

CIVIL COVER SHEET A - 1 2 - 6 7 1 4 2 7 - C

County, Nevada

XXXI

Case No. _____
(Assigned by Clerk's Office)**I. Party Information**

Plaintiff(s) (name/address/phone): Jared Shafer, individual;
Solomon Dwiggin Freer, Ltd. Nevada prof limited
partnership, Allan Freer, Robert D. Simpson, Patience
Bristol, Amy Deitrick, all individuals; Professional Fiduciary
Services of Nevada, Nevada Corp; Avid Business Services
of Nevada, Nevada Corp. Gamett & King, a Nevada
Corp.

Attorney (name/address/phone):

Mark A. Solomon, Esq. Bar #00418Ross E. Evans, Esq., Bar #113749060 West Cheyenne AvenueLas Vegas, NV 89129 Telephone: 853-5483

Defendant(s) (name/address/phone): Rebecca Schultz, an
individual—— P. O. Box 217, Aptos, CA 95001

Unknown telephone number

Attorney (name/address/phone):

——unknown at this time**II. Nature of Controversy** (Please check applicable bold category and applicable subcategory, if appropriate)☐ **Arbitration Requested****Civil Cases**

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
Estimated Estate Value: _____ <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Foreclosure Mediation <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input checked="" type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

☐ NRS Chapters 78-88
☐ Commodities (NRS 90)
☐ Securities (NRS 90)

☐ Investments (NRS 104 Art. 8)
☐ Deceptive Trade Practices (NRS 598)
☐ Trademarks (NRS 600A)

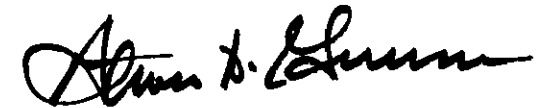
☐ Enhanced Case Mgmt/Business
☐ Other Business Court Matters

October 29, 2010

Date

Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

COMP

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Attorneys for Plaintiffs

DISTRICT COURT

CLARK COUNTY, NEVADA

JARED E. SHAFER; an individual;
SOLOMON DWIGGINS & FREER, LTD., a
Nevada professional limited partnership;
ALAN D. FREER, an individual; ROBERT D.
SIMPSON; an individual, PATIENCE
BRISTOL; an individual, AMY DEITTRICK,
an individual; PROFESSIONAL FIDUCIARY
SERVICES OF NEVADA, INC., a Nevada
corporation; AVID BUSINESS SERVICES
OF NEVADA, INC., a Nevada corporation;
SHAWN KING, an individual; GAMETT &
KING, a Nevada corporation;

Plaintiff;

vs.

REBECCA SCHULTZ, an individual; and
DOES 1 through 20, inclusive;

Defendant(s).

Case No.: A-12-671427-C

Department No.: XXXI

COMPLAINT

EXEMPT FROM ARBITRATION: Amount
in controversy exceeds \$50,000.00

Plaintiffs, JARED E. SHAFER, ALAN D. FREER, ROBERT D. SIMPSON, PATIENCE
BRISTOL, AMY DEITTRICK, SOLOMON DWIGGINS & FREER, LTD., PROFESSIONAL
FIDUCIARY SERVICES OF NEVADA, INC., AVID BUSINESS SERVES OF NEVADA, INC.,

1 SHAWN KING, and GAMETT & KING (hereinafter "Plaintiffs"), by and through their counsel of
2 record, Mark A. Solomon and Ross E. Evans of Solomon Dwiggins & Freer, Ltd., hereby complains
3 against Defendants, REBECCA SCHULTZ, and DOES 1 through 20 (hereinafter "Defendants"), as
4 follows:

5 **PARTIES**

6
7 1. At all times relevant hereto, Plaintiff, Jared E. Shafer, (hereinafter "Shafer"), is and continues to
8 be a resident of Clark County, Las Vegas, Nevada.

9 2. At all times relevant hereto, Plaintiff, Alan D. Freer (hereinafter "Freer"), is and continues to be
10 a resident of Clark County, Las Vegas, Nevada.

11 3. At all times relevant hereto, Plaintiff, Robert D. Simpson, (hereinafter "Simpson"), is and
12 continues to be a resident of Clark County, Las Vegas, Nevada.

13 4. At all times relevant hereto, Plaintiff, Patience Bristol, (hereinafter "Bristol"), is and continues to
14 be a resident of Clark County, Las Vegas, Nevada.

15 5. At all times relevant hereto, Plaintiff, Amy Deittrick, (hereinafter "Deittrick"), is and continues
16 to be a resident of Clark County, Las Vegas, Nevada.

17 6. At all times relevant hereto, Plaintiff, Solomon Dwiggins & Freer, Ltd., (hereinafter "SDF"), is a
18 professional limited liability partnership organized and existing under the laws of the State of Nevada,
19 with its principal place of business at 9060 West Cheyenne Avenue, Las Vegas, Clark County, Nevada.

20 7. At all times relevant hereto, Plaintiff, Professional Fiduciary Services of Nevada, Inc.,
21 (hereinafter "PFSN"), is a Nevada corporation organized and existing under the laws of the State of
22 Nevada, with its principal place of business located in Henderson, Clark County, Nevada.
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1 8. At all times relevant hereto, Plaintiff, AVID Business Services of Nevada, Inc., (hereinafter
2 "AVID"), is a Nevada corporation organized and existing under the laws of the State of Nevada, with its
3 principal place of business located in Henderson, Clark County, Nevada.

4 9. At all times relevant hereto, Plaintiff, Shawn King (hereinafter "King"), is and continues to be a
5 resident of Clark County, Las Vegas, Nevada.

6 10. At all times relevant hereto, Plaintiff, Gamett & King, Inc., (hereinafter "GAMETT"), is a
7 Nevada corporation organized and existing under the laws of the State of Nevada, with its principal
8 place of business located in Henderson, Clark County, Nevada.

9 11. Upon information and belief, Defendant, Rebecca Schultz, is an individual residing in Santa
10 Cruz County, California, who has caused acts or events to occur within the State of Nevada, out of
11 which Plaintiffs' claims herein arise.

12 12. The true names and capacities of those individuals and entities, corporate or otherwise, named as
13 DOES 1 through 20, inclusive, are unknown to Plaintiffs at this time. However, Plaintiffs allege, upon
14 information and belief, that each of the fictitiously designated defendants is responsible in some manner
15 for the events and occurrences alleged in this pleading, or conspired in some manner with the named
16 defendants and/or each other, and that Plaintiffs' damages as alleged in this pleading were proximately
17 caused by their conduct. Plaintiffs will seek leave of court to amend this pleading to state the true names
18 and capacities of such Doe defendants once they have been ascertained.

19 13. Plaintiffs are informed and believe, and thereupon allege, that at all times relevant herein, each of
20 the defendants acted as the agent of one or more of the defendants and with the full knowledge and
21 consent, either express or implied, of the other defendants and that each and every thing herein alleged
22 was done by each defendant in the course and scope of said agency and in their capacity as a principal
23 of, or agent for, each of the other defendants.

1 14. All of the acts or failures to act alleged herein were duly performed by and attributable to all
2 Defendants, each acting as agent or under the direction and/or control of the others. Said acts or failures
3 to act were within the scope of said agency and/or direction and control of the other Defendants, and
4 each Defendant ratified the acts and omissions by the other Defendants. Whenever and wherever
5 reference is made in this Complaint to any acts by Defendants, such allegations and reference shall also
6 be deemed to mean the acts of each Defendant acting individually, jointly or severally.
7

8 15. Plaintiffs are informed and believe, and thereupon allege, as described more fully below, that in
9 committing the wrongful acts complained of the Defendants targeted the State of Nevada and intended
10 to, and did, cause the Plaintiffs damage and injury in the State of Nevada. Accordingly, this Court has
11 personal jurisdiction over Defendants.
12

13 BACKGROUND

14 16. Shafer served as the Clark County Public Administrator from 1979 to 2002. In 2002, Shafer
15 began working as a private fiduciary, serving in various capacities including guardian, trustee, personal
16 representative, etc.
17

18 17. Defendant Schultz is the daughter of Guadalupe M. Olvera. With the consent of Schultz, in or
19 about November 2009 Shafer was appointed as the guardian of the person and estate of Mr. Olvera by
20 the Family Division of the Eighth Judicial District Court of Clark County, Nevada, case no. G-05-
21 028163 ("Matter"). See **Exhibit 1**. Shafer retained SDF to represent him in the Matter. Mr. Olvera has
22 been under guardianship in Nevada due to incompetency since August 17, 2005.
23

24 18. Since March 2010, Schultz has repeatedly attempted to take control of Mr. Olvera's estate and
25 remove Mr. Shafer as guardian in favor of herself as chronicled in the pleadings and orders filed in the
26 Matter. In March 2010, Schultz failed in her first attempt to redirect Mr. Olvera's VA benefits and
27 unsuccessfully petitioned the Court to appoint herself as guardian and/or remove Mr. Olvera to
28

1 California. *See* Court Transcript filed June 16, 2010 at **Exhibit 2**. Schultz resides in California and has
2 plans to use Mr. Olvera's assets to purchase a home and move her family into it with Mr. Olvera. *See*
3 *id.*

4 19. Representatives from the City of Las Vegas Senior Citizens Law Project were assigned by the
5 Court to give an assessment of Mr. Olvera. *See id.* During the hearing on Schultz's petition, the
6 representatives stated "[t]he ward was definite, emphatic and consistent in wanting to remain in his
7 home in Las Vegas" and that Mr. Olvera stated "I do not want to move to California." *See id.* at 3:22-
8 4:18. The Court, and Schultz's counsel, also understood that "there's various levels of capacity...
9 understanding where you want to live is – is a much lower capacity than really grasping what
10 guardianship is all about..." *See* Ex. 2 at 31:7-13. During her attempts to become his guardian, Schultz
11 never argued that Mr. Olvera was competent to manage his financial affairs. The Court denied Schultz's
12 petition to be appointed guardian.
13
14

15 20. For months, the Court consistently rejected Schultz's continued efforts to remove Mr. Shafer as
16 guardian and take control of her father's assets. Schultz raised various accusations against Shafer in her
17 unsuccessful efforts, i.e., "selling securities without a license," "excessive billing," "violation of NRS
18 160 Veterans Guardianship Uniform Act," "removing contents of Mr. Olvera's safe deposit box," etc.
19 *See* Order filed January 21, 2011, at **Exhibit 3**. The Court rejected all of her arguments as baseless.
20

21 21. Notwithstanding Schultz's attacks, during a hearing on September 8, 2010, Schultz and Mr.
22 Shafer agreed to have Mr. Olvera reexamined to determine his wishes regarding his guardianship.
23 Schultz agreed that such examination was to be performed by Dr. Louise G. Sherk, who previously
24 examined Mr. Olvera in 2007, during which Mr. Olvera stated "[h]is daughter Rebecca has continued to
25 lead a peculiar and unacceptable life style as an older 'hippie' in Santa Cruz, California. She does not
26 write, telephone or visit and prefers to isolate herself from the family."
27
28

1 22. On September 22, 2010, mere days before such examination was to occur, Schultz kidnaped Mr.
2 Olvera under the cover of night and brought him to California. In disregard of numerous court orders,
3 Schultz refused to return him to his home in Las Vegas, Nevada. Schultz is now in contempt of court
4 and a bench warrant has been issued for her arrest. See Order filed January 21, 2011 attached as **Exhibit**
5 **4**, and bench warrant issued January 31, 2011, attached as **Exhibit 5**. In order to elude execution of the
6 bench warrant, Schultz uses P.O. Boxes on behalf of herself and Mr. Olvera. Schultz has not revealed
7 the location of herself or Mr. Olvera to the Court or Mr. Shafer.
8

9 23. After Schultz kidnapped Mr. Olvera on September 22, 2010, upon information and belief she
10 began to publish, certain false and defamatory statements about Shafer and the remaining Plaintiffs
11 (collectively referred to herein as the "Defamatory Statements"). Specifically, the first Defamatory
12 Statements known to Plaintiffs were published on October 2, 2010 to the website
13 <http://www.ripoffreport.com/> (Ripoffreport.com), just 10 days after Schultz kidnapped Mr. Olvera.
14

15 24. Since October 2010, upon information and belief Schultz has continued to make Defamatory
16 Statements while trying to take control of her father's estate. For example, in addition to Mr. Olvera's
17 VA and social security benefits, Schultz has attempted to redirect Mr. Olvera's pension benefits that are
18 being paid to his Trust from the Southwest Carpenters Pension Trust. Mr. Shafer informed Southwest
19 Pension regarding Schultz's actions as soon as Mr. Shafer became aware of Schultz's actions.
20 Southwest Carpenters Pension Trust subsequently filed an interpleader action against Schultz in the
21 Central Federal District Court of California, identified as case no. CV 11-00478 PSG, which is currently
22 pending.
23
24

25 25. Schultz's position on her father's competency is situational. It is determined by whether it will
26 further her goal of obtaining his assets. For example, Schultz filed a Petition to be appointed as
27 Conservator (or guardian) of the Ward's Estate in California on December 3, 2010. See Petition
28

1 attached as **Exhibit 6**. She represents in her petition that Mr. Olvera “requires a conservator and is
2 substantially unable to manage his or her financial resources or to resist fraud or undue influence.” See
3 Ex. 6 at page 5 of 7. She relies on the report of Dr. Einhorn, who examined Mr. Olvera at Schultz’s
4 request in October 2010. Schultz withdrew her petition after Mr. Shafer retained counsel in California
5 to oppose such action. Meanwhile, Schultz filed a petition to terminate the guardianship on December
6 13, 2010. The Court denied the petition. Likewise, the Court denied Mr. Olvera’s petition to terminate
7 the guardianship filed February 25, 2011.

8
9 26. While continuing to hold her father hostage, in September 2011 Schultz agreed to have Mr.
10 Olvera examined to determine if he still needed Mr. Shafer to manage his personal and financial affairs
11 as guardian. See Stipulation filed September 7, 2011, at **Exhibit 7**. Mr. Shafer had to meet Schultz’s
12 numerous demands before she agreed to the examination, including who would examine Mr. Olvera
13 (Melissa Piasecki, M.D., who practices in Reno, Nevada), and that Mr. Shafer would not seek
14 enforcement of the arrest warrant against Schultz in connection with the examination. See *id.*

15
16 27. In her report dated September 30, 2011 attached as **Exhibit 8**, Dr. Piasecki concludes that “[Mr.
17 Olvera] is in need of a guardian.” Regardless, Schultz continued to post Defamatory Statements against
18 Plaintiffs. As part of her crusade to discredit Plaintiffs, Schultz referenced her own Defamatory
19 Statements to one or more individuals/entities, including the Center for Guardianship Certification. See
20 **Exhibit 9**.

21
22 28. Indeed, Georgia Perry, a reporter for the Santa Cruz Weekly, relied on Schultz’s Defamatory
23 Statements and on July 31, 2012, reported that “[j]ust typing the name Jared E. Shafer into Google’s
24 search engine pulls up several pages of complaints against him on consumer report websites, making it
25 impossible to unearth his professional web site through the heaps of corruption accusations.” See
26
27
28

Exhibit 10. In the comments of Ms. Perry's report posted online, Schultz posted additional Defamatory Statements, including:

Jared E. Shafer has gotten away with bullying and threatening families since 1979. He brags to all the victims about controlling and bribing the judges, it's disgusting. Millions of dollars from victims social security, retirement pensions and veteran benefits have been stolen by him.

His wards mysteriously die days before their Medicare expires. I don't believe he has ever worked an honest day in his life, just feeds off of the honest hard work of the elderly.

CAUSE OF ACTION FOR DEFAMATION

29. Plaintiffs reallege and incorporate by reference each and every allegation contained in Paragraphs 1 through 13 above.

30. Plaintiffs reallege and incorporate by reference each and every allegation contained in Paragraphs 1 through 13 above.

31. Upon information and belief, beginning on or about September 28, 2010, and continuing through the filing of this lawsuit, Schultz published, and/or caused to be published, and/or continues to publish, certain false and defamatory statements about Plaintiffs with knowledge of the falsity of such statements, or with a reckless disregard for the truth or falsity of such statements (collectively referred to herein as the "Defamatory Statements") to multiple websites, including <http://scaminformer.com> and <http://www.ripoffreport.com/> (Ripoffreport.com). A sample of the Defamatory Statements relative to each Plaintiff are contained in paragraphs (a) through (d) below. An exemplary set of Defamatory Statements, known to Plaintiffs on the date of filing the foregoing Complaint, are attached hereto as

Exhibit 11.

(A) Ripoff Report No. 747145, published Wednesday, June 29, 2011 ("Statement A").

<http://www.ripoffreport.com/assisted-living-elderly-disabled/jared-e-shafer/jared-e-shafer-patience-bristo-8885c.htm>

1 JARED E SHAFER PATIENCE BRISTOL JARED SHAFER TO USE MY MOTHER
2 AS A MEDICAL EXPERIMENT LAS VEGAS, NEVADA

3 Jared Shafer threatened and killed my mother Jared E Shafer who served as Las Vegas'
4 public guardian threatened to have my mother killed if our family refuse to drop our legal
5 case against him.

6 Back ground

7 Our father passed away in 2008. Mom had a serious nervous breakdown. She lived in
8 Henderson, Nevada and as a result her children were not allowed to take proper care of
9 her because none of us lived in Nevada. Commissioner Jon Norheim and Judge Chuck
10 Hoskin ruled against our guardian request.

11 In 2010 my sister received the guardian annual accounting report. It showed Jared Shafer
12 had billed mother's trust for \$72,500. In addition AVID Business services of Nevada
13 billed an additional \$15,000 simply for corresponding with us on behalf of Jared Shafer.
14 AVID has no license to operate in Nevada or in Clark County.

15 We decided to challenge the Nevada law regarding out of state guardians. Our challenge
16 included records of the excessive bills by Shafer and AVID.

17 One afternoon while visiting mom Mr. Shafer and his assistant Patience Bristol entered
18 the room. They asked me to come outside and talk with them. I asked "what do we have
19 to discuss?" Mr. Shafer said "come out and you will see." We went outside. Patience
20 wanted to walk away from the building. I believe the time was 11 O'clock. After we
21 walked about 150 feet, Shafer made his death threat. He began by saying "you know
22 Patience and I are very well connected in this town. If you continue this court crap your
23 mother will wind up as a medical experiment. As her guardian I can do anything I want
24 with her body. You may not know this, but using seniors to test new medical devices is a
25 common practice in Las Vegas." Shafer continued "I will simply forbid you and your
26 family from visiting your mother. She will be transferred to another facility. Cuba has a
27 new heart valve. Let's see what it does to mom." My heart began to beat very fast,
28 perspiration flowed out of my body at an incredible rate. I tried to speak, but the words
would not come out. Patience Bristol said "the cat got your Tong? You can speak well
to your stupid lawyer, what is your problem?" I said "we've got laws against this."
Shafer said "even the attorney general, Jon Norheim, and Judge Chuck Hoskin knows
what is going on and they won't lift a finger." Then Patience said "if you want mom to be
our lab rat, go ahead with your bull." Shafer remarked, "whatever happens to mother will
be your fault."

Mother was quickly moved to an undisclosed location. The reasons provided to
Norheim's court stated the move was for her safety. We couldn't talk to her for 3 weeks.
A few brief conversations followed, but mom appeared to be more confused and She
complained of serious chest pains.

1 Mother who had a normal heart passed away on April 4, 2011. The autopsy listed her
2 death as being caused by a serious heart attack. The crimes against seniors being
3 committed in Nevada is on the level of Hitler's Germany. People were afraid to discuss
4 the atrocities while they were going on. This report will hopefully serve as a warning to
5 any senior who wants to move to Nevada. Until our government decides to deal with this
6 crime, this death for profit crime under Jared Shafer will continue. I hope mother's death
7 will be the beginning of the end for Mr. Shafer and all of his support group who enable
8 him to profit from these senior medical experiment deaths.

9 (B) Ripoff Report No. 708711, published Monday, March 21, 2011 ("Statement B").
10 <http://www.ripoffreport.com/attorneys-legal-services/solomon-dwiggins-fre/solomon-dwiggins-freer-mors-7d68b.htm>

11 SOLOMON DWIGGINS FREER & MORSE ALAN D FREER, JARED SHAFER,
12 AND PATIENCE BRISTOL SENIOR RIP OFF KIDNAPPING, FRAUD, MISUSE OF
13 THE COURT SYSTEM LAS VEGAS, NEVADA

14 Alan D. Freer of Solomon Dwiggins Freer & Morse is using the law to rob from the
15 elderly. As a member of the Nevada bar and a lawyer who has worked under Alan D
16 Freer for several years my statements are offered as direct observation of the corruption
17 taking place in Nevada against senior citizens.

18 Alan Freer who is a partner of Solomon Dwiggins Freer & Morse represents Jared E.
19 Shafer Las Vegas' former public guardian who according to his statements is the richest
20 guardian in Nevada. This report will explain how Jared Shafer acquired his great wealth.
21 Mr. Shafer was a public official in Las Vegas serving as Clark County's public guardian
22 from 1979 through 2002. During that time he earned an annual average salary adjusted
23 for inflation of \$54,247.32. A financial investigation of Mr. Shafer's portfolio of
24 investments reveal Jared Shafer owns through several partnerships 8 parcels of key
25 commercial property in downtown Las Vegas, 6 apartment buildings located in Nevada
26 and Utah, and 3 private senior care homes. All of these properties do not include his
27 private dwelling.

28 It is impossible to acquire property at this level on the salary Jared Shafer earned between
1979 and 2003 when he retired from public office. When I joined Mr. Freer's firm,
Solomon Dwiggins Freer & Morse Mr. Freer and Dana Dwiggins, senior partners in the
law firm advised me that I would be representing Mr. Shafer. Ms. Dwiggins told me
Shafer was the firm's most profitable client. She explained Mr. Shafer was a gateway to
senior estates worth in excess of \$300,000. Alan Freer went to great lengths to explain
Jared Shafer's behavior, which he characterized as a bit strange. I was told I should
make accommodations for his anti-social actions. At first Mr. Shafer appeared to be two
people, a person who talked to himself, picked his face, and constantly bit his finger
nails.

On other occasions he appeared as a politician who could be very charming. As time
went on I observed corruption at a level, which most people would find unimaginable.

1 Documentations of large bills sent to clients for work, which was never completed.
2 Billings of telephone conversations, which didn't occur, visits to wards, which were never
3 made, extended times for services such as charging a client for 3 hours at \$225 per hour
4 to obtain a \$15 credit for a gas bill. In addition I was offered a chance to buy a wards
5 house under the market price with an opportunity to resell it at market value if I split the
6 profits with Freer & Shafer and completed paperwork in the manner Jared Shafer wanted.
7 Witnessing these activities caused a great deal of stress.

8 One evening while at a dinner for members of our firm, I decided to ask Alan Freer about
9 all of these things I had personally witnessed. Alan said "I learned very early in this
10 business from Jared Shafer, bill the families large amounts. Bill often and high so they
11 can't fight back. Jared said they must know who is boss. If a family fights triple the
12 billings. Families must understand we decide what they will receive from their estates. If
13 they give Shafer a problem, nothing will be left." Freer went on to say, "intimidation,
14 altered documents, and total disregard for the family's wishes is our best weapons." Freer
15 said "most families will fight in the beginning, but in time with the help of Commissioner
16 Jon Norheim and Judge Chuck Hoskin, we will destroy their will to fight."

17 Freer continued by saying "it is important to make families believe everything, which has
18 occurred is their fault. The guilt combined with the heavy-handed courts is enough to
19 send the most persistent trouble maker directly into therapy and that is where we want
20 them." This conversation was enough for me to leave this corrupt field of the law.
21 Within six hours resumes were leaving my computer. I was brought up as a strict
22 Catholic and I will not judge Mr. Freer and the group. I know this kind of corruption
23 against middle class seniors is not for me. Unfortunately this was not the end to what I
24 was to witness.

25 On a hot Wednesday in June of 2009 I accompanied Patience Bristol to visit one of Jared
26 Shafer's wards who lived in a senior care home in Henderson. When I returned from the
27 bathroom I witnessed Patience Bristol injecting the lady we were visiting. I asked her
28 what she was doing? Patience replied I was giving her a vitamin shot. Patience is not a
licensed nurse. I didn't know this fact at the time Patience was administering the
medication. Two months later this lady grew very sick and died. All of this information
has been turned over to the police, FBI, and the Department of Justice. I am leaving the
name of the ward out for now because an investigation against Patience Bristol is in full
progress.

As someone who has worked in Nevada family law I believe the time has come to expose
the corruption, which has been taking place in Nevada for over 30 years. The Internet is
full of articles from numerous sources providing extensive information about the
activities of Jared Shafer and his group. These articles are from: the Las Vegas Journal,
Inside Vegas, Las Vegas Tribune, The Las Vegas Times published before 2000, Channel
3 news Las Vegas, Channel 13 News Las Vegas, The Los Angeles times, and several
well written private blogs. I hope readers will understand the large number of articles
and material about Jared Shafer and his group do not come from one source. Please
Google Jared E Shafer Las Vegas, Jared Shafer PFSN, Patience Bristol, Judge Chuck

1 Hoskin Las Vegas, Commissioner Jon Norheim, and corrupt guardians Las Vegas to gain
2 a full perspective as to the gravity of the corruption being committed against our senior
citizens.

