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EVAN J. WALLACH, ESQ.
LIONEL SAWYER & COLLINS
1700 Valley Bank Plaza
300 South Fourth Street
Las Vegas, Nevada 89101
Telephone: (702) 383-8888

Attorneys for Defendants

ENTERED

MAR 6 1986

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA
DEPUTY

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MAR 3 1986

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA
DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN A. BART, FRED WARD AND
McLLOYD STRINGHAM,

Plaintiffs,

vs.

KEITH LARSON, et al.,

Defendants.

CASE NO. CV-LV-82,277
RDF

KEITH LARSON, individually,

Counterclaimant,

vs.

JOHN A. BART, FRED WARD and
McLLOYD STRINGHAM,

Counter-Defendants.

ORDER AND JUDGMENT

KEITH LARSON, individually,

Third-Party Plaintiff,

vs.

LEXENE BART, and JOHN DOES I
through X,

Third-Party Defendants.

(Con't.)

LIONEL SAWYER
& COLLINS
ATTORNEYS AT LAW
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LAS VEGAS,
NEVADA 89101
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1
 2 JOHN A. BART, FRED WARD and)
 McLLOYD STRINGHAM,)
 3 Fourth-Party Plaintiffs,)
 4 vs.)
 5 ROLAND B. SIMMONS,)
 6 Fourth-Party Defendant.)
 7

8 The Motions for Attorneys' Fees Pursuant to 42 U.S.C.
 9 §1988; for Attorneys' Fees Pursuant To 28 U.S.C. §1927 and
 10 Fed.R.Civ.P. 11; and To Retax Costs of defendants, City of
 11 Caliente, Keith Larson, Tom Rowe, Paul Gloeckner, Mike Turley and
 12 Ronald Young, and the Countermotions for Attorney's Fees and For
 13 Enforcement Of Attorney's Lien of plaintiffs, John A. Bart and
 14 McLloyd Stringham, and of plaintiffs' counsel, Marilyn Romanelli,
 15 having come on for hearing on the 28th day of February, 1986,
 16 defendants being represented by and through their counsel, Evan
 17 J. Wallach of the law firm of Lionel Sawyer & Collins, and
 18 plaintiffs being represented by and through their counsel,
 19 Marilyn Romanelli, Esq., and the Court having reviewed the
 20 pleadings and papers on file herein and having heard oral
 21 argument and good cause appearing therefore, it is hereby

22 ORDERED, ADJUDGED AND DECREED that defendants' Motion
 23 For Attorneys' Fees Pursuant to 42 U.S.C. §1988 be and hereby is
 24 granted on the grounds that the plaintiffs' claims in their 42
 25 U.S.C. §1983 action against the defendants herein were frivolous,
 26 groundless and without merit, and that it is further

27 ORDERED, ADJUDGED AND DECREED that defendants, City of
 28 Caliente, Keith Larson, Tom Rowe, Paul Gloeckner, Mike Turley and

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 & COLLINS
 ATTORNEYS AT LAW
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1 Ronald Young, be and hereby are, awarded a judgment in their
2 favor and against plaintiffs, John A. Bart and McLloyd Stringham,
3 jointly and severally in the amount of Two Thousand Dollars
4 (\$2,000.00) as and for attorneys' fees for the defense of said
5 \$1983 action; and it is further

6 ORDERED, ADJUDGED AND DECREED that defendants' Motion
7 For Attorneys' Fees Pursuant to 28 U.S.C. §1927 and Fed.R.Civ.P.
8 11, be, and hereby is, granted on the grounds that plaintiffs'
9 claims in the above entitled action were frivolous and that the
10 conduct of plaintiffs' counsel, Marilyn Romanelli, Esq. in filing
11 and pursuing said claims was in violation of her obligations
12 under Fed.R.Civ.P. 11; and it is further

13 ORDERED, ADJUDGED AND DECREED that the Court having
14 granted said Motion pursuant to Fed.R.Civ.P. 11, the defendants,
15 City of Caliente, Keith Larson, Tom Rowe, Paul Gloeckner, Mike
16 Turley, and Ronald Young be, and hereby are, awarded a judgment
17 in their favor and directly against Marilyn Romanelli in the
18 amount of One Thousand Dollars (\$1,000.00); and it is further

19 ORDERED, ADJUDGED AND DECREED that defendants' Motion
20 To Retax Costs be, and hereby is, granted and that costs are
21 hereby retaxed in the amount of One Thousand Eight Hundred
22 Sixty-eight Dollars and eighty cents (\$1,868.80); and it is
23 further

24 ORDERED, ADJUDGED AND DECREED that defendants, City of
25 Caliente, Keith Larson, Tom Rowe, Paul Gloeckner, Mike Turley and
26 Ronald Young be, and hereby are, awarded an additional judgment
27 in the amount of One Thousand Eight Hundred Sixty-eight Dollars
28 and eighty cents (\$1,868.80) against plaintiffs' John A. Bart and

1 Mc Lloyd Stringham, jointly and severally as costs; and it is
2 further

3 ORDERED, ADJUDGED AND DECREED that the Counter motions
4 for Attorney's Fees and For Enforcement Of Attorney's Lien of
5 plaintiffs, John A. Bart and Mc Lloyd Stringham, and of
6 plaintiffs' counsel, Marilyn Romanelli, be, and hereby are
7 denied.

8 DATED this 4th day of March, 1986.

[Signature]
UNITED STATES DISTRICT COURT JUDGE

11 PRESENTED BY:

12 LIONEL SAWYER & COLLINS

13
14 BY *E. J. Wallace*
15 EVAN J. WALLACH, ESQ.
16 1700 Valley Bank Plaza
17 300 South Fourth Street
18 Las Vegas, Nevada 89101
19 Attorneys for Defendants

20
21
22 No. 81765
23 FILED AND RECORDED AT REQUEST OF
24 Lionel Sawyer & Collins
25 March 28, 1986
26 AT 1 MINUTES PAST 1 O'CLOCK
27 P 70 M IN BOOK 70 OF OFFICIAL
28 RECORDS, PAGE 142 LINCOLN
COUNTY, NEVADA.
[Signature]
COUNTY RECORDER

I hereby attest and certify that the foregoing document is a full, true and correct copy of the original on file in my office and is in my legal custody.

CLERK, U. S. DISTRICT COURT
DISTRICT OF NEVADA
[Signature]

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