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Steven D. Grierson
CLERK OF THE COURT

ANTHONY L. BARNEY, ESQ.
Nevada Bar No. 8366
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3317 W. Charleston Blvd., Suite B
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Attorneys for Terri M. Black

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Oct 16 2017 11:42 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the Person and Estate of **DELFORD W. MENCARELLI,** An Adult Ward.	Case No.: G-13-038863-A Dept. No.: M

NOTICE OF APPEAL

TO: HELEN NATKO, by and through her attorney, DANIEL T. FOLEY, ESQ.

NOTICE IS HEREBY GIVEN that Terri M. Black, Co-Guardian of the Person, in the above named matter, hereby appeals to the Supreme Court of Nevada or appellate court of competent jurisdiction from the Findings of Fact, Conclusions of Law, which was entered in this action on the 5th day of September, 2017, which is an appealable order pursuant to NRS 159.325(3) and 159.325(8).

DATED this 5th day of October, 2017.

RESPECTFULLY SUBMITTED,

TIFFANY S. BARNEY, ESQ.
ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102-1835
Attorneys for Terri M. Black

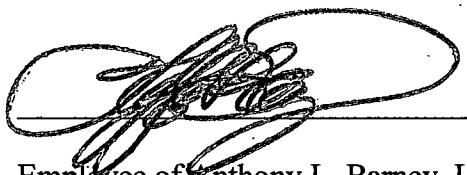
Docket 74219 Document 2017-35246

Case Number: G-13-038863-A

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Anthony L. Barney, Ltd., and not a party to this action. I further certify that, except as otherwise noted, on October 5, 2017, I served the foregoing **NOTICE OF APPEAL** by electronic service through the Eighth Judicial District Court filing system and by first class United States mail, postage prepaid upon the following persons or entities:

Daniel T. Foley, Esq.
FOLEY & OAKES, PC
850 E. Bonneville Ave.
Las Vegas, NV 89101
Attorney for Helen Natko, Guardian



Employee of Anthony L. Barney, Ltd.

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10/5/2017 2:05 PM
Steven D. Grierson
CLERK OF THE COURT

ANTHONY L. BARNEY, ESQ.
Nevada Bar No. 8366
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E-Mail: office@anthonybarney.com
Attorneys for Terri M. Black

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Guardianship of the Person and Estate of **DELFORD W. MENCARELLI,** An Adult Ward.	Case No.: G-13-038863-A Dept. No.: M

CASE APPEAL STATEMENT

TERRI BLACK, by and through her attorneys of the law office of ANTHONY L. BARNEY, LTD., hereby submits her Case Appeal Statement for her appeal from the Findings of Fact, Conclusions of Law entered on September 5, 2017, which was served thereafter by U.S. mail in the above-mentioned matter, and states as follows:

1. **Name of appellant filing this case appeal statement**: Terri M. Black ("Terri"), Co-Guardian of the Person of Delford Mencarelli.

2. **Identify the judge issuing the decision, judgment, or order appealed from**: Honorable Judge William S. Potter of the Eighth Judicial District Court, Family Division, Department M in Clark County, Nevada, issued the September 5, 2017 Findings of Fact, Conclusions of Law from which this appeal is taken.

3. **Identify each appellant and the name and address of counsel for each appellant**:

Case Number: G-13-038863-A

A. Terri Black, Appellant

Anthony L. Barney, Esq.
ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
Las Vegas, NV 89102
Attorney for Appellant, Terri Black

4. **Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):**

Appellate Counsel is unknown but Trial Counsel for Respondents are as follows:

A. Helen Natko, Respondent

Daniel T. Foley, Esq.
FOLEY & OAKES
626 South 8th Street
Las Vegas, NV 89101
Attorney for Respondent Helen Natko

5. **Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):** All attorneys are licensed to practice law in Nevada.

6. **Indicate whether appellant was represented by appointed or retained counsel in the district court:** Appellant was represented by retained counsel in district court.

7. **Indicate whether appellant is represented by appointed or retained counsel on appeal:** Appellant is represented by retained counsel on appeal.

8. **Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:** Appellant was not granted leave to proceed in forma pauperis.

9. **Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed)**: The Petition for Appointment of Temporary Co-Guardians of the Person and Estate of Delford W. Mencarelli, Adult Ward, was filed by Delford Mencarelli's only child, Terri M. Black, on June 27, 2013.

10. **Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court**: This guardianship action arose in the Family Division of the Eighth Judicial District Court wherein Helen Natko was appointed as Guardian of the Person and Estate of Delford Mencarelli ("Mr. Mencarelli"). Before and during the guardianship, Ms. Natko sequestered Mr. Mencarelli away from his only child, Terri Black, and stole Mr. Mencarelli's funds. Law enforcement refused to intervene in June 2013 when the theft, isolation, and neglect was first discovered and directed Terri Black to file for guardianship to protect her father. Terri Black initiated guardianship proceedings, presenting evidence of theft, forgery, neglect, and isolation by Helen Natko in her first petition to the court to become the guardian over her father but was thwarted by all of the various court-appointed personnel as well as Ms. Natko, who would eventually obtain large sums from Mr. Mencarelli's estate in the guardianship proceedings. While Terri fought to have access to her father, he passed away while under Ms. Natko's care on July 3, 2015. According to her duties as Guardian of the Estate, Ms. Natko filed a First and Final Accounting and Terri opposed the guardianship fees and attorney fees. Final approval of the accounting was held in abeyance for almost two years by the district court, however, until the conclusion of the criminal investigation into Ms. Natko's exploitation of Delford Mencarelli.

The jury returned its verdict on April 11, 2017 and Ms. Natko was criminally convicted or found guilty of Count 1 – Exploitation of a Vulnerable Person and guilty of Count 2 – Theft.[1] Notably, the conviction of Ms. Natko was based on her victimization of Delford Mencarelli and the evidence presented to the guardianship court prior to the guardianship being established on September 16, 2013. Ms. Natko's sentencing occurred on July 31, 2017 and her Judgment of Conviction was entered on August 10, 2017. Ms. Natko and her attorney then filed a petition to obtain their guardian's fees and attorney's fees in the guardianship matter or the amounts that were held in abeyance pending the criminal case. On August 17, 2017, Terri filed her objection and counterpetition to their request.

On August 23, 2017, the matter was heard by the guardianship court. The attorney fees and the guardian's fees were denied except for four thousand eight hundred forty-seven dollars and forty cents ($4,847.40) attributable to rental payments. The court, however, entered its September 5, 2017 Findings of Fact, Conclusions of Law ("September 5th Order") which approves the accounting (which includes the guardian's fees and attorney's fees) and has the effect of awarding guardian's fees and attorney fees to a convicted felon and her counsel. The September 5th Order also seeks to discharge Ms. Natko from her obligations under the guardianship.

The September 5th Order is an appealable order pursuant to NRS 159.325(3), settling an account, because the accounting has not been settled because of the ambiguity in the September 5th Order. The orders contained in the September 5th Order are incongruent with the Findings of Fact made therein. Additionally, to the extent that the court seeks to terminate this guardianship

[1] See Case # C-16-313574-1.

and discharge Ms. Natko from her obligations under the guardianship, this Order is also being appealed under NRS 159.325(8).

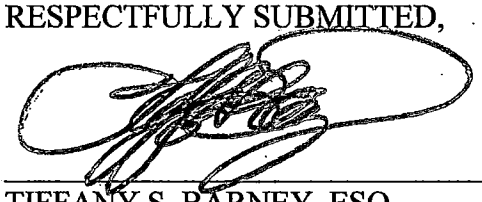
11. **Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding**: This case has not previously been the subject of an appeal or original writ proceeding.

12. Indicate whether this appeal involves child custody or visitation: This case does not involve child custody or visitation.

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: This appeal does involve the possibility of settlement.

DATED this 5th day of October, 2017.

RESPECTFULLY SUBMITTED,

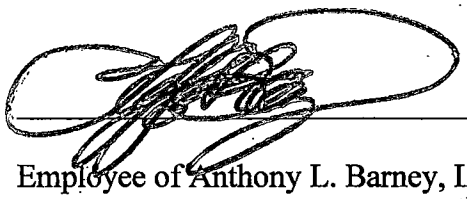


TIFFANY S. BARNEY, ESQ.
ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102-1835
Attorneys for Terri M. Black

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Anthony L. Barney, Ltd., and not a party to this action. I further certify that, except as otherwise noted, on October 5, 2017, I served the foregoing **CASE APPEAL STATEMENT** by electronic service through the Eighth Judicial District Court filing system and by first class United States mail, postage prepaid upon the following persons or entities:

Daniel T. Foley, Esq.
FOLEY & OAKES, PC
850 E. Bonneville Ave.
Las Vegas, NV 89101
Attorney for Helen Natko, Guardian



Employee of Anthony L. Barney, Ltd.

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. G-13-038863-A

In the Matter of the Guardianship of:	§	Location:	**Department M**
Delford Mencarelli, Adult Ward(s)	§	Judicial Officer:	**Potter, William**
	§	Filed on:	**06/27/2013**
	§		

CASE INFORMATION

Related Cases
P-15-085981-E (Companion Case)

Statistical Closures
04/26/2016 Settled/Withdrawn Without Judicial Conference or Hearing
08/29/2015 Settled/Withdrawn With Judicial Conference or Hearing
02/18/2015 Transferred

Case Type: **Guardianship of Adult**
Subtype: **General - Person & Estate**

Case Status: **12/05/2016 Reopened**

Case Flags: **Order After Hearing Required**
Proper Person Mail Returned
Appealed to Supreme Court

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	G-13-038863-A
Court	Department M
Date Assigned	01/17/2017
Judicial Officer	Potter, William

PARTY INFORMATION

Petitioner	**Black, Terri M** *20416 Southshore DR* *Cornelisu, NC 28031* Removed: 06/24/2015 Change of Status	**Barney, Anthony L.** *Retained* 702-438-7878(W) **Pro Se** 704-895-8076(H)
	Natko, Helen *9536 Lazy River* *Las Vegas, NV 89117* Removed: 08/06/2014 Change of Status	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W) **Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W) **Palmer Simpson, Noel** *Retained* 702-776-7680(W)
	Sanchez, Angelica *3540 W Sahara AVE* *STE 336* *Las Vegas, NV 89102*	**Palmer Simpson, Noel** *Retained* 702-776-7680(W)
Ward	**Mencarelli, Delford W**	
Guardian of Person	**Black, Terri M** *20416 Southshore DR* *Cornelisu, NC 28031*	**Barney, Anthony L.** *Retained* 702-438-7878(W) **Pro Se** 704-895-8076(H)
Guardian of Person and Estate	**Natko, Helen** *9536 Lazy River* *Las Vegas, NV 89117*	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W) **Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)

Palmer Simpson, Noel
Retained
702-776-7680(W)

Temporary Guardian

Senior Guidance, Inc.
Removed: 02/17/2015
Change of Status

Krohn, Shelley D
Retained
702-421-2210(W)

DATE	EVENTS & ORDERS OF THE COURT

EVENTS

06/27/2013 Petition for Appointment of General Guardian
Filed by: Guardian of Person Black, Terri M
Petition for Appointment of Temporary Co-Guardians of the Person and Estate of Delford W. Mencarelli, Adult Ward

07/01/2013 Supplemental
Filed by: Guardian of Person Black, Terri M
Supplement to Petition for Appointment of Temporary Co-Guardians of the Person and Estate of Delford W. Mencarelli, Adult Ward

07/03/2013 Petition
Filed by: Guardian of Person Black, Terri M
Petition for Order to Obtain Medical Examination of Delford W. Mencarelli and for an Order Shortening Time

07/09/2013 Order Shortening Time
Filed by: Guardian of Person Black, Terri M
Order Shortening Time for Hearing on Petition for Order to Obtain Medical Examination of Delford W. Mencarelli

07/09/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

07/17/2013 Petition
Filed by: Guardian of Person and Estate Natko, Helen
Petition for Appointment of Temporary and General Guardian of Person and Estate

07/17/2013 Order
Filed by: Guardian of Person Black, Terri M
Order for Medical Examination of Delford W. Mencarelli

07/19/2013 Citation
Filed by: Guardian of Person and Estate Natko, Helen
Citation

07/19/2013 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order

07/19/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

08/01/2013 Petition
Filed by: Guardian of Person and Estate Natko, Helen
Petition for Return of Proposed Ward's Stolen Funds Pursuant to NRS 159.305

08/02/2013 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Appointment of Temporary and General Guardians of Person and Estate

08/02/2013 Notice of Hearing
Filed by: Guardian of Person Black, Terri M

Notice of Hearing on Petition for Appointment of Temporary and General Co-Guardians of the Person and Estate of Delford W. Mencarelli

08/02/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

08/02/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

08/02/2013 Petition for Appointment of Temporary Guardian
Filed by: Guardian of Person Black, Terri M
Petition for Appointment of Temporary and General Co-Guardians of the Person and Estate of Delford W. Mencarelli

08/02/2013 Citation
Filed by: Guardian of Person Black, Terri M
Citation

08/05/2013 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Amended Notice of Hearing on Petition for Appointment of Temporary and Co-Guardians of the Person and Estate of Delford W. Mencarelli

08/05/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

08/07/2013 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Return of Proposed Ward's Stolen Funds Pursuant to NRS 159.305

08/07/2013 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing for Petition for Return of Ward's Stolen Funds

08/07/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
For: Other Parties Receiving Notice
Certificate of Mailing

08/07/2013 Affidavit of Service
Filed by: Guardian of Person Black, Terri M
Party 2: Ward Mencarelli, Delford W
Affidavit of Service of Delford W. Mencarelli