3 Ask yourself these questions, who could not cry watching 90 year old Hollywood super
4 star & producer Mickey Rooney telling his story before the U.S. congress of exploitation
5 by people he trusted? Do we lose our citizenship rights just because we get old? Is this
6 what our constitution wanted for our seniors? If your answer is yes, please quietly walk
7 away and take no action. If you believe our constitution applies to seniors, use your right
8 of free speech. Inform as many people as you can about the dangers older people face in
Nevada located in the country they believe to be the United States. Information is power
and the proper use of it is in all of our hands.

9 (C) Ripoff Report No. 680142; published Friday, January 7, 2011 ("Statement C").

10 [http://www.ripoffreport.com/assisted-living-elderly-disabled/avid/avid-amy-deittrick-](http://www.ripoffreport.com/assisted-living-elderly-disabled/avid/avid-amy-deittrick-jared-shaf-4aea6.htm)
11 [jared-shaf-4aea6.htm](http://www.ripoffreport.com/assisted-living-elderly-disabled/avid/avid-amy-deittrick-jared-shaf-4aea6.htm)

12 AVID AMY DEITTRICK, JARED SHAFER, PATIENCE BRISTOL UNLICENSED
13 BUSINESS, FRAUD, TAKING MONEY FROM THE ELDERLY INTERNET LAS
VEGAS, NEVADA

14 A Las Vegas corrupt book keeper Amy V Deittrick works for Mr. Jared Shafer who is
15 known as Las Vegas most dishonest guardian. My Aunt Marry lived in Henderson
16 Nevada and had the misfortune of contracting Alzheimer's disease. The court appointed
17 Shafer and Deittrick to "protect" the estate. During the next 23 months Ms. Deittrick and
Mr. Shafer took \$327,442.38 for questionable fees. Deittrick billed over \$100,000 in
extraordinary fees.

18 Amy Deittrick's business AVID Services of Nevada has no license to operate in the state
19 of Nevada or in Clark County. Shafer tells the IRS Deittrick is an independent
20 contractor, but Shafer breaks the IRS rules by supplying all of Deittrick's equipment and
21 controlling her hours of work. When I received this accounting I contacted Amy
Deittrick. Her attitude was very hostile.

22 Deittrick stated "Jared and I will take what we want". She continued by stating "Jon
23 Norheim Clark County's family court commissioner is in our pocket." Deittrick went on
24 to say "the gambling industry runs Las Vegas and they consider the seniors who live in
town as a side business, especially when they don't gamble." Deittrick went on by
25 emphasizing her point, which was "complain to anyone you want nothing is going to be
done. You and your family will lose all your money fighting us. No one is going to help
26 you. In fact, Norheim thinks his court is a joke".

27 Jared Shafer and Amy Deittrick believe they are untouchable and maybe they are right.
28 This report along with hundreds of posts placed on other sites will continue to expose
what is going on in Nevada. Guardian abuse of seniors must be stopped. If anyone

1 reading this report has a problem with a guardian, speak out. The guardians, judges, and
2 attorneys who perpetuate this criminal activity against the old and weak must be brought
3 to justice.

4 (D) Ripoff Report No. 762174, published Sunday, August 7, 2011 ("Statement D").

5 <http://www.ripoffreport.com/attorneys-legal-services/robert-simpson-attor/robert-simpson-attorney-alan-f-c4421.htm>

6 ROBERT SIMPSON ATTORNEY ALAN FREER, SOLOMON DWIGGINS, & FREER
7 ROBERT SIMPSON STOLE \$25,000 CASH FROM MY DYING FRIEND LAS
8 VEGAS, NEVADA

9 Robert Simpson admitted to stealing \$25,000 cash from my dying friend Mrs. Finch.

10 [Redacted] I met Robert Simpson at our exclusive Las Vegas men's only club. Robert
11 appeared to be high on something, which accounted for the fact he couldn't stop talking
12 about [Redacted], Alan Freer, another [Redacted] Las Vegas attorney.

13 Rob laughed as he told stories of the exploits of Freer as he got away with robbing the
14 elderly of everything they had worked for. He said the joke around his firm Solomon
15 Dwiggins Freer and Morse was "families bend over and pay." Rob laughed as he
16 described how easy he and Freer had it because they were in his words protected by Jared
17 Shafer and the family courts. Robert said "after five years of this easy work I will never
18 have to practice law again, just give me ten more grandma's and my bank account will be
19 fine.

20 My friend Mrs. Finch taught math in San Diego from 1955 through 1989. She retired and
21 moved to Las Vegas in 1991. In 2006 she became ill and had no family living in the
22 state. Jared Shafer was assigned to act for her. Robert told me he visited Mrs. Finches
23 North Las Vegas home on June 12, 2010. Mrs. Finch had a nurse and couldn't get out of
24 bed. Robert Simpson opened her jewelry box and found \$25,000 cash. Simpson
25 pocketed the money and reported it to Alan Freer. Freer told him to split it with him.
26 Alan Freer said you will find a lot more surprises like this one. I listened intently because
27 of my closeness to Mrs. Finch. Then Robert dropped a second bomb, he had found
28 another \$15,000 in cash in the home of a very sick lady he called Mrs. Rosenbaum.
Simpson said Alan told him to keep two thirds of this money as a bonus for his "hard
work".

I took Robert to his home and dropped him off. Since that evening he has ignored my
phone calls. I've been thinking about what he told me. I'm an orphan and have never had
any close family to worry about. Something very bad is going on in Las Vegas. Robert
Simpson believes what he and Freer are doing is funny. Maybe it is to him. I'm glad I am
a free spirit with no family to worry about. I wrote this report because someone should
know what they are doing. For me this is just stuff, which happens to other people.

1 32. The sample of the Defamatory Statements contained in paragraphs (A) through (D) above, and,
2 indeed, each of the Defamatory Statements contained in Exhibit 1 are false and defamatory per se. By
3 way of example, Statement A is expressly defamatory to Plaintiffs Shafer and Bristol, because it falsely
4 accuses Shafer and Bristol of making threats to the publisher of the statement constituting extortion, and
5 implies that Plaintiffs Shafer and Bristol used the publisher's mother as a medical experiment.
6 Statement A is also defamatory per se because it accuses Plaintiffs Shafer and Bristol of committing
7 crimes, and adversely reflects on Shafer and Bristol's fitness to conduct business as professional
8 fiduciaries in the State of Nevada. Statement B is also defamatory per se because it falsely accuses
9 Plaintiffs Shafer, Freer, and Bristol of over-billing their clients and wards, and billing for services that
10 were not provided. Such accusations negatively reflect on such Plaintiffs fitness to conduct business as
11 professional fiduciaries and as an attorney. Moreover, Statement B falsely accuses Plaintiff Bristol of
12 injecting a ward with the implication that such action caused the ward's death. Statement C is
13 defamatory per se because it falsely accuses Plaintiff Deitrick of over-billing, or billing for services
14 which were not rendered. Statement C additionally falsely accuses Plaintiff Deitrick of being complicit
15 in bribing judicial officers along with Plaintiff Shafer. Such accusations negatively reflect on Deitrick's
16 fitness to conduct business as a provider of professional services for professional fiduciaries. Statement
17 D is defamatory per se because it falsely accuses Plaintiffs Simpson and Freer of extorting legal fees
18 from the families of wards under the protection of Plaintiff Shafer. Statement D additionally falsely
19 accuses Plaintiff Simpson of being under the influence of drugs, committing thefts from wards, and
20 splitting the proceeds of such thefts with Plaintiff Freer. Such accusations negatively reflect on
21 Plaintiffs Simpson and Freer's fitness to conduct business as attorneys, and negatively reflects on
22 Plaintiff Shafer's fitness to conduct business as a professional fiduciary.
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1 33. Schultz, knowing the Defamatory Statements would be widely disseminated in the State of
2 Nevada, knowing that Nevada is where the Plaintiffs principally conduct their business and where the
3 Plaintiffs reside, and knowing the Defamatory Statements would be visible in top Google and other
4 search providers' search results for the Plaintiffs names, published the Defamatory Statements on
5 Ripoffreport.com, and upon information and belief, published the Defamatory Statements on other
6 websites and publications unknown to Plaintiffs at the time of filing this Complaint. In fact, the
7 Defamatory Statements were widely disseminated in the State of Nevada and across the country.
8

9 34. Upon information and belief, Schultz specifically chose to publish the Defamatory Statements on
10 Ripoffreport.com because the site advertises that: "Your Ripoff Report will be discovered by millions of
11 consumers! Search engines will automatically discover most reports, meaning that within just a few days
12 or weeks, your report may be found on search engines when consumers search, using key words relating
13 to your Ripoff Report." The Ripoffreport.com website has achieved notoriety in the legal community
14 for its platform to widely disperse and broadcast the defamatory statements of its users across the
15 internet. Indeed, the Third District Court of Appeal for the State of Florida, noted that
16 "[Ripoffreport.com] does nothing to prevent users of its website from posting false and defamatory
17 statements[.]" The Court went on to state that:
18
19

20 The business practices of [Ripoffreport.com], as presented by the evidence before this
21 Court, are appalling. [Ripoffreport.com] appears to pride itself on having created a forum
22 for defamation. No checks are in place to ensure that only reliable information is
23 publicized. [Ripoffreport.com] retains no general counsel to determine whether its users
24 are availing themselves of its services for the purpose of tortious or illegal conduct. Even
25 when, as here, a user regrets what she has posted and takes every effort to retract it,
26 [Ripoffreport.com] refuses to allow it. Moreover, [Ripoffreport.com] insists in its brief
27 that its policy is never to remove a post.

28 Moreover, the Ripoffreport.com website hides behind a loophole in the Communications Decency Act
which purportedly provides the site operators immunity for the defamatory content published by the
website's users. Upon information and belief, Schultz specifically chose to publish the Defamatory

1 Statements on the Ripoffreport.com website because the website advertises that it does not remove
2 reports under any circumstances, including when such reports contain false and defamatory statements.

3 35. Upon information and belief, Schultz published and/or caused the Defamatory Statements to be
4 published with knowledge of their falsity or with reckless disregard for the truth. Schultz knew at the
5 time of publishing the statements that she had no reasonable basis in fact to make the statements.
6

7 36. Many of the Defamatory Statements follow the same reoccurring theme: the writer first accuses
8 one of the Plaintiffs, often Shafer, of murdering an elderly family member (often a parent of the writer).
9 The writer then tells the story that the victim was placed under involuntary guardianship or the victim's
10 family was led to go along with a voluntary guardianship proceeding, utilizing Shafer, his company
11 PFSN, or an employee of PFSN (often Patience Bristol), as the victim's guardian. The writer then states
12 that Shafer and/or Patience Bristol isolated the victim from the family, and when the writer complained
13 to Shafer and/or Patience Bristol, they were met with threats by Shafer and Bristol, often stating that
14 Shafer would use the victim's body for medical experiments while they were alive and/or that the Las
15 Vegas Family Court system was corrupt and in Shafer's pocket. In almost each of the Defamatory
16 Statements, the writer complains that the victim died from neglect (often citing "dehydration") or abuse
17 while under the isolation imposed by Shafer and/or Bristol, and that the writer has discovered that
18 Shafer and/or Bristol has drained the victim's accounts of several thousand dollars, and often several
19 hundred thousand dollars, in professional guardian fees and related services. The writer frequently
20 complains that they attempted to file police reports, or sought other government agency investigations
21 including the FBI and the Department of Justice, but that such investigations were dropped for various
22 reasons including the oft cited corrupt Nevada legal system. In addition, frequent themes among the
23 Defamatory Statements involve Shafer bribing the Las Vegas judges, including Judge Chuck Hoskin and
24 Commissioner John Norheim to obtain favorable rulings, or involve such judicial officers soliciting
25
26
27
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1 bribes directly on behalf of Shafer and/or Bristol. The Defamatory Statements frequently include the
2 involvement of attorneys Alan Freer and Elyse Tyrell in threatening the writer, extorting the writer,
3 engaging in conflict of interest legal representations, and charging hundreds of thousands of dollars in
4 legal fees, on the behalf of, and for the primary benefit of, Shafer. Other common themes among the
5 Defamatory Statements involve the publisher posing as a former employee for Plaintiff Shafer or
6 Plaintiff Solomon Dwiggins & Freer, Ltd., and writing a "tell-all" of the events the publisher witnessed
7 and participated in under the direction of Shafer, including stealing money from debilitated seniors and
8 threatening or extorting the victim's families. Such factual accusations are not only patently and
9 demonstrably false and outrageous, but clearly intended by the publisher to disparage the businesses of
10 Plaintiffs in providing professional fiduciary and guardianship services, and legal representation, in
11 Clark County, Nevada.

12
13
14 37. Although the Defamatory Statements were either published anonymously or under a fictitious
15 name, the common and reoccurring themes among the Defamatory Statements demonstrate that
16 Defendant Schultz published each and every statement herself, and/or suggests that Defendant Schultz
17 worked with a close-knit group of cohorts and agents whose names are not yet known to Plaintiffs, who
18 acted under the direction and/or control of Defendant Schultz. For such purposes Plaintiffs have alleged
19 the involvement of DOES 1 through 20.
20

21 38. At the time Schultz, and/or her agents and cohorts, published the Defamatory Statements, and as
22 she continues to publish the statements, she had reason to know that the publication of those statements
23 would tend to lower Plaintiffs in the estimation of the community, tend to excite derogatory opinions
24 against Plaintiffs, tend to hold Plaintiffs up to ridicule, harm the reputation of Plaintiffs, and deter third
25 persons from associating, dealing with and/or engaging in business with the Plaintiffs.
26
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1 39. Because the Defamatory Statements were published on the internet, for all intents and purposes,
2 the Defamatory Statements were published in Clark County, Nevada, and throughout the country. The
3 Defamatory Statements were seen and read by persons who reside in Clark County, Nevada. Defendant
4 Schultz knew and/or had good reason to know that the Defamatory Statements would be seen and read
5 by persons who reside in Clark County, Nevada.
6

7 40. As a direct and proximate result of the Defamatory Statements, the individual Plaintiffs have
8 each suffered injury to their reputations, including shame, mortification, hurt feelings, and emotional
9 distress in a general damage sum well in excess of \$50,000.00, in an amount to be proven at trial, and in
10 an amount sufficient to exempt this matter from arbitration.
11

12 41. Plaintiffs are informed and believe, and on that basis allege, that the conduct of Schultz was
13 intentional, and done willfully with oppression, fraud, and malice toward Plaintiffs, and with conscious
14 disregard for their rights. Plaintiffs' injuries were intensified by the malicious conduct of Schultz, and
15 Schultz's conduct justifies an award of exemplary and punitive damages.
16

17 42. It has been necessary for Plaintiffs to retain the services of Solomon Dwiggins & Freer, Ltd., to
18 bring this action, and Plaintiffs are entitled to an award of attorney's fees and costs.
19

20 **SECOND CAUSE OF ACTION FOR DISPARAGEMENT OF A BUSINESS**

21 43. Plaintiffs reallege and incorporate by reference each and every allegation contained in
22 Paragraphs 1 through 26 above.
23

24 44. The Defamatory Statements published by Defendant Schultz falsely disparage the businesses of
25 Plaintiffs Solomon Dwiggins & Freer, Ltd., Professional Fiduciary Services of Nevada, Inc., and AVID
26 Business Services of Nevada, Inc., in the community.
27
28

1 45. The Defamatory Statements were published by Defendant Schultz with actual malice and
2 knowledge of the falsities contained in the statements, and with the specific intent of causing injury to
3 such Plaintiffs' businesses and pecuniary interests.

4 46. Upon information and belief, Defendant Schultz's publication of the Defamatory Statements
5 caused special damages to the Plaintiff businesses resulting in loss of business and/or decline in profits
6 in excess of \$50,000.00.

7
8 47. It has been necessary for Plaintiffs to retain the services of Solomon Dwiggins & Freer, Ltd., to
9 bring this action, and Plaintiffs are entitled to an award of attorney's fees and costs.

10 **THIRD CAUSE OF ACTION FOR DECLARATORY RELIEF**

11 48. Plaintiffs reallege and incorporate by reference each and every allegation contained in
12 Paragraphs 1 through 31 above.

13
14 49. Nevada has adopted the Uniform Declaratory Judgments Act (the "Act").

15 50. The Act provides that "Courts of record within their respective jurisdictions shall have power to
16 declare rights, status and other legal relations whether or not further relief is or could be claimed. No
17 action or proceeding shall be open to objection on the ground that a declaratory judgment or decree is
18 prayed for. The declaration may be either affirmative or negative in form and effect; and such
19 declarations shall have the force and effect of a final judgment or decree." See, NRS 30.030.
20

21 51. A ripe case in controversy exists between Plaintiffs and Schultz concerning the rights of
22 Plaintiffs to not be defamed and falsely disparaged in publications made by Schultz.
23

24 52. This controversy is capable of and in need of prompt judicial declaration to resolve.

25 53. The Plaintiffs should have declaratory relief to the effect that the Defamatory Statements
26 published by Schultz on Ripoffreport.com and elsewhere, and as may appear in condensed or other
27
28

1 60. The Defamatory Statements constitute defamation per se, being obviously and patently false on
2 their face and disparaging the Plaintiffs' business and businesses, and as such, Plaintiffs are entitled to
3 temporary and permanent injunctive relief that prevents and restrains Defendants from publishing
4 further defamatory and/or disparaging statements concerning the Plaintiffs.

5 61. Plaintiffs are further entitled to temporary and permanent injunctive relief requiring Defendants,
6 including Schultz, to take any and all actions to identify, remove, and mitigate to the Court's
7 satisfaction, all publications of the Defamatory Statements, and other such defamatory publications
8 concerning the Plaintiffs as are known to her, or as they become known in the course of this litigation,
9 including taking any and all actions to remove such defamatory publications from Ripoffreport.com and
10 elsewhere as known to Defendant, or as become known through the course of litigation, and to take any
11 and all actions to remove the publications from appearing in search engine results, including Google,
12 Yahoo!, and Bing.

13 62. It has been necessary for Plaintiffs to retain the services of Solomon Dwiggin & Freer to bring
14 this action, and Plaintiffs are entitled to an award of attorney's fees and costs.

15
16
17 **FIFTH CAUSE OF ACTION FOR EXEMPLARY AND PUNITIVE DAMAGES**
18

19 63. Plaintiffs reallege and incorporate by reference each and every allegation contained in
20 Paragraphs 1 through 46 above.

21 64. As to the acts and allegations regarding the wrongful acts and breach of obligations not arising
22 from contract, Defendant has been guilty of oppression, fraud, or malice, express or implied, thereby
23 entitling Plaintiffs to an award of punitive damages, in an amount to be proven at trial.

24 65. To discourage such conduct by Defendant in the future, Plaintiffs should be awarded exemplary
25 damages for the wrongful acts and breach of obligations not arising from contract, in an amount to be
26 determined at trial.
27
28

1 66. It has been necessary for Plaintiffs to retain the services of Solomon Dwiggins & Freer, Ltd., to
2 bring this action, and Plaintiffs are entitled to an award of attorney's fees and costs.

3 **WHEREFORE**, Plaintiffs pray for the following relief:

4 a. That Plaintiffs have judgment against Defendant for compensatory and consequential
5 damages in excess of \$50,000.00, the exact amount of which will be proven at trial;

6
7 b. That this Court award Plaintiffs declaratory relief to the effect that the Defamatory
8 Statements published by Schultz on ripoffreport.com and elsewhere, and as may appear in condensed or
9 other forms in search engine results, such as in Google, Yahoo! and Bing, search results, are false,
10 unlawful, and constitute defamation as adjudged by a Court of competent jurisdiction in the State of
11 Nevada;

12
13 c. That this Court award Plaintiffs temporary and permanent injunctive relief immediately
14 preventing and restraining Schultz from publishing further defamatory and/or disparaging statements
15 concerning the Plaintiffs, and requiring Schultz to take any and all actions to identify, remove, and
16 mitigate to the Court's satisfaction, all publications of the Defamatory Statements, and others as are
17 known to her, or as they become known in the course of this litigation, including taking any and all
18 actions to remove the defamatory publications from Ripoffreport.com, and to remove the publications
19 from appearing in search engine results, including Google, Yahoo!, and Bing.
20

21 d. That this Court award Plaintiffs exemplary and punitive damages in an amount to be
22 proven at trial;

23
24 e. That this Court award Plaintiffs reasonable attorney's fees for this action;

25 f. That this Court award Plaintiff costs of suit in this action; and

26 ///

27 ///

28

1 g. That this Court award Plaintiffs such other and further relief as the Court deems just and
2 proper.

3 DATED this 31st day of October, 2012.

4 SOLOMON DWIGGINS & FREER, LTD.

5
6
7 By: 

8 MARK A. SOLOMON, ESQ.

9 Nevada State Bar No. 00418

10 ROSS E. EVANS, ESQ.

11 Nevada State Bar No. 11374

12 9060 West Cheyenne Avenue

13 Las Vegas, Nevada 89129

14 Attorneys for Plaintiffs
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EXHIBIT 1

EXHIBIT 1

1 **ORDR**

2 ELYSE M. TYRELL, ESQ.
3 Nevada Bar No: 5531
4 TRENT, TYRELL & PHILLIPS
5 11920 Southern Highlands
6 Parkway, Suite 200
7 Las Vegas, Nevada 89141
8 (702) 382-2210
9 (702) 382-9242 (fax)
10 elyse@probatelawlv.com
11 Attorney for the Petitioner,
12 JARED E. SHAFER

FILED

2009 DEC -2 A 9 16

E. Tyrell
CLERK OF THE COURT

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 In the Matter of the Guardianship) Case No.: G 28163
11 of the person and estate of) Family Court
12 GUADALUPE MENA OLVERA, an Adult Ward.) Dept. No.: E

13 **ORDER APPOINTING SUCCESSOR GENERAL GUARDIAN**

14 Date of Hearing: 12/02/09
15 Time of Hearing: 9:00 a.m.

16 Upon review of the verified Petition for Appointment of
17 Successor Temporary and Successor General Guardian filed by JARED
18 E. SHAFER; the court having considered the same and having found
19 that all allegations contained in said verified petition are true
20 and correct, and good cause appearing therefor,

21 NOW, THEREFORE, IT IS HEREBY ORDERED AND DETERMINED that
22 GUADALUPE MENA OLVERA is a resident of the State of Nevada and is
23 incompetent to manage his own personal and financial affairs; and
24 it is

25 FURTHER ORDERED that JARED E. SHAFER be, and he is hereby
26 appointed to act as the successor general guardian of the person
27 and estate of GUADALUPE MENA OLVERA, and that Successor Letters of
28 Guardianship shall issue to the said JARED E. SHAFER upon his

1 taking the oath of office as required by law, without bond; and it
2 is

3 FURTHER ORDERED that JARED E. SHAFER shall have the power and
4 authority as may be necessary in order to conserve and protect the
5 person and property of the adult ward from injury or loss; and it
6 is

7 FURTHER ORDERED that JARED E. SHAFER is hereby authorized and
8 granted access to any and all historical account information for
9 any and all of the adult ward's assets for investigative purposes;
10 and it is

11 FURTHER ORDERED that JARED E. SHAFER is hereby authorized and
12 granted access to any and all medical information and/or
13 documentation regarding the adult ward; and it is


14 FURTHER ORDERED that a copy of this order shall be directed
15 to the adult ward.

16 DATED and DONE this 2nd day of December, 2009.

17 CHARLES J. HOSKIN

18 DISTRICT COURT JUDGE

19
20 TRENT, TYRELL & PHILLIPS

21 
22 ELYSE M. TYRELL, ESQ.
23 11920 S. Southern Highlands
24 Parkway, Suite 200
25 Las Vegas, Nevada 89141
26 Attorney for the Petitioner

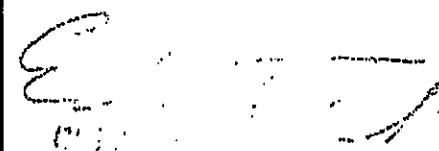
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EXHIBIT 2

EXHIBIT 2

JUN 16 2010

CLERK OF COURT

TRANS

ORIGINAL

EIGHTH JUDICIAL DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the person and estate of)	CASE NO.	05G028163
)		
GUADALUPE MENA OLVERA,)	DEPT.	GDN
)		
<u>An Adult Ward.</u>)		

BEFORE THE HONORABLE JON NORHEIM, HEARING MASTER

TRANSCRIPT RE: RETURN HEARING

WEDNESDAY, MAY 19, 2010

APPEARANCES:

The Guardian: JARED E. SHAFER
For The Guardian: ELYSE M. TYRELL, ESQ.
Trent, Tyrell & Phillips
11920 S. Highlands Pkwy, #200
Las Vegas, Nevada 89141
(702) 382-2210

The Petitioners: REBECCA SCHULTZ
RUTH CARNEY
For The Petitioners: STEPHEN J. MAYFIELD, ESQ.
Hutchison & Steffen, LLC
10080 Alta Drive, #200
Las Vegas, Nevada 89145
(702) 385-2500

ALSO PRESENT: CAROL KINGMAN, ESQ.
JULIE C. ARNOLD, ESQ.
Senior Citizens Law Project

PATIENCE BRISTOL, Case Manager
for Jared Shafer's office.

