedent's  
24 estate subject to administration in the State of Nevada does not exceed One Hundred Thousand and  
25 No/100 (\$100,000.00)

26 2. That attorneys' fees in the amount of Seventy Five Hundred and No/100 (\$7,500.00)  
27 and costs in the amount of One Thousand and Four and 50/100 Dollars (\$1,004.50) be paid out of  
28 the Estate.



1 Copies of Order Converting Probate to Set Aside and Setting Aside  
2 Estate without Administration served by mail on August 12<sup>th</sup>,  
2022, to:

3 Jennifer M. McMenomy, Esq.  
4 5470 Kietzke Lane, Ste. 200  
5 Reno, Nevada 89511

6 Danielle Christenson, Esq.  
7 1625 Hwy 88, Ste. 304  
8 Minden, Nevada 89423

9 Peter Jaquette, Esq.  
10 408 West Third Street  
11 Carson City, Nevada 89703

Erin C. Plante  
Erin C. Plante

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THOMAS W. GREGORY  
DISTRICT JUDGE  
NINTH JUDICIAL  
DISTRICT COURT  
P.O. BOX 218  
MINDEN, NV 89423

**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 August 23, 2022  
BOBBIE R. WILLIAMS Clerk of Court  
of the State of Nevada, in and for the County of Douglas,  
By [Signature] Deputy