08/26/2013 Errata
Filed by: Guardian of Person Black, Terri M
Errata To Objection To Petition For Return Of Proposed Ward's Stolen Funds Pursuant to NRS 159.305

08/26/2013 Reply
Filed by: Guardian of Person and Estate Natko, Helen
Reply to Objection to Petition for Return of Ward's Stolen Funds Pursuant to NRS 159.305, and Objection to Terri M. Black's Petition for Guardianship of Delford Mencarelli

08/26/2013 Errata
Filed by: Guardian of Person and Estate Natko, Helen
Errata to Reply to Petition for Return of Ward's Stolen Funds and objection to Petition for Guardianship filed by Terri M. Black

08/26/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
For: Other Parties Receiving Notice
Certificate of Mailing

08/26/2013 Certificate of Service by Facsimile

08/26/2013 Certificate of Service by Facsimile

08/27/2013 Reply
Filed by: Guardian of Person Black, Terri M
Reply to Objection To Terri M. Black's Petition For Guardianship Of Delford Mencarelli

08/27/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

09/16/2013 Order
Filed by: Guardian of Person Black, Terri M
Order Appointing Temporary Guardian of the Person and Estate of Delford W. Mencarelli, and Adult Ward

09/17/2013 Report and Recommendations
Filed by: Guardian of Person Black, Terri M
Commissioners Report and Recommendation

09/18/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Notice of Entry of Order

09/18/2013 Letters of Temporary Guardianship
Filed by: Temporary Guardian Senior Guidance, Inc.
Letters of Guardianship - Temporary

09/18/2013 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order

09/20/2013 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of the Commissioner's Report and Recommendation

09/20/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

10/22/2013 Notice of Appearance
Party: Guardian of Person and Estate Natko, Helen
Notice of Appearance

10/28/2013 Petition
Filed by: Guardian of Person Black, Terri M
Petition For Return of Funds Pursuant to NRS 159.305

10/28/2013 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing on Petition For Return of Funds Pursuant to NRS 159.305

10/28/2013 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
For: Other Sanchez, Angelica
Certificate of Mailing

11/12/2013 Motion
Filed by: Guardian of Person Black, Terri M
Terri M. Black's Motion To Compel Handwriting Exemplar and Application for an Order Shortening Time

11/13/2013 Receipt of Copy
Filed by: Guardian of Person Black, Terri M
Receipt of Copy

11/13/2013	Receipt of Copy Filed by: Guardian of Person Black, Terri M *Receipt of Copy*
11/13/2013	Notice of Hearing Filed by: Guardian of Person Black, Terri M *Amended Notice of Hearing on Petition for Return of Funds Pursuant to NRS 159.305*
11/14/2013	Reply Filed by: Guardian of Person Black, Terri M *Reply to Objection to Terri M. Black's Motion to Compel Handwriting Exemplar*
11/14/2013	Opposition to Motion Filed by: Guardian of Person and Estate Natko, Helen *Helen Natko's Opposition to Motion to Compel Handwriting Samples*
11/14/2013	Certificate of Mailing Filed by: Guardian of Person Black, Terri M For: Other Parties Receiving Notice *Certificate of Mailing and Facsimile*
11/19/2013	Certificate of Facsimile Filed by: Guardian of Person Black, Terri M *Certificate of Service by Facsimile*
11/19/2013	Objection Filed by: Guardian of Person and Estate Natko, Helen *Objection to Petition for Return of Funds Pursuant to NRS 159.305*
11/21/2013	Expert Witness List Filed by: Guardian of Person and Estate Natko, Helen *Helen Natko's Expert Disclosure Pursuant to NRCP Rule 16.1 (2)*
12/04/2013	Application Filed by: Guardian of Person Black, Terri M *Application for Issuance of Commission to Take Out of State Depositions*
12/05/2013	Application Filed by: Guardian of Person Black, Terri M *Application to Take the Out of State Deposition of Lloyda Kostolansky*
12/06/2013	Order Filed by: Guardian of Person Black, Terri M *Order Extending Temporary Guardianship*
12/09/2013	Notice of Entry Filed by: Guardian of Person Black, Terri M *Notice of Entry of Order Extending Temporary Guardianship of Person and Estate*
12/18/2013	Amended Petition Filed by: Guardian of Person and Estate Natko, Helen *Amended Petition for Appointment of General Co-Guardians of Person and Estate*
02/27/2014	Notice of Appearance Party: Temporary Guardian Senior Guidance, Inc. *Notice of Appearance and Request for Special Notice*
03/06/2014	Ex Parte Application Filed by: Temporary Guardian Senior Guidance, Inc. *Ex Parte Application for Re-Establishment of a Temporary Guardianship of the Person and Estate and Issuance of Temporary Letters of Guardianship*
03/06/2014	Affidavit in Support Filed by: Temporary Guardian Senior Guidance, Inc.

Affidavit of Shelley D. Krohn, in Support of Temporary Guardianship

03/11/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Re-Establishing Temporary Guardianship of the Person and Estate, and Issuing Temporary Letters of Guardianship

03/13/2014 Supplement
Filed by: Guardian of Person Black, Terri M
First Supplemental Petition to Add Claims of Abuse, Isolation, Neglect and Exploitation

03/13/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

03/17/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Extending Temporary Guardianship of the Person and Estate

03/18/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Extending Temporary Guardianship of the Person and Estate

03/19/2014 Letters of Temporary Guardianship
Filed by: Temporary Guardian Senior Guidance, Inc.
Temporary Letters of Guardianship

03/19/2014 Letters of Temporary Guardianship
Filed by: Guardian of Person Black, Terri M
Letters of Guardianship - Temporary - Family

03/28/2014 Errata
Filed by: Guardian of Person Black, Terri M
Errata to First Supplemental Petition to Add Claims of Abuse, Isolation, Neglect and Exploitation

03/28/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

03/31/2014 Accounting
Filed by: Temporary Guardian Senior Guidance, Inc.
First Semi-Annual Account, Report of Guardian, and Petition for Fees

03/31/2014 Inventory
Filed by: Temporary Guardian Senior Guidance, Inc.
Inventory, Appraisement and Record of Value

03/31/2014 Notice of Hearing
Filed by: Temporary Guardian Senior Guidance, Inc.
Notice of Hearing on First Semi-Annual Account, Report of Guardian, and Petition for Fees

04/02/2014 Affidavit of Mailing
Filed by: Temporary Guardian Senior Guidance, Inc.
Affidavit of Mailing

04/14/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to First Semi-Annual Account, Report of Guardian, and Petition for Fees

04/25/2014 Reply
Filed by: Temporary Guardian Senior Guidance, Inc.
Reply to Opposition to First Semi-Annual Account, Report of Guardian, and Petition for Fees

04/25/2014 Amended Inventory, Appraisal and/or Record of Value
Filed by: Temporary Guardian Senior Guidance, Inc.

Amended Inventory, Appraisement and Record of Value - $471,268.73

04/29/2014 Certificate
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

04/29/2014 Supplement
Filed by: Guardian of Person Black, Terri M
Supplement to Objection to First Semi-Annual Account, Report of Guardian and Petition for Fees

05/05/2014 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing on Petition to Remove Temporary Guardian

05/05/2014 Certificate
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

05/05/2014 Petition
Filed by: Guardian of Person Black, Terri M
Petition to Remove Temporary Guardian and for an Order Shortening Time

05/07/2014 Notice
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear by Communication Equipment

05/07/2014 Certificate
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Notice of Intent to Appear by Communication Equipment

05/07/2014 Citation
Citation

05/08/2014 Report and Recommendations
Filed by: Temporary Guardian Senior Guidance, Inc.
Report and Recommendation re: First Semi-Annual Account, Report of Guardian, and Petition for Fees

05/09/2014 Affidavit of Mailing
Filed by: Guardian of Person Black, Terri M
Affidavit of Mailing

05/09/2014 Petition
Filed by: Temporary Guardian Senior Guidance, Inc.
Petition to Continue Hearing on Petition to Remove Temporary Guardian and for Order Shortening Time

05/09/2014 Ex Parte Application
Filed by: Temporary Guardian Senior Guidance, Inc.
Ex Parte Application for an Order Shortening Time on Petition to Continue Hearing on Petition to Remove Temporary Guardian and for Order Shortening Time

05/09/2014 Order Shortening Time
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Shortening Time

05/12/2014 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing of First Supplemental Petition to Add Claims of Abuse, Isolation, Neglect and Exploitation

05/12/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Notice of Hearing of First Supplemental Petition to Add Claims of Abuse, Isolation, Neglect and Exploitation

05/12/2014 Errata
Filed by: Guardian of Person Black, Terri M

Errata to Petition to Remove Temporary Guardian

05/12/2014 Affidavit
Filed by: Guardian of Person Black, Terri M
Affidavit of Service of Citation-Senior Guidance Services

05/12/2014 Certificate of Mailing
Filed by: Ward Mencarelli, Delford W
Certificate of Mailing of Errata to Petition to Remove Temporary Guardian

05/13/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Petition to Continue Hearing on Petition to Remove Temporary Guardian

05/13/2014 Certificate
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Objection to Petition to Continue Hearing on Petition to Remove Temporary Guardian

05/14/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing On Helen Natko's Amended Petition for Appointment of General Co-Guardians of Person and Estate

05/15/2014 Ex Parte Application
Filed by: Temporary Guardian Senior Guidance, Inc.
Ex Parte Application for Extension of Temporary Guardianship of the Person and Estate

05/20/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Extending Temporary Guardianship

05/21/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Extending Temporary Guardianship of the Person and Estate

05/27/2014 Order Granting
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Granting Petition to Continue Hearing on Petition to Remove Temporary Guardian

05/27/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Amended Petition for Appointment of General Co-Guardians of Person and Estate

05/27/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
For: Other Parties Receiving Notice

05/28/2014 Trial Memorandum
Filed by: Guardian of Person and Estate Natko, Helen
Helen Natko's Trial Brief

05/28/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Granting Petition to Continue Hearing on Petition to Remove Temporary Guardian

05/28/2014 Brief
Filed by: Guardian of Person Black, Terri M
Trial Brief

05/28/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

05/28/2014 Opposition
Filed by: Temporary Guardian Senior Guidance, Inc.

Opposition to Petition to Remove Temporary Guardian

05/29/2014 Reply
Filed by: Guardian of Person Black, Terri M
Reply to Opposition to Petition to Remove

05/29/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

06/11/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Adopting Report and Recommendation re: First Semi-Annual Account, Report of Guardian and Petition for Fees

06/13/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Adopting Report and Recommendation re: First Semi-Annual Account, Report of Guardian and Petition for Fees

06/17/2014 Notice
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear By Communication Equipment

06/17/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

06/19/2014 Motion
Filed by: Guardian of Person Black, Terri M
Motion in Limine to Exclude Petitioner Helen Natko from Testifying to Hearsay Statements Allegedly Made by Delford W. Mencarelli

06/23/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Extending Temporary Guardianship

06/24/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Extending Temporary Guardianship of the Person and Estate

07/07/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Extending Temporary Guardianship

07/11/2014 Report and Recommendations
Report and Recommendations

07/15/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Extending Temporary Guardianship of the Person and the Estate

08/06/2014 Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Adopting Report and Recommendations

08/07/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Adopting Report and Recommendations

08/20/2014 Letters of General Guardianship
Filed by: Guardian of Person and Estate Natko, Helen
Letters of General Guardianship

08/27/2014 Petition

Filed by: Guardian of Person and Estate Natko, Helen
Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reinbursement to Guardian of Attorneys' Fees and Costs Previously Paid

08/27/2014 Petition
Filed by: Guardian of Person and Estate Natko, Helen
Petition to Shift all or Part of Guardian's and Temporary Guardian's Attorneys' Fees and Expenses to Terri Black Individually

08/29/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing on Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorneys' Fees and Expenses to Terri Black Individually

08/29/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid

09/03/2014 Citation
Filed by: Ward Mencarelli, Delford W
Citation

09/03/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Amended Notice of Hearing for Petition for Order Authorizing Payment of Attroneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid

09/03/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Amended Notice of Hearing to Shift All or Part of Guardian's and Temporary Guardian's Fees and Expenses to Terri Black Individually

09/04/2014 Certificate
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

09/04/2014 Certificate
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

09/04/2014 Certificate
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

09/12/2014 Exhibits
Filed by: Guardian of Person Black, Terri M
Guardian's Duties and Responsibilities per NRS 159.073

09/16/2014 Final Accounting
Filed by: Temporary Guardian Senior Guidance, Inc.
Second and Final Account, Report of Guardian, and Petition for Fees, Distribution, and Discharge

09/16/2014 Notice of Hearing
Filed by: Temporary Guardian Senior Guidance, Inc.
Notice of Hearing on Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge

09/16/2014 Affidavit of Mailing
Filed by: Temporary Guardian Senior Guidance, Inc.
Affidavit of Mailing

09/17/2014 Joinder
Filed by: Temporary Guardian Senior Guidance, Inc.
Joinder in Helen Natko's Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorney's Fees

and Expenses to Terri Black Individually

09/19/2014 Objection
Objection to Helen Natko's Petition for Order Authorizing Payment of Attorney's Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorney's Fees and Costs Previously Paid

09/19/2014 Notice
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear by Communication Equiptment

09/19/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Helen Natko's Petition to Shift All or Part of Guardian's and Temporary Guardians Attorney's Fees and Expenses to Terri Black, Individually

09/19/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

09/22/2014 Receipt of Copy
Filed by: Guardian of Person Black, Terri M
Signed Receipt of Copy-Foley & Oakes

09/22/2014 Receipt of Copy
Filed by: Guardian of Person Black, Terri M
Signed Receipt of Copy-Krohn