1 LAS VEGAS, NEVADA

WEDNESDAY, MAY 19, 2010

2 P R O C E E D I N G S

3 (THE PROCEEDING BEGAN AT 09:45:40.)

4 (AT THE BEGINNING OF THE HEARING MR. SHAFER AND MS.
5 BRISTOL ARE NOT PRESENT AT COUNSEL TABLE.)

6 THE COURT: All right. Case G28163, Guadalupe Olvera.

7 THE CLERK: Mr. Shafer just walked out.

8 MS. TYRELL: I'm not quite sure why.

9 MS. ARNOLD: Bruce, do you want to get him, please?

10 THE COURT: Now, if I could get -- if I could get
11 everyone's appearance for the record.

12 MR. MAYFIELD: Good morning, Your Honor. Stephen
13 Mayfield, on behalf of Becky Schultz and Ruth Carney,
14 petitioners for co-guardianship.

15 MS. KINGMAN: Carol Kingman, 8531, Guardian Ad Litem.

16 MS. ARNOLD: Julie Arnold, 3578, Guardian Ad Litem.

17 MS. TYRELL: Elyse Tyrell, 5531, on behalf of Jared
18 Shafer, the current guardian, who is here. And I have
19 Patience Bristol, who's a case manager also with us.

20 THE COURT: Okay. And --

21 MS. TYRELL: Out in the hall.

22 THE COURT: -- and this was part one of potentially only
23 one part, depending on how --

24 MR. MAYFIELD: We hope so --

1 THE COURT: -- clear things were.

2 MR. MAYFIELD: -- Your Honor. That's our anticipation,
3 Your Honor.

4 THE COURT: So what did you find?

5 MS. KINGMAN: Okay. Just to reiterate, our assignment
6 was very narrow for this. It was to find out what the Ward
7 wants in regard to where he should live.

8 (WHEREUPON, MS. BRISTOL ENTERS THE COURTROOM AND STANDS
9 WITH MS. TYRELL AT COUNSEL TABLE.)

10 MS. KINGMAN: And, of course, if the -- The Court wants
11 to expand our assignment as a result of this hearing, then we
12 will do extensive --

13 THE COURT: Well, the -- the goal --

14 MS. KINGMAN: -- interviews. But --

15 THE COURT: -- the goal was, if the Ward is clear and
16 knows -- and knows what she wants -- He? Guadalupe. Sorry.
17 I had to take a guess. And -- and -- and knows what he wants,
18 then, you know, fine with me. But if you have concerns about
19 whether or not he really knows what he wants --

20 MS. KINGMAN: Okay.

21 THE COURT: -- then we'd need to go further.

22 MS. KINGMAN: All right. Ms. Arnold and I visited the
23 Ward in his home on May 12th. The Ward was definite, emphatic
24 and consistent in wanting to remain in his home in Las Vegas.

1 He stated he was settled. He's set up with caregivers. The
2 house is filled with things that his wife had bought. It's a
3 lovely neighborhood, very clean. Nice home, very quiet
4 neighborhood. The Ward really has a good relationship with
5 the weekly caregiver. The Ward is not so fond of the weekend
6 caregivers. They have been through a couple of those already,
7 so might need some fine tuning in that area.

8 (WHEREUPON, MR. SHAFER ENTERS THE COURTROOM AND STANDS
9 WITH MS. TYRELL AT COUNSEL TABLE.)

10 MS. KINGMAN: The Ward stated that he wants to stay here,
11 quote, Not maybe, definitely. That he wants to stay in Las
12 Vegas, quote, No doubt about it, I do not want to move to
13 California. He states, quote, It was too much trouble to
14 move, I love this area, I love the weather here, We moved here
15 on purpose. And we -- we circled around to it several times,
16 as we often do, just to check on consistency and -- and
17 definiteness in terms of their statement, and that's what he
18 represented to us.

19 MR. MAYFIELD: Your Honor, there's a complete
20 misunderstanding by -- with all due respect to the guardian ad
21 litem, the issue was whether he wants Becky Schultz to be his
22 guardian.

23 MS. ARNOLD: No. That's (indiscernible).

24 MR. MAYFIELD: This petition --

1 THE COURT: No.
2 MR. MAYFIELD: -- was not for --
3 MS. KINGMAN: That was not our assignment though.
4 THE COURT: No. Because her plan is to move him to --
5 MR. MAYFIELD: No, Your Honor.
6 THE COURT: -- live with her in --
7 MR. MAYFIELD: At this point --
8 MS. SCHULTZ: No.
9 MR. MAYFIELD: -- it's not.
10 MS. SCHULTZ: No.
11 MR. MAYFIELD: Your Honor --
12 MS. TYRELL: Actually, if I could. I believe that the
13 request was whether he was capable of expressing his --
14 THE COURT: Um-hmm.
15 MS. TYRELL: -- desires. That's what the initial --
16 THE COURT: Well, and -- and I wanted to know what --
17 MS. TYRELL: And ultimately --
18 THE COURT: -- those desires were.
19 MS. TYRELL: -- what they were. But -- but really
20 whether he's capable of communicating that and has enough
21 wherewithal to --
22 THE COURT: When we were here last time I got two
23 completely different stories --
24 MS. TYRELL: Right.

1 THE COURT: -- depending on who I listened to.

2 MS. TYRELL: Right.

3 THE COURT: I got -- Mr. Shafer indicated that the Ward
4 has repeatedly said he wants to live here and doesn't want to
5 -- to move to California, doesn't want to -- to live at -- in
6 a house with his daughter. I -- I got -- the daughter
7 indicates that -- that he's saying the opposite to her.

8 MR. MAYFIELD: Your Honor, our --

9 MS. KINGMAN: And --

10 MS. SCHULTZ: No. That's not true. May I speak?

11 MS. KINGMAN: -- Your Honor, we were confident in -- in
12 visiting with -- with Guadalupe, that he -- he was capable of
13 expressing his wishes. I mean, we understood our assignment
14 to be what -- to define what those wishes are. We were -- we
15 were confident that he was freely expressing to us what he
16 really wanted, and that he could clearly express those wishes.
17 And as our understanding was, that was our assignment.

18 MR. MAYFIELD: Your Honor, that is fine. But also the
19 issue was whether he wants Becky Schultz to be his guardian.
20 That's our main petition here, is not to move him to
21 California. Our petition is for Becky Schultz, his daughter,
22 who has statutory priority, to be his guardian, whether he
23 wants her to be the guardian. Our understanding is he wants
24 emphatically for her to be his guardian. And there's no --

1 THE COURT: Well, at this point the priority ship sailed,
2 because you'd have to remove Jared Shafer, so you'd come under
3 a completely different --

4 MR. MAYFIELD: Well, Your Honor --

5 THE COURT: -- section.

6 MR. MAYFIELD: -- that's a real issue here. Because he
7 was brought in on an emergency basis, with the understanding
8 he would step aside soon thereafter. We don't understand why
9 he's still refusing to step aside, when the intention was for
10 him to be there for -- simply for the purpose of protecting
11 the Ward when there was an emergency in case.

12 But it was always the intention of my client to
13 become his guardian. We have a co-guardian who lives here in
14 Nevada, who will be there consistently to assist with the
15 guardianship. There's no reason for Mr. Shafer to stay as
16 guardian when his -- his daughter, who loves him, who he loves
17 and wants to be his guardian --

18 THE COURT: He's here to arrange for caregivers and make
19 sure the Ward's being taken care of. I mean, if the Ward's
20 going to live here and your client's going to live in
21 California, it's going to be tough for her to administer this.

22 MS. TYRELL: Well, and --

23 MR. MAYFIELD: I --

24 MS. TYRELL: -- quite honestly, the -- it's always been

1 tied -- in -- in all fairness, I've spoken with -- you know,
2 with her as well from the beginning. The whole idea, the
3 whole goal was to see if he would relocate to California;
4 that's been known from the beginning, and that was in
5 conjunction with her being guardian. And when we came in here
6 last time, it was very clear her desire was to relocate him to
7 California.

8 I think then, based on what they're saying, the next
9 step would be now to decide whether she's appropriate to
10 serve. I have a concern now that --

11 THE COURT: Well, this is a removal case. I mean, it's
12 not just about deciding --

13 MS. TYRELL: Well, I understand --

14 THE COURT: -- whether she's appropriate.

15 MS. TYRELL: -- that. But --

16 THE COURT: I have to --

17 MS. TYRELL: -- in the meantime --

18 THE COURT: -- to -- to pull --

19 MS. TYRELL: -- from the last time we were in court,
20 Becky has gone to the VA to try to redirect his income; has --

21 MS. CARNEY: No.

22 MS. TYRELL: -- gone to social --

23 MS. SCHULTZ: Not -- No.

24 MS. TYRELL: -- Social Security --

1 MS. SCHULTZ: No.
2 MS. TYRELL: -- and redirected his income.
3 MS. SCHULTZ: No.
4 MS. CARNEY: No.
5 MS. TYRELL: And she --
6 MR. MAYFIELD: No. That's not true.
7 MS. SCHULTZ: No.
8 MS. CARNEY: Not true.
9 MS. BRISTOL: Not Social Security, but VA.
10 MS. TYRELL: I'm sorry. Just VA.
11 THE COURT: Re --
12 MS. TYRELL: But -- but --
13 THE COURT: -- regardless of --
14 MS. TYRELL: -- regardless -- but she's doing it --
15 THE COURT: I don't even get --
16 MS. TYRELL: -- in a disregard --
17 THE COURT: -- but I don't get to that point.
18 MS. TYRELL: -- for authority.
19 MS. SCHULTZ: Am I going to be able to make a statement?
20 THE COURT: I don't get -- I don't get to that point. I
21 mean, in order to remove Mr. Shafer at this point -- we're not
22 starting from scratch. It isn't just a best interest test.
23 In order to remove Mr. Shafer, I'm going to have to find
24 statutorily under Chapter 159 there's been either some sort of

1 malfeasance, or that I can clearly find that it's in the best
2 interest of the Ward to change the guardian at this point.

3 Given that the Ward wishes to have the -- the
4 situation remain as it is, I can't -- I can't see how --

5 MS. TYRELL: Well, and -- and for the record, I want to
6 say that Mr. Shafer has always said, if it's appropriate for
7 me to step out, I will step out. And I've communicated that
8 to Ms. Schultz. But we are concerned that it's not
9 appropriate. She has shown a very dis -- high disregard for
10 how the process works. While we had a guardianship in place
11 she came and removed assets from the house and didn't tell
12 anybody she was doing it.

13 MS. SCHULTZ: Not true.

14 MR. MAYFIELD: That's not true, Your Honor.

15 MS. CARNEY: No.

16 MS. SCHULTZ: Not true.

17 MS. CARNEY: No.

18 MR. SHAFER: Your Honor?

19 THE COURT: Yes.

20 MR. SHAFER: Assets are a strong word. She removed two
21 pictures. It isn't the issue that she took pictures, it's the
22 -- they were family pictures. It wouldn't have been a
23 problem, but you don't take something out of a house of a ward
24 without at least --

1 MS. SCHULTZ: My father --
2 MR. SHAFER: -- telling the guardian.
3 MS. SCHULTZ: -- gave them to me.
4 MR. SHAFER: And I think that the problem is that that
5 shows a disregard for the process in total. Taking him a
6 second time to a VA advocate, and having him -- having him and
7 her sign documents so she can get redirected the VA check --
8 MS. SCHULTZ: No.
9 MS. CARNEY: No.
10 MR. SHAFER: -- shows another disregard for the process.
11 It is not a matter of whether she's -- whether I'm good, bad
12 or indifferent. You know the process with us. We'll step out
13 where it's appropriate. This is --
14 THE COURT: Um-hmm.
15 MR. SHAFER: -- totally inappropriate. From what I saw,
16 her co-guardian lives up in Carson City or somewhere from the
17 town --
18 MS. CARNEY: No. I own property --
19 MR. SHAFER: -- I don't know what town --
20 MS. CARNEY: -- here, Your Honor. I own --
21 MR. MAYFIELD: She owns --
22 MS. CARNEY: -- property here.
23 MR. MAYFIELD: -- property here. The issue is --
24 MR. SHAFER: What town did you put in your petition? I

1 mean, what town, Your Honor, was --

2 MR. MAYFIELD: Your Honor, he's speaking on behalf of
3 himself, and his client (sic) should be making the arguments.

4 The point is, she is his daughter and loves him and
5 cares for him; he cares for her. If we need to have an
6 evidentiary hearing to show --

7 THE COURT: It --

8 MR. MAYFIELD: -- that he wants her to be --

9 THE COURT: -- it --

10 MR. MAYFIELD: -- his guardian, I think it's appropriate.

11 THE COURT: -- it -- but here's -- here's the -- here's
12 the thing. This isn't a starting from scratch deal.

13 MR. MAYFIELD: I understand that.

14 THE COURT: You have to -- you have to remove Mr. Shafer.

15 MR. MAYFIELD: Right. I understand that.

16 THE COURT: Which is -- which is a --

17 MR. MAYFIELD: We're trying to do that.

18 THE COURT: -- which is -- is going to be really
19 problematic in light of the fact that the Ward is emphatically
20 wanting to --

21 MR. MAYFIELD: He's emphatic --

22 THE COURT: -- continue --

23 MR. MAYFIELD: -- he wants to stay here, Your Honor.

24 That's --

1 THE COURT: Yes. But --
2 MR. MAYFIELD: -- that's fine.
3 MS. CARNEY: We can do this.
4 THE COURT: -- but your client isn't in a position to be
5 able to manage him from here. She doesn't live here.
6 MR. MAYFIELD: The co-guardian is able to do that, Your
7 Honor.
8 MS. CARNEY: I -- I --
9 MR. MAYFIELD: She's here. And --
10 MS. CARNEY: -- own property here, Your Honor.
11 MR. MAYFIELD: -- Your Honor, she calls him almost every
12 day. Okay.
13 MS. SCHULTZ: Every day. I do.
14 MR. MAYFIELD: She speaks --
15 THE COURT: So -- so the --
16 MR. MAYFIELD: -- with him regularly.
17 THE COURT: -- so having a -- a family friend serve is
18 somehow better than a professional?
19 MR. MAYFIELD: Absolutely, Your Honor. In this case it
20 is, because he has a natural affection for his daughter and
21 for her friend who he's met with regularly. Okay. And he
22 wants to have that closeness with his daughter. There's no
23 reason why that shouldn't be the case.
24 THE COURT: He can have any kind of closeness he wants.

1 It's just that she won't be making his financial and medical
2 decisions for him. Because there's no access issues here.
3 This is about who gets to control --
4 MR. MAYFIELD: Well, there are --
5 THE COURT: -- the money.
6 MR. MAYFIELD: -- issues with regard to Mr. Shafer.
7 First of all, he has intentionally tried to permit -- to keep
8 my client away from his -- his father -- her father.
9 MR. SHAFER: When did I do that?
10 MR. MAYFIELD: And --
11 MS. SCHULTZ: Yeah. Four days --
12 MR. MAYFIELD: -- by telling her --
13 MS. SCHULTZ: -- of time with the visits.
14 MR. MAYFIELD: -- that she couldn't visit the house.
15 MR. SHAFER: When did I do that?
16 MR. MAYFIELD: And two, Your Honor, he has keys, which
17 were removed from the house, which was inappropriate. Okay.
18 Mr. -- Mr. Olvera --
19 MS. TYRELL: He's the guardian.
20 MR. MAYFIELD: -- was trying to access --
21 MS. TYRELL: He does have keys.
22 MR. MAYFIELD: -- his -- his property, and couldn't do so
23 because his keys were not there. Made him very angry.
24 I mean, the biggest issue is what does he want. I

1 think this has been misconstrued as to what he wants, as where
2 he wants to live. Now, Your Honor is very well aware that if
3 it becomes in the best interest to move the Ward, in state or
4 out of state, we can do that under NRS 159.

5 THE COURT: Yes.

6 MR. MAYFIELD: At this point the client doesn't want to
7 do that.

8 MS. TYRELL: Well --

9 MR. MAYFIELD: They want to become his guardian, to take
10 care of him as his daughter, and -- and to do what's in his
11 best interest.

12 MS. TYRELL: And -- and -- and I -- I don't mean to
13 chastise Counsel. But you know there's a guardianship in
14 place. And he's sitting there advocating -- what happened was
15 is Ms. Schultz's husband was trying to access the file
16 cabinets. And Mr. Shafer as guardian, who has a
17 responsibility, whether it be temporary guardian or not, has
18 the responsibility of securing the ward's assets. And you're
19 -- you're questioning the guardian for securing the ward's
20 assets. So clearly there's a lack of an understanding of how
21 a guardianship works and the importance of following the
22 rules.

23 MR. MAYFIELD: In that context, Your Honor, the -- the
24 Ward specifically asked them to open that safe -- that -- that

1 file cabinet. I understand it would have been appropriate for
2 them to contact the guardian. But in the context of a family
3 relationship, when he says to his daughter would you please
4 help me open my file -- file cabinet, it's not really an issue
5 of any nefarious behavior.

6 MS. TYRELL: We -- we --

7 MR. MAYFIELD: It's being misconstrued.

8 MR. TYRELL: No. That's not the -- what Mr. Olvera
9 relayed to our case manager, who's here today, as to what
10 happened. But, in any event, the fact remains we have a
11 guardianship in place. There's clearly a disregard or a
12 respect for how that system works.

13 And so I think the next thing would be is we need to
14 decide -- well, they need to -- if -- if -- we're not
15 convinced that she's appropriate to serve. We're not
16 convinced that the Ward has a relationship with the friend who
17 just automat -- all of a sudden has appeared from nowhere.
18 She may own property here. That does not mean she resides
19 here and is accessible --

20 THE COURT: Well, and is --

21 MS. TYRELL: -- immediately.

22 THE COURT: -- is she in a position to be able to
23 professionally manage an -- an estate? He has significant
24 caregiver needs --

1 MR. MAYFIELD: Well --
2 MS. SCHULTZ: Well --
3 THE COURT: -- that have to be managed.
4 MS. CARNEY: We can do this.
5 MR. MAYFIELD: -- that isn't the problem, Your Honor.
6 Because they can obviously communicate with the caregiver on a
7 regular basis. And all of his assets are tied up in a trust
8 by the trustee, so management of assets isn't a concern I
9 believe. The issue is taking care of his healthcare needs.
10 And if they hire the same healthcare --
11 MS. CARNEY: Um-hmm.
12 MR. MAYFIELD: -- provider, or another healthcare
13 provider who is equally --
14 MS. CARNEY: Yeah.
15 MR. MAYFIELD: -- able to do that, there should be no
16 concern. I mean, I understand that Patience visits the -- the
17 Ward on a regular basis.
18 THE COURT: Um-hmm.
19 MR. MAYFIELD: But so will Ruth.
20 MS. CARNEY: Yes.
21 MR. MAYFIELD: On a regular basis visit with him to
22 confirm -- and -- and Becky will con -- will visit with him
23 probably on a monthly basis and call him daily. And if he
24 wants her to be his guardian -- that's the real issue, Your

1 Honor. You said it in a previous hearing.

2 MS. SCHULTZ: That's what he said.

3 MR. MAYFIELD: If he wants Becky to be his guardian,
4 that's really what matters. And you said it earlier this
5 morning. What the Ward wants, with regard to who his guardian
6 is, should be paramount.

7 Now, I understand that he said, I want Becky to be
8 my guardian. If he wants to stay in California -- or stay in
9 Nevada, that's fine. There's no reason to move him at this
10 time. But if he wants specifically for Becky, his daughter,
11 to be his guardian, then The Court should take that very
12 seriously, regardless of whether there's a guardianship in
13 place. Because who he wants to be his guardian is very
14 important.

15 Now, my client wishes to make a statement, Your
16 Honor.

17 MS. SCHULTZ: The only reason Jared Shafer is guardian is
18 because after my mother died last November I came down here to
19 see my father, and I couldn't find him. He was being hidden
20 by a woman who had --

21 THE COURT: I know.

22 MS. SCHULTZ: -- befriended by parents. Okay.

23 THE COURT: I was here.

24 MS. SCHULTZ: So I called the County office, and somebody

1 gave me Mr. Shafer's number.

2 THE COURT: Um-hmm.

3 MS. SCHULTZ: I had no idea who he was. I had to get on
4 a plane after four days of looking for my father. I called
5 him at -- it turned out it was his home number, which I didn't
6 know; and he wasn't happy about that. He said, call me at my
7 office. I call his office. He says, you need an attorney. I
8 thought he was sending me to someone that was going to help
9 me, but he sent me to his attorney. And they put this
10 guardianship in place, which was supposed to be temporary,
11 just to rescue my father from this person who was -- had
12 exploited my parents and hiding my father from me.

13 More -- I'm upset. I'm very stressed out. So I go
14 along with the whole thing, thinking that I'm going to get --
15 become co-guardian with him. And then I find out after the
16 fact he never does co-guardianship.

17 THE COURT: Right.

18 MS. SCHULTZ: So his attorney, and he himself the day I
19 met him, told me that they'd be more than happy to, you know,
20 hand over the guardianship after paperwork, things are put in
21 place, whatever. And it never happened.

22 I mean, my father loves me and he misses me. And if
23 he doesn't want to move, I would never force him to move.
24 Ideally, of course I would love him to be in California with

1 his granddaughter, his great granddaughter, me and my husband.
2 But I would never force him to move. And they've been use --
3 playing that card and -- and -- and cramming that California
4 issue, and using that --

5 THE COURT: But it's in your most recent petition.

6 MS. SCHULTZ: Right.

7 THE COURT: It's not like it --

8 MS. SCHULTZ: No. I --

9 THE COURT: -- went away.

10 MS. SCHULTZ: -- I don't -- I would like --

11 MR. MAYFIELD: So --

12 MS. SCHULTZ: -- I would love him to be near me and his
13 only living family. My father has no friends and no relatives
14 here. So why should he --

15 THE COURT: But -- but he wants to stay.

16 MS. TYRELL: Because he wants to.

17 MS. SCHULTZ: Well, he wants to stay --

18 MR. MAYFIELD: Well, and that's --

19 MS. SCHULTZ: -- in his home.

20 MR. MAYFIELD: -- fine, Your Honor.

21 MS. SCHULTZ: He's ninety years old.

22 MR. MAYFIELD: Your Honor, that's fine. If he wants to
23 stay, that's fine. But the statute provides that if at some
24 point it's in his best interest to move him to California, six

1 months, a year, two years, five years from now, we can do
2 that. She's making that -- that's the whole point of that
3 issue in the petition, Your Honor --

4 MS. SCHULTZ: And I'm not going to --

5 MR. MAYFIELD: -- is to make that --

6 MS. SCHULTZ: -- bill him --

7 MR. MAYFIELD: -- available.

8 MS. SCHULTZ: -- for my services.

9 THE COURT: Well, uh --

10 MS. SCHULTZ: You know.

11 THE COURT: -- I've heard that a lot of times in many
12 cases before. And then --

13 MR. MAYFIELD: Well, okay, regardless --

14 THE COURT: -- people don't --

15 MR. MAYFIELD: -- Your Honor. But she --

16 THE COURT: But -- but -- you know --

17 MR. MAYFIELD: -- what's in the best interest --

18 THE COURT: -- I mean, it -- it --

19 MR. MAYFIELD: -- is for him to --

20 THE COURT: -- it --

21 MR. MAYFIELD: -- be with his family.

22 THE COURT: -- it looks pretty bad when the first thing
23 you request is money to buy yourself a house.

24 MS. SCHULTZ: I never requested money to buy a house.

1 MR. MAYFIELD: No.

2 MS. SCHULTZ: I don't know who said that. You know, I
3 cannot believe these people. I thought there was justice --

4 MS. TYRELL: That was relayed --

5 MS. SCHULTZ: -- here.

6 MS. TYRELL: -- to the trustee of the trust.

7 Your Honor, long story short, yes, it was relayed to
8 Ms. Schultz that when things quieted down that -- that Jared
9 -- Mr. Shafer would consider stepping down. However, since
10 then Ms. Schultz has conducted herself in a manner that
11 concerns Mr. Shafer, as the legally appointed guardian, that
12 just by stepping down it's not in the Ward's best interest.
13 So that's where we're stuck.

14 MR. MAYFIELD: Well, we are stuck, Your Honor. Because
15 we believe it's in his best interest for his daughter, who
16 loves him and cares about him, will give him more personal
17 attention, to be his guardian.

18 And, certainly, if she made some improprieties it
19 was due to misunderstanding. Having counsel now, and will
20 have counsel moving forward, she will not make those same
21 mistakes.

22 MS. TYRELL: She had counsel when --

23 MR. MAYFIELD: Plus she'll be guardian.

24 MS. TYRELL: -- she went to the VA, after the last

1 hearing.

2 MS. SCHULTZ: VA is --

3 THE COURT: Do you want to --

4 MS. SCHULTZ: -- is a whole different --

5 THE COURT: -- respond to that?

6 MS. SCHULTZ: -- situation. It has nothing to do with

7 the guardianship.

8 MS. TYRELL: It's redirecting --

9 MS. SCHULTZ: It's a federal thing.

10 MS. TYRELL: -- the Ward's income.

11 THE COURT: Redirect -- were you trying to redirect the

12 Ward's money?

13 MS. TYRELL: Yes.

14 MS. SCHULTZ: No.

15 MS. CARNEY: No. She just --

16 MS. SCHULTZ: No.

17 MS. CARNEY: No. No. No.

18 THE COURT: What were you trying to do with the VA?

19 MR. MAYFIELD: Your Honor, Al --

20 MS. SCHULTZ: This is what they're --

21 MR. MAYFIELD: -- Your Honor --

22 MS. SCHULTZ: -- telling you.

23 MR. MAYFIELD: -- Al --

24 MS. SCHULTZ: No.

1 THE COURT: No. And that's --
2 MR. MAYFIELD: -- Al Friedman --
3 THE COURT: -- why I'm giving you an opportunity.
4 MR. MAYFIELD: -- Al Friedman --
5 THE COURT: Tell me what you were doing --
6 MS. SCHULTZ: Al Friedman --
7 THE COURT: -- with the VA.
8 MR. MAYFIELD: I think you should explain that. Al
9 Friedman --
10 MS. SCHULTZ: Yes.
11 MR. MAYFIELD: -- contacted her specifically. Al
12 Friedman from the VA's Office contacted my client,
13 understanding her to be his daughter. And asked for her to
14 help him have his, I guess, VA pension fund --
15 MS. SCHULTZ: I -- I didn't even quite understand it. He
16 just said it was a VA -- VA paperwork that he wanted me to
17 come to the office with my father, and they were going to fill
18 out some paperwork and they wanted me to take it to the bank.
19 MS. CARNEY: It was Federal.
20 MS. SCHULTZ: It was a Federal --
21 MS. TYRELL: So --
22 MS. SCHULTZ: -- it's a Federal form.
23 MS. CARNEY: Federal paperwork.
24 MS. TYRELL: -- again --

1 MS. SCHULTZ: It has nothing to do with the
2 guardianship.

3 MS. TYRELL: -- the concern arises --

4 MS. SCHULTZ: It has nothing --

5 MS. TYRELL: -- she just said she didn't truly understand
6 it. But she still went and signed papers, despite having an
7 attorney of her own, despite there being a guardian and
8 another attorney for the guardian.

9 THE COURT: That is a pretty serious concern.

10 MS. SCHULTZ: The VA told me that it -- that there were
11 -- that it was --

12 MS. CARNEY: Had to be filed.

13 MS. SCHULTZ: -- a perfectly legal thing.

14 MR. MAYFIELD: Your Honor, if there's real concerns with
15 this, I think the appropriate measure is to have an
16 evidentiary hearing regarding that on the whole matter.

17 THE COURT: I -- I don't know if you've reached -- if
18 you've got a prima facie case at this point. Even if I
19 believe -- I mean, the -- the Ward -- the Ward is comfortable
20 and happy where he is right now. And I can't see how --

21 MR. MAYFIELD: Well, Your Honor, doesn't his specific
22 statements to who he wants his guardian to be, isn't that
23 material?

24 MS. SCHULTZ: That's what you said when we were in court

1 last time. You said, a third party can come in and who --
2 whom -- this is exactly what --

3 THE COURT: I didn't ask him to make a legal decision. I
4 asked him to make a decision about where he wanted to live and
5 how --

6 MS. SCHULTZ: No.

7 MS. CARNEY: No.

8 THE COURT: -- he wanted --

9 MS. SCHULTZ: No. You said --

10 MR. MAYFIELD: It was our understanding, Your Honor --

11 MS. SCHULTZ: -- who -- whomever the Ward --

12 MR. MAYFIELD: -- he wanted to be --

13 MS. SCHULTZ: -- wants for his guardian, I'll go along
14 with that. That's where you're -- those were --

15 THE COURT: I don't believe --

16 MS. SCHULTZ: -- your words.

17 THE COURT: -- I said that. I -- I'm --

18 MS. SCHULTZ: Well, should it be --

19 THE COURT: -- I'm sure I --

20 MS. SCHULTZ: -- not in the record?

21 THE COURT: -- never would have said that I'll just go
22 along with what the Ward said.

23 MS. SCHULTZ: That's what I heard.

24 THE COURT: I'm sure that what I said was, let's

1 determine the Ward's capacity to have input and then let's get
2 the Ward's input.

3 MR. MAYFIELD: All right. Well, then his input --

4 MS. CARNEY: But he stated --

5 MR. MAYFIELD: -- is very vital, Your Honor.

6 THE COURT: Very -- very different than saying that we'll
7 do whatever the -- I've -- I've never met Mr. Olvera. For all
8 I know he had -- at the time he had no capacity whatsoever.

9 MS. SCHULTZ: They've denied me --

10 THE COURT: So --

11 MS. SCHULTZ: -- bringing him to court. I wanted to
12 bring him here, but they --

13 MR. MAYFIELD: Your Honor, I think --

14 MS. SCHULTZ: -- they told the caregivers --

15 MR. MAYFIELD: -- (indiscernible) --

16 MS. SCHULTZ: -- not to let him go.

17 MR. MAYFIELD: -- this case. That was -- that was a
18 major issue, is -- you know, you -- I called your office and
19 asked if he could come to court. I was instructed by your
20 office that he could come to court if he wanted to. He --

21 THE COURT: He has a right to come to court. Yeah.

22 MR. MAYFIELD: Right. Well, he -- but our understanding
23 is, Your Honor, that the -- the guardian, Mr. Shafer,
24 instructed the current caregiver to not allow him to leave the

1 house.

2 MS. SCHULTZ: So I could --

3 MR. MAYFIELD: This is very --

4 MS. SCHULTZ: -- not take him.

5 MR. MAYFIELD: -- serious, Your Honor.

6 MS. SCHULTZ: I couldn't --

7 MS. CARNEY: Couldn't bring him.

8 MS. SCHULTZ: -- bring him last time or today. And

9 that's not right.

10 MR. MAYFIELD: That -- that's a very serious allegation,

11 Your Honor.

12 THE COURT: I -- I don't know whether he wanted to be

13 here. I can --

14 MS. TYRELL: Right. We -- we did --

15 THE COURT: -- ask Ms. Bristol.

16 MS. SCHULTZ: He --

17 MS. TYRELL: -- not get a request by --

18 MS. SCHULTZ: -- he did want to go. He told me.

19 MR. MAYFIELD: Okay. Your Honor, if he has to come to

20 court, is it my duty then as the attorney to call Counsel and

21 say, please instruct --

22 THE COURT: Did -- did he want --

23 MR. MAYFIELD: -- your counsel to bring him to court?

24 THE COURT: -- did we talk to him about coming to court?

1 MS. BRISTOL: I asked him yesterday if he wanted to come
2 to court, and he said no. He doesn't -- at this point he --
3 all he's really concerned about right now is, he -- he just
4 keeps telling me he wants to stay here, he doesn't want to go
5 to California. It's very distracting to him. This -- he's
6 sort of fixated on this idea of California right now.

7 THE COURT: Yeah. I understand.

8 MR. MAYFIELD: And, Your Honor, again, I think California
9 is a red herring in this issue. The issue is whether he wants
10 to have his daughter be his guardian. I think The Court needs
11 to hear that, what he wants to do specifically. I -- I
12 request This Court to have an additional hearing, so he can
13 come to court and express his wishes with regard to who he
14 wants his guardian to be. I --

15 THE COURT: I'm not going to grill this poor man in
16 court.

17 MS. CARNEY: May I --

18 THE COURT: I'll -- I'll send someone out to -- to ask
19 him if he wants someone else in charge of his money.

20 MS. TYRELL: Well, no.

21 MR. MAYFIELD: We don't want --

22 MS. TYRELL: No.

23 MR. MAYFIELD: -- them to touch his money, Your Honor.

24 MS. TYRELL: Because the -- the bank's trustee, Wells

1 Fargo is trustee of his trust, so --
2 THE COURT: So this is just person?
3 MR. SHAFER: Your Honor --
4 MS. CARNEY: Stephen --
5 MR. MAYFIELD: This is just personal --
6 MS. BRISTOL: I -- I did ask him, Your Honor, if he --
7 MS. CARNEY: -- may I -- may I ask --
8 MS. BRISTOL: -- understood where --
9 MS. CARNEY: -- if I could just say something?
10 MS. BRISTOL: -- his VA check was going. Because I was
11 asking him if he signed something for the VA. He said he
12 didn't know, and then he said maybe. I told him that the VA
13 money and his social -- and his pension money are currently
14 going to the trust office. And he said that's where he wants
15 it to go, because his wife had set up the trust. So currently
16 he -- he wants all of his assets to continue --
17 THE COURT: My --
18 MS. BRISTOL: -- to go to the trust.
19 THE COURT: -- my problem is, is amping up the question
20 from -- from where you want to live, which most people can
21 understand, to --
22 MS. BRISTOL: Um-hmm.
23 THE COURT: -- who you want to be guardian; requires him
24 to have much greater understanding of what guardian means.

1 MS. TYRELL: I think his contractual capacity.

2 THE COURT: And -- and --

3 MR. MAYFIELD: Your Honor, we have a record -- this is
4 actually the record that Ms. Tyrell put into her -- her
5 objection, regarding his capacity; that he has capacity to
6 make decisions. Is -- is --

7 THE COURT: There's -- there's various levels of
8 capacity.

9 MR. MAYFIELD: Well, I understand.

10 THE COURT: And -- and understanding where you want to
11 live is -- is a much lower capacity than really grasping what
12 a guardianship is all about, and what rights you're giving up,
13 and -- and that sort of thing. I --

14 MS. CARNEY: May I --

15 MR. MAYFIELD: Your Honor, Ms. Carney's --

16 THE COURT: You --

17 MR. MAYFIELD: -- asking for an opportunity --

18 THE COURT: -- tell me --

19 MR. MAYFIELD: -- to make a brief statement.

20 THE COURT: -- let me ask --

21 MS. ARNOLD: In the course of our conversation with --
22 with Mr. Olvera we did mention, you know, would you like your
23 daughter to be guardian; and he said, okay. And we said, how
24 do you get along with Mr. Shafer and -- and Ms. Bristol; okay,

1 I like them. He did not seem to -- I would say that he didn't
2 really seem to understand the concept of -- of what having a
3 guardian meant; and that he was pretty much okay with the
4 current situation. He loves his daughter. But he doesn't
5 want to move to California. And I don't think he really
6 understood the question about, you know, do you want your
7 daughter to be guardian; okay. Which didn't indicate to me a
8 -- a strong preference of, oh, yeah, I don't want Mr. Shafer
9 to be my guardian, I want my daughter to be my guardian, she's
10 my daughter, I love her, blah, blah. We didn't get any of
11 that. We got, okay.

12 MS. SCHULTZ: My father doesn't even know --

13 MS. ARNOLD: He --

14 MS. SCHULTZ: -- who Mr. Shafer is, really.

15 MS. CARNEY: No.

16 THE COURT: You know, here -- here is my problem. I know
17 that the legislature in -- in setting up Chapter 159 in the
18 removal statute, doesn't want me to have a trial any time a
19 family member comes in and wants a change of circumstances and
20 so wants to change the situation. I'm supposed to have a
21 clear case of either some sort of malfeasance, or clearly it's
22 in the Ward's best interest to -- to -- to change. If you
23 look at the legislative history and you look at why this is
24 here, the goal is so that we don't come back and re-litigate

1 these things over and over again. There's a pretty high
2 threshold before we go into a trial.

3 If -- if Mr. Olvera had stated very clearly, hey,
4 you know what, I like my daughter's plan, I want to do that; I
5 would've been inclined probably to -- to move forward at
6 least. Not necessarily, you know, do it, but at least -- at
7 least move forward with this. I have a real hard time moving
8 forward with what I have in front of me today. I don't see
9 how --

10 MS. SCHULTZ: May I say --

11 THE COURT: -- I justify --

12 MS. SCHULTZ: -- something please?

13 THE COURT: -- spending that kind of money.

14 MS. SCHULTZ: This is important. They have consistently
15 refused to let me speak to my father about a guardianship
16 issue.

17 THE COURT: Well, yeah.

18 MS. SCHULTZ: They wanted to keep him completely in the
19 dark.

20 MS. CARNEY: Um-hmm.

21 THE COURT: First of all, I'm not sure they've done that.
22 But even --

23 MS. SCHULTZ: Yes, they have.

24 MS. CARNEY: Yes, they have, Your Honor.

1 THE COURT: -- if they have --
2 MS. SCHULTZ: They told me that they would limit --
3 THE COURT: -- we're not supposed to be pounding your dad
4 with legal issues.
5 MS. SCHULTZ: I know. But they --
6 THE COURT: He's supposed to be --
7 MS. SCHULTZ: -- said they would limit my access to him
8 if I ever discussed --
9 THE COURT: Well --
10 MS. SCHULTZ: -- it with him. So --
11 THE COURT: -- and that -- that's probably appropriate --
12 MS. SCHULTZ: -- he needs to --
13 THE COURT: -- thing --
14 MS. SCHULTZ: -- understand --
15 THE COURT: -- I don't -- again, I don't know whether
16 that was said or not, but that's probably appropriate to tell
17 you. Because you're not supposed to pound your dad with, oh,
18 come on, dad; come on, dad; do you want to do this, and you
19 want to do this --
20 MS. SCHULTZ: I haven't.
21 THE COURT: -- and let me tell you all the bad --
22 MS. CARNEY: That's not what --
23 THE COURT: -- things that are --
24 MS. CARNEY: -- she was doing.

1 THE COURT: -- going on. It's -- it's -- it's not good
2 -- this is his fifth year under a guardianship, right?
3 MR. MAYFIELD: No, Your Honor.
4 MS. BRISTOL: No. First --
5 MS. TYRELL: No. First year.
6 MS. BRISTOL: -- he's still in the --
7 MR. MAYFIELD: Six months.
8 MS. BRISTOL: -- first year.
9 THE COURT: I've got this as an '05 case.
10 MR. MAYFIELD: Well, Your Honor --
11 MS. SCHULTZ: No.
12 MR. MAYFIELD: -- I believe his wife was the previous
13 guardian.
14 THE COURT: Right.
15 MR. MAYFIELD: And then upon her death --
16 MS. TYRELL: Oh, that's right.
17 THE COURT: This is a successor --
18 MS. BRISTOL: Oh, yeah. Sorry.
19 MS. TYRELL: That's correct.
20 THE COURT: -- guardianship.
21 MS. TYRELL: That's right.
22 MS. CARNEY: He has that letter --
23 THE COURT: So, I mean --
24 MS. CARNEY: -- (indiscernible).

1 THE COURT: -- he's been incapacitated for quite awhile.
2 So I would imagine that he's not in the best of shape
3 mentally.

4 MS. CARNEY: Well, how can you --

5 MS. ARNOLD: Well, to speak --

6 MS. CARNEY: -- guess that, Your Honor?

7 THE COURT: Because he's five years into a -- a
8 guardianship, and these things are progressive. Meaning, you
9 know --

10 MS. CARNEY: Your Honor, I -- I would like to say
11 something if I might, please.

12 THE COURT: Yes, ma'am.

13 MS. TYRELL: I'm going to --

14 MS. CARNEY: Okay. Back -- back to this --

15 MS. TYRELL: -- I'm going to object. She's --

16 MS. CARNEY: -- lady that said -- or whoever said that I
17 came out of nowhere. That isn't true. I have known Becky and
18 Robert Schultz for over twenty years. And I just saw the
19 runaround that when she told me -- when I -- we made phone
20 contact, that she was getting from these people. I told her
21 the first thing was why -- you should not have even taken a
22 number that they provided, unless they provided you more than
23 one --

24 MS. TYRELL: Your Honor --

1 MS. CARNEY: -- person --
2 MS. TYRELL: -- I'm going to object. This has --
3 MS. CARNEY: I'm sorry.
4 MS. TYRELL: -- no relevance today --
5 MS. CARNEY: No.
6 MS. TYRELL: -- to this hearing.
7 MS. CARNEY: I -- I want to finish.
8 MS. TYRELL: It's got nothing -- and, quite honest, she
9 just said she's known Becky for twenty years. She doesn't
10 know the Ward for twenty years. So I think This Court needs
11 to --
12 THE COURT: I -- I just --
13 MS. TYRELL: -- just put an end to --
14 THE COURT: -- you know, I'm --
15 MS. TYRELL: -- today's hearing.
16 THE COURT: -- I'm going to need a report and
17 recommendation.
18 MS. TYRELL: That's fine.
19 THE COURT: Which unfortunately you're going to have to
20 draft up. But I just -- and if Chuck Hoskin wants me to have
21 a trial, I'm happy to have a trial.
22 MR. SHAFER: We include in the R and R no transportation,
23 travel outside Clark County, unless court authorized.
24 THE COURT: I think that's probably --

1 MR. SHAFER: In the vein of --

2 THE COURT: -- a good idea.

3 MR. SHAFER: -- in the vein of the Dudek (phonetic) case.

4 THE COURT: Yeah, no. I know.

5 I -- I --

6 MR. MAYFIELD: Your Honor, I'm sorry. I missed what you
7 said about a trial.

8 THE COURT: No. I'm not going to do a trial. I said
9 unless -- unless on appeal they send it back. At this point I
10 don't -- again, that doesn't permanently foreclose anything.
11 Situations change. And -- but I think I need more in order to
12 go forward. I just --

13 MS. TYRELL: Could I get you to elaborate then, Your
14 Honor. More --

15 MS. CARNEY: What, Stephen?

16 THE COURT: What would I need? I would need the Ward to
17 -- I mean, if -- if the Ward changes his mind, decides that he
18 has -- that this is -- that this plan is -- is what he wants,
19 doesn't want to live in Nevada anymore, wants to be closer to
20 his family. It wouldn't be appropriate for Mr. Shafer to
21 continue if we moved the Ward to California. So if we
22 ultimately move the Ward out of state, then we would probably
23 be looking at -- at some other guardian. But that's not in
24 front of us today.

1 But there are circumstances in which I could -- I
2 could -- if -- if Mr. Shafer were to come in here in a few
3 months and say, you know what, I've worked with -- I've --
4 I've worked with Beck -- Is it Becky? Do you go by --

5 MR. MAYFIELD: Yes, Your Honor. Becky Schultz.

6 THE COURT: Okay. It -- I didn't know whether to call
7 you Rebecca or Becky. I'm sorry.

8 But if -- I've worked with Becky, and I think she
9 now has a really good understanding of what the Ward needs,
10 and at this point in his life I think it's time that -- that
11 -- that she can do it, and -- and I'll be willing to step
12 aside. Well, you know, I'll -- I'll be willing to take a look
13 at that. So that would be another circumstance under which
14 I'd be willing to do this.

15 MS. SCHULTZ: Your Honor --

16 THE COURT: I -- I can't envision all of them, but I'm
17 sure there are circumstances --

18 MS. CARNEY: Stephen, we're willing to do --

19 THE COURT: -- many circumstances under which --

20 MS. CARNEY: -- exactly what they're doing.

21 THE COURT: -- I could en -- envision Mr. Shafer stepping
22 aside and -- and being replaced by a family member.

23 MS. TYRELL: I understand. Okay. So for your ruling
24 today you said that there's --

1 THE COURT: Today --
2 MS. TYRELL: -- not enough --
3 THE COURT: -- today -- I mean, certainly we don't have
4 any -- I don't -- I don't think I have any evidence of -- of
5 malfeasance, of -- of any of the first handful of sections in
6 -- in -- I should've brought the statute book with me today.
7 But there's a list of -- of specific reasons for removal. And
8 at the bottom it says, you know, it's a best interest, it's a
9 generalized thing. I think we go all the way down to best
10 interest. Because I don't think I have any evidence of the --
11 of the -- of any sort of -- of, you know, impropriety.
12 MS. TYRELL: Okay.
13 THE COURT: And -- and when it comes down to best
14 interest, the Ward likes what's going on now. And I don't
15 feel it's appropriate to change that just because the family
16 wants to be involved. I don't have any evidence that that's
17 going to benefit the Ward.
18 MR. MAYFIELD: Your Honor, so Ms. Tyrell is --
19 THE COURT: I mean, their --
20 MR. MAYFIELD: -- going to prepare the --
21 THE COURT: -- their plan basically is -- I mean, as it
22 was stated today, would be to take over Mr. Shafer's role,
23 without changing anything; meaning using the same caregivers.
24 Now instead of -- of -- of Mr. Shafer being in charge, there

1 will be a family member who's out of state managing
2 caregivers. It doesn't on its face seem like an improvement.
3 And I have to find an improvement in order to -- in order to
4 change guardians.

5 MS. TYRELL: Okay.

6 THE COURT: If that makes --

7 MS. TYRELL: That helps. Thank you.

8 MR. MAYFIELD: Your Honor, just one thing. I just want
9 to make sure --

10 THE COURT: Sure.

11 MR. MAYFIELD: -- I have on the record that, with regard
12 to an improvement, certainly having --

13 THE COURT: Because -- because that, I believe, is what
14 the statute contemplates --

15 MR. MAYFIELD: Sure.

16 THE COURT: -- best interest. I've got to find --

17 MR. MAYFIELD: And I can appreciate --

18 THE COURT: -- that the situation's --

19 MR. MAYFIELD: -- that. Best interest.

20 THE COURT: -- going to --

21 MR. MAYFIELD: But that -- I think that's--

22 THE COURT: -- get better.

23 MR. MAYFIELD: -- the real issue is, having his daughter,
24 who he already has a very close relationship with, being his

1 guardian, who he'll be able to work with more congenially and
2 more effectively because --

3 THE COURT: Well --

4 MR. MAYFIELD: -- of the natural relationship.

5 THE COURT: -- but he -- but he's working --

6 MS. TYRELL: Yeah. We --

7 THE COURT: -- well with the current --

8 MS. TYRELL: Well, and --

9 THE COURT: -- situation.

10 MS. SCHULTZ: No.

11 MS. TYRELL: -- and we don't have proof of a great
12 relationship, quite honestly. The only thing we have in
13 writing is something that says --

14 THE COURT: But I'll admit --

15 MS. TYRELL: -- to the contrary.

16 THE COURT: But, see, this is why -- this is why we won't
17 be going to evidentiary hearing.

18 MS. TYRELL: Right.

19 THE COURT: Because I'm going to make the assumption they
20 have a great relationship. I'm going to make an assumption
21 that they have a loving, wonderful relationship.

22 MR. MAYFIELD: They do, Your Honor.

23 THE COURT: That he loves his daughter, that he loves his
24 daughter's friend, that he would -- would enjoy working with

1 them. But how is that better than the current situation?
2 Because he really likes Ms. Bristol. And he likes the
3 situation with the caregivers. And he likes where he lives.
4 So I -- I'm not getting an improvement in his life by
5 transferring authority. I'm only getting potential --

6 MR. MAYFIELD: Your Honor --

7 THE COURT: -- disruptment in a life that's going really
8 well right now.

9 MR. MAYFIELD: Your Honor, I have a question for you.
10 Just so I --

11 THE COURT: Um-hmm.

12 MR. MAYFIELD: -- understand your order with -- or your
13 -- your language for the recommendation. It's my
14 understanding you said that if we can show perhaps in the
15 coming months that my client is recognizing the guardianship
16 status better, and recognizing the process better, and working
17 with --

18 THE COURT: If she --

19 MR. MAYFIELD: -- the guardian better --

20 THE COURT: -- if she has -- if she has a plan that to me
21 clearly enhances the Ward's life and -- I'm -- I'm happy to
22 look at it. But, again, a lot of what Ms. Tyrell wanted to
23 discuss today, which I basically wasn't listening to -- well,
24 I mean, I listened to it. I'm sorry. But it didn't come into

1 play today. She has a lot of concerns about some specific
2 actions that your client has taken, that she thinks are
3 inappropriate. I didn't need to go that far today. Because I
4 -- I -- I didn't need to get into all that, because I don't
5 see a plan that improves the Ward's life.

6 However, if we go further, if she comes up with a
7 plan to improve the Ward's life, this is going to be in the
8 best interest, and it doesn't involve a move --

9 UNIDENTIFIED SPEAKER: No.

10 THE COURT: -- because the Ward doesn't want to do that,
11 so I'm -- I'm not going to do that today. It -- it does give
12 Ms. -- Ms. Tyrell the opportunity then to bring up a lot of
13 the stuff that was pretty upsetting to your client.

14 MR. MAYFIELD: One additional issue, Your Honor, is --

15 THE COURT: I -- I just wanted to make it clear that I
16 wasn't foreclosing any future possible --

17 MR. MAYFIELD: I -- I --

18 THE COURT: -- action.

19 MR. MAYFIELD: -- appreciate that, Your Honor.

20 One additional issue is I know in the previous
21 hearing we touched on the issue of inventory. We -- we
22 believe an inventory is still appropriate, because we have no
23 record of what's been happening with the funds he's been
24 receiving through his -- I believe his Social Security and

1 other funds.

2 THE COURT: I -- I don't have a --

3 MS. TYRELL: But The Court --

4 THE COURT: -- I don't have a --

5 MS. TYRELL: Yeah. It's all the trust. This Court does

6 not have jurisdiction over the trust.

7 MR. MAYFIELD: Well, my understanding, Mr. Shafer though

8 is receiving checks though.

9 MS. SCHULTZ: Patience told me that she was --

10 THE COURT: Correct.

11 MS. SCHULTZ: -- getting my father's --

12 THE COURT: But for -- but the --

13 MS. SCHULTZ: -- carpenter's pension.

14 THE COURT: -- trust -- trust --

15 MS. TYRELL: But when you're in a summary guardianship

16 there's no --

17 MR. MAYFIELD: So the funds are going directly to the

18 trustee from Mr. Shafer, is that correct?

19 THE COURT: It's Wells Fargo?

20 MS. TYRELL: Yes.

21 THE COURT: Wells Fargo sends the check --

22 MR. MAYFIELD: Yes, Your Honor.

23 THE COURT: -- to Mr. Shafer to distribute to the

24 caregivers, correct?

1 MR. SHAFER: Yeah. We -- that's all. We don't --
2 THE COURT: So he submits a bill to the trust. And the
3 trust then gives him --
4 MR. SHAFER: Caregivers give --
5 THE COURT: -- the money that he needs to pay the people.
6 MR. SHAFER: -- caregivers give us a bill. We look at
7 it. She checks it, makes sure they were on duty, et cetera,
8 et cetera. Sign off on it. Goes back to the bank. The bank
9 then cuts the check, sends it over. She hand delivers it to
10 them. All the utilities and everything on the normal
11 customary -- go right to the bank. We have no control over
12 any of that.
13 THE COURT: So we'll never get an accounting on this
14 case?
15 MR. SHAFER: No.
16 THE COURT: This will -- this is always --
17 MR. SHAFER: Well, we'll give you --
18 MR. MAYFIELD: Well --
19 THE COURT: -- going to stay --
20 MR. SHAFER: -- an acc --
21 THE COURT: -- it's always going to stay summary.
22 MR. SHAFER: Your Honor, we keep a small --
23 THE COURT: Yeah,
24 MR. SHAFER: -- cash account in the -- in the office for

1 emergency sake. Which you will get an accounting once a year
2 of what we do --
3 MS. TYRELL: Well --
4 MR. SHAFER: -- but not from the trust.
5 THE COURT: Although, no, you won't --
6 MS. TYRELL: -- officially --
7 THE COURT: -- you won't get an --
8 MS. TYRELL: -- under summary guardianship --
9 THE COURT: -- accounting once a year because --
10 MS. TYRELL: Yeah.
11 THE COURT: -- you're summary.
12 MS. TYRELL: The -- The Court's not --
13 MR. SHAFER: Oh.
14 THE COURT: So at best --
15 MS. TYRELL: You know --
16 THE COURT: -- you owe me one --
17 MR. SHAFER: Well --
18 THE COURT: -- accounting post-death.
19 MR. SHAFER: -- I've give -- we'll -- we always do --
20 MS. TYRELL: Yeah.
21 MR. SHAFER: -- an accounting once a year anyway.
22 MS. TYRELL: They keep --
23 MR. SHAFER: But --
24 MS. TYRELL: -- they keep them --

1 MR. SHAFER: -- you won't get it.
2 MS. TYRELL: -- available. Yeah.
3 MR. MAYFIELD: Well --
4 MR. SHAFER: We'll make it available.
5 THE COURT: I Just --
6 MR. MAYFIELD: -- one question, Your Honor, that I still
7 don't understand. We understand there's a -- a Social
8 Security check and a pension check?
9 MS. SCHULTZ: Two carpenter's pension --
10 MR. MAYFIELD: Two carpenter's pension checks, which our
11 understanding was from communication from Patience, that those
12 are going directly to Mr. Shafer. If that's not correct, we
13 would --
14 MS. TYRELL: They're --
15 MR. SHAFER: They're redirected --
16 MR. MAYFIELD: -- understand that.
17 MR. SHAFER: -- to the trust.
18 MS. TYRELL: -- they're being redirected to the trust.
19 THE COURT: They're going to go to the trust? Okay.
20 They --
21 MR. SHAFER: We've already signed -- had the trust make
22 themselves -- we're work --
23 Are we done with that?
24 MS. BRISTOL: I believe Amy is. Yes.

1 MR. SHAFER: Okay. They're making the trust the payee on
2 the checks, rep payee on the checks, so we don't have to get
3 them. We do not want to handle any amount of money for this
4 case. It's all a trust, which is what the mother set up and
5 father.

6 THE COURT: Okay.

7 MR. MAYFIELD: Thank, Your Honor. I understand.

8 THE COURT: All right.

9 MR. SHAFER: There's one other --

10 THE COURT: Thank you very much.

11 MR. SHAFER: -- thing, Your Honor.

12 THE COURT: If you could -- if you could run the --

13 MS. TYRELL: I will.

14 THE COURT: -- the -- the --

15 MS. TYRELL: I will.

16 THE COURT: -- proposed report and recommendation --

17 MS. TYRELL: By Mr. Barney (phonetic).

18 THE COURT: -- past Mr. Mayfield.

19 MR. SHAFER: There's -- there's --

20 MS. TYRELL: Absolutely.

21 MR. SHAFER: -- Your Honor, there's one other thing. I
22 inst -- we instituted some controls in the house, because last
23 week someone showed up at eight-twenty, I think, in the
24 evening to visit with him. We --

1 MS. CARNEY: It was me.
2 (WHEREUPON, SOMEONE IN THE GALLERY RAISES THEIR HAND.)
3 MR. SHAFER: Yeah, it was you. Well, you don't do that
4 at eight-twenty to a ninety-three-year-old man. So what we've
5 done is, we now have sign-in, sign-out, and no visitors after
6 six p.m. in the aftern -- unless we know about it, we know who
7 it is. That does not preclude the daughter, obviously, or the
8 granddaughter or the great granddaughter. But it does
9 preclude people we don't have any clue are -- it puts the
10 caregivers at a real disadvantage of letting someone in the
11 house because, I'm his friend.
12 THE COURT: Yeah.
13 MR. SHAFER: It isn't going to happen anymore.
14 THE COURT: What's -- if you're -- if you're seeing him
15 on a regular basis, and the caregivers know who you are --
16 MS. SCHULTZ: She'd like to --
17 THE COURT: -- they're going to start --
18 MS. CARNEY: Yes.
19 MS. SCHULTZ: -- say something about that.
20 MR. MAYFIELD: Well, we'll just --
21 THE COURT: -- making some exceptions for you.
22 MR. MAYFIELD: Let the Judge finish.
23 MS. CARNEY: That -- Yeah.
24 THE COURT: Okay?

1 MS. CARNEY: No. I --
2 THE COURT: But -- but initially -- what Mr. -- what Mr.
3 Shafer's saying is that the caregivers who are there, they
4 don't know who you are.
5 MS. CARNEY: Well, the caregiver --
6 THE COURT: So they're a little --
7 MS. CARNEY: -- did because I --
8 THE COURT: -- so --
9 MS. CARNEY: -- announced who I was. But --
10 THE COURT: Well, no. But -- (Laughter).
11 MS. CARNEY: I know. I know. But we were in the area.
12 But the -- the thing is, is that while we pulled up in the
13 driveway, ten minutes later a car came blocked us in, left
14 their headlights on. And the gentleman that was driving me
15 couldn't see who they were. But he called Becky on the phone
16 and said, you know, Ruth's up at the door. And she knew I was
17 going to go. I -- I did talk to Becky.
18 MS. BRISTOL: But she's not the guardian.
19 MS. CARNEY: And -- and --
20 MR. SHAFER: Good.
21 MS. CARNEY: -- while --
22 THE COURT: Okay.
23 MS. CARNEY: -- then when he got out of the car to go
24 toward the car that was blocking us in and I guess writing our

1 license plates down -- I just wonder how Mr. Shafer -- does he
2 have people that go and check the house if --
3 MS. TYRELL: That --
4 MS. CARNEY: -- a car pulls in?
5 MS. TYRELL: -- that was not Mr. Shafer's doing.
6 MS. CARNEY: Yes.
7 MS. TYRELL: We know of the occurrence, because the
8 caregiver reports to the guardian. It was not Mr. Shafer's --
9 MS. CARNEY: No.
10 MS. TYRELL: -- doing who --
11 MS. CARNEY: No. No. No.
12 MS. TYRELL: -- blocked her in.
13 MS. CARNEY: The -- she didn't call you.
14 MR. SHAFER: I think your --
15 MS. TYRELL: They -- they --
16 MR. SHAFER: -- co-guardian has a high level of --
17 THE COURT: I'm -- I'm --
18 MR. SHAFER: -- paranoia.
19 MS. TYRELL: Yeah.
20 THE COURT: -- I'm reasonably --
21 MS. TYRELL: And your co-guardian --
22 THE COURT: -- I'm reasonably sure that --
23 MS. TYRELL: -- does not know --
24 THE COURT: -- Ms. Bristol and Mr. Shafer --

1 MS. TYRELL: -- what's in place or --
2 THE COURT: -- are not going out at eight o'clock --
3 MS. TYRELL: Absolutely --
4 THE COURT: -- at night.
5 MS. TYRELL: -- bizarre.
6 MS. CARNEY: I didn't say --
7 MR. MAYFIELD: Ruth. Ruth.
8 MS. CARNEY: -- it was Mr. Shafer.
9 MR. MAYFIELD: Ruth. Ruth. It's not helping.
10 THE COURT: I -- I don't know who it was. But --
11 MR. MAYFIELD: Your Honor, just to understand, so Mr.
12 Shafer is advocating we have a check-in, a sign-in and sign-
13 out process? How is --
14 MS. CARNEY: We didn't --
15 MR. MAYFIELD: -- that supposed --
16 MS. CARNEY: -- know this.
17 MR. MAYFIELD: -- to work? I -- I just don't understand
18 what he's --
19 MS. BRISTOL: They just --
20 MR. MAYFIELD: -- referring to.
21 MS. TYRELL: Like any facility.
22 THE COURT: Call Ms. Bristol and say --
23 MR. SHAFER: It's called --
24 THE COURT: -- you -- we're going--

1 MR. SHAFER: -- sign a piece --
2 MS. BRISTOL: It's --
3 MR. SHAFER: -- of paper.
4 THE COURT: -- to come in and see him.
5 MR. MAYFIELD: I understand, Mr. Shafer.
6 MS. BRISTOL: Yeah.
7 MS. CARNEY: Well, Miss --
8 MR. MAYFIELD: But as far as --
9 MS. BRISTOL: We just --
10 MS. CARNEY: -- well, Liberty (phonetic) invited us in.
11 THE COURT: She'll call the caregiver and let --
12 MR. MAYFIELD: -- (indiscernible) at the house or --
13 MS. BRISTOL: Yes. It's actually -- actually just --
14 THE COURT: And this --
15 MS. BRISTOL: -- at the house.
16 THE COURT: -- doesn't apply --
17 MR. MAYFIELD: Okay.
18 THE COURT: -- to the family.
19 MS. BRISTOL: Yeah. It's actually just at the house
20 where --
21 THE COURT: It doesn't apply to you.
22 MS. BRISTOL: -- any friends just need --
23 THE COURT: You can --
24 MS. BRISTOL: -- to sign --

1 THE COURT: -- see your dad.
2 MS. BRISTOL: -- their first and last name --
3 MS. SCHULTZ: I can see --
4 MS. BRISTOL: -- so that the --
5 MS. SCHULTZ: -- my dad when I want?
6 MS. BRISTOL: -- caregiver has a log --
7 THE COURT: Um-hmm.
8 MS. BRISTOL: -- of who's been there.
9 MR. MAYFIELD: Okay.
10 MS. CARNEY: Because she has --
11 THE COURT: Now -- now, do understand -- I mean -- I
12 mean, there's -- there's always going to be some sort of
13 reasonableness attached to this.
14 MS. SCHULTZ: Yeah.
15 THE COURT: So -- so if you show up at four o'clock in
16 the morning --
17 MS. SCHULTZ: No. No.
18 THE COURT: -- that would be -- I'm just -- you know,
19 because if it comes out my mouth, oh, you can see your dad
20 anytime, then people come back -- and if they've attempted
21 something unreasonable -- there's always a reasonableness to
22 it.
23 But what -- what Mr. Shafer just said is that this
24 -- this doesn't apply to you, the grandchildren --

1 MR. SHAFER: Great grandchild.
2 THE COURT: -- great child -- grandchild -- Okay. But as
3 far as people that the caregivers don't know, want to make
4 sure that the caregivers know you're coming over --
5 MS. CARNEY: But --
6 THE COURT: -- and what time you're going to be there --
7 MS. SCHULTZ: They did know.
8 THE COURT: -- so that they can expect you.
9 MS. CARNEY: Well, she --
10 THE COURT: That's not an unreasonable thing.
11 MS. CARNEY: -- she did know. In fact, she opened, she
12 said, Come in, Lupe wants you to come in.
13 THE COURT: Okay.
14 MS. CARNEY: So, I mean --
15 THE COURT: But -- but you'll just -- just check in with
16 Ms. Bristol if you want to come down and visit. And I'm sure
17 it can be set up. It's not going to be a problem.
18 MR. SHAFER: Thank you, Your Honor.
19 THE COURT: Thank you very much.
20 MR. MAYFIELD: Thank you, Your Honor.
21 MS. ARNOLD: Are we discharged, Your Honor?
22 THE COURT: Yes. Thank you very much.
23 / / /
24 / / /

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(THE PROCEEDING ENDED AT 10:20:47.)

* * * * *

ATTEST: I do hereby certify that I have truly and
correctly transcribed the video proceedings in the above-
entitled case to the best of my ability.



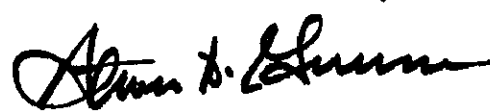
TAMMY GONZALES,
Transcriber II

EXHIBIT 3

EXHIBIT 3

1 **RAR**
2 ALAN D. FREER, ESQ.
3 Nevada Bar No. 7706
4 afreer@sdfnvlaw.com
5 SOLOMON DWIGGINS FREER & MORSE, LTD.
6 9060 W. Cheyenne Avenue
7 Las Vegas, Nevada 89129
8 Telephone: (702) 853-5483
9 Facsimile: (702) 853-5485
10
11 *Attorneys for Jared E. Shafer*

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11/01/2010 03:39:12 PM


CLERK OF THE COURT

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the Person and Estate of)	Case No. G28163
)	Dept. E
GUADALUPE MENA OLVERA,)	Guardianship
)	
Adult Ward.)	

**GUARDIANSHIP COMMISSIONER'S REPORT AND RECOMMENDATION
REGARDING REPORT OF MALFEASANCE AND LACK OF QUALIFICATIONS
PURSUANT TO ORDER OF REMAND BY JUDGE HOSKIN AND JOINDER THERETO**

Date of Hearing: September 8, 2010
Time of Hearing: 9:00 a.m.

17 This matter having come on for hearing before the above-entitled Court on September 8, 2010,
18 Alan D. Freer Esq., of the law firm of Solomon Dwiggin Freer & Morse, Ltd., appeared on behalf of
19 Jared E. Shafer ("Guardian"), General Guardian of the Person and Estate of Guadalupe Mena Olvera
20 ("Ward"); Stephen Mayfield, Esq., of the law firm Hutchison and Steffen, LLC, appeared on behalf of
21 Co-Petitioner Rebecca Schultz; and D. Brian Boggess, Esq., of the law firm Boggess & Harker appeared
22 on behalf of Co-Petitioner Ruthe Carney; the Court having reviewed the Report of Malfeasance and Lack
23 of Qualifications Pursuant to Order of Remand by Judge Hoskin, the Joinder and Errata thereto, the
24 Guardian's Opposition thereto, the Co-Petitioners' reply, all pleadings and papers attached thereto,
25 respectively, and hearing the arguments of counsel, the Commissioner now makes the following findings
26 of fact, conclusions of law and recommendations:

I. FINDINGS AND CONCLUSIONS

1. Co-Petitioners' arguments that the Guardian should be removed for failure to provide notice

SOLOMON DWIGGINS & FREER & MORSE, LTD.
CHEYENNE WEST PROFESSIONAL CENTRE
9060 WEST CHEYENNE AVENUE
LAS VEGAS, NEVADA 89129
(702) 853-5483 (TELEPHONE)
(702) 853-5485 (FACSIMILE)
E-MAIL: sdf@sdnvlaw.com

1 to the Department of Veterans' Affairs ("VA") are not grounds for removal because:

- 2 (1) Co-Petitioners do not have standing to assert lack of notice on behalf of the VA pursuant
3 to NRS 159.0475(4), and therefore Co-Petitioners' arguments concerning lack of notice
4 for the VA are not properly before this Court;
- 5 (2) Any alleged lack of notice was due to a clerical error of the Guardian's counsel during an
6 emergency proceeding and does not warrant to removal of the Guardian; and
- 7 (3) The Guardian provided actual notice of the proceedings involving his appointment as
8 guardian of the Ward to the VA and therefore the Guardian substantially complied with
9 the notice requirements under NRS 159.0475(4).

10 2. Co-Petitioners' arguments that the Guardian should be removed pursuant to NRS Chapter 160
11 are not grounds for removal because:

- 12 (1) The provisions of NRS Chapter 160 only apply where the VA requires the appointment
13 of a guardian as provided in NRS 160.030, and the VA has not required appointment
14 pursuant to NRS Chapter 160 in this case;
- 15 (2) NRS Chapter 160 is inapplicable to the Guardian because NRS 163.020(3) and (4) limits
16 applicability only to a guardian receiving VA benefits on behalf of a ward. The Guardian
17 does not receive VA benefits on behalf of the Ward, as the VA approved Wells Fargo
18 Bank, as successor trustee of the Ward's Trust, to receive the Ward's VA benefits; and
- 19 (3) NRS Chapter 160 does not supercede, or serve as a substitute, to the guardianship
20 procedures set forth in NRS Chapter 159. Appointment and removal provisions under
21 NRS Chapter 160, therefore, are inapplicable to the Guardian because the Guardian was
22 appointed per NRS Chapter 159, which governs this matter.

23 3. Co-Petitioner's remaining arguments that the Guardian should be removed pursuant to
24 NRS 159.185 are not grounds for removal because:

- 25 (1) These arguments predate the hearing on Co-Petitioners' last petition seeking the
26 Guardian's removal, and are inappropriately before this Court pursuant to
27 NRS 159.1853(3) because there has been no material change since Co-Petitioners' first
28 petition to remove the Guardian;

1 (2) The circumstances of the Guardian's settlement of a lawsuit filed by a receiver in the state
2 of Utah is unrelated to his duties as guardian of the Ward and does not show malfeasance
3 or other circumstances warranting his removal as Guardian;

4 (3) By removing the Ward's safe deposit box and keeping the contents at the Guardian's
5 office for safe keeping, the Guardian properly exercised his authority and acted in the best
6 interest of the Ward by eliminating an undue expense of the guardianship estate. The
7 Guardian also exercised reasonable discretion in not having the Ward attend a contentious
8 court hearing on April 28, 2010. These actions comply with the Guardian's duties to the
9 Ward and do not justify his removal; and

10 (4) The Guardian has acted in the best interest of the Ward and Co-Petitioners' remaining
11 allegations are insufficient grounds for removal.

12 Based upon the foregoing findings of fact and conclusions of law, it is hereby recommended that the
13 Court enter its order and judgment as follows:

14 **II. RECOMMENDATIONS**

15 IT IS HEREBY RECOMMENDED that Co-Petitioners' Report of Malfeasance and Lack of
16 Qualifications Pursuant to Order of Remand by Judge Hoskin, the Joinder and Errata thereto be DENIED;
17 and

18 IT IS FURTHER RECOMMENDED Jared E. Shafer not be removed as the Ward's Guardian.

19 DATED this 27 day of October, 2010.


20
21
22 
GUARDIANSHIP COMMISSIONER

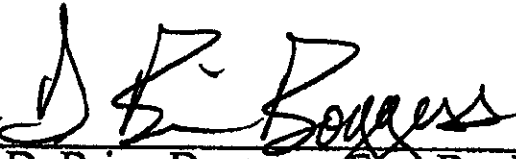
23 Submitted by:

24 SOLOMON DWIGGINS FREER &
25 MORSE, LTD.

Approved as to Form and Content by:

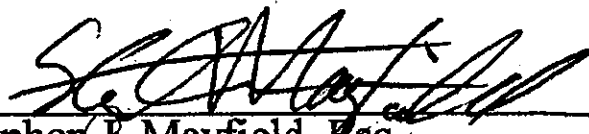
BOGGESS & HARKER

26 By 
27 Alan D. Freer, Esq., Bar No. 7706
28 9060 W. Cheyenne Avenue
Las Vegas, Nevada 89129
Attorneys for Jared E. Shafer

By 
D. Brian Boggess, Esq. Bar No. 004537
5550 Painted Mirage Road #255
Las Vegas, Nevada 89145
Attorneys for Ruth Carney

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Approved as to Form and Content by:
HUTCHISON & STEFFEN, LLC

By 
Stephen J. Mayfield, Esq.
10080 W. Alta Drive #200
Las Vegas, Nevada 89145

Attorneys for Rebecca Schultz

1 **NOTICE**

2 Pursuant to NRCP 53, you are hereby notified that you have (10) days from the date you receive this
3 document within which to file written objections.

4 [The Commissioner's Report is deemed received when signed and dated by a party, his
5 attorney or his attorney's employee, or three (3) days after mailing to a party or his
6 attorney, or three (3) days after the Clerk of Courts deposits a copy of the Report in a
7 folder of a party's lawyer in the Clerk's office.]

8 A copy of the foregoing Commissioner's Report was:

9 Mailed to the Parties at the following addresses on the 1st day of November, 2010.

10 Guadalupe Mena Olvera (Ward)
11 2050 Mountain City Street
12 Henderson, NV 89052

Carlota Olvera Tamez (Sister)
451 North Washington Street
Cloverdale, CA 95425

13 Lucas Olvera (Brother)
14 912 Heights Street
15 Carrizo Springs, TX 78834

Mark J. Connot, Esq., State Bar No. 10010
Stephen J. Mayfield, Esq., State Bar No. 10138
HUTCHISON & STEFFEN, LLC
10080 West Alta Drive, Suite 200
Las Vegas, NV 89145
Attorneys for Rebecca Schultz

16 Jessica Norman (Granddaughter)
17 2127 Racquet Club Drive
18 Los Banos, CA 93635

D. Brian Boggess, Esq., State Bar No. 4537
5550 Painted Mirage Road, Ste. 255
Las Vegas, NV 89149
Attorneys for Ruth Carney

19 Dolores Santoya (Sister)
20 840 Michigan Street
21 Fort Clinton, OH 43452

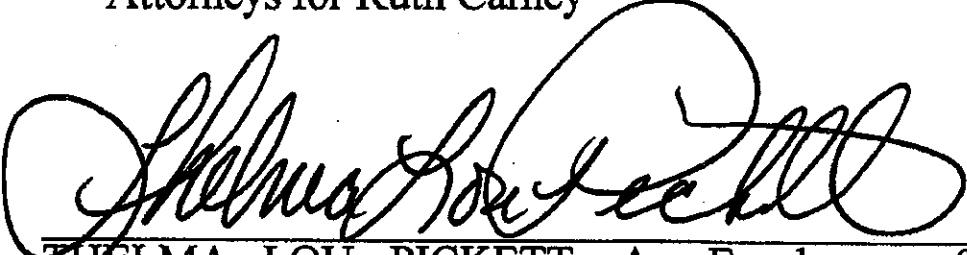
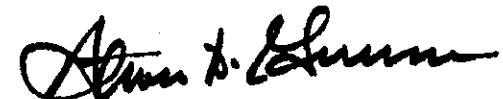
22 
23 THELMA LOU PICKETT, An Employee of
24 SOLOMON DWIGGINS FREER & MORSE, LTD.
25
26
27
28

EXHIBIT 4

EXHIBIT 4



CLERK OF THE COURT

ORDR

ALAN D. FREER, ESQ.

Nevada Bar No. 7706

afreer@sdfnvlaw.com

SOLOMON DWIGGINS FREER & MORSE, LTD.

9060 W. Cheyenne Avenue

Las Vegas, Nevada 89129

Telephone: (702) 853-5483

Facsimile: (702) 853-5485

Attorneys for Jared E. Shafer

DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

In the Matter of the Guardianship
of the Person and Estate of

GUADALUPE MENA OLVERA,

Adult Ward.

Case No. G28163

Dept. E

Guardianship

Date of Hearing: January 11, 2011

Time of Hearing: 10:30 a.m.

**ORDER AFFIRMING AND ADOPTING REPORT AND RECOMMENDATION
REGARDING THE ORDER TO SHOW CAUSE WHY REBECCA SCHULTZ SHOULD
NOT BE HELD IN CONTEMPT**

On January 11, 2011, this matter came before this Court for hearing pursuant to Rebecca Schultz's Objection to the Guardianship Commissioner's Report and Recommendation Regarding the Order to Show Cause why Rebecca Schultz Should not be Held in Contempt, filed November 18, 2010; Alan D. Freer Esq., of the law firm of Solomon Dwiggins Freer & Morse, Ltd., appeared on behalf of Jared E. Shafer ("Guardian"), General Guardian of the Person and Estate of Guadalupe Mena Olvera ("Ward"); Stephen Mayfield, Esq., of the law firm Hutchison and Steffen, LLC, appeared on behalf of Rebecca Schultz; and D. Brian Boggess, Esq., of the law firm Boggess & Harker appeared on behalf of Ruthe Carney; hearing the arguments of counsel, and good cause so appearing:

IT IS HEREBY ORDERED AND ADJUDGED that the findings of fact and conclusions of law contained in the Report and Recommendation, filed November 18, 2010, attached as **Exhibit A** are hereby affirmed and adopted in full;

IT IS FURTHER ORDERED AND ADJUDGED That Rebecca Schultz is in contempt of

1 this Court for failure to abide by this Court's September 23, 2010, Order and October 7, 2010, Order;

2 **IT IS FURTHER ORDERED AND ADJUDGED** pursuant to NRS 22.040, a bench
3 warrant be issued and executed for the immediate arrest and incarceration of Rebecca Schultz
4 **WITHOUT BAIL** until further order of this Court for her contempt of this Court's Orders; and

5 **IT IS FURTHER ORDERED AND ADJUDGED** that the Court will not consider any
6 arguments or assertions by Rebecca Schultz until she has returned the Ward to the care and custody
7 of the Guardian in Nevada.

8
9 **DATED** this 19 day of January, 2011.



10 DISTRICT COURT JUDGE

11
12 **Submitted by:**

13 **SOLOMON DWIGGINS FREER & MORSE, LTD.**

14 
15 By ALAN D. FREER, ESQ.
16 Nevada State Bar #7706
17 9060 W. Cheyenne Ave.
18 Las Vegas, Nevada 89129
19 *Attorneys for Jared E. Shafer*

EXHIBIT 5

EXHIBIT 5

1 Thomas P. Dwyer (SBN 110556)
2 GRUNSKY, EBEL, FARRAR & HOWELL
3 A Professional Corporation
4 240 Westgate Drive
5 Watsonville, CA 95076
6 Telephone (831)722-2444
7 Facsimile (831)722-6153

8 Attorneys for Jared E. Shafer

FILED
MAR 03 2011
ALEX GILVO, CLERK
BY KIM KILDSIG-DIBIASI
DEPUTY, SANTA CRUZ COUNTY

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CRUZ

10 CONSERVATORSHIP OF THE ESTATE
11 OF:

12 GUADALUPE OLVERA,

13
14 Conservatee.

No. PR45280

NEVADA BENCH WARRANT

16 Attached hereto is a true and correct copy of Bench Warrant for the arrest and incarceration of
17 REBECCA SCHULTZ issued by the Clark County District Court in the State of Nevada on or about
18 January 19, 2011.
19

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21 GRUNSKY, EBEL, FARRAR & HOWELL

22
23 
24 Thomas P. Dwyer, Attorneys for JARED E. SHAFER

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PROOF OF SERVICE
[CCP §§ 1013a, 2015.5]

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss

I am over the age of eighteen (18) years and not a party to the within action. I am employed by the law firm of GRUNSKY, EBEY, FARRAR & HOWELL (the "firm"), and my business address is 240 Westgate Drive, Watsonville, California 95076.

On March 3, 2011 I caused to be served the within NEVADA BENCH WARRENT on the parties to this action, by placing a true copy thereof enclosed in a sealed envelope, addressed as follows and delivered in the manner indicated:

Attorney for Rebecca Schultz:

John Guy, Esq.
3820 Del Amo Blvd, Suite 201
Torrence, CA 90503

(310) 542-3753 – phone
guylawfirm@yahoo.com

XXX **[By Mail]:** I caused each envelope, with postage prepaid to be placed in the United States mail at Watsonville, California. I am readily familiar with the business practices of the firm regarding the collection and processing of correspondence for mailing with the United States Postal Service. Pursuant to such business practices, and in the ordinary course of business, all correspondence is deposited with the United States Postal Service on the same day it is placed for collection and mailing.

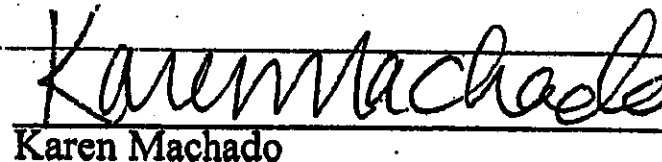
[By Federal Express]: I caused each envelope to be delivered to Federal Express for overnight courier to the office(s) of the addressee(s).

[By Hand Delivery]: I caused each envelope to be delivered by hand on the office(s) of the addressee(s).

[By Fax]: On *, I served the within document on the parties in said action by facsimile transmission, pursuant to Rule 2.306 of the California Rules of Court. A transmission report was properly issued by the sending facsimile machine and the transmission was reported as complete and without error.

[By e-mail] Pursuant to CCP §1010.6(6), and pursuant to authorization from ***, assistant to ***, I scanned and emailed correct copies of the above-entitled document to ***(e-mail address). A copy of the e-mail transmission is attached hereto.

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct, and that this declaration was executed on March 3, 2011 at Watsonville, California.


Karen Machado



CLERK OF THE COURT

1 BNCH
2 ALAN D. FREER, ESQ.
3 Nevada Bar No. 7706
4 afreer@sdfnvlaw.com
5 SOLOMON DWIGGINS FREER & MORSE, LTD.
6 9060 W. Cheyenne Avenue
7 Las Vegas, Nevada 89129
8 Telephone: (702) 853-5483
9 Facsimile: (702) 853-5485

10 Attorneys for Jared E. Shafer

11 DISTRICT COURT

12 FAMILY DIVISION

13 CLARK COUNTY, NEVADA

14 In the Matter of the Guardianship
15 of the Person and Estate of

16 GUADALUPE MENA OLVERA,

17 Adult Ward.

Case No. G28163

Dept. E
Guardianship

Date of Hearing: January 11, 2010

Time of Hearing: 10:30 a.m.

18 BENCH WARRANT

19 THE STATE OF NEVADA,

20 TO: Any Sheriff, Constable, Marshal, Policeman, or Peace Officer in this State:

21 IT APPEARING to the Court that REBECCA SCHULTZ was heretofore ordered to
22 comply with the Court's September 23, 2010, Order and October 7, 2010, Order and that
23 REBECCA SCHULTZ fails to do so:
24
25
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1 NOW, THEREFORE, YOU ARE COMMANDED to arrest and incarcerate
2 REBECCA SCHULTZ WITHOUT BAIL until further order of this Court. Upon such
3 incarceration of REBECCA SCHULTZ, the Sheriff of Clark County, Nevada, shall advise the
4 Court thereof. The Warrant may be served at any hour of the day or night.


5 DATED: January 19, 2011.



DISTRICT COURT JUDGE

11 Submitted by:

12 SOLOMON DWIGGINS FREER & MORSE, LTD.

13
14 By 
15 ALAN D. FREER, ESQ.
16 Nevada State Bar #7706
17 9060 W. Cheyenne Ave.
18 Las Vegas, Nevada 89129
19 Attorneys for Jared E. Shafer
20
21
22
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JAN 25 2011

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

DONALD L. GRUNSKY
(1915-2000)

FREDERICK H. EBEL
JAMES S. FARRAR
DENNIS P. HOWELL
THOMAS N. GRIFFIN
ALAN J. SMITH
ROBERT E. WALL
MARK E. MYERS

LAW OFFICES
GRUNSKY, EBEL, FARRAR & HOWELL

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E-MAIL info@grunskylaw.com

KATHERINE R. MOORE
LAURA UDDENBERG

THOMAS P. DWYER
LILIANA S. DIAZ
MATTHEW J. AULENTA
EMILY J. BUCHBINDER
CARLOS E. RIVERA
ROSEMARY C. ROVICK
DINAH V. SAPIA

March 7, 2011

Renee L. Guastafero
Solomon, Dwiggin, Freer & Morris, LTD
9060 West Cheyenne Avenue
Las Vegas, Nevada 89129

Re: Guardianship of the Person and the Estate of GUADALUPE MENA
OLVERA, Ward, Case no. G28163 in the Eight Judicial District Court of the
State of Nevada

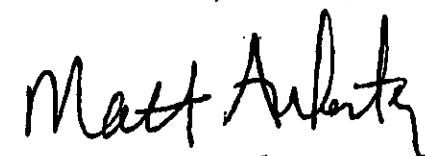
Dear Ms. Guastafero:

Enclosed please find a file stamped copy of the Nevada Bench Warrant for the arrest and incarceration of Rebecca Schultz which was filed with the Santa Cruz County Superior Court as you requested.

Please let us know if there is anything else you need from us on this matter. If there is not, we will close our file and send out our final billing.

Very truly yours,

GRUNSKY, EBEL, FARRAR & HOWELL


Matthew J. Aulenta

MJA
Enclosure
SHJA21271/L-Guastafero030711

EXHIBIT 6

EXHIBIT 6

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State & number, and address):

Sharon A. Isenhour
Law Offices of Sharon A. Isenhour
311 Bonita Drive, P.O. Box 1419
Aptos, CA 95001

161415

TELEPHONE NO.: (831) 685-0311

FAX NO. (Optional): (831) 685-0312

E-MAIL ADDRESS (Optional): sisenhour@att.net

ATTORNEY FOR (Name): Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF County of Santa Cruz

STREET ADDRESS: 701 Ocean Street

MAILING ADDRESS: 701 Ocean Street

CITY AND ZIP CODE: Santa Cruz, CA 95060

BRANCH NAME: Probate Division

☐ GUARDIANSHIP ☒ CONSERVATORSHIP OF THE ☐ PERSON ☒ ESTATE
OF (Name): Guadalupe Olvera

☐ MINOR ☒ (PROPOSED) CONSERVATEE

NOTICE OF HEARING - GUARDIANSHIP OR CONSERVATORSHIP

FOR COURT USE ONLY

FILED
DEC - 3 2010ALEX CALVO, CLERK
BY DEBORAH ROJAS
DEPUTY, SANTA CRUZ COUNTYRECEIVED
12/6/10

CASE NUMBER:

PR 45280

This notice is required by law.

This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that (name) : Rebecca Schultz
(representative capacity, if any) : Petitioner
has filed (specify) :
Petition for Appointment of Probate Conservator of the Estate of Guadalupe Olvera
2. You may refer to documents on file in this proceeding for more information. (Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.)
3. ☐ The petition includes an application for the independent exercise of powers by a guardian or conservator under
☐ Probate Code section 2108 ☐ Probate Code section 2590.
Powers requested are ☐ specified below ☐ specified in Attachment 3.

4. A HEARING on the matter will be held as follows:

a. Date: 1-14-11 Time: 8:30 a.m. ☒ Dept.: 4 ☐ Room:

b. Address of court ☒ same as noted above ☐ is (specify) :

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for Request for Accommodations by Persons with Disabilities and Order (form MC-410). (Civil Code section 54.8.)



* (This Note replaces the clerk's certificate of posting on prior versions of this form. If notice by posting is desired, attach a copy of form GC-020(C), Clerk's Certificate of Posting Notice of Hearing-Guardianship or Conservatorship. (See Prob. Code, § 2543(c).)

Mailing List

Office of the Court Investigator
701 Ocean Street
Santa Cruz, CA 95060

Office of the Nevada Attorney General
100 North Carson Street
Carson City, NV 89701

Department of Veterans Affairs
1301 Clay Street
Oakland, CA 94612

Jared E. Shafer
P.O. Box 50790
Henderson, NV 89016

Alan Freer
Attorney at Law
9060 West Cheyenne Avenue
Las Vegas, NV 89129

Stephen J. Mayfield
Attorney at Law
10080 West Alta, Suite 200
Las Vegas, NV 89145

Jessica Norman
705 Wellington Court
Los Banos, CA 93635

Lucas Olvera
912 Heights Street
Carrizo Springs, TX 78834

Dolores Santoya
840 Michigan Street
Fort Clinton, OH 434352

Carlota Olvera Tamez
451 North Washington Street
Cloverdale, CA 94525

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sharon A. Isenhour 161415 Law Offices of Sharon A. Isenhour 311 Bonita Drive, P.O. Box 1419 Aptos, CA 95001 TELEPHONE NO.: (831) 685-0311 FAX NO. (Optional): (831) 685-0312 E-MAIL ADDRESS (Optional): sisenhour@att.net ATTORNEY FOR (Name): Petitioner		FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> DEC - 3 2010 ALEX CALVO, CLERK BY DEBORAH REJAS DEPUTY, SANTA CRUZ COUNTY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF County of Santa Cruz STREET ADDRESS: 701 Ocean Street MAILING ADDRESS: 701 Ocean Street CITY AND ZIP CODE: Santa Cruz, CA 95060 BRANCH NAME: Santa Cruz Probate Division			
CONSERVATORSHIP OF (Name): Guadalupe Olvera <div style="text-align: right;">(PROPOSED) CONSERVATEE</div>			
PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE <input type="checkbox"/> Limited Conservatorship		<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> SUCCESSOR <input type="checkbox"/> PERSON <input checked="" type="checkbox"/> ESTATE </div> <div> CASE NUMBER: <div style="font-size: 1.2em; font-weight: bold;">PR 45280</div> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> HEARING DATE AND TIME: 7-14-11 8:30 a </div> <div> DEPT.: 4 </div> </div>	

1. Petitioner (name): **Rebecca Schultz**

requests that

- a. (Name):
(Address):

(Telephone):

be appointed ☐ successor ☐ conservator ☐ limited conservator
 of the PERSON of the (proposed) conservatee and Letters issue upon qualification.

- b. (Name): **Rebecca Schultz**
 (Address): **P.O. Box 217**
Aptos, CA 95001

(Telephone): **(831) 688-0694**

be appointed ☐ successor ☒ conservator ☐ limited conservator
 of the ESTATE of the (proposed) conservatee and Letters issue upon qualification.

- c. (1) ☐ bond not be required ☐ because the proposed ☐ successor conservator is a corporate fiduciary or an exempt government agency. ☐ for the reasons stated in Attachment 1c.
- (2) ☒ bond be fixed at: \$ **20,000.00** to be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 1c if the amount is different from the minimum required by Probate Code section 2320.)
- (3) ☐ \$ _____ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- d. ☐ orders authorizing independent exercise of powers under Probate Code section 2590 be granted. Granting the proposed ☐ successor conservator of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship estate. (Specify orders, powers, and reasons in Attachment 1d.)
- e. ☐ orders relating to the capacity of the (proposed) conservatee under Probate Code section 1873 or 1901 be granted. (Specify orders, facts, and reasons in Attachment 1e.)
- f. ☐ orders relating to the powers and duties of the proposed ☐ successor conservator of the person under Probate Code sections 2351-2358 be granted. (Specify orders, facts, and reasons in Attachment 1f.)
- g. ☐ the (proposed) conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer and that the proposed ☐ successor conservator of the person be granted the powers specified in Probate Code section 2355. (Complete item 9 on page 6.)

Do NOT use this form for a temporary conservatorship.

Page 1 of 7

Form Adopted for Mandatory Use
 Judicial Council of California
 GC-310 (Rev. July 1, 2009)



PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR
 (Probate-Guardianships and Conservatorships)

Probate Code, §§ 1820, 1821,
 2680-2682
www.courtinfo.ca.gov

Olvera

CONSERVATORSHIP OF (Name): Guadalupe Olvera	CASE NUMBER:
CONSERVATEE	

1. h. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed ☐ successor* limited conservator of the person under Probate Code section 2351.5 be granted. (Specify orders, powers, and duties in Attachment 1h and complete item 1j.)
- i. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed ☐ successor* limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify orders, powers, and duties in Attachment 1i and complete item 1j.)
- j. ☐ (for limited conservatorship only) orders limiting the civil and legal rights of the (proposed) limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k. ☐ orders related to dementia placement or treatment as specified in the Attachment Requesting Special Orders Regarding Dementia (form GC-313) under Probate Code section 2356.5 be granted. A Capacity Declaration-Conservatorship (form GC-335) and Dementia Attachment to Capacity Declaration-Conservatorship (form GC-335A), executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure with at least two years experience diagnosing dementia, ☐ are filed herewith. ☐ will be filed before the hearing. ☐ (appointment of successor conservator only) will not be filed because an order relating to dementia placement or treatment was filed on (date): . That order has neither expired by its terms nor been revoked.
- l. ☐ other orders be granted. (Specify in Attachment 1l.)

2. (Proposed) conservatee is (name): **Guadalupe Olvera**
 (Present address): **P.O. Box 626, Capitola, CA 95010**

(Telephone): **(831) 661-5153**

3. a. ☒ Jurisdictional facts (initial appointment only): The proposed conservatee has no conservator in California and is a
- (1) ☒ resident of California and
- (a) ☒ a resident of this county.
- (b) ☐ not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee for the reasons specified in Attachment 3a.
- (2) ☐ nonresident of California but
- (a) ☐ is temporarily living in this county, or
- (b) ☐ has property in this county, or
- (c) ☐ commencement of the conservatorship in this county is in the best interest of the proposed conservatee for the reasons specified in Attachment 3a.
- b. Petitioner (answer items (1) and (2) and check all other items that apply:)
- (1) ☐ is ☒ is not a creditor or an agent of a creditor of the (proposed) conservatee.
- (2) ☐ is ☒ is not a debtor or an agent of a debtor of the (proposed) conservatee.
- (3) ☐ is the proposed ☐ successor conservator.
- (4) ☐ is the (proposed) conservatee. (If this item is not checked, you must also complete item 3f.)
- (5) ☐ is the spouse of the (proposed) conservatee. (You must also complete item 6.)
- (6) ☐ is the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
- (7) ☒ is a relative of the (proposed) conservatee as (specify relationship): **daughter and only living child**
- (8) ☐ is an interested person or friend of the (proposed) conservatee.
- (9) ☐ is a state or local public entity, officer, or employee.
- (10) ☐ is the guardian of the proposed conservatee.
- (11) ☐ is a bank ☐ other entity authorized to conduct the business of a trust company.
- (12) ☐ is a professional fiduciary within the meaning of Business and Professions Code section 6501(f) who is licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. Petitioner's license number is provided in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment. You must also complete item 2 on page 2 of that form and item 3d below.)

* See Item 5b on page 4.

CONSERVATORSHIP OF (Name): Guadalupe Olvera	CASE NUMBER:
CONSERVATEE	

3. c. Proposed ☐ successor conservator is (check all that apply):

- (1) ☒ a nominee. (Affix nomination as Attachment 3c(1).)
- (2) ☐ the spouse of the (proposed) conservatee. (You must also complete item 6.)
- (3) ☐ the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
- (4) ☐ a relative of the (proposed) conservatee as (specify relationship):
- (5) ☐ a bank ☐ other entity authorized to conduct the business of a trust company.
- (6) ☐ a nonprofit charitable corporation that meets the requirements of Probate Code section 2104.
- (7) ☐ a professional fiduciary, as defined in Business and Professions Code section 6501(f). His or her statement concerning licensure or exemption is provided in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
- (8) ☐ other (specify):

d. ☐ Engagement and prior relationship with petitioning professional fiduciary (complete this item if petitioner is licensed by the Professional Fiduciaries Bureau.)

- (1) ☐ Statements of who engaged petitioner, or how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family or friends, are provided in item 2 on page 2 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
- (2) ☐ A petition for appointment of a temporary conservator is filed with this petition. That petition contains statements of who engaged petitioner, how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family and friends.

e. Character and estimated value of the property of the estate (complete items (1) or (2) and (3), (4), and (5)):

- (1) ☐ (For appointment of successor conservator only, if complete Inventory and Appraisal filed by predecessor):
 Personal property: \$ _____, per Inventory and Appraisal filed in this proceeding on
 (specify dates of filing of all inventories and appraisals):

(2) ☒ Estimated value of personal property: \$ 20,000.00

(3) Annual gross income from

- (a) real property: \$ _____
- (b) personal property: \$ _____
- (c) pensions: \$ _____
- (d) wages: \$ _____
- (e) public assistance benefits: \$ _____
- (f) other: \$ _____

(4) Total of (1) or (2) and (3): \$ 20,000.00

(5) Real property: \$ 0.00

- (a) ☐ per Inventory and Appraisal identified in item (1).
- (b) ☐ estimated value.

f. ☐ Due diligence (complete this item if the (proposed) conservatee is not a petitioner):

- (1) Efforts to find the (proposed) conservatee's relatives or reasons why it is not feasible to contact any of them are described on Attachment 3f(1).
- (2) Statements of the (proposed) conservatee's preferences concerning the appointment of any (successor) conservator and the appointment of the proposed (successor) conservator or reasons why it is not feasible to ascertain those preferences are contained on Attachment 3f(2).

CONSERVATORSHIP OF (Name): Guadalupe Olvera <div style="text-align: right;">CONSERVATEE</div>	CASE NUMBER:
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4. (Proposed) conservatee

- a. ☐ is ☒ is not a patient in or on leave of absence from a state institution under the jurisdiction of the California Department of Mental Health or the California Department of Developmental Services (*specify state institution*):
- b. ☒ is receiving or entitled to receive ☐ is neither receiving nor entitled to receive benefits from the U.S. Department of Veterans Affairs (*estimate amount of monthly benefit payable*): \$
- c. ☒ is ☐ is not able to complete an affidavit of voter registration.

5. a. ☒ Proposed conservatee (*initial appointment of conservator only*)

- (1) ☒ is an adult.
- (2) ☐ will be an adult on the effective date of the order (*date*):
- (3) ☐ is a married minor.
- (4) ☐ is a minor whose marriage has been dissolved.

b. ☐ Vacancy in office of conservator (*appointment of successor conservator only. A petition for appointment of a limited conservator after the death of a predecessor is a petition for initial appointment. (Prob. Code, § 1860.5(a)(1).)*)

There is a vacancy in the office of conservator of the ☐ person ☐ estate for the reasons ☐ specified in Attachment 5b. ☐ specified below.

c. (Proposed) conservatee requires a conservator and is

- (1) ☐ unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter. Supporting facts are ☐ specified in Attachment 5c(1) ☐ as follows:

CONSERVATORSHIP OF (Name): Guadalupe Olvera	CASE NUMBER:
CONSERVATEE	

5. c. (Proposed) conservatee requires a conservator and is
- (2) ☒ substantially unable to manage his or her financial resources or to resist fraud or undue influence.
- Supporting facts are ☒ specified in Attachment 5c(2) ☐ as follows:
- The proposed Conservatee recognizes that he needs assistance with his financial needs and has requested his daughter to assist him.

See Declaration of Sharon Isenhour and Evaluation of Dr. Eichorn
 filed with this petition

5. d. ☒ (Proposed) conservatee voluntarily requests the appointment of a ☐ successor conservator.
(Specify facts showing good cause in Attachment 5(d).)
- e. ☒ Confidential Supplemental Information (form GC-312) is filed with this petition. *(Initial appointment of conservator only. All petitioners must file this form except banks and other entities authorized to do business as a trust company.)*
- f. (Proposed) conservatee ☐ is ☒ is not developmentally disabled as defined in Probate Code section 1420. Petitioner is aware of the requirements of Probate Code section 1827.5. *(Specify the nature and degree of the alleged disability in Attachment 5f).*
6. ☐ Petitioner or proposed ☐ successor conservator is the spouse of the (proposed) conservatee.
(If this statement is true, you must answer a or b.)
- a. ☐ The (proposed) conservatee's spouse is not a party to any action or proceeding against the (proposed) conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b. ☐ Although the (proposed) conservatee's spouse is a party to an action or proceeding against the (proposed) conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interest of the (proposed) conservatee that:
- (1) ☐ a ☐ successor conservator be appointed.
- (2) ☐ the spouse be appointed as the ☐ successor conservator.
(if you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)
7. ☐ Petitioner or proposed ☐ successor conservator is the domestic partner or former domestic partner of the (proposed) conservatee. *(If this statement is true, you must answer a or b.):*
- a. ☐ The domestic partner of the (proposed) conservatee has not terminated and does not intend to terminate the domestic partnership.
- b. ☐ Although the domestic partner or former domestic partner of the (proposed) conservatee intends to terminate or has terminated the domestic partnership, it is in the best interest of the (proposed) conservatee that:
- (1) ☐ a ☐ successor conservator be appointed.
- (2) ☐ the domestic partner or former domestic partner be appointed as the ☐ successor conservator.
(if you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)

CONSERVATORSHIP OF (Name): Guadalupe Olvera	CASE NUMBER:
CONSERVATEE	

8. (Proposed) conservatee (check all that apply):

- a. ☒ will attend the hearing AND ☐ is the petitioner ☐ is not the petitioner AND ☐ has ☐ has not nominated the proposed ☐ successor conservator.
- b. ☐ (initial appointment of conservator only): is able but unwilling to attend the hearing AND ☐ does ☐ does not wish to contest the establishment of a conservatorship, ☐ does ☐ does not object to the proposed conservator, AND ☐ does ☐ does not prefer that another person act as conservator.
- c. ☐ (initial appointment of conservator only): is unable to attend the hearing because of medical inability. A *Capacity Declaration-Conservatorship* (form GC-335), executed by a licensed medical practitioner or an accredited religious practitioner ☐ is filed with this petition. ☐ will be filed before the hearing.
- d. ☐ (initial appointment of conservator only): is not the petitioner, is out of state, and will not attend the hearing.
- e. ☐ (appointment of successor conservator only): will not attend the hearing.

9. ☐ Medical treatment of (proposed) conservatee

- a. There is no form of medical treatment for which the (proposed) conservatee has the capacity to give an informed consent.
- b. A *Capacity Declaration-Conservatorship* (form GC-335) executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure, stating that the (proposed) conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion, ☐ is filed with this petition. ☐ will be filed before the hearing. ☐ will not be filed for the reason stated in c.
- c. ☐ (appointment of successor conservator only) The conservatee's incapacity to consent to any form of medical treatment was determined by order filed in this matter on (date):
That order has neither expired by its terms nor been revoked.
- d. (Proposed) conservatee ☐ is ☐ is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).

10. ☐ Temporary conservatorship

Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-111).

11. (Proposed) conservatee's relatives

The names, residence addresses, and relationships of the spouse or registered domestic partner and the second-degree relatives of the (proposed) conservatee (his or her parents, grandparents, children, grandchildren, and brothers and sisters), so far as known to petitioner, are

- a. ☒ listed below.
- b. ☐ not known, or none are now living, so the (proposed) conservatee's deemed relatives under Probate Code section 1821(b)(1)-(4) are listed below.

- | <u>Name and relationship to conservatee</u> | <u>Residence address</u> |
|--|---|
| (1) Rebecca Schultz
Daughter and Petitioner | P.O. Box 217, Aptos, CA 95001 |
| (2) Jessica Norman
Granddaughter (adult) | 705 Wellington Court
Los Banos, CA 93635 |
| (3) Lucas Olvera
Brother | 912 Heights Street
Carrizo Springs, TX 78834 |
| (4) Carlota Olvera Tamez
Sister | 451 North Washington Street
Cloverdale, CA 94525 |
| (5) Dolores Santoya
Sister | 840 Michigan Street
Fort Clinton, OH 43452 |
| (6) | |

CONSERVATORSHIP OF (Name):
Guadalupe Olvera

CASE NUMBER:

CONSERVATEE

11. (Proposed) conservatee's relatives (continued)

Name and relationship to conservatee

Residence address

(7)

(8)

(9)

(10)

(11)

(12)

(13)

(14)

(15)

☐ Continued on Attachment 11.12. ☒ Confidential conservator screening form

Submitted with this petition is a Confidential Conservator Screening Form (form GC-314) completed and signed by the proposed ☐ successor conservator. (Required for all proposed conservators except banks and trust companies.)

13. ☒ Court investigator

Filed with this petition is a proposed Order Appointing Court Investigator (form GC-330).

14. Number of pages attached: 0

Date: 12-02-10

Sharon A. Isenhour

(TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)

Sharon A. Isenhour

(SIGNATURE OF ATTORNEY FOR PETITIONER)

(All petitioners must also sign (Prob. Code, § 1020; Cal. Rules of Court, rule 7.103).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12-02-10

Rebecca Schultz

(TYPE OR PRINT NAME OF PETITIONER)

Rebecca Schultz

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

1 Sharon A. Isenhour [161415]
2 Law Office of Sharon A. Isenhour
3 311 Bonita Drive
4 P.O. Box 1419
5 Aptos, CA 95001
6 Telephone: (831) 685-0311
7 Fax: (831) 685-0312
8 sisenhour@att.net

9 Attorney for Petitioner

10
11
12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SANTA CRUZ
14

15 In re the Conservatorship
16 Of the Estate of:

NO.

NOMINATION OF CONSERVATOR

17 Guadalupe Olvera,

18 Proposed Conservatee.
19 _____

20 The undersigned, hereby nominates Rebecca Olvera Schultz, to act as
21 the Conservator of my Estate.

22 Dated: 11-30, 2010

23 
24 _____
25 Guadalupe Olvera
26
27
28

EXHIBIT 7

EXHIBIT 7

FILED IN OPEN COURT

9-7-11

STEVEN D. GRIERSON
CLERK OF THE COURT

BY

DEPUTY

MARGARITA CARRILLO

ORDER

ALAN D. FREER, ESQ.

Nevada Bar No. 7706

afreer@sdfnlaw.com

SOLOMON DWIGGINS FREER & MORSE, LTD.

9060 W. Cheyenne Avenue

Las Vegas, Nevada 89129

Telephone: (702) 853-5483

Facsimile: (702) 853-5485

Attorneys for Jared E. Shafer

DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

In the Matter of the Guardianship
of the Person and Estate of

GUADALUPE MENA OLVERA,

Adult Ward.

Case No. G28163

Dept. E

Guardianship

STIPULATION AND ORDER

Jared E. Shafer, as General Guardian of the Person and Estate of Guadalupe Mena Olvera ("Ward"), by and through his attorneys, the law firm of Solomon Dwiggin Freer & Morse, Ltd., and Guadalupe Mena Olvera, by and through is attorney, Carmine Colucci, Esq. hereby stipulate through their respective Counsel as follows:

1. The Ward shall undergo a mental examination conducted by Melissa Piasecki, M.D., on or before September 10, 2011. The purpose of the mental examination is to determine if the Ward is still in need of a guardianship. The examination shall consist of (1) a psychiatric/psychological interview and mental status examination, including the MMSE and GAF as part of the five axis diagnostic impression, and (2) review of medicines and supplements taken by Lupe and any neurological testing (xrays, CT scans, etc.).

2. On or before September 20, 2011, the Ward, Rebecca Schultz and/or Mr. Shafer must provide Dr. Piasecki with all relevant medical records pertaining to the Ward in their possession for the past 5 years. Rebecca Schultz and Mr. Shafer may also provide additional relevant documents or information to Dr. Piasecki. The person providing the documents and/or information must concurrently

1 produce such information/documents/reports to the other parties or their respective counsel. Dr. Piasecki
2 shall, where possible, consider all reports/information/documents provided to her simultaneously, or in
3 any event shall consider all documents prior to rendering her Report to this Court.

4 3. No one may attend the examination but the Ward, Dr. Piasecki and her staff.

5 4. Mr. Shafer will not seek enforcement of the arrest warrant against Rebecca Schutlz
6 in connection with Dr. Piasecki's examination.

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5. The Ward's Estate is authorized and directed to pay Dr. Piasecki \$2,000, which is her estimated fee for the evaluation and report, as well as any additional amount not to exceed \$1,000 for the review of records provided by the Ward, Rebecca Schultz or Mr. Shafer.

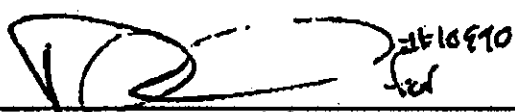
6. Upon completion of the review and exam, Dr. Piasecki shall provide a Report to this Court, with copies to Mr. Freer and Mr. Colucci on behalf of the Ward.

7. The petition for hearing presently scheduled for September 7, 2011, shall be continued until October 5, 2011.


Respectfully Submitted By:

Approved as to form and content by:

SOLOMON DWIGGINS FREER & MORSE, LTD.
CARMINE J. COLUCCI, CHTD.


ALAN D. FREER, ESQ.
9060 W. Cheyenne Avenue
Las Vegas, Nevada 89129
Telephone: (702) 853-5483
Facsimile: (702) 853-5485

Attorney for Jared E. Shafer


CARMINE J. COLUCCI, ESQ.
629 S. Sixth Street
Las Vegas, Nevada 89101
Telephone: (702) 384-1274
Facsimile: (702) 384-4453

Attorney for Guadalupe Mena Olvera

ORDER

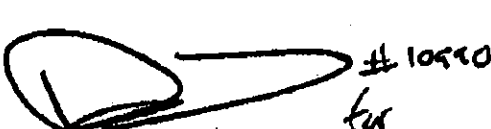
IT IS SO ORDERED.

DATED this 7 day of September, 2011.


DISTRICT COURT JUDGE

Respectfully Submitted By:

SOLOMON DWIGGINS FREER & MORSE, LTD.


ALAN D. FREER, ESQ.
9060 W. Cheyenne Avenue
Las Vegas, Nevada 89129
Telephone: (702) 853-5483

Attorney for Jared E. Shafer

EXHIBIT 8

EXHIBIT 8

MELISSA PIASECKI, M.D.
FORENSIC PSYCHIATRY
 561 KEYSTONE AVE. #104
 RENO, NV 89503
 775 722-1077
 FAX 1 866 500-7716
 piaseckimd@gmail.com
 BOARD CERTIFIED IN PSYCHIATRY AND FORENSIC PSYCHIATRY

Carmine Colucci, Esq.
 629 South Sixth Street
 Las Vegas, NV 89101

Re: In the Matter of the Guardianship of Guadalupe Mena Olvera Case No. G28163

September 30, 2011

Dear Mr. Colucci:

I have completed a psychiatric evaluation of Mr. Guadalupe Olvera in order to evaluate his mental competency to make decisions about his personal and financial affairs including his estate. As part of my evaluation I met with Mr. Olvera on September 9. I met briefly with his daughter and son-in-law but they were not present during my assessment. In addition I reviewed the following documents:

1. Letter by Nevada Neurological Consultants, John Schaeffer, D.O., 2.23.04
2. Handwritten statement by Mr. Olvera 9.7.10
3. Report by Louise Sherk, M.D., J.D. 1.5.07
4. Report by Stephen Aron, M.D., 7.26.11
5. Lifespan Home Care Daily Charting notes 12.21.10- 4.22.11
6. Report by Stanley G. Einhorn, Ph.D, 10.19.10
7. Report of suspected elder abuse completed by Stanley G. Einhorn, Ph.D (page 1 only)
8. Olvera Medical History and Updated Medical History, undated
9. Olvera Personal History, undated
10. VA medical and administrative records 10.31.06- 3.21.11
11. Stipulation and order, Clark County Family Court
12. Order Appointing Guardian, Clark County Family Court 7.17.05
13. Petition for Appointment of Guardian, Clark County Family Court 7.15.05
14. Transcript of Return Hearing, Clark County Family Court 5.19.10
15. Order Directing and Compelling Return of Ward and Setting Status Check Hearing, Clark County Family Court 7.23.10
16. Bench Warrant, Clark County Family Court 1.19.11
17. Petition for Appointment of Probate Conservator of the Estate of

Guadalupe Olvera, 1.14.11
18. Appeal to Board of Veterans' Appeals 7.16.08
19. Caregiver notes 1.08.10- 4.22.10

Identification and Summary:

Mr. Guadalupe Olvera is a 92 year old widowed man currently living in California. There is a current legal dispute about whether he requires a guardian. Mr. Olvera's wife became his guardian in 2005 and following her death the Clark County Guardian assumed guardianship duties.

Past Psychiatric and Medical Histories:

In 2004, Dr. Schaeffer indicated that Mr. Olvera was followed in his practice for treatment of Alzheimer's disease and was in need of a guardian. He was treated with memantine and galatamine which appeared to have improved his memory in 2005, when he was seen by Dr. Sherk. During that evaluation, he was able to discuss his siblings, his will and his residence. Dr. Sherk noted that Mr. Olvera was oriented to place, person and year, able to perform simple calculations and make a good clock drawing. The MMSE score was 25-26.

In 2006, a VA staff neurologist noted a MMSE score of 22 with problems in short term memory and mathematics.

In 2010, Mr. Olvera was evaluated by Dr. Einhorn using the COGNISTAT and was found to have language deficits in the mild range with severe impairment in orientation, memory, attention, construction, calculations and similarity scales. Dr. Einhorn concluded based on his overall assessment that Mr. Olvera's competency for health care and financial planning remained intact.

A rating decision by the VA in January, 2011 noted that Mr. Olvera was considered competent for VA purposes because he was "not shown as unable to manage personal affairs." On 3.31.11 the VA proposed to change his status to incompetent.

In July of this year, Mr. Olvera was evaluated by Dr. Aron. Dr. Aron noted that Mr. Olvera's general functioning was good and had functional capacity to manage his affairs without a guardian. The written report notes that Mr. Olvera completed a number of cognitive tasks but did not include information on how Mr. Olvera performed on the tasks.

Mr. Olvera's medical diagnoses include Alzheimer's disease (moderate to severe per VA records), glaucoma of his right eye, hearing loss and arthritis. He had a wrist and shoulder surgery in the 1960's and a complete left knee replacement in the 1990's. He currently uses a walker. Current medications and supplements

include: galantamine 16mg/ d, aspirin 3325 mcg/ d, travatan drops each day, dorzolamide drops twice a day, Muro drops each day, ophthalmic ointment each day as well as flax seed oil, selenium, Vitamin D3 and Vitamin E.

Substance Use History: Mr. Olvera has no history of substance use problems.

Developmental History: (Much of this history was obtained from the document "Personal History of Guadalupe M. Olvera.") Mr. Olvera was born in Texas and was the oldest child in a family of nine children. He attended school to around the seventh grade and worked on farms to help support the family. He is a veteran of World War II. He married and had two children. His son died committed suicide in 1992.

After he left the service, Mr. Olvera worked as a carpenter and his wife worked as a nurse. He and his wife lived in California and Las Vegas. She died in 2009 after 63 years of marriage. Mr. Olvera currently lives in California and receives in-home care from caregivers who prepare his meals, do housework and prompt him to exercise and shower.

Mental Status Examination: Prior to the interview, I described for Mr. Olvera, his daughter and his son-in-law the nature and purpose of the assessment. I alerted Mr. Olvera to the limits of confidentiality. I noted that I meeting with him to assess his thinking and memory and would be taking notes and writing a report that may used in legal proceedings. I also noted that I was there in an evaluative role and would not be providing any clinical service or advice. Mr. Olvera appeared to understand these considerations and agreed to the interview.

Mr. Olvera was casually dressed and neatly groomed. He was cheerful, friendly and cooperative. His speech was spontaneous, with normal rate and tone. Mr. Olvera was hard of hearing but indicated when he was not able to hear a question. He appeared to put full effort into responding to questions and did not become frustrated when he could not answer a question. During periods of conversation, he repeatedly returned to topics from his remote past, such as the death of his wife.

Mr. Olvera was oriented to 1911. When given multiple opportunities to correct the date, he maintained it was 1911. He was not able to state the month, date or day of the year. Mr. Olvera had great difficulty registering three words. After several attempts he registered the words but was not able to retain them after a delay of two minutes. His score on the Mini Mental Status Examination was 21 or 22. He could not subtract three from twenty. His drawing of a clock lacked hands. He was able to follow a two step command. His construction of intersecting pentagrams was intact.

Interview regarding financial affairs:

Mr. Olvera was aware that he had an "account" in Nevada with several hundred thousand dollars. He did not identify the account as a trust. He also recalled that he had a bank account in California with a few hundred dollars. He was not aware of the amount of his monthly veteran's benefit. Mr. Olvera described his Las Vegas home as a large, well built home in an attractive neighborhood. He stated that if he would sell the home, he would sell it "for sale by owner." He stated he would verify the financial status of the buyer by making sure the buyer made a check out in his name. When asked if he would ask his attorney to assist him with the sale, he agreed this would be a good idea. Mr. Olvera noted that he also had a 1912 Toyota but he wished to keep this because he wanted to renew his driver's license and drive the car. Mr. Olvera reported that if he had access to money he would spend it but had no clear plans.

Interview regarding testamentary capacity: Mr. Olvera stated that he had four surviving siblings but was unable to identify them after several attempts. He noted that he had one daughter and "hundreds of grandchildren." I clarified with him and (later with his family) that he was referring to all of the grandchildren and great-grandchildren from his siblings. He indicated that he would want his assets to go to the grandchildren and great-grand children. When I asked if he wished to have his daughter named in a will, he appeared to have thought that he had included her and her husband in his statement about grandchildren and great-grandchildren. Mr. Olvera denied that he had previously written a will.

Diagnosis:

Axis I: Dementia

Axis II: No diagnosis

Axis III: Glaucoma, decreased hearing, arthritis

Axis IV: Legal issues related to guardianship

Axis V: 50

Referral Questions:

1. Does Mr. Olvera have the mental capacity to manage his own affairs?

Mr. Olvera's memory problems appear to have progressed. At the time of my assessment he had great difficulty registering new information and recalling the information a few minutes later. He is grossly disoriented to the date and was

unable to perform simple arithmetic. I do not find that he has mental capacity to manage his own affairs or enter into contracts. Although he has no active medical problems requiring decision making, his significant problems with registering and remembering information would impair his ability to make medical decisions. He is in need of a guardian.

2. Does Mr. Olvera have testamentary capacity?

Mr. Olvera had difficulty identifying his natural heirs. He had a fair understanding of his assets. He did not recall that he had previously made up a will. I find that he lacks testamentary capacity.

Please contact me if you have any questions about the material in this report.

Sincerely,



Melissa Piasecki, M.D.

EXHIBIT 9

EXHIBIT 9

From: Becky Olvera Schultz
To: Info CGC
Cc: Assoced CGC; freddfloeth@consolidated.net
Subject: Complaint on Guardian Jared E. Shafer
Date: Wednesday, January 18, 2012 5:04:02 AM
Attachments: 1-18-12 Letter of Complaint to CGC on Jared E. Shafer.pdf
Standards of Practice For Guardians.pdf
Code of Ethics for Guardians.pdf

Dear Executive Director Denise Calabrese,

Attached is a letter of formal complaint on one of your certified guardians, Jared E. Shafer. Attached are the Codes of Ethics and Standards of Practice that your guardians are suppose to adhere to with some of the more obvious violations of Mr. Shafer highlighted in yellow. Mr. Shafer has violated just about all rules and principals including state and federal law. The state of Nevada is in major denial and compliance with Mr. Shafer's practices, so do not refer us to the Nevada courts.

We find it shocking that some one in your office stated no complaints have been filed on Mr. Shafer. Either there is an error in your records, people are ignorant of your organization or someone is not being honest. Another email will have some attachments of supporting materials, however, we have a pile of documents (copies of which have been turned over to Social Security, the IRS and the Department of Justice) so I will not burden you with all of them immediately. We are not blowing hot air here, this is a serious matter that demands attention. Please take the time to read the letter in it's entirety. The attached letter will be posted on the non profit site for the National Association To Stop Guardian Abuse.

Thank you for your attention to this urgent matter.

**Rebecca Schultz
Daughter of victim Guadalupe Olvera
P.O. Box 217, Aptos, CA 95001
831-295-7562**

EXHIBIT 10

EXHIBIT 10



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Guardianship Case Highlights Plight of Elderly

WW2 veteran Guadalupe Olvera's right to move in with his daughter in Aptos was disputed by Nevada authorities for three years

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by Georgia Perry on Jul 31, 2012

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5 Comments

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Guadalupe Olvera's right to move in with his daughter in Aptos was disputed by Nevada authorities for almost three years. (Photo by Chip Scheuer)

Nationwide Problem

Adding insult to the injury, Schultz paid for her attorney fees with the help of a friend. Freer's fees, however, were taken out of Olvera's estate—but padded first, according to Schultz.

In fact, bank statements from Shafer's guardianship, viewed by the *Weekly*, show several confounding billing discrepancies. There are duplicate billings of multiple invoices with the same invoice number. There are extraordinarily high charges, such as a total of \$7,475 billed for emails sent over the period of just 19 days, all listed at exactly "6 minutes each." One bill shows a bizarre charge for 1.666667 hours. After Olvera moved to California, Shafer continued to bill his estate for in-person visits with him, which would have been impossible.

Guardians are lawfully allowed to use the elderly ward's estate money to fight in court to maintain the guardianship, often in cases against the ward's children or other family members, resulting in a mind-bending Catch-22. People like Schultz wind up feeding the very system they're fighting against.

Schultz's accusations against Shafer may seem extreme and almost unbelievable, but she is far from the only one making these claims. Just typing the name Jared E. Shafer into Google's search engine pulls up several pages of complaints against him on consumer report websites, making it impossible to unearth his professional web site through the heaps of corruption accusations. And this isn't just a Las Vegas problem.

"This is happening on an ongoing basis all over the country. The states where old folks go to retire like Florida, Nevada, California are the worst," affirms Elaine Renoire, Director of the National Association to Stop Guardian Abuse.

In a September 2010 report on the issue, the U.S. Government Accountability Office (GAO) "identified hundreds of allegations of physical abuse, neglect and financial exploitation by guardians in 45 states and the District of Columbia between 1990 and 2010."

"In 20 selected closed cases," the report reads, "GAO found that guardians stole or otherwise improperly obtained \$5.4 million in assets from 158 incapacitated victims, many of whom were seniors. In some instances, guardians also physically neglected and abused their victims."

Closer to home, the *Mercury News* recently conducted a six-month investigation into guardian and fiduciary abuse in Santa Clara County. Reporters found similar instances of lavish bills from guardians going unchallenged by the courts.

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EXHIBIT 11 A

EXHIBIT 11A

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Submitted: Wednesday, June 29, 2011 Posted: Wednesday, June 29, 2011
Reported By: Kathy M. — Santa Monica California U.S.A.

Jared E Shafer
3642 Rick Stratten Dr.
Las Vegas Nevada 89120
United States of America

Phone: 702-456-8283
Web: www.pfsn.com
Category: [Assisted Living Elderly & Disabled](#)

Jared E Shafer Patience bristol Jared Shafer to use my mother as a medical experoment Las Vegas, Nevada

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Jared Shafer threatened and killed my mother
Jared E Shafer who served as Las Vegas' public
guardian threatened to have my mother killed if
our family refuse to drop our legal case against
him.

Back ground

Our father passed away in 2008. Mom had a
serious nervous breakdown. She lived in

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Author Consumer Employee/Owner

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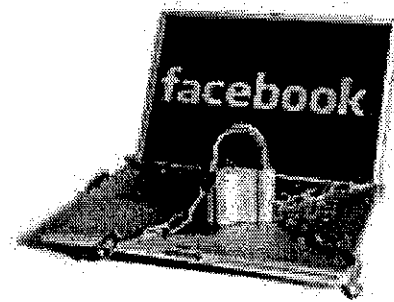
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Lucille Prince aka: Lucille McElroy Scams, fraud, bad checks, slander Los Angles, California

Henderson, Nevada and as a result her children were not allowed to take proper care of her

because none of us lived in Nevada.

Commissioner Jon Norheim and Judge Chuck Hoskin ruled against our guardian request.

In 2010 my sister received the guardian annual accounting report. It showed Jared Shafer had billed mother's trust for \$72,500. In addition AVID

Business services of Nevada billed an additional \$15,000 simply for corresponding with us on behalf of Jared Shafer. AVID has no license to operate in Nevada or in Clark County.

We decided to challenge the Nevada law regarding out of state guardians. Our challenge included records of the excessive bills by Shafer and AVID.

One afternoon while visiting mom Mr. Shafer and his assistant Patience Bristol entered the room. They asked me to come outside and talk with them. I asked "what do we have to discuss?" Mr. Shafer said "come out and you will see." We went outside. Patience wanted to walk away from the building. I believe the time was 11 O'clock. After we walked about 150 feet, Shafer made his death threat. He began by saying "you know Patience and I are very well connected in this town. If you continue this cou crap your mother will wind up as a medical experiment. As her guardian I can do anything I want with her body. You may not know this, but using seniors to test new medical devices is a common practice in Las Vegas." Shafer continued "I will simply forbid you and your family from visiting your mother. She will be transferred to another facility. Cuba has a new heart valve. Let's see what it does to mom." My heart began to beat very fast, perspiration flowed out of my body at an incredible rate. I tried to speak, but the words would not come out. Patience Bristol said "the cat got your Tong? You can speak well to your stupid lawyer, what is your problem?" I said "we've got law against this." Shafer said "even the attorney general, Jon Norheim, and Judge Chuck Hoskin knows what is going on and they won't lift a finger." Then Patience said "if you want mom to be our lab rat, go ahead with your bull." Shafer remarked, "whatever happens to mother will be your fault."

Mother was quickly moved to an undisclosed location. The reasons provided to Norheim's court stated the move was for her safety. We couldn't talk to her for 3 weeks. A few brief conversations followed, but mom appeared to be more confused and She complained of serious chest pains.

Mother who had a normal heart passed away on April 4, 2011. The autopsy listed her death as being caused by a serious heart attack. The crimes against seniors being committed in Nevada is on the level of Hitler's Germany. People were afraid to discuss the atrocities while they were going on. This report will hopefully serve as a warning to any senior who wants to move to Nevada. Until our government decides to deal with this crime, this death for profit crime under Jared Shafer will continue. I hope mother's death will be the beginning of the end for Mr. Shafer and all of his support group who enable him to profit from these senior medical experiment deaths.

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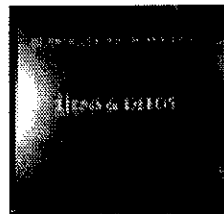
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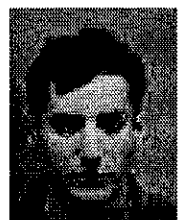


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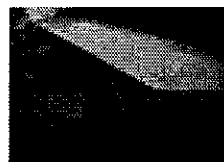
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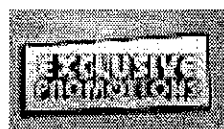
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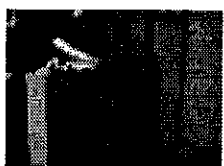
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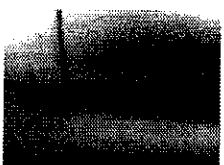
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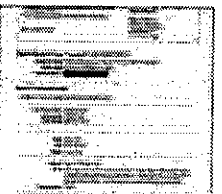


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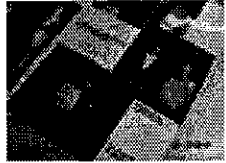
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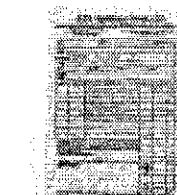
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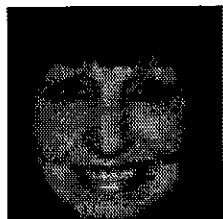


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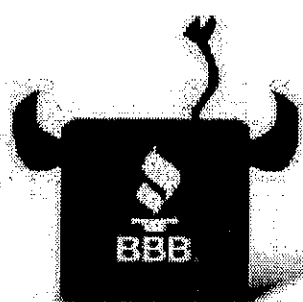
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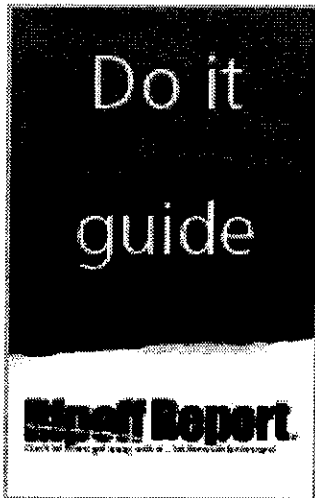


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Report: #708711

Complaint Review: Solomon Dwiggins Freer & Morse

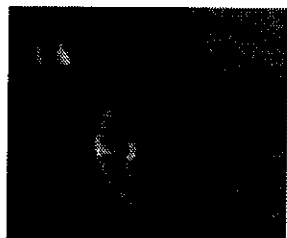
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Submitted: Monday, March 21, 2011 Posted: Monday, March 21, 2011 Reported
By: C. M. M. — Las Vegas Nevada United States of America

Solomon Dwiggins Freer & Morse
9060 West Cheyenne Ave.
Las Vegas Nevada 89129
United States of America

Phone: 702-853-5483
Web: www.sdfnvlaw.com
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Solomon Dwiggins Freer & Morse Alan D Freer, Jared Shafer, and Patience Bristol senior rip off kidnapping, fraud, misuse of the court system Las Vegas, Nevada

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Alan D. Freer of Solomon Dwiggins Freer & Morse is using the law to rob from the elderly. As a member of the Nevada bar and a lawyer who has worked under Alan D Freer for several years my statements are offered as direct observation of the corruption taking place in Nevada against senior citizens.

1 0 0
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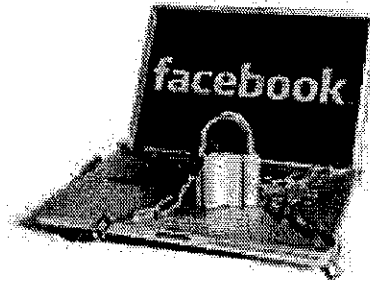
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Alan Freer who is a partner of Solomon Dwiggins Freer & Morse represents Jared E. Shafer Las Vegas' former public guardian who according to his statements is the richest guardian in Nevada. This report will explain how Jared Shafer acquired his great wealth. Mr. Shafer was a public official in Las Vegas serving as Clark County's public guardian from 1979 through 2002. During that time he earned an annual average salary adjusted for inflation of \$54,247.32. A financial investigation of Mr. Shafer's portfolio of investments reveal Jared Shafer owns through several partnerships 8 parcels of key commercial property in downtown Las Vegas, 6 apartment buildings located in Nevada and Utah, and 3 private senior care homes. All of these properties do not include his private dwelling.

It is impossible to acquire property at this level on the salary Jared Shafer earned between 1979 and 2003 when he retired from public office. When I joined Mr. Freer's firm, Solomon Dwiggins Freer & Morse Mr. Freer and Dana Dwiggins, senior partners in the law firm advised me that I would be representing Mr. Shafer. Ms. Dwiggins told me Shafer was the firm's most profitable client. She explained Mr. Shafer was a gateway to senior estates worth in excess of \$300,000. Alan Freer went to great lengths to explain Jared Shafer's behavior, which he characterized as a bit strange. I was told I should make accommodations for his anti-social actions. At first Mr. Shafer appeared to be two people, a person who talked to himself, picked his face, and constantly bit his finger nails.

On other occasions he appeared as a politician who could be very charming. As time went on I observed corruption at a level, which most people would find unimaginable. Documentations of large bills sent to clients for work, which was never completed. Billings of telephone conversations, which didn't occur, visits to wards, which were never made, extended times for services such as charging a client for 3 hours at \$225 per hour to obtain a \$15 credit for a gas bill. In addition I was offered a chance to buy a wards house under the market price with an opportunity to resell it at market value if I split the profits with Freer & Shafer and completed paperwork in the manner Jared Shafer wanted. Witnessing these activities caused a great deal of stress.

One evening while at a dinner for members of our firm, I decided to ask Alan Freer about all of these things I had personally witnessed. Alan said "I learned very early in this business from Jared Shafer, bill the families large amounts. Bill often and high so they can't fight back. Jared said they must know who is boss. If a family fights triple the billings. Families must understand we decide what they will receive from their estates. If they give Shafer a problem, nothing will be left." Freer went on to say, "intimidation, altered documents, and total disregard for the family's wishes is our best weapons." Freer said "most families will fight in the beginning, but in time with the help of Commissioner Jon Norheim and Judge Chuck Hoskin, we will destroy their will to fight."

Freer continued by saying "it is important to make families believe everything, which has occurred is their fault. The guilt combined with the heavy-handed courts is enough to send the most persistent trouble maker directly into therapy and that is where we want them." This conversation was enough for me to leave this corrupt field of the law. Within six hours resumes were leaving my computer. I was brought up as a strict Catholic and I will not judge Mr. Freer and the group. I know this kind of corruption against middle class seniors is not for me. Unfortunately this was not the end to what I was to witness.

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On a hot Wednesday in June of 2009 I accompanied Patience Bristol to visit one of Jared Shafer's wards who lived in a senior care home in Henderson. When I returned from the bathroom I witnessed Patience Bristol injecting the lady we were visiting. I asked her what she was doing? Patience replied I was giving her a vitamin shot. Patience is not a licensed nurse. I didn't know this fact at the time Patience was administering the medication. Two months later this lady grew very sick and died. All of this information has been turned over to the police, FBI, and the Department of Justice. I am leaving the name of the ward out for now because an investigation against Patience Bristol is in full progress.

As someone who has worked in Nevada family law I believe the time has come to expose the corruption, which has been taking place in Nevada for over 30 years. The Internet is full of articles from numerous sources providing extensive information about the activities of Jared Shafer and his group. These articles are from: the Las Vegas Journal, Inside Vegas, Las Vegas Tribune, The Las Vegas Times published before 2000, Channel 3 news Las Vegas, Channel 13 News Las Vegas, The Los Angeles times, and several well written private blogs. I hope readers will understand the large number of articles and material about Jared Shafer and his group do not come from one source. Please Google Jared E Shafer Las Vegas, Jared Shafer PFSN, Patience Bristol, Judge Chuck Hoskin Las Vegas, Commissioner Jon Norheim, and corrupt guardians Las Vegas to gain a full perspective as to the gravity of the corruption being committed against our senior citizens.

Ask yourself these questions, who could not cry watching 90 year old Hollywood super star & producer Mickey Rooney telling his story before the U.S. congress of exploitation by people he trusted? Do we lose our citizenship rights just because we get old? Is this what our constitution wanted for our seniors? If your answer is yes, please quietly walk away and take no action. If you believe our constitution applies to seniors, use your right of free speech. Inform as many people as you can about the dangers older people face in Nevada located in the country they believe to be the United States. Information is power and the proper use of it is in all of our hands.

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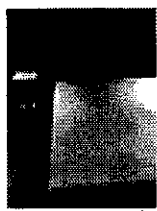
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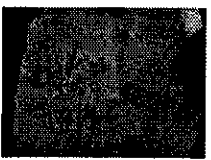
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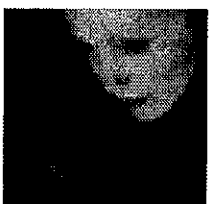


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Stalker Wanna-be-Witch; Fake
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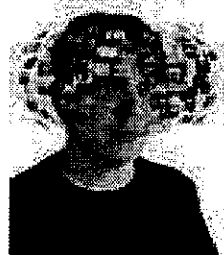
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Submitted: Friday, January 07, 2011 **Posted:** Friday, January 07, 2011 **Reported
By:** Christina — Portland Oregon U.S.A.

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AVID Amy Deittrick, Jared Shafer, Patience Bristol unlicensed business, fraud, taking money from the elderly Internet las vegas, Nevada

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A Las Vegas corrupt book keeper Amy V Deittrick works for Mr. Jared Shafer who is known as Las Vegas most dishonest guardian. My Aunt Marry lived in Henderson Nevada and had the misfortune of contracting Alzheimer's disease. The court appointed Shafer and Deittrick to "protect" the estate. During the next 23 months

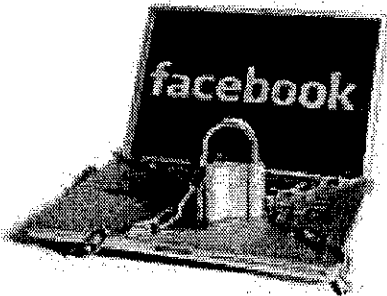
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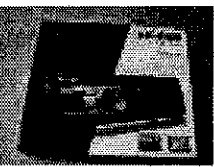
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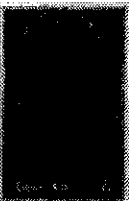
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cashback research people beware this place is out to scam you. you dont get paid for the serveys you do for them and when you inquir about not being paid they come up with bull sh@t excuses and still refuse to pay south carolina. Internet



Mitt Romney Jon Huntsman A Mormon (LDS Church Affiliate) Presidential Candidate Rips Off Americans – Why a Mormon (LDS) should not be president of the United States. Internet

Ms. Deittrick and Mr. Shafer took \$327,442.38 for questionable fees. Deittrick billed over \$100,000 in extraordinary fees.

Amy Deittrick’s business AVID Services of Nevada has no license to operate in the state of Nevada or in Clark County. Shafer tells the IRS Deittrick is an independent contractor, but Shafer breaks the IRS rules by supplying all of Deittrick’s equipment and controlling her hours of work. When I received this accounting I contacted Amy Deittrick. Her attitude was very hostile.

Deittrick stated “Jared and I will take what we want”. She continued by stating “Jon Norheim Clark County’s family court commissioner is in our pocket.” Deittrick went on to say “the gambling industry runs Las Vegas and they consider the seniors who live in town as a side business, especially when they don’t gamble.” Deittrick went on by emphasizing her point, which was “complain to anyone you want nothing is going to be done. You and your family will lose all your money fighting us. No one is going to help you. In fact, Norheim thinks his court is a joke”.

Jared Shafer and Amy Deittrick believe they are untouchable and maybe they are right. This report along with hundreds of posts placed on other sites will continue to expose what is going on in Nevada. Guardian abuse of seniors must be stopped. If anyone reading this report has a problem with a guardian, speak out. The guardians, judges, and attorneys who perpetuate this criminal activity against the old and weak must be brought to justice.

Did you find this post useful? 0 0

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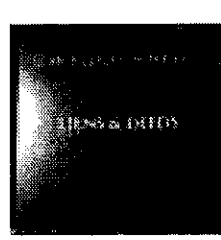
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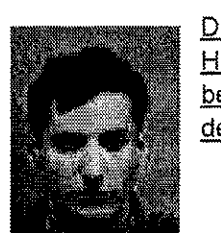
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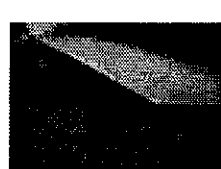
 Lucille Prince aka: Lucille McElroy Scams, fraud, bad checks, slander Los Angeles, California


 SKW Central SKW Central, Sean Keegan Walker's Tax Liens Increased fees without notification, "accidentally" deleted account, poor customer service an understatement American Fork, Utah

 Universal Class Inc. Consumers beware of this online educational service! Internet

 DENSON HUDGENS Lawsuit being filed for libel, defamation Internet

 Alpine Payment Systems Columbia Advance Group The truth of Alpine Payment Systems/Columbia Advanced Group, Internet

 Ace Duct Cleaning, Inc Advanced Air Company destroys your home, Internet

 PREMIER ENTERPRISE INC, JOHN BURK EXCLUSIVE PROMOTIONS, ADVANCED PROMOTIONS A BIG SCAM MARKETING GROUP IN COLUMBUS OHIO, THEY WORK FOR SMART CIRCLE, BEWARE THEY WILL LIE TO YOU ABOUT BIG PROMOTIONS, Internet

Judy Machado Illegal eviction, property damage, fraud Coronado, California



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Monro Muffler
Brake and
Service Monro
Muffler Brake
and Service
Damage Paint

on three of my door handle's
Cincinnati, Ohio



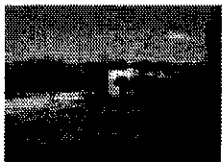
Jan Windglows JAN
WINDGLOWS
OWNER OF BLOOD
LOVE AND LUST
SPELLS SUES
STALKER CRIMINAL
MARY PRANTIL AKA

PSYCHIC SEATTLE READ THE
LAWSUIT ON MARY PRANTIL
WITH OTHER LINKS AND
INFORMATION FOUND THERE
THAT CONTAIN HAR Internet,
Internet



Melaleuca
Internet Ceo
Moms,
MomsWin, The
Mom
Team, Mom
Execs, Moms

Make More, Moms For Life, Stayin
Home N Lovin It, CeoMomsOnline,
Stay Home And Win SCAM- don't
get involved unless you have low
self esteem and don't mind being
walked all over Internet



Paul & Carrie
Harvill disabled
veteran told by
Paul and Carrie
Harvill that the
property looked

N*ggerish and they didnt want
people thinking n*ggers lived there.
Internet, Internet



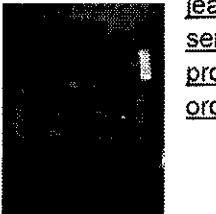
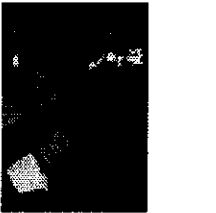


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Job Network; iHire, LLC. I paid these
people almost \$700 and got
absolutely nowhere at all with them.
Frederick, Maryland



DR. JAYANTHI
GANNE WORKS IN
DEPT OF
DENTISTRY
DOCTOR JAYANTHI
GANNE WAS
WORKING IN THE

AGH ORAL SURGERY CLINIC
WITHOUT A LICENSE AND SHE
DID SURGERY ON MY MOUTH
AND HURT ME BAD NOONE

<div>HELPED AND WHEN MY DOCTOR WAS NOT ABLE TO COME IN THEY LET DR. CELEBRATION, Florida</div> <div><div>Big Timbers Kennel Karen Callahan Karen Callahan of Big Timbers Kennel Ripped Me Off \$1600.00!!!!</div></div> <div>Canfield, Ohio</div>			<div>Is there a Ripoff Report about you!? SEO Reputation Management WARNING! Click Here Now!</div>		
<div><div>California Veterinary Specialist SO CALLED EMERGENCY HOSPITAL. THEY WAIT FOR A FULL STAFF BEFORE THEY OPERATE. THEY DO NOT TELL YOU THE TRUTH! Ontario, Murrieta and Carlsbad Internet, California</div></div>					
<div><div>Terry Allison terry allison is a player womanizer cheater jerk a-hole scum heart breaker sneaky b*stard arvada, Colorado</div></div>					
<div><div>Optus Corporation Optus Business Directory Scam Boston, Massachusetts</div></div>					
<div><div>jeansstock They sent me a different product than I ordered Internet</div></div>					
<div><div>LiveTransfersUSA.com PC Telemarketing, AMS Marketing Myles Schneit-part of con artist crew Ft. Lauderdale, Florida</div></div>					
<div><div>Whirlpool Kitchen Aide USA NONE Benton Harbor, Michigan</div></div>					
<div>Besquared Global, Ltd. NuVisage Pro Collagen Enhancer Trademark infringement Their customers calling our company looking for refunds Internet</div>					



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Niles, Wisconsin



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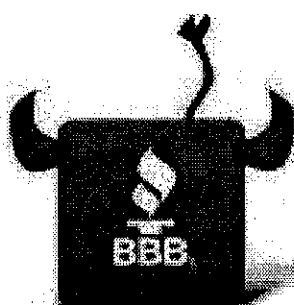
Doctored Reviews

What patients don't know
Why Medical Justice's an

offer some ways that let patients
freely talk about their healthcare
experiences.



The government should serve
voters, not corporate special
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government, open the government
to public scrutiny, and hold public
officials accountable for their
misdeeds.

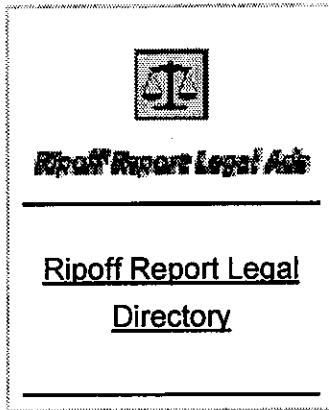


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operation. 20/20 exposes the BBB.
Hamas Terror Group Gets 'A' Rating
- BBB is running a "pay for play"
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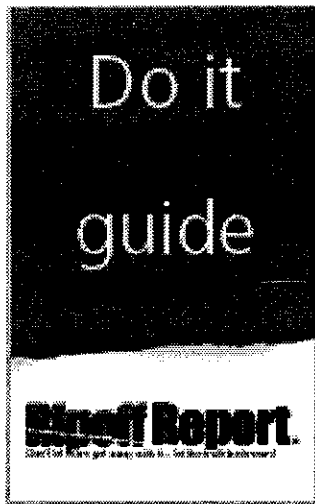
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complaints...



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Report: #762174

Complaint Review: Robert Simpson Attorney

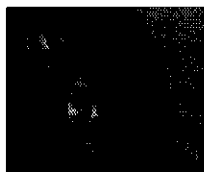
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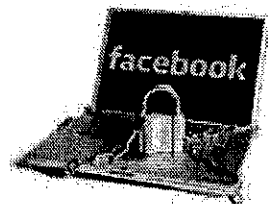
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They might contact you next!

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from killing freedom of
speech on the Internet



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By: Bruce H. — Las Vegas Nevada USA

Robert Simpson Attorney
9060 West Cheyenne Ave.
Las Vegas Nevada 89129
United States of America

Phone: 702-853-5483
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Robert Simpson Attorney Alan Freer, Solomon Dwiggins, & Freer Robert Simpson stole \$25,000 cash from my dying friend Las Vegas, Nevada

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Robert Simpson admitted to stealing \$25,000 cash
from my dying friend Mrs. Finch.

Robert Simpson who appears outwardly as a devoted Mormon is in reality another in a series of homosexual attorneys who enable Jared Shafer to steal money from the sick and disabled. Coincidences are a part of life, but one of them enabled me to find out what happen to a close friend of mine Mrs. Finch who was my math teacher in high school. As an active homosexual I met Robert Simpson at our exclusive Las Vegas men's only club. Robert appeared to be high on something, which accounted for the fact he couldn't stop talking about his significant other, Alan Freer, another gay Las Vegas attorney. Rob laughed as he told stories of the exploits of Freer as he got away with robbing the elderly of everything they had worked for. He said the joke around his firm Solomon Dwiggins Freer and Morse was "families bend over and pay." Rob laughed as he described how easy he and Freer had it because they were in his words protected by Jared Shafer and the family courts. Robert said "after five years of this easy work I will never have to practice law again, just give me ten more grandmas and my bank account will be fine. My friend Mrs. Finch taught math in San Diego from 1955 through 1989. She retired and moved to Las Vegas in 1991. In 2006 she became ill and had no family living in the state. Jared Shafer was assigned to act for her. Robert told me he visited Mrs. Finches North Las Vegas home on June 12, 2010. Mrs. Finch had a nurse and couldn't get out of bed. Robert Simpson opened her jewelry box and found \$25,000 cash. Simpson pocketed the money and reported it to Alan Freer. Freer told him to split it with him. Alan Freer said you will find a lot more surprises like this one. I listened intently because of my closeness to Mrs. Finch. Then Robert dropped a second bomb, he had found another \$15,000 in cash in the home of a very sick lady he called Mrs. Rosenbaum. Simpson said Alan told him to keep two thirds of this money as a bonus

1 0 0
Author Consumer Employee/Owner

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proctor commits fraud
uses money on
himself that was to make a movie
so he lies to all the courts he has
an affair on his wife besides
with karen *** CULVER CITY
California



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Dr Sola Ibogaine
clinic is
unprofessional
and are not
compassionate to
their patients.
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while I was still in withdrawl
Internet Cancun Mexico



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SUSPENDED
ACCOUNT
BECAUSE OF
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City, California
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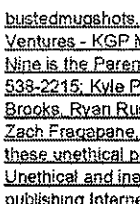
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Academy Online
Trading
Academy of
Orlando - Very
deceptive and unprofessional
Orlando, Florida



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an LLC LA
California



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Brooks, Ryan Russell, Ace Elliot,
Zach Fragapane, David Breshears
these unethical people specialize i
Unethical and inaccurate mugshot
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Sexiest Man Alive
Terry Allison player
womanizer cheater
jerk a-hole scum
heart breaker
sneaky b*stard Las
Vegas, Colorado



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scam.ive.tried.that.com review
ive.tried.that.com.ive.tried
that wealthy affiliate, wealthy affiliate
scam Internet, Internet



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bradfordexchange.com BEWARE
Niles, Wisconsin



FastGrowingTrees.com Bad
Product, Bad Customer Service,
Internet



Glucosamin I now
see that this
company is a
total scam I

for his "hard work"
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I took Robert to his home and dropped him off. Since that evening he has ignored my
phone calls. I've been thinking about what he told me. I'm an orphan and have never
had any close family to worry about. Something very bad is going on in Las Vegas.
Robert Simpson believes what he and Freer are doing is funny. Maybe it is to him. I'm
glad I am a free spirit with no family to worry about. I wrote this report because
someone should know what they are doing. For me this is just stuff, which happens to
other people.

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[appliancesconnection.com REFUSAL to fix thier ADMITTED mistake. Sent me a BLACK bed instead of the WHITE I ordered. Internet](#)



[Anti Slapp laws. why we need it. NOTICE to all consumers. Junk lawsuits targeting free speech are a major threat to the First Amendment to chill consumers first amendment right to speak out. Have you been sued for speaking out? Are you afraid of being bullied with a sham lawsuit over something you said? There is a new movement to stop dishonest plaintiffs and their attorneys by preventing and punishing "Strategic Lawsuits Against Public Participation". Help Ripoff Report stop junk lawsuits from destroying small businesses and shutting down freedom of speech on the internet Washington, DC District of Columbia](#)



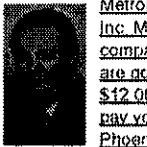
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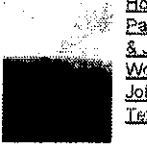
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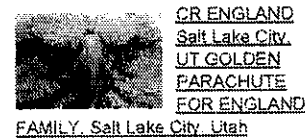
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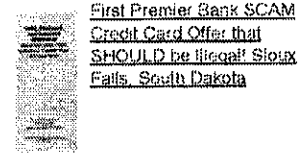
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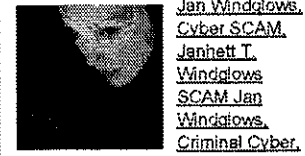
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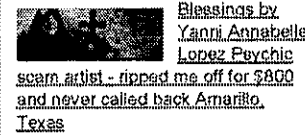


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[Credit Card Offer that](#)
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[Falls, South Dakota](#)

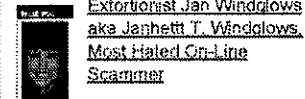


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[Names, Fake Photos, Queen Liith](#)
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[Jan, James Morgan, Mike Cahill](#)
[Stanley Cahill Cyber SCAMS](#)
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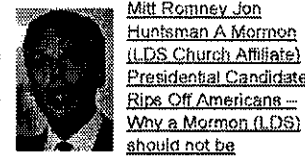


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[and never called back Amarillo,](#)
[Texas](#)

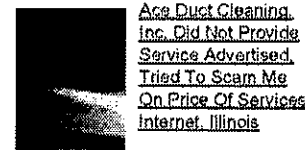


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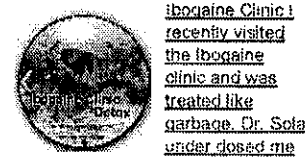
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[treated like](#)
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[and when I was still in withdrawal](#)
[they left me at the airport, Irene](#)
[pretends to be this nice lady but onc](#)
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What patients don't know
Why Medical Justice's an

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The government should serve voters, not corporate special interests. Public Citizen works to empower ordinary citizens, reduce the influence of big corporations on government, open the government to public scrutiny, and hold public officials accountable for their misdeeds.

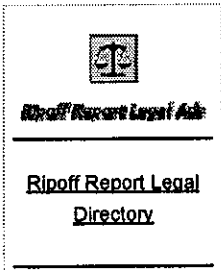


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