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Lincoln County - NV

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APN _____

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ORDER Pursuant To NRS 118A.390

Title of Document

Affirmation Statement

X I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of any person or persons. (Per NRS 239B.030)

_____ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number, driver's license or identification card number, or any "Personal Information" (as defined by NRS 603A.040) of a person or persons as required by law: _____
(State specific law)

Michael M...
Signature *Representative For*
Title *Dylan V. Frehner, Esq.*

Dylan V. Frehner
Print

9/8/2016
Date

Grantees address and mail tax statement:



FILED 06/29/15
CASE # 14CV20
BY Dennis Brown
JUSTICE COURT CLERK

1 Case No. 14 CV 20

2
3 **IN THE JUSTICE COURT OF MEADOW VALLEY TOWNSHIP**
4 **IN AND FOR THE COUNTY OF LINCON, STATE OF NEVADA**

5
6 ROSE LANIGAN,

7 Plaintiff,

8 v.

9 ESTATE OF JAMES RAYMOND RYAN,

10 Defendant.
11

12 **ORDER PURSUANT TO NRS 118A.390**

13 THIS MATTER came before the Court with the Plaintiff's filing of a Verified Complaint
14 for Expedited Relief for the Unlawful removal or Exclusion of Tenant or Interruption of Essential
15 Items or Services on December 12, 2014. The matter was initially set for a hearing on January
16 12, 2015, but was continued based upon the Defendant having new counsel, Jane Eberhardy,
17 Esq., and the parties agreeing to give Ms. Eberhardy a chance to review the file. The hearing was
18 continued until February 23, 2015. At the February 23, 2015 hearing, Anthony Kurilla appeared
19 as the Personal Representative of the Estate of James Raymond Ryan along with his counsel Jane
20 Eberhardy, Esq., and Rose Lanigan was present and represented by her attorney Dylan V.
21 Frehner, Esq..

22 Based upon the evidence and argument presented to the Court at the hearing, the Court
23 made the following findings:

- 24 1. That the Court has previously found in Case No. 14 CV 12 that the Plaintiff was a
25 tenant of the property located at 175 N. 2nd Street in Panaca, NV 89042;
26 2. That since entering the Order in Case No. 14 CV 12, there has been no eviction
27 proceeding filed by the Estate of James Raymond Ryan and/or its representative;
28

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3. That Ms. Lanigan has continued to be a tenant of the property during all relevant times;
4. That the evidence established that the Estate of James Raymond Ryan and/or its representatives had unlawfully excluded Ms. Lanigan from the property by locking her out of the property without a proper eviction;
5. That the Estate and/or its representatives and/or prior counsel have been advised multiple times by this Court on how to file a proper eviction proceeding
6. That the Estate and/or its representatives did not act in good faith in locking Ms. Lanigan out of the property again without filing an eviction proceeding;
7. That Ms. Lanigan was harmed by not having access to her items through the unlawful lockout;

NOW THEREFORE, based upon the above listed findings and other evidence as presented at the hearing and GOOD CAUSE APPEARING:

IT IS HEREBY ORDERED that the Estate of James Raymond Ryan and/or its representatives have unlawfully locked Rose Lanigan from the property known as 175 N. 2nd Street in Panaca, Nevada 89042 in violation of NRS 118.390(1) and this Court's order in Case No. 14 CV 12.

IT IS HEREBY FURTHER ORDERED that the Estate of James R. Ryan shall pay statutory damages to Rose Lanigan in the amount of \$1000.

IT IS HEREBY FURTHER ORDERED that the Estate of James R. Ryan and/or its representatives or alleged representatives are enjoined from violating the provisions of NRS 118.390(1).

IT IS HEREBY FURTHER ORDERED that the Estate of James R. Ryan, as the non-prevailing party, shall pay the costs and fees of filing the Complaint that were previously waived in the amount of \$51.00 pursuant to NRS 118.390(7).

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IT IS HEREBY FURTHER ORDERED that Rose Lanigan shall not be allowed to re-enter the property known as 175 N. 2nd Street in Panaca, Nevada 89042 without the have the representative of the Estate present.

IT IS HEREBY FURTHER ORDERED that the parties shall meet on March 21, 2015 at 9:00 AM at the property to allow Ms. Lanigan and Mr. Kurilla to go through the items in sheds together, and to further allow Ms. Lanigan to remove items from the property that are not disputed to be hers. The parties will prepare a list that both shall sign indicating what items Ms. Lanigan has removed from the property. All items in dispute shall remain on the property and be handled in accordance with the Estate proceedings in the district court.

DATED this 29th day of June, 2015

Wick D Cowley

JUSTICE OF THE PEACE

THE UNDERSIGN HEREBY CERTIFIES THIS
TO BE A FULL, TRUE AND CORRECT COPY
OF THE ORIGINAL DOCUMENT
Denise Berra

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