09/26/2014 Supplement
Filed by: Guardian of Person Black, Terri M
Supplement to Objection to Helen Natko's Petition for Order Authorizing Payment of Attorney's Fees and Costs to Guardians Counsel and for Reimbursement to Guardian of Attorney's Fees and Costs Previously Paid

09/26/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

09/26/2014 Reply
Filed by: Guardian of Person and Estate Natko, Helen
Reply to Objection Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorney's Fees and Expenses to Terri Black Individually

09/26/2014 Reply
Filed by: Guardian of Person and Estate Natko, Helen
Reply to Objection to Petition for Order Authorizing Payment of Attorney's Fees and Costs to Guardian's Counsel and For Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid

09/29/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Second and Final Account, Report of Guardian, and Petition for Fees Distribution and Discharge

09/29/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

09/29/2014 Receipt
Filed by: Guardian of Person Black, Terri M
Receipt of Citation

09/30/2014 Reply
Filed by: Temporary Guardian Senior Guidance, Inc.
Reply to Objection to Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge

10/01/2014 Exhibits
Filed by: Guardian of Person and Estate Natko, Helen

In Camera Submittal of Attorneys' Fee Agreements

10/08/2014 Order Approving Accounting
Filed by: Temporary Guardian Senior Guidance, Inc.
Order Approving Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge

10/10/2014 Supplemental
Filed by: Guardian of Person and Estate Natko, Helen
Supplement to Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid

10/10/2014 Document Filed
Filed by: Guardian of Person Black, Terri M
Information on Terri M. Black's Requests for In Camera Review of Legal Engagement Agreements

10/10/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

10/14/2014 Receipt
Filed by: Temporary Guardian Senior Guidance, Inc.
Receipt-Senior Guidance

10/14/2014 Report and Recommendations
Filed by: Guardian of Person and Estate Natko, Helen
Guardianship Commissioner's Report and Recommendations

10/14/2014 Certificate of Mailing
Filed by: Other Parties Receiving Notice
For: Other Parties Receiving Notice

10/15/2014 Report and Recommendations
Filed by: Guardian of Person Black, Terri M
Report and Recommendation

10/15/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Commissioner's Report and Recommendation

10/15/2014 Receipt
Filed by: Guardian of Person Black, Terri M
Receipt

10/16/2014 Notice of Entry of Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Notice of Entry of Order Approving Second and Final Account, Report of Guardian, and Petition for Fees, Distribution, and Discharge

10/16/2014 Affidavit of Mailing
Filed by: Temporary Guardian Senior Guidance, Inc.
Affidavit of Mailing

10/16/2014 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

10/22/2014 Objection
Filed by: Guardian of Person and Estate Natko, Helen
Objection to Guardianship Commissioner's Report and Recommendation Signed October 15, 2014

10/22/2014 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

11/05/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing on Objection to Guardianship Commissioner's Report and Recommendation Signed October, 15, 2014 to be Heard by Judge Hopkins

11/06/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Report and Recommendation

11/06/2014 Report and Recommendations
Filed by: Guardian of Person Black, Terri M
Report and Recommendation

11/07/2014 Petition
Filed by: Guardian of Person and Estate Natko, Helen
Petition for Approval of Budget and Attorney Fees

11/07/2014 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice Of Hearing

11/10/2014 Filing
Filed by: Guardian of Person and Estate Natko, Helen
"Blocked Account" Acknowledgement and Receipt

11/10/2014 Order
Filed by: Guardian of Person and Estate Natko, Helen
Order Adopting Report and Recommendations

11/10/2014 Certificate of Mailing
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Mailing

11/10/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

11/13/2014 Notice of Entry
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry on Order Adopting Report and Recommendations

11/20/2014 Certificate of Mailing
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Mailing

11/20/2014 Inventory, Appraisal and/or Record of Value
Filed by: Guardian of Person and Estate Natko, Helen

11/26/2014 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Approval of Budget for Ward's Expenses

11/26/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

11/26/2014 Order
Filed by: Guardian of Person and Estate Natko, Helen
Order Adopting Report and Recommendations

12/01/2014 Notice
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Intent to Appear by Communication Equipment

12/01/2014 Notice of Entry of Order
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry of Order Adopting Report and Recommendations Signed November 4, 2014

12/09/2014 Reply
Filed by: Guardian of Person Black, Terri M
Reply to Objection to Guardianship Commissioner's Report and Recommendation Dated October 15, 2014

12/09/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Reply to Objection to Guardianship Commissioner's Report and Recommendation Signed October 15, 2014

12/15/2014 Notice
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear by Communication Equipment

12/16/2014 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing

12/30/2014 Order
Filed by: Guardian of Person Black, Terri M
Order Denying Objection to Guardianship Commissioner's Report and Recommendation Signed October 15, 2014

12/31/2014 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order Denying Objection to Guardianship Commissioner's Report and Recommendation Signed October 15, 2014

01/06/2015 Miscellaneous Filing
Party: Guardian of Person and Estate Natko, Helen
Guardianship commissioner's Report And Recommendations

01/09/2015 Stipulation and Order
Filed by: Guardian of Person and Estate Natko, Helen
Stipulation and Order for Court to Adopt Report and Recommendations

01/09/2015 Report and Recommendations
Filed by: Guardian of Person and Estate Natko, Helen
Guardianship Commissioner's Report and Recommendations

01/09/2015 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

01/12/2015 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

01/12/2015 Notice of Entry of Stipulation and Order
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry on Stipulation and Order for the Court to adopt Report and Recommendations

01/20/2015 Petition
Filed by: Guardian of Person and Estate Natko, Helen
Petition for Order to Approve Ward's Budget

01/21/2015 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing on Petition to Approve Ward's Budget

01/22/2015 Certificate of Service

Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

01/26/2015 Motion
Filed by: Guardian of Person Black, Terri M
Consent Motion to Withdraw as Counsel on Motion for Order Shortening Time

02/03/2015 Notice
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear By Communication Equipment

02/03/2015 Certificate of Mailing
Filed by: Guardian of Person Black, Terri M
Certificate of Mailing of Notice of Intent o Appear by Communication Equipment

02/05/2015 Order
Filed by: Guardian of Person and Estate Natko, Helen
Order Adopting Report and Recommendations

02/06/2015 Notice of Entry of Order
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry of Order Adopting Report and Recommendations

02/09/2015 Affidavit
Filed by: Temporary Guardian Senior Guidance, Inc.
Affidavit of Denise Comastro of Senior Guidance, Inc., Temporary Guardian

02/17/2015 Order of Final Discharge
Filed by: Temporary Guardian Senior Guidance, Inc.
Order of Final Discharge

02/18/2015 Notice of Entry of Order
Filed by: Temporary Guardian Senior Guidance, Inc.
Notice of Entry of Order of Final Discharge

02/19/2015 Affidavit of Mailing
Filed by: Guardian of Person and Estate Natko, Helen
Affidavit of Mailing

02/24/2015 Objection
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Approval of Budget for Ward's Expenses and Petition for Removal of Natko as Guardian

03/06/2015 Reply
Filed by: Guardian of Person and Estate Natko, Helen
Reply to Objection to Petition for Order Approving Ward's Budget

03/11/2015 Order Granting
Filed by: Guardian of Person Black, Terri M
Order Granting Consent Motion to Withdraw

03/12/2015 Notice of Entry of Order
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order

03/17/2015 Order
Filed by: Guardian of Person Black, Terri M
Order to Reopen Case Due to Clerical Error

03/26/2015 Report and Recommendations
Filed by: Guardian of Person and Estate Natko, Helen
Guardianship Commissioner's Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian

03/27/2015	Notice of Entry Filed by: Guardian of Person and Estate Natko, Helen *Notice of Entry on Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian*
04/08/2015	Objection Filed by: Guardian of Person Black, Terri M *Objection to Guardianship Commissioner's Report and Recommendation Filed March 26, 2015*
04/09/2015	Notice of Hearing Filed by: Guardian of Person Black, Terri M *Notice of Hearing for Objection to the Budget RAR Dated March 26, 2015*
04/17/2015	Reply Filed by: Guardian of Person and Estate Natko, Helen *Reply to Mrs. Black's Objection to Guardianship Commissioner's Report and Recommendation Filed March 26, 2015*
04/17/2015	Certificate of Service Filed by: Guardian of Person and Estate Natko, Helen *Certificate of Service*
04/17/2015	Ex Parte Application Filed by: Guardian of Person and Estate Natko, Helen *Ex-Parte Application for Order Shortening Time for Hearing on Mrs. Black's Objection to Guardianship Commissioner's Report and Recommendation Filed March 26, 2015*
06/01/2015	Administrative Reassignment to Department G
06/11/2015	Notice of Rescheduling of Hearing *Notice of Rescheduling of Hearing*
06/19/2015	Reply Filed by: Guardian of Person Black, Terri M *Reply to Helen Natko's Reply and Daniel T Foley, Esq Affidavit Concerning Mrs Black's Objection to the Guardianship Commissioner's Report and Recommendations Filed March 26, 2015 and Motion to Compel Production of Medical Records and Natko's Cancellend Checks for Payment of Legal Fees*
06/22/2015	Media Request and Order Party: Guardian of Person Black, Terri M *Proof of Service Media Request KTNV*
06/22/2015	Reply Filed by: Guardian of Person and Estate Natko, Helen *Helen Natko's Response and Request to Strike Mrs. Black's Untimely Reply and Two Motions to Compel*
06/23/2015	Supplemental Filed by: Guardian of Person Black, Terri M *Supplemental Petition Requesting an Amended Temporary Guardianship*
06/24/2015	Order Appointing General Guardian - Estate Only Filed by: Guardian of Person Black, Terri M *Order Appointing General Co-Guardianship of Person*
06/25/2015	Letters of General Guardianship *General Letters of Guardianship*
06/25/2015	Notice of Entry of Order Filed by: Guardian of Person Black, Terri M *Notice of Entry of Order Regarding the Petition for Appointment of Terri M. Black of Co-Guardian of Person*
07/06/2015	Notice Filed by: Guardian of Person and Estate Natko, Helen *Notice of the Death of the Ward Delford Mencarelli*

07/13/2015 Media Request and Order
Media Request and Order for Camera Access to Court Proceedings

07/14/2015 Miscellaneous Filing
Party: Guardian of Person Black, Terri M
Notice of Intent for Terri Black to Attend Hearing Telephonically

07/17/2015 Motion to Produce
Filed by: Guardian of Person Black, Terri M
Motion to Compel Natko to Produce Copies of Cancelled Checks for Attorneys Fees

07/20/2015 Order
Filed by: Guardian of Person and Estate Natko, Helen
Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to remove Guardian Dated March 26, 2015

07/21/2015 Notice of Entry
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry on Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian Dated March 26, 2015

07/22/2015 Order
Filed by: Guardian of Person Black, Terri M
Order Vacating Hearing

07/23/2015 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing

07/23/2015 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

07/23/2015 Motion
Filed by: Guardian of Person and Estate Natko, Helen
Motion for Reconsideration of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian Dated March 26, 2015

07/24/2015 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

07/27/2015 Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing

07/29/2015 Motion
Filed by: Guardian of Person Black, Terri M
Motion for Reconsideration of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian ("Natko") Filed March 26, 2015

07/29/2015 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing for Motion to Compel Helen Natko to Produce Copies of Cancelled Chekcs for Attorney Fees

07/29/2015 Order
Filed by: Guardian of Person and Estate Natko, Helen
Amended Filing of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian Dated March 26, 2015

07/29/2015 Certificate of Service
Filed by: Guardian of Person Black, Terri M

07/29/2015 Notice of Hearing

Filed by: Guardian of Person Black, Terri M
Notice of Hearing for Motion for Reconsideration of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian ("Natko") Filed March 26, 2015

07/29/2015 Certificate of Service
Filed by: Guardian of Person Black, Terri M

08/12/2015 Opposition
Filed by: Guardian of Person and Estate Natko, Helen
Helen Natko's Opposition to Mrs. Black's Motion for Reconsideration of Order Entered July 21, 2015

08/12/2015 Opposition
Filed by: Guardian of Person and Estate Natko, Helen
Helen Natko's Opposition and Request to Strike Mrs. Black's Motion to Compel

08/16/2015 Reply
Filed by: Guardian of Person Black, Terri M
Terri Black's reply to Helen Natko's Oppositions Filed August 12, 2015 Concerning Terri's Motion's to compel and reconsider.

08/28/2015 Domestic Notice to Statistically Close Case

08/31/2015 Order
Filed by: Guardian of Person and Estate Natko, Helen
Order Regarding Helen Natko's Motion for Reconsideration, Terri Black's Motion for reconsideration, Terri M. Black's Motion to Compel, Both Parties Joint Oral Motions for Order to Obtain Bank Records

09/02/2015 Notice of Entry
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Entry on Order Regarding Helen Natko's Motion for Reconsideration, Terri Black's Motion for Reconsideration, Terri Black's Motion to Compel, both Parties' Joint Oral Motion for an Order to Obtain Bank Records

10/02/2015 Accounting
Filed by: Guardian of Person and Estate Natko, Helen
First Annual and Final Accounting and Report of the General Guaridanship of Delford W. Mencarelli September 1, 2014 to August 31, 2015 and Petition for Fees, Reimbursement, Distribution and Discharge

10/05/2015 Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing on First Annual and Final Accounting and Report of the General Guardianship of Delford w. Mencarelli September 1, 2014 to August 31, 2015

10/06/2015 Certificate of Service
Filed by: Guardian of Person and Estate Natko, Helen
Certificate of Service

10/07/2015 Notice of Rescheduling of Hearing
Notice of Rescheduling of Hearing

10/19/2015 Receipt of Copy
Filed by: Other Sanchez, Angelica
Receipt Of Copy

10/19/2015 Objection
Filed by: Guardian of Person Black, Terri M
Objection to First Annual and Final Accounting and Report of the General Guardianship of the Estate of Delford W. Mencarelli September 1, 2014 to August 31, 2015 and Petition for Fees, Reimbursement, Distribution and Discharge and Counter-Petition for Court Order to Unblock Delford W. Mencarelli's Financial Accounts and to Show Cause

10/19/2015 Declaration
Filed by: Guardian of Person Black, Terri M
Declaration of Terri M. Black Pursuant to NRS 53.045 in Favor of Terri M. Black's Objection to First Annual

	and Final Accounting and Report of the General Guardianship of the Estate of Delford W. Mencarelli September 1, 2014 to August 31, 2015 and Petition for Fees, Reimbursement, Distribution and Discharge and Counter-Petition for Court Order to Unblock Delford W. Mencarelli's Financial Accounts and to Show Cause
10/21/2015	Notice Filed by: Guardian of Person Black, Terri M *Notice of Intent to Appear by Telephone*
10/22/2015	Reply Filed by: Guardian of Person and Estate Natko, Helen *Reply to Terri Black's Objection to First Annual and Final Accounting*
11/25/2015	Notice of Change of Address Filed by: Attorney Foley, Daniel Thomas, ESQ *Notice of Change of Address*
02/01/2016	Motion for Clarification Filed by: Guardian of Person and Estate Natko, Helen *Pltf's Motion for Clarification of Courts Ruling Regarding Guardians First Annual and Final Accounting*
02/02/2016	Notice Filed by: Guardian of Person and Estate Natko, Helen *Notice of Hearing on Motion for Clarification of Court's Ruling regarding Guardians First and Final Accounting*
02/12/2016	Opposition and Countermotion Filed by: Guardian of Person Black, Terri M *Opposition to Motion for Clarification of Court's Ruling Regarding Guardian's First and Final Accounting and Counter-Motion for Attorney Fees and Costs*
02/24/2016	Opposition to Motion Filed by: Guardian of Person and Estate Natko, Helen *OPPOSITION TO MOTION FOR CLARIFICATION OF COURT'S RULING REGARDING GUARDIAN'S FIRST ANNUAL AND FINAL ACCOUNTING AND OPPOSITION TO COUNTERMOTION*
02/25/2016	Reply to Opposition Filed by: Guardian of Person Black, Terri M *Reply to Opposition to Counter-Motion for Attorney Fees and Costs*
02/29/2016	Order *Order for the Court for 10/22/15 hearing*
02/29/2016	Notice of Entry *Notice of Entry of Order*
04/26/2016	Domestic Notice to Statistically Close Case *USJR -GUARDIANSHIP STATISTICAL CASE STATUS*
07/08/2016	Guardian's Acknowledgment of Duties *Order Correcting Compliance Report*
12/05/2016	Notice of Hearing *Mandatory Status Check Regarding Case Compliance*
01/17/2017	Administrative Reassignment to Department M *Case reassigned from Judge Cynthia Dianne Steel Dept G*
02/23/2017	Document Filed Filed by: Guardian of Person and Estate Natko, Helen *Report on Status of Case*
08/07/2017	Petition Filed by: Guardian of Person and Estate Natko, Helen *Petition for Distribution of Attorneys' Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case*
08/07/2017	Notice of Hearing

Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing for Petition for Attorneys' Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case

08/17/2017 Opposition and Countermotion
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case and Counter-Petition to Award Double Damages to the Guardianship Estate, to Allow Disbursement of Estate Funds to Estate's Sole Beneficiary, for Reimbursement of Guardian's and Attorney's Fees, and for Payment of Attorney Fees and Costs

08/17/2017 Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing

08/17/2017 Notice of Telephonic Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Intent to Appear by Telephone

09/01/2017 Findings of Fact, Conclusions of Law and Judgment
Findings of Fact, Conclusions of Law

09/05/2017 Notice of Entry
Notice of Entry of Order

09/18/2017 Motion to Reconsider
Filed by: Guardian of Person Black, Terri M
Notice of Motion and Motion for Reconsideration of Findings of Fact and Conclusions or Law

10/05/2017 Order
Filed by: Guardian of Person Black, Terri M
Order

10/05/2017 Order
Filed by: Guardian of Person Black, Terri M
Order

10/05/2017 Notice of Entry
Filed by: Guardian of Person Black, Terri M
Notice of Entry of Order

10/05/2017 Case Appeal Statement
Filed by: Guardian of Person Black, Terri M
Case Appeal Statement

10/05/2017 Opposition
Filed by: Guardian of Person and Estate Natko, Helen
Helen Natko s Opposition To Ms. Black s Motion For Reconsideration Of Order Entered September 5, 2017

10/05/2017 Notice of Appeal
Filed by: Guardian of Person Black, Terri M
Notice of Appeal

HEARINGS

07/17/2013 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 07/09/2013 Order Shortening Time
Hearing On Petition For Order To Obtain Medical Examination Of Delford W. Mencarelli (PER OST)
Denied;
Journal Entry Details:

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. The Ward was canvassed. Ms. Natko verified that the full amount of the $200,000 is intact and is in two bank accounts. Ms. Simpson state she is not opposed to the evaluation subject to a second opinion doctor. Ms. Natko is in the process of filing for guardianship. The Ward has Alzheimer s and blindness and a move would cause the Ward to medically decline. Ms. Tyler stated she wants the order for the evaluation to stand. COURT NOTED, the

temporary guardianship is not needed if the evaluation is done right away and it comes back on calendar in a couple of weeks. COMMISSIONER RECOMMENDED, matter OFF CALENDAR. Ms. Tyler to prepare the order for the evaluation. A Stipulation and Order to be prepared for a second opinion doctor. Counsel to coordinate the transportation for the Ward's deposition. ;
Denied

08/14/2013 **Citation - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
08/14/2013, 08/28/2013
Events: 08/05/2013 Certificate of Mailing
Citation to Appear and Show Cause
08/28/2013 Reset by Court to 08/28/2013
Matter Continued;
Hearing Set;
Matter Continued;
Hearing Set;
Journal Entry Details:
The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Bradley Richardson, Bar #1159, present as co-counsel on behalf of Teri Black. Discussion regarding medical evaluation of the ward. Ms. Tyler stated an additional evaluation was not scheduled as it's clear from the medical information submitted that the ward needs a guardian. Court concurred. Ms. Simpson requested a temporary guardian be appointed. Ms. Tyler objected. Argument by counsel. COURT FINDS, it doesn't appear that any money was taken from the ward by any of the parties, only that money was moved to keep it away from each other. Further, the ward is being well cared for, the Court does not feel the ward is at risk, and appointing a third party temporary guardian is too costly for such a brief time. With the allegations of financial impropriety against both parties, COMMISSIONER RECOMMENDED, Matter CONTINUED to 8/28/13 at 9:00 AM, for all matters to be heard simultaneously. In the interim, parties shall maintain the STATUS QUO. ;
Matter Continued

08/28/2013 **Citation - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Events: 08/02/2013 Citation
Citation
08/28/2013 Reset by Court to 08/28/2013
Hearing Set;
Hearing Set

08/28/2013 **Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Events: 08/02/2013 Notice of Hearing
Hearing On Petition For Appointment Of Temporary And General Co-Guardians Of The Person And Estate Of Delford W. Mencarelli
08/28/2013 Reset by Court to 08/28/2013
Hearing Set;
Hearing Set

08/28/2013 **Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Events: 08/07/2013 Notice of Hearing
Hearing On Petition For Return Of Proposed Ward's Stolen Funds Pursuant To NRS 159.305
Hearing Set;
Hearing Set

08/28/2013 **All Pending Motions - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Matter Heard;
Journal Entry Details:
CITATION ... HEARING ON PETITION FOR APPOINTMENT OF TEMPORARY AND GENERAL CO-GUARDIANS OF THE PERSON AND ESTATE OF DELBERT W. MENCARELLI ... CITATION ... HEARING ON PETITION FOR RETURN OF PROPOSED WARD'S STOLEN FUNDS PURSUANT TO NRS 159.305 Attorney Bradley Richardson #1159 also present on behalf of and with Terri Black, ward's daughter, and Rick Black. The Court noted the ward's presence. The ward's daughter and significant other allege the other side of stealing money from the ward. Ms. Simpson stated the ward started the Pathway Program and in home care has been implemented. Mr. Richardson stated there are concerns regarding the ward's living arrangements, health care, and mental care while in the care of Ms. Natko. The Court stated there will be a trial if the parties cannot reach an agreement. Discussion regarding how to proceed, appointing either the Senior Law Project as the ward's attorneys or a temporary guardian, and the potential for undue influence of the ward. Mr. Richardson requested Barbara Stewart be appointed. Ms. Simpson requested Angelica Sanchez be appointed. The Court stated he has no problem with either nomination; however, would recommend a neutral person serve as temporary guardian. COMMISSIONER RECOMMENDED, Ms. Denise Camastro of Senior Solutions Group, Inc. is APPOINTED as TEMPORARY GUARDIAN. Ms. Camastro shall meet with the ward to determine the

appropriate setting and care and shall speak with the medical professionals as to the ward's health and mental care. The ward's bank accounts shall be converted to a guardianship account. Under NRS Chapter 159, the powers of the Durable Power of Attorney are suspended during the time of the guardianship. Discovery is open. Calendar Call set for 11/20/13 at 9:00 AM. At the Calendar Call a trial shall be set. Counsel to work out the scheduling deadlines. Mr. Richardson to prepare the order. ;
Matter Heard

11/13/2013 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
11/13/2013, 11/20/2013
Events: 10/28/2013 Notice of Hearing
Petition for Return of Funds Pursuant to NRS 159.305
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Journal Entry Details:
The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court stated it was of the understanding that today's petition is related to the recovery action and would be heard at the Evidentiary Hearing. Court further stated it believes opposing counsel, Ms. Simpson, believed the same and is not present. Ms. Tyler requested to trail the matter for Ms. Simpson's appearance. Matter trailed. Matter recalled with Ms. Tyler present. Court again noted, Ms. Simpson has not appeared and it believes there was a misunderstanding as to today's hearing. Court further noted, it is hesitant to do anything absent opposing counsel's appearance. Therefore, COMMISSIONER RECOMMENDED, Matter CONTINUED. CONTINUED TO: 11/20/13 9:00 AM ;
Matter Continued

11/15/2013 **Motion to Compel** (1:30 PM) (Judicial Officer: Anderson, Mark R.)
Events: 11/12/2013 Motion
Terri M. Black's Motion to Compel Handwriting Exemplar
Denied;
Journal Entry Details:
TERI M. BLACK'S MOTION TO COMPEL HANDWRITING EXEMPLAR Attorney Dan Foley, Bar #1078, also present with Attorney Noel Palmer Simpson. Attorney Tyler argued is support of the Motion to Compel asserting that the request for the handwriting exemplars is both reasonable and necessary. Attorney Foley argued in opposition to the Motion, indicating that the other side already has exemplar signatures and writings in their possession and asserting that there is no authority to compel the creation of documents or the performance of specific physical acts by his client. Attorney Tyler presented rebuttal arguments. Following argument, Court finds the request is reasonable; however, the Court does not see any specific authority that would allow the Court to grant the request made in the Motion to Compel. HEARING MASTER RECOMMENDED, Motion to Compel DENIED; Request for Attorney Fees DENIED. Attorney Foley shall prepare the Report and Recommendation; Attorney Tyler to countersign. ;
Denied

11/20/2013 **Calendar Call - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
11/20/2013, 01/08/2014, 02/05/2014, 02/26/2014, 03/19/2014
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Evidentiary Hearing;
Journal Entry Details:
CALENDAR CALL Attorney Paola Armeni, Bar# 8357, also present. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court and Counsel engaged in discussion regarding setting the matter for trial. Court noted that the Temporary Guardianship has already been extended. Following discussion, COMMISSIONER RECOMMENDED, as follows: 1. NON-JURY TRIAL SET for (Day 1) 6/23/14 at 10:00 a.m. and (Day 2) 6/30/14 at 10:00 a.m. 2. Trial briefs may be submitted, but are not required. ;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Evidentiary Hearing;
Journal Entry Details:
CALENDAR CALL Prior to the hearing, the Court was notified that the Parties have agreed to continue the Calendar Call. Pursuant to the agreement of the parties, COMMISSIONER RECOMMENDED, the matter shall be CONTINUED TO 3/19/14 at 9:00 A.M. ;

Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Evidentiary Hearing;
Journal Entry Details:
CALENDAR CALL The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. The Court having been advised counsel have agreed to continue today's hearing, COMMISSIONER RECOMMENDED, the matter shall be CONTINUED to 2/26/14 at 9:00 AM. ;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Evidentiary Hearing;
Journal Entry Details:
CALENDAR CALL The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Prior to the hearing, Court was advised that counsel have agreed to continue this matter. COMMISSIONER RECOMMENDED, the matter shall be CONTINUED to 2/5/14 at 9:00 AM; Temporary Guardianship shall be EXTENDED until 2/5/14. ;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Evidentiary Hearing;
Matter Continued

11/20/2013 **All Pending Motions** (9:00 AM) (Hearing Master: Norheim, Jon)
Matter Heard;
Journal Entry Details:
CALENDAR CALL ... HEARING Courtroom Clerk Peg Franchetti also present. Denise Comastro, Temporary Guardian, also present. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court and Counsel discussed setting the matter for trial; Counsel indicated that there are depositions still to be completed. Court and Counsel engaged in discussion regarding the recovery action and the issues to be addressed at trial. Following discussion, Court requested Attorney Simpson provide a supplement or trial brief regarding the issue of the money withdrawn for legal fees. COMMISSIONER RECOMMENDED, as follows: 1. The Temporary Guardianship shall be EXTENDED to 1/20/14; 2. Matter CONTINUED TO 1/8/14 at 9:00 a.m. ;
Matter Heard

04/16/2014 **Hearing for Account and Report** (9:00 AM) (Hearing Master: Norheim, Jon)
04/16/2014, 04/30/2014
Events: 03/31/2014 Notice of Hearing
Hearing on First Semi-Annual Account, Report of Guardian, and Petition for Fees
Matter Continued;
Matter Heard;
Journal Entry Details:
HEARING FOR ACCOUNT AND REPORT Denise Comastro, also present. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court and Counsel engaged in discussion regarding some of the fees in dispute, specifically: the notary fee, Senior Guidance fees, car expenses, and the accounting fees. Upon inquiry from the Court, Attorney Tyler confirmed that all of the money has been found. Counsel presented arguments regarding the remaining fees in dispute, specifically: fees charged for tasks delegated by the appointed guardian, payment to Drs. Brown and Margolis, expenses related to the car, and combine household expenses. Court recommends Ms. Comastro produce a rate sheet for delegated duties and special arrangements. Upon inquiry, Court noted that charges for the amended inventory are not on this accounting. Court and Counsel engaged in discussion regard the production of bank statements. COMMISSIONER RECOMMENDED, as follows: 1. The notary fees, being unverified, shall be removed at this time; 2. The Court finds the guardianship fees and attorney fees to be reasonable; 3. Helen shall reimburse the fees paid to Drs. Brown and Margolis; if the parties cannot agree on a date payment shall be made, then the Court shall set a date at trial; 4. Expenses relating to the vehicle (gas, insurance, registration) shall be split in half (prospective); 5. The Court finds the shared household expenses to be reasonable; 6. The parties agree that bank statements shall be provided to Attorney Tyler's client within (approximately) 20 days from receipt. Attorney Krohn shall prepare the Report and Recommendation; Attorney Tyler to countersign. ;
Matter Continued;
Matter Heard;
Journal Entry Details:

HEARING ON FIRST SEMI-ANNUAL ACCOUNT, REPORT OF GUARDIAN, AND PETITION FOR FEES The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. At the request of Counsel, COMMISSIONER RECOMMENDED this matter shall be CONTINUED to 4/30/14 at 9:00 a.m. ;
Matter Continued

05/14/2014 **Hearing - HM** (10:00 AM) (Judicial Officer: Hughes, Lynn)
Events: 05/09/2014 Petition
*****per OST filed on 05.09.2014 Petition to Continue Hearing on Petition to Remove Temporary Guardian*
Approved and Granted;
Journal Entry Details:
HEARING ON PETITION TO CONTINUE HEARING The Guardianship Hearing Master was sitting under direction and in lieu of the Guardianship Judge. Court noted that an evidentiary hearing on appointment of a general guardian is set for June. Attorney Tyler presented arguments as to why the hearing on the Petition to Remove the Temporary Guardian should go forward on 5/21/14 as scheduled. Court and Counsel discussed the availability of Counsel and the allegations made in the Petition for Removal. Following argument, Court finds the issues in the request for removal of the Temporary Guardian appear to be the same issues to be addressed at trial. HEARING MASTER RECOMMENDED, Petition to Continue Hearing on Petition to Remove Temporary Guardian and for Order Shortening Time is APPROVED and GRANTED; the hearing on the Petition to Remove Temporary Guardian shall be CONTINUED TO 6/2/14 at 10:00 a.m. to be heard in conjunction with the Trial to address the appointment of a general guardian. ;
Approved and Granted

06/02/2014 **Hearing** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 05/12/2014 Notice of Hearing
Notice of Hearing on First Supplemental Petition to Add Claims of Abuse, Isolation, Neglect and Exploitation
Matter Continued;
Matter Continued

06/02/2014 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 05/14/2014 Notice of Hearing
Hearing on Helen Natko's Amended Petition for Appointment of General Co-Guardians of Person and Estate
Matter Heard;
Matter Heard

06/02/2014 **All Pending Motions** (9:00 AM) (Hearing Master: Norheim, Jon)
Matter Heard;
Journal Entry Details:
PETITION TO REMOVE TEMPORARY GUARDIAN ... HELEN NATKO'S AMENDED PETITION FOR APPOINTMENT OF GENERAL CO-GUARDIANS OF PERSON AND ESTATE ... FIRST SUPPLEMENTAL PETITION TO ADD CLAIMS Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Upon inquiry from the Court, Attorneys for Terri Black and Attorneys for Helen Natko confirm that each of their supplemental filings was provided to clarify their respective positions. Court noted that there were allegations in the Trial Memorandum and in the Petition to Remove Temporary Guardian that the Commissioner has acted improperly and in an unethical manner; this Court, and District Court Judge Hoskin (the Judge this case is assigned to), wanted to find out if there was going to be a Petition to remove the Commissioner from the case, so that it could be heard by the Judge before the trial commenced. Court and Counsel met and conferred just before going on the record and all Counsel indicated that such a Motion is not going to be brought. All Counsel confirmed the same on the record. Court and Counsel engaged in discussion regarding setting temporary visitation schedules, inside and outside of the home, while the trial is in progress. Court and Counsel engaged in further discussion regarding the Petition for Removal of the Temporary Guardian. Court noted that the Temporary Guardianship will expire following a trial decision, making removal of the Temporary Guardian moot; if, however, the Petitioner is seeking a finding of misconduct then the matter will have to be set separately for an Evidentiary Hearing. Pursuant to the agreement of the parties, COMMISSIONER RECOMMENDED, Terri Black may have visitation with the ward for a three hour block each day, subject to the health and willingness of the ward, as trial goes forward. ;
Matter Heard

06/02/2014 **Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Events: 05/05/2014 Notice of Hearing
Hearing on Petition to Remove Temporary Guardian
05/21/2014 Reset by Court to 06/02/2014
5/14/14 Court Ordered this matter continued to be heard on 6/2/14 with related matters.
Matter Heard;
Matter Heard

06/02/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)

Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 1 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Upon inquiry from the Court, Attorneys for Terri Black and Attorneys for Helen Natko confirm that each of their supplemental filings was provided to clarify their respective positions. Court noted that there were allegations in the Trial Memorandum and in the Petition to Remove Temporary Guardian that the Commissioner has acted improperly and in an unethical manner; this Court, and District Court Judge Hoskin (the Judge this case is assigned to), wanted to find out if there was going to be a Petition to remove the Commissioner from the case, so that it could be heard by the Judge before the trial commenced. Court and Counsel met and conferred just before going on the record and all Counsel indicated that such a Motion is not going to be brought. All Counsel confirmed the same on the record. Court and Counsel engaged in discussion regarding setting temporary visitation schedules, inside and outside of the home, while the trial is in progress. Court and Counsel engaged in further discussion regarding the Petition for Removal of the Temporary Guardian. Court noted that the Temporary Guardianship will expire following a trial decision, making removal of the Temporary Guardian moot; if, however, the Petitioner is seeking a finding of misconduct then the matter will have to be set separately for an Evidentiary Hearing. Evidentiary Hearing begins: Witnesses excluded from the courtroom. Each side presented opening statements. Testimony and Exhibits presented (see worksheet). Court and Counsel discussed adding additional days for the Evidentiary Hearing. Dates added: 6/12/14 from 10:00 a.m. to 12:00 p.m. 6/13/14 from 9:00 a.m. to 11:00 a.m. Matter recessed for the day; presentation of testimony and exhibits to resume on 6/5/14. ;
Matter Heard

06/05/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 2
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 2 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed (see worksheet). Court and Counsel discussed adding additional days for the Evidentiary Hearing. Court and Counsel engaged in further discussion regarding alterations to the on-going visitation schedule. Matter closed for the day; presentation of testimony and exhibits to resume on 6/9/14. ;
Matter Heard

06/09/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 3
06/30/2014 Reset by Court to 06/09/2014
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 3 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed (see worksheet). Court and Counsel engaged in discussion regarding alterations to the on-going visitation schedule. Court and Counsel engaged in further discussion regarding adding additional days for the Evidentiary Hearing. Matter closed for the day; presentation of testimony and exhibits to resume on 6/12/14. ;
Matter Heard

06/12/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 4
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 4 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court and Counsel engaged in discussion regarding issues occurring during Terri Black's visitation with the ward. Attorney Tyler requested temporary placement of the ward in Aegis (care facility). Arguments by Counsel. Court finds that it would be hugely traumatic for the ward and is medically inappropriate to remove the ward from his home and place him in a facility at this time. Court and Counsel engaged in further discussion regarding modifications to the current visitation schedule and arrangements. Court and Counsel discussed adding additional days for the Evidentiary Hearing. Dates added: 6/19/14 from 10:00 a.m. to 12:00 p.m. 6/23/14 (full day) from 10:00 a.m. to 5:00 p.m. Presentation of testimony and exhibits resumed (see worksheet). Court and Counsel engaged in final discussion to clarify specific modifications to the visitation schedule and arrangements. Matter closed for the day; presentation of testimony and exhibits to resume on 6/13/14. ;
Matter Heard

06/13/2014 **Evidentiary Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Day 5
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 5 Discussion regarding possibly adding June 24, 2014, as another trial date. Testimony continued. Matter CONTINUED to previously set date of June 16, 2014, at 10:00 AM.;
Matter Heard

06/16/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 6
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 6 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed (see worksheet). Attorney Shelly Krohn requested the Court address the impending expiration of the temporary guardianship. Arguments by Counsel. COMMISSIONER RECOMMENDED, Temporary Guardianship shall be EXTENDED THIRTY (30) DAYS, or until a decision is entered on the General Guardianship - whichever comes first. Court and Counsel engaged in discussion regarding further issues that have occurred during Terri Black's visitation with the ward and further alterations to the visitation arrangements. Court and Counsel engaged in further discussion regarding adding additional days for the Evidentiary Hearing. Dates added: 6/24/14 (full day) from 10:30 a.m. to 5:00 p.m. 6/26/14 from 10:00 a.m. to 12:00 p.m. 6/27/14 from 9:00 a.m. to 11:00 a.m. Matter closed for the day; presentation of testimony and exhibits to resume on 6/19/14. ;
Matter Heard

06/19/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 7
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 7 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. Petitioner Terri Black present by telephone. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court and Counsel engaged in discussion regarding Petitioner's Motion in Limine to Exclude Petitioner Helen Natko from Testifying to Hearsay Statements Allegedly Made by Delford W. Mencarelli. Following arguments, COMMISSIONER RECOMMENDED, the Motion shall be taken UNDER ADVISEMENT. However, the Court noted the on-going objection by Counsel for Terri Black to testimony by Helen Natko regarding statements made by the ward. Presentation of testimony and exhibits resumed (see worksheet). Matter closed for the day; presentation of testimony and exhibits to resume on 6/23/14. ;
Matter Heard

06/23/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 8
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 8 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony (reading of deposition transcripts into the record) continued (see worksheet). Matter closed for the day; presentation of testimony and exhibits to resume on 6/24/14. ;
Matter Heard

06/24/2014 **Evidentiary Hearing - HM** (10:30 AM) (Hearing Master: Norheim, Jon)
Day 9

MINUTES

Evidentiary Hearing (06/30/2014 at 10:00 AM) (Hearing Master: Norheim, Jon)
(Day 12)
Under Advisement
Matter Continued;
Journal Entry Details:

Paola Armeni, Bar #8357, present on behalf of Terri Black. Daniel Foley, Bar #1078, present on behalf of Helen Natko. Denise Comastro, Professional Guardian, also present. Noel Palmer Simpson, Bar #9642, present following the lunch recess on behalf of Helen Natko. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Discussion regarding Mr. Foley's motion to dismiss Petitioner Terri Black's claims of relief, with the exception of her Petition for Guardianship. Not having heard all the

testimony and not having considered all the evidence, COMMISSIONER RECOMMENDED, Mr. Foley's oral Motion to Dismiss is DENIED. Further discussion regarding Petitioner Terri Black's Motion in Limine, Ms. Armeni's oral Motion to Strike Mr. Foley's argument to the Motion in Limine, and Petitioner Terri Black's proposed Exhibit 97. COMMISSIONER FURTHER RECOMMENDED, Motion in Limine is DENIED. Ms. Armeni's oral Motion to Strike is DENIED. Exhibit 97 is ADMITTED for demonstrative purposes only. Deposition of Helen Natko PUBLISHED AND FILED IN OPEN COURT. Testimony and exhibits continued (see worksheet). Following testimony, counsel requested an additional day to conclude the Evidentiary Hearing. COMMISSIONER FURTHER RECOMMENDED, Day 12 of the Evidentiary Hearing SET for 6/30/14 at 10:00 AM.;
Matter Continued

SCHEDULED HEARINGS

Evidentiary Hearing (06/30/2014 at 10:00 AM) (Hearing Master: Norheim, Jon)
(Day 12)
Under Advisement

06/26/2014 **Evidentiary Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Day 10
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 10 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed (see worksheet). Matter closed for the day; presentation of testimony and exhibits to resume on 6/27/14. ;
Matter Heard

06/27/2014 **Evidentiary Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Day 11
Matter Heard;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 11 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed (see worksheet). Matter closed for the day; presentation of testimony and exhibits to resume on 6/30/14. ;
Matter Heard

06/30/2014 **Evidentiary Hearing** (10:00 AM) (Hearing Master: Norheim, Jon)
(Day 12)
Under Advisement;
Journal Entry Details:
EVIDENTIARY HEARING: DAY 12 Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Presentation of testimony and exhibits resumed and completed (see worksheet). Each side presented closing arguments. COMMISSIONER RECOMMENDED, as follows: 1. Matter taken UNDER ADVISEMENT; the Court will prepare the REPORT AND RECOMMENDATION; 2. The Temporary Guardianship shall remain in place until the appointment of a General Guardian and the objection period has expired. ;
Under Advisement

10/01/2014 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 09/03/2014 Notice of Hearing
Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorneys' Fees and Expenses to Terri Black Individually
09/10/2014 Reset by Court to 10/01/2014
Denied;
Denied

10/01/2014 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
10/01/2014, 10/15/2014
Events: 09/03/2014 Notice of Hearing
Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid
09/10/2014 Reset by Court to 10/01/2014
Matter Continued;

Decision Made;
Journal Entry Details:
HEARING ON PETITION FOR ATTORNEY'S FEES AND COSTS The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court addressed the issue of the language in the Report and Recommendation submitted; arguments by counsel. Court advised that the fee agreement was reviewed in camera and then addressed each of the specific questions posed by Attorney Tyler regarding that document. Court addressed the Affidavit provided by Attorney Simpson in regards to her billing. Counsel presented arguments regarding each fee specifically objected to. Following argument, Court advised that it is inappropriate to pay Attorney Simpson, as non-lead counsel, a higher rate than lead counsel for her litigation duties; additionally, Court advised that counsel cannot bill for fees later for the correction of typographical errors that have been acknowledged to be in the billing at this time. Attorney Tyler requested to re-address an issue from the last hearing - Counsel indicated that her client would still like to have Helen produce proof of payment to her Attorneys in the form of cancelled checks. Arguments by Counsel. Court advised that the Court does not see how the request would benefit the ward. Court noted that the Report and Recommendation on that issue has already been signed; Court indicated that if Counsel wishes to put the matter on for reconsideration, it will have to be shown how it would be of benefit to the ward. COMMISSIONER RECOMMENDED, Attorney Simpson's fees for litigation duties shall be reduced as specified. Attorney Tyler shall prepare the Report and Recommendation. ;

Matter Continued;
Decision Made;
Matter Continued

10/01/2014 **Citation - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 09/03/2014 Citation
Citation
Denied;
Denied

10/01/2014 **Hearing - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Events: 09/16/2014 Notice of Hearing
Notice of Hearing on Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge
Approved and Granted;
Approved and Granted

10/01/2014 **All Pending Motions - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Matter Heard;
Journal Entry Details:

HEARING ON SECOND AND FINAL ACCOUNT, REPORT OF GUARDIAN, AND PETITION FOR FEES, DISTRIBUTION AND DISCHARGE ... HEARING ON PETITION TO SHIFT ALL OR PART OF GUARDIAN'S AND TEMPORARY GUARDIAN'S ATTORNEYS' FEES AND EXPENSES TO TERRI BLACK INDIVIDUALLY ... PETITION FOR ORDER AUTHORIZING PAYMENT OF ATTORNEYS' FEES AND COSTS TO GUARDIAN'S COUNSEL AND FOR REIMBURSEMENT TO GUARDIAN OF ATTORNEYS' FEES AND COSTS PREVIOUSLY PAID Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. Terri Black present by telephone. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court questioned participants regarding what issues they would like to go forward with today, indicating that another setting can be offered if Counsel would like more time for argument. Court and Counsel engaged in discussion and agreed that all three issues can be addressed today. Matter TRAILED. Matter RECALLED at 11:17 a.m. Counsel represented that an agreement has been reached regarding the Second Account and Petition for Fees filed by Senior Guidance. Upon inquiry from Attorney Tyler, Attorney Krohn indicated that Terri will be sent the August Brokerage Account Statement as soon as it is received. Upon inquiry from the Court, Counsel confirmed that the issue of the Second Accounting has been resolved. Court addressed the Petition to Shift Fees, indicating that the matter was extremely well-briefed by Counsel. Court stated that the Court does not declare a bad faith filing, and thus the fees shall not be shifted. Court explained the decision and requested a Report and Recommendation be submitted. Court then sought to address each of the issues raised regarding the Petition for Authorization of Payment of Attorney's Fees to Guardian's Counsel, and Reimbursement to Guardian. Upon inquiry from the Court, Attorney Tyler confirmed that the formalities will be waived. Attorney Tyler outlined the documentation requested that has not yet been provided. Court addressed the request that the Fee Agreement be provided. Arguments by Counsel. Court indicated that the Fee Agreement can be reviewed in camera and directed Attorney Tyler to file and serve a brief statement outlining what Counsel wishes the Court to specifically look for in the fee agreement when reviewed. Upon inquiry from the Court, Attorney Tyler confirmed that the issue regarding the beginning balance has been resolved. Court and Counsel engaged in discussion regarding the requested reimbursement to the Guardian. Following discussion, all agree to have all approved fees paid to Counsel, and then have Counsel reimburse the Guardian anything that was already paid. Court and Counsel engaged in discussion regarding Attorney Simpson's invoices; Attorney Tyler confirmed that the supplement provided did show a total consistent with the request. Court addressed the matter of the deposition date. Attorney Tyler indicated that the date was corrected, but the amount billed is still at issue.

Court and Counsel engaged in discussion regarding the Pennsylvania depositions. Following discussion, Court indicated that the fees shall be approved. Court addressed the witness fees for Dr. Christiansen. Arguments by Counsel. Following argument, Court indicated that the fee shall be reluctantly approved. Court addressed the request for proof of the payment of the reimbursement ordered to be paid to the ward by Helen. Arguments by Counsel. Counsel stated agreement with the Court's recommendation that once Helen has receives her reimbursement, she will have two (2) weeks to place the previously ordered reimbursement back into the ward's account. Further arguments by Counsel addressing the individual fees requested to be reimbursed by the Guardian. Court directed Attorneys Foley and/or Simpson to provide a supplement to their bill showing the charges for Drs. Brown and Margolis as a cost of litigation. If Counsel wishes to reimburse the Guardian for these charges that she paid, that is up to Counsel. Counsel presented arguments on the issue of billing by both Attorney's Foley and Simpson in regards to the trial. Court and Counsel engaged in discussion regarding options for presenting evidence to the Court to resolve the issue. Upon inquiry from the Court, Counsel agreed that Attorney Simpson shall prepare and submit an affidavit outlining the duties she performed and how they meaningfully contributed for the ward's benefit; however, Attorney Tyler specified that she has not agreed to waive an evidentiary hearing on the issue. Court directed Attorney Simpson to provide said affidavit by 10/10/14. Court and Counsel engaged in discussion regarding Attorney Foley's requested fees; Court noted that Attorney's Foley's fees are undisputed and, therefore, approved. COMMISSIONER RECOMMENDED, as follows: 1. Pursuant to the agreement of the parties, the Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge shall be APPROVED and GRANTED; 2. Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorneys' Fees and Expenses to Terri Black Individually is DENIED; Attorney Tyler shall prepare a Report and Recommendation, to be reviewed by opposing counsel; 3. The Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid shall be CONTINUED to 10/15/14 at 9:00 a.m. for the filing of the specified supplements, to address the remaining issues, and to determine if an Evidentiary Hearing needs to be set regarding Attorney Simpson's fees. Resolved and undisputed fees shall be listed in a Report and Recommendation to be prepared by Attorney Foley, and countersigned by opposing counsel. ;
Matter Heard

11/26/2014 **Petition - HM** (10:00 AM) (Hearing Master: Norheim, Jon)

11/26/2014, 12/03/2014

Events: 11/07/2014 Notice of Hearing
Petition For Approval Of Budget And Attorney Fees
Matter Continued;
Granted in Part;
Journal Entry Details:
HEARING ON PETITION FOR APPROVAL OF BUDGET AND ATTORNEY FEES Attorney Noel Simpson present by telephone. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Attorney Foley indicated that there was an error in the Accounting and clarified that there is only one guardianship account - the blocked account - and that the request is for an unblocked account to be opened for the guardianship budget. Discussion by Counsel. Court noted the criminal complaint filed against the current guardian and advised that if convicted, she would be disqualified from serving as guardian. Court further noted that there is no action seeking removal of the guardian at this time. Court and Counsel engaged in discussion regarding the Budget and Request for Fees before the Court. Upon inquiry, Attorney Foley asserted that the money from the bank in Pennsylvania has now all been transferred into the blocked trust account. Court and Counsel engaged in discussion regarding Attorney Tyler's request for documentation regarding the accounts. Court and Counsel engaged in discussion regarding the request for fees and addressed each objection presented. Arguments by Counsel. Court and Counsel engaged in discussion regarding the Budget submitted; arguments by Counsel. Court advised that a more detailed breakdown of charges (based on the specific historical needs of the ward) must be provided. Court and Counsel addressed specific budget items including room and board; caregiver and respite fees; and guardian fees. Court and Counsel engaged in discussion regarding releasing funds for the ward's care pending the submission of a revised budget. COMMISSIONER RECOMMENDED, as follows: 1. The Guardian shall provide the closing statements from the Pennsylvania bank accounts (as soon as they are available) and the monthly credit union statements (going forward) to Attorney Tyler for review; 2. Pursuant to STIPULATION, Attorney Simpson's fees shall be reduced by $162.50 (as specified in argument); 3. There shall be no reduction of fees for the fee-shifting action as it was not brought in bad faith and, had the guardian prevailed, would have been clear benefit to the ward; 4. The fees requested for the prior hearing regarding the objections to Attorney Simpson's prior fee request are appropriate and shall not be reduced; 5. The fees requested for time spent addressing the correspondence the Guardian received from Senator Dean Heller's office are appropriate and shall not be reduced; 6. The fees requested to address the issue of the family visits with the ward was not inappropriate at the time and shall not be reduced; 7. The Guardian shall submit (and re-notice) a revised Budget, with a clear breakdown of charges based on the historical needs of the ward; 8. Pursuant to STIPULATION, the undisputed amount of $4,400.00 shall be released today as the minimum amount for the care of the ward for the months of November and December; the release of the undisputed amount of $2,200.00 per month shall be the standing Order until the budget is resolved. Attorney Foley shall prepare the Report and Recommendation. ;
Matter Continued;

Granted in Part;
Journal Entry Details:
HEARING ON PETITION The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Prior to the hearing, the Court was notified that all parties have agreed to continue the matter. COMMISSIONER RECOMMENDED, the matter shall be CONTINUED TO 12/3/14 at 10:00 a.m. ; Matter Continued

12/16/2014 **Objection** (10:30 AM) (Judicial Officer: Hoskin, Charles J.)
Events: 11/05/2014 Notice of Hearing
Objection to Guardianship Commissioner's Report and Recommendation Signed October 15, 2014 to be Heard by Judge Hopkins

MINUTES
Denied;
Journal Entry Details:
HELEN NATKO'S OBJECTION TO GUARDIANSHIP COMMISSIONER'S REPORT AND RECOMMENDATION SIGNED OCTOBER 15, 2014 Petitioner Terri Black appeared telephonically for the hearing. Paola Armeni, Esq., #8357, also present for Ms. Black. Daniel Foley, Esq., #1078, appearing on behalf of Ms. Natko. COURT disclosed a possible basis for recusal in that Petitioner Terri Black's husband has had contact with this Court regarding complaints about Guardianship Court and Guardianship cases in general, but not about this case. Both counsel had no objection to this Court hearing the matter and waived any potential conflict. Argument by counsel regarding the Objection. COURT ADVISED, this Court's analysis of this case is fairly limited. The Court must determine if the Guardianship Commissioner's recommendations were clearly erroneous. In considering everything, this Court CANNOT FIND that the findings made in the report and recommendations were clearly erroneous. COURT ORDERED, the objection to the Guardianship Commissioner's report and recommendations is DENIED. Ms. Armeni is to prepare the order and Mr. Foley is to sign off. ;
Denied

02/04/2015 **Motion - HM** (9:00 AM) (Hearing Master: Norheim, Jon)
Consent Motion to Withdraw as Counsel on Motion for Order Shortening Time
Granted;
Journal Entry Details:
MOTION TO WITHDRAW Attorney Paola Armeni also present. Terri Black present by telephone. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Upon inquiry from the Court, all present indicated no objection to Counsel's Motion to Withdraw. Court and participants engaged in discussion regarding the upcoming hearing set for 2/11/15. COMMISSIONER RECOMMENDED, as follows: 1. Counsel's Motion to Withdraw is GRANTED; 2. The hearing currently on calendar for 2/11/15 shall be CONTINUED to 3/11/15 at 10:00 a.m.; any objections to the budget to be addressed at that hearing must be filed by 2/25/15. ;
Granted

03/11/2015 **Hearing - HM** (10:00 AM) (Hearing Master: Norheim, Jon)
Events: 01/21/2015 Notice of Hearing
Hearing on Petition to Approve Ward's Budget
02/11/2015 Reset by Court to 03/11/2015
Matter reset from 2/11/15 to 3/11/15 - reference minutes from 2/4/15 hearing. - AL/CC
Decision Made;
Journal Entry Details:

HEARING ON PETITION FOR APPROVAL OF WARD'S BUDGET ... OPPOSITION AND COUNTER-PETITION FOR REMOVAL OF GUARDIAN Richard Black, son-in-law of the ward, also present. The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge. Court instructed the parties that Mr. Black shall be allowed to sit at the table to provide moral support for his wife, but he is not allowed to represent her or speak on her behalf. Court clarified that the two issues before the Court are the proposed budget for the ward and the counter-petition for removal of the guardian. Attorney Foley presented arguments in support of the amended budget, specifically addressing the issue of "room and board". Terri Black argued in opposition to the budget voicing objections to several items including the calculation of "room and board". Attorney Foley presented rebuttal arguments, followed by additional arguments by Terri Black. Terri Black asserted arguments in support of her request for removal of the guardian. Court noted that there have been two plans for the ward presented to the Court - the plan currently in place and the plan submitted by Terri Black. Court reviewed the specific details medically necessary to implement the plan proposed by Mrs. Black and noted that the plan has been found to be not medically feasible and not in the best interest of the ward. Terri presented further arguments in support of her request. Court advised that Mrs. Black would need to provide new evidence or new plan that is medically appropriate and in the best interest of the ward for the Court to move forward on her request. Attorney Foley argued in opposition to Mrs. Black's request for removal. Terri Black presented

rebuttal arguments. Court advised that an attorney can be appointed for the ward if the parties believe it would be in his benefit to have one. COMMISSIONER RECOMMENDED, as follows: 1. Petition for Removal is DENIED WITHOUT PREJUDICE; 2. Addressing the proposed budget: the medical expenses, personal expenses, Essential Care, auto expenses, and entertainment expenses are not in dispute and shall be APPROVED; the calculation for average "room and board" and care of the ward shall be reduced approximately 20% and be set at $2,298.40 per month. Attorney Foley shall prepare the Report and Recommendation and provide it to Terri Black for review. ;
Decision Made

06/23/2015 **Objection** (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)
Events: 04/09/2015 Notice of Hearing
Terri Black's Objection to Guardianship Commissioner's Report and Recommendation Filed March 26, 2015 (Date/Time Ok Per JEA)
06/18/2015 Reset by Court to 06/18/2015
06/18/2015 Reset by Court to 06/23/2015

MINUTES

Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing for Objection to the Budget RAR Dated March 26, 2015

Matter Heard;
Journal Entry Details:
TERRI BLACK'S OBJECTION TO GUARDIANSHIP COMMISSIONER'S REPORT AND RECOMMENDATION FILED MARCH 26, 2015. Richard Black, Petitioner's husband, present. Court stated the only matter before the Court today is the budget. Court further stated, a fugitive document has been filed by Terri Black, which is concerning to the Court. Court heard arguments regarding the proposed budget. Mrs. Black argued the budget of $4,200 per month is too high, and the care her father would be receiving is not comparable to the care from a facility. Attorney Foley argued that the Ward is in need of extensive care. Counsel represented the care at a facility would cost $6,700 per month. Therefore, Counsel argued a budget of $4,200 is reasonable. Discussion ensued regarding the pending Criminal Complaint against Helen Natko. Counsel represented he spoke with the District Attorney (DA) assigned to the case and was offered a plea bargain. Mrs. Black stated she spoke with the DA, and was told they will be proceeding with the case. Matter is set for Preliminary Hearing in August of 2015. Discussion ensued regarding the fugitive document filed by Terri Black. The Ward is currently receiving treatment for an infection, which may result in amputation. Court expressed concern that the Guardian may have removed the Ward from a medical facility against medical advice. The Ward is currently receiving care at Nathan Adelson Hospice. The Court expressed concern regarding the current health status of the Ward. The Court appointed Mrs. Black as a Co-Guardian over the Person with Helen Natko, on a temporary basis, until further Order of the Court. COURT ORDERED: As to the Report and Recommendation regarding the BUDGET, the Court modified the Recommendation as follows: Guardianship Fee of $500 per month; Room and Personal Care of $1,000 per month; and Groceries of $300 per month. Status amounts as previously agreed upon shall stand. Reimbursement on expenses from November through May shall be proven by receipts. Terri Black shall be appointed as CO-GUARDIAN in a General Guardianship of the Person on a TEMPORARY basis. Mrs. Black shall prepare the Order for Co-Guardianship and submit it to the Court. Order is made without prejudice. Should the Co-Guardians disagree as to the care of the Ward, the Court will make a determination based on 2 (two) corroborating physicians on the same diagnosis. The current facility shall not release the Ward unless they determine release will be safe for the Ward. A Motion for Reconsideration to change the Court's Order for Co-Guardianship may be filed after the Criminal Complaint has been resolved; with proof that the Guardian did not remove the Ward from a facility against medical advice; and with professional information regarding the ability of the Guardian to care for the Ward, based on his current medical condition, without the assistance of a Co-Guardian. Attorney Foley shall prepare the Order from this hearing, obtain approval as to form and content from Terri Black, and submit it to the Court. STATUS CHECK RE: ORDERS SET for 7-23-15 at 10:00 a.m. in Department G.;
Matter Heard

07/23/2015 *CANCELED* **Status Check** (10:00 AM) (Judicial Officer: Steel, Cynthia Dianne)
Vacated - Moot
SC RE: ORDER (6-23-15 HRG)

08/18/2015 **Hearing** (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)
Events: 07/23/2015 Notice of Hearing
08/13/2015 Reset by Court to 08/18/2015

MINUTES

Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen

Notice of Hearing
Matter Heard;
Matter Heard

08/18/2015 **Motion** (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)
Events: 07/29/2015 Notice of Hearing
Notice of Hearing for Motion for Reconsideration of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian ("Natko") Filed March 26, 2015

MINUTES

Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing for Motion for Reconsideration of Order Regarding Terri Black's Objection to Report and Recommendations Regarding Petition for Approval of Budget and Counter-Petition to Remove Guardian ("Natko") Filed March 26, 2015
Matter Heard;
Matter Heard

08/18/2015 **Motion** (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)
Events: 07/29/2015 Notice of Hearing
Notice of Hearing for Motion to Compel Helen Natko to Produce Copies of Canceled Checks for Attorney Fees

MINUTES

Notice of Hearing
Filed by: Guardian of Person Black, Terri M
Notice of Hearing for Motion to Compel Helen Natko to Produce Copies of Cancelled Chekcs for Attorney Fees
Matter Heard;
Matter Heard

08/18/2015 **All Pending Motions** (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)
8-18-15
Matter Heard;
Journal Entry Details:
HEARING...HEARING REGARDING MOTION FOR RECONDIDERATION OF ORDER REGARDING TERRI BLACK'S OBJECTION TO REPORT AND RECOMMENDATIONS; PETITION FOR APPROVAL OF BUDGET; COUNTER PETITION TO REMOVE GUARDIAN FILED ON 3-26-15...HEARING REGARDING MOTION TO COMPEL HELEN NATKO TO PRODUCE COPIES OF CANCELLED CHECKS FOR ATTORNEY FEES. Richard Black, Petitioner's husband, present. Court noted, the Ward has passed away, and a final accounting has not been filed. The Court does not see a benefit to the Ward to reconsider the prior decision of the Court regarding overruling the Hearing Master's decision. Court heard arguments. Attorney Foley stated he anticipates having a final accounting completed within the next 2 weeks. Court noted, the accounting is not due until October. Court stated, the final accounting will begin at the last approved and granted accounting (through 8-31-14) to present. Discussion ensued regarding Ms. Black's accounting during the short time that she was acting Guardian for the Ward. COURT ORDERED: Motion for Reconsideration shall be DENIED. Motion to Compel shall be DENIED. Copies of bank statements shall be released to Attorney Foley and Terri Black. Attorney Foley shall prepare an appropriate Order for the Court's signature. Final Accounting shall be submitted by 10-4-15. Ms. Black shall have the opportunity to object to the accounting. Any bills received on behalf of the Ward shall be forwarded to Ms. Black. ;
Matter Heard

10/22/2015 **Hearing** (2:00 PM) (Judicial Officer: Steel, Cynthia Dianne)
Events: 10/05/2015 Notice of Hearing
10/22/2015 Reset by Court to 10/22/2015

MINUTES

Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing on First Annual and Final Accounting and Report of the General Guardianship of Delford w. Mencarelli September 1, 2014 to August 31, 2015
Matter Heard;
Journal Entry Details:
HEARING REGARDING OBJECTION TO THE ACCOUNTING. Terri Black appeared telephonically. Court noted, Attorney Foley filed a Reply on 10-22-15, and the Court has not had the opportunity to read it. Court

heard arguments regarding matters on calendar. Attorney Foley represented a hearing is set for 11-19-15 in the criminal action. Court stated, it may be better to wait until the criminal action is resolved before proceeding in this matter. Court stated, the Accounting and the Objection will be reviewed by the Court, any items not being challenged will be granted. Other issues will be reviewed to see if it would be better to decide those issues before or after the criminal proceeding. The Court will issue an Order regarding items being granted. The Court will specify the amount of money being maintained in the blocked account or the attorney trust account, and allow the remaining monies to be released to Ms. Black. COURT ORDERED: To the extent that the out-of-state account (Citizens Bank) is blocked, the account shall be unblocked and proceeds released to Terri Black. Attorney Barney shall prepare the Order and submit it to the Court. ;
Matter Heard

02/29/2016 **Minute Order** (9:00 AM) (Judicial Officer: Steel, Cynthia Dianne)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER - NO HEARING HELD. The Court, having reviewed the request for clarification, and subsequent opposition and reply has issued its own Order pursuant to EDCR 2.23(c) and (d); and rule 5.11(e). The Court hereby vacates the hearing set for 3/1/2016 at 9:30 a.m. All other matters, not addressed in the order are reserved for hearing following the resolution of the pending criminal action against Guardian.;
Minute Order - No Hearing Held

03/01/2016 *CANCELED* **Motion** (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)
Vacated - per Judge
Notice of Hearing on Motion for Clarification of Court's Ruling regarding Guradians First and Final Accounting

03/01/2016 *CANCELED* **Opposition & Countermotion** (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)
Vacated
Opposition and Countermotion for Attorney Fee's and Costs

02/24/2017 *CANCELED* **Status Check** (10:00 AM) (Judicial Officer: O'Malley, Gloria)
Vacated
Case Compliance

08/23/2017 **Hearing** (10:30 AM) (Judicial Officer: Potter, William)
Events: 08/07/2017 Notice of Hearing
Notice of Hearing on Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case

MINUTES

Notice of Hearing
Filed by: Guardian of Person and Estate Natko, Helen
Notice of Hearing for Petition for Attorneys' Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case
Decision Made;
Decision Made

08/23/2017 **Opposition & Countermotion** (10:30 AM) (Judicial Officer: Potter, William)
Events: 08/17/2017 Opposition and Countermotion
Objection to Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case and Counter-Petition to Award Double Damages to the Guardianship Estate, to Allow Disbursement of Estate Funds to Estate's Sole Beneficiary, for Reimbursement of Guardian's and Attorney's Fees, and for Payment of Attorney Fees and Costs

MINUTES

Opposition and Countermotion
Filed by: Guardian of Person Black, Terri M
Objection to Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously Submitted to Court and Report on Status of Case and Counter-Petition to Award Double Damages to the Guardianship Estate, to Allow Disbursement of Estate Funds to Estate's Sole Beneficiary, for Reimbursement of Guardian's and Attorney's Fees, and for Payment of Attorney Fees and Costs
Decision Made;
Decision Made

08/23/2017 **All Pending Motions** (10:30 AM) (Judicial Officer: Potter, William)

MINUTES
Matter Heard;
Journal Entry Details:

HEARING ON PETITION FOR DISTRIBUTION OF ATTORNEY'S FEES AND COSTS AND GUARDIAN'S FEES PREVIOUSLY SUBMITTED TO COURT AND REPORT ON STATUS OF CASE...OBJECTION TO PETITION FOR DISTRIBUTION OF ATTORNEY'S FEES AND COSTS AND GUARDIAN'S FEES PREVIOUSLY SUBMITTED TO COURT AND REPORT ON STATUS OF CASE AND COUNTERPETITION TO AWARD DOUBLE DAMAGES TO THE GUARDIANSHIP ESTATE, TO ALLOW DISBURSEMENT OF ESTATE FUNDS TO ESTATE'S SOLE BENEFICIARY, FOR REIMBURSEMENT OF GUARDIAN'S AND ATTORNEY'S FEES, AND FOR PAYMENT OF ATTORNEY FEES AND COSTS Ms. Black appeared TELEPHONICALLY. Arguments by counsel. Attorney Foley requested a STAY of releasing the IOLTA funds. Attorney Barney objected. COURT ORDERED, as follows: The matter of the Accounting shall be taken UNDER ADVISEMENT. The matter of the Discharge of the Guardian shall be taken UNDER ADVISEMENT. As for the issue of Guardian's fees and Attorney's Fees are DENIED based upon the outcome of the criminal case and arguments contained in the voluminous pleadings. The Court FINDS specifically that the Guardian should not be entitled to the fees based upon the conviction that both the Guardian's Fees and Attorney's Fees seem to be primarily generated by disputes relating from this conduct and that most of the efforts and the expenditure of time and the efforts of the Guardian and the attorney were not to the benefit of the Guardianship estate, but were in fact of furtherance of the conflict between Ms. Black and Ms. Natko and stemmed from the underlying criminal case. Court noted the request for fees related back to 2015, and similar to the statements it made in denying the Guardianship fees and Attorney's fees, it appears that while an argument can be made that all of those fees were generated in an attempt to protect the Guardianship Estate, the fact of the matter is that the COURT FINDS that there was truly at that point in time not a legitimate benefit to the estate, that those fees were previously requested and addressed at prior hearings and it is not going to award any additional fees against the estate, especially since the estate is flowing through to the party who incurred those fees and can be used to pay those fees individually as opposed to from the Guardianship estate. The $60,000 in the IOLTA account shall be distributed pursuant to the estate plan in place. If in fact, Ms. Black is the sole beneficiary under the estate plan, then she would be entitled to that. Mr. Barney stated he will plan on transferring the $60,000.00 to the probate estate when a case is opened. Mr. Barney's request to award double damages to the Guardianship estate shall be DENIED. Mr. Barney's request to return, refund, and disgorge previously paid fees shall be DENIED as the fees were approved by jurists who would have been required to weigh the factors. The payment of $4,847.40 that will be paid from the Guardianship estate shall be authorized to go directly to the fine in the criminal case. Ms. Natko shall not be allowed to access those funds directly and the funds shall be paid directly into the account into the Court as part of her fine. Attorney Foley moved to stay that. Attorney Barney objected. Attorney Foley's Request to stay is DENIED. Attorney Barney's request for fees is DENIED because his fees are going to come from his client who is the sole beneficiary of the estate. Court does not see a need to evade what is in the Guardianship at this point in time because there may be priority claims that would supersede its. Attorney Barney shall submit an Order and Attorney Foley shall countersign.;
Matter Heard

11/07/2017 **Motion** (9:00 AM) (Judicial Officer: Potter, William)
Events: 09/18/2017 Motion to Reconsider
Notice of Motion and Motion for Reconsideration of Findings of Fact and Conclusions of Law

11/07/2017 **Opposition** (9:00 AM) (Judicial Officer: Potter, William)
Helen Natko's Opposition to Ms. Black's Motion for Reconsideration of Order Entered September 5, 2017

Electronically Filed
9/1/2017 10:30 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

* * * * * *

In the Matter of the Guardianship of:)) DELFORD MENCARELLI,)) Adult Ward.))	Case No. G-13-038863-A Dept. No. M

FINDINGS OF FACTS, CONCLUSIONS OF LAW

This matter came on for Guardian's Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously submitted to Court and Report on Status of Case, and Guardian Terri Black's Objection and Counter-Petition. Helen Natko appeared with her attorney Daniel Foley, and Terri Black appeared telephonically with her Anthony Barney appearing in person. The Court having reviewed the documents submitted by the parties by and through their attorneys, and with good cause appearing, the Court finds the following:

This Court is required to make a final determination regarding approval of the First and Final Accounting in this Guardianship matter. It must be noted that the Accounting was filed on October 2, 2015, and that it has been pending a resolution of a criminal case against the Guardian Helen Natko ever since. Ms. Natko stands convicted of 1 count of Exploitation of an older person (the protected person in this Guardianship) and 1 count of Theft. The facts underlying these convictions were known to the Court at the time of Natko's appointment, and have been argued at

WILLIAM S. POTTER
DISTRICT JUDGE
FAMILY DIVISION, DEPT. M
LAS VEGAS NV 89101-2408

every hearing and in every pleading since. Despite the facts that lead to the convictions, Natko was appointed and did provide care and services to the protected person and prepared the accounting at issue.

This Court finds that there was an opposition to all of the guardian's fees as well as her legal fees.

The Court finds that the Guardian's request for compensation and for her legal fees was denied by this Court.

The Court finds that no objection to any other material provision of the accounting have been made.

The Court, having reviewed the First and Final Account, filed on October 2, 2015, finds it to be accurate.

IT IS THEREFORE ORDERED that the First and Final Account is allowed and confirmed.

IT IS FURTHER ORDERED that the Court finds that no action for the recovery of property has been timely filed against Natko in this matter; therefore this Court ORDERS that she shall be discharged from obligations under the guardianship and any bond exonerated.

DATED this 31st day of August, 2017.

DISTRICT COURT JUDGE

Electronically Filed
9/5/2017 3:17 PM
Steven D. Grierson
CLERK OF THE COURT

NOE

DISTRICT COURT

CLARK COUNTY, NEVADA

****

In the Matter of the Guardianship of: Delford Mencarelli, Adult Ward(s)	CASE NO: G-13-038863-A DEPT. Department M

NOTICE OF ENTRY OF ORDER

TO: ALL PARTIES AND/OR THEIR ATTORNEYS

Please take note that after a review of the court file, an Order was prepared by the Court following a scheduled hearing. A copy of the Order from Hearing is attached hereto. I hereby certify that I caused on the above file stamped date, a copy of the within **Order from Hearing** to be:

Mailed postage prepaid, addressed to the following litigants in Proper Person:

Angelica Sanchez
Attn Golden Age Solutions Inc
3540 W Sahara AVE STE 336
Las Vegas NV 89102

Anthony L Barney
3317 W Charleston Blvd, Ste B
Las Vegas NV 89102

Daniel Thomas Foley ESQ
Foley & Oakes PC
c/o Daniel T Foley
626 S Eighth Street
Las Vegas NV 89101

DATED: This September 05, 2017.

Cindy Marshall
Judicial Executive Assistant, Department M

WILLIAM S. POTTER
DISTRICT JUDGE

FAMILY DIVISION, DEPT. M
LAS VEGAS NV 89101-2408

Electronically Filed
9/1/2017 10:30 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

* * * * * *

In the Matter of the Guardianship of:)	
)	
DELFORD MENCARELLI,)	Case No. G-13-038863-A
)	Dept. No. M
Adult Ward.)	
)	

FINDINGS OF FACTS, CONCLUSIONS OF LAW

This matter came on for Guardian's Petition for Distribution of Attorney's Fees and Costs and Guardian's Fees Previously submitted to Court and Report on Status of Case, and Guardian Terri Black's Objection and Counter-Petition. Helen Natko appeared with her attorney Daniel Foley, and Terri Black appeared telephonically with her Anthony Barney appearing in person. The Court having reviewed the documents submitted by the parties by and through their attorneys, and with good cause appearing, the Court finds the following:

This Court is required to make a final determination regarding approval of the First and Final Accounting in this Guardianship matter. It must be noted that the Accounting was filed on October 2, 2015, and that it has been pending a resolution of a criminal case against the Guardian Helen Natko ever since. Ms. Natko stands convicted of 1 count of Exploitation of an older person (the protected person in this Guardianship) and 1 count of Theft. The facts underlying these convictions were known to the Court at the time of Natko's appointment, and have been argued at

WILLIAM S. POTTER
DISTRICT JUDGE
FAMILY DIVISION, DEPT. M
LAS VEGAS NV 89101-2408

every hearing and in every pleading since. Despite the facts that lead to the convictions, Natko was appointed and did provide care and services to the protected person and prepared the accounting at issue.

This Court finds that there was an opposition to all of the guardian's fees as well as her legal fees.

The Court finds that the Guardian's request for compensation and for her legal fees was denied by this Court.

The Court finds that no objection to any other material provision of the accounting have been made.

The Court, having reviewed the First and Final Account, filed on October 2, 2015, finds it to be accurate.

IT IS THEREFORE ORDERED that the First and Final Account is allowed and confirmed.

IT IS FURTHER ORDERED that the Court finds that no action for the recovery of property has been timely filed against Natko in this matter; therefore this Court ORDERS that she shall be discharged from obligations under the guardianship and any bond exonerated.

DATED this 31st day of August, 2017.

DISTRICT COURT JUDGE

WILLIAM S. POTTER
DISTRICT JUDGE

FAMILY DIVISION, DEPT. M
LAS VEGAS NV 89101-2408

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** July 17, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

July 17, 2013 **9:00 AM** **Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Vickie Warren

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

The Ward was canvassed. Ms. Natko verified that the full amount of the $200,000 is intact and is in two bank accounts. Ms. Simpson state she is not opposed to the evaluation subject to a second opinion doctor. Ms. Natko is in the process of filing for guardianship. The Ward has Alzheimer s and blindness and a move would cause the Ward to medically decline. Ms. Tyler stated she wants the order for the evaluation to stand.

COURT NOTED, the temporary guardianship is not needed if the evaluation is done right away and it comes back on calendar in a couple of weeks.

COMMISSIONER RECOMMENDED, matter OFF CALENDAR. Ms. Tyler to prepare the order for the evaluation. A Stipulation and Order to be prepared for a second opinion doctor. Counsel to coordinate the transportation for the Ward's deposition.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** August 14, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

August 14, 2013 **10:00 AM** **Citation - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Victoria Pott

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Bradley Richardson, Bar #1159, present as co-counsel on behalf of Teri Black.

Discussion regarding medical evaluation of the ward. Ms. Tyler stated an additional evaluation was not scheduled as it's clear from the medical information submitted that the ward needs a guardian. Court concurred.

Ms. Simpson requested a temporary guardian be appointed. Ms. Tyler objected.

Argument by counsel.

COURT FINDS, it doesn't appear that any money was taken from the ward by any of the parties, only that money was moved to keep it away from each other. Further, the ward is being well cared for, the Court does not feel the ward is at risk, and appointing a third party temporary guardian is too

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costly for such a brief time.

With the allegations of financial impropriety against both parties, COMMISSIONER RECOMMENDED, Matter CONTINUED to 8/28/13 at 9:00 AM, for all matters to be heard simultaneously. In the interim, parties shall maintain the STATUS QUO.

INTERIM CONDITIONS:

FUTURE HEARINGS:

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** August 28, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

August 28, 2013 **10:00 AM** **All Pending Motions - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Vickie Warren

PARTIES:

Angelica Sanchez, Petitioner, present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- CITATION ... HEARING ON PETITION FOR APPOINTMENT OF TEMPORARY AND GENERAL CO-GUARDIANS OF THE PERSON AND ESTATE OF DELBERT W. MENCARELLI ... CITATION ... HEARING ON PETITION FOR RETURN OF PROPOSED WARD'S STOLEN FUNDS PURSUANT TO NRS 159.305

Attorney Bradley Richardson #1159 also present on behalf of and with Terri Black, ward's daughter, and Rick Black.

The Court noted the ward's presence. The ward's daughter and significant other allege the other side of stealing money from the ward. Ms. Simpson stated the ward started the Pathway Program and in home care has been implemented. Mr. Richardson stated there are concerns regarding the ward's living arrangements, health care, and mental care while in the care of Ms. Natko.

The Court stated there will be a trial if the parties cannot reach an agreement. Discussion regarding how to proceed, appointing either the Senior Law Project as the ward's attorneys or a temporary guardian, and the potential for undue influence of the ward. Mr. Richardson requested Barbara

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Stewart be appointed. Ms. Simpson requested Angelica Sanchez be appointed. The Court stated he has no problem with either nomination; however, would recommend a neutral person serve as temporary guardian.

COMMISSIONER RECOMMENDED,

Ms. Denise Camastro of Senior Solutions Group, Inc. is APPOINTED as TEMPORARY GUARDIAN. Ms. Camastro shall meet with the ward to determine the appropriate setting and care and shall speak with the medical professionals as to the ward's health and mental care. The ward's bank accounts shall be converted to a guardianship account.

Under NRS Chapter 159, the powers of the Durable Power of Attorney are suspended during the time of the guardianship.

Discovery is open. Calendar Call set for 11/20/13 at 9:00 AM. At the Calendar Call a trial shall be set. Counsel to work out the scheduling deadlines.

Mr. Richardson to prepare the order.

INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 20, 2013 9:00AM Calendar Call - HM
Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** November 13, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

November 13, 2013 **9:00 AM** **Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Victoria Pott

PARTIES:

Angelica Sanchez, Petitioner, Other, not present
Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present
Helen Natko, Guardian of Person and Estate, Petitioner, not present
Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present
Terri Black, Guardian of Person, Petitioner, not present
Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court stated it was of the understanding that today's petition is related to the recovery action and would be heard at the Evidentiary Hearing. Court further stated it believes opposing counsel, Ms. Simpson, believed the same and is not present.

Ms. Tyler requested to trail the matter for Ms. Simpson's appearance.

Matter trailed.
Matter recalled with Ms. Tyler present.

Court again noted, Ms. Simpson has not appeared and it believes there was a misunderstanding as to today's hearing. Court further noted, it is hesitant to do anything absent opposing counsel's

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appearance. Therefore, COMMISSIONER RECOMMENDED, Matter CONTINUED.

CONTINUED TO: 11/20/13 9:00 AM

INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 20, 2013 9:00AM Calendar Call - HM
Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** November 15, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

November 15, 2013 **1:30 PM** **Motion to Compel**

HEARD BY: Anderson, Mark R. **COURTROOM:** Courtroom 24

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- TERI M. BLACK'S MOTION TO COMPEL HANDWRITING EXEMPLAR

Attorney Dan Foley, Bar #1078, also present with Attorney Noel Palmer Simpson.

Attorney Tyler argued is support of the Motion to Compel asserting that the request for the handwriting exemplars is both reasonable and necessary. Attorney Foley argued in opposition to the Motion, indicating that the other side already has exemplar signatures and writings in their possession and asserting that there is no authority to compel the creation of documents or the performance of specific physical acts by his client. Attorney Tyler presented rebuttal arguments.

Following argument, Court finds the request is reasonable; however, the Court does not see any specific authority that would allow the Court to grant the request made in the Motion to Compel.

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HEARING MASTER RECOMMENDED, Motion to Compel DENIED; Request for Attorney Fees DENIED.

Attorney Foley shall prepare the Report and Recommendation; Attorney Tyler to countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Nov 15, 2013 1:30PM Motion to Compel
Terri M. Black's Motion to Compel Handwriting Exemplar
Courtroom 24 Beecroft, Chris A., Jr.

Nov 15, 2013 1:30PM Motion to Compel
Terri M. Black's Motion to Compel Handwriting Exemplar
Courtroom 24 Beecroft, Chris A., Jr.

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** November 20, 2013

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

November 20, 2013 **9:00 AM** **All Pending Motions**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- CALENDAR CALL ... HEARING

Courtroom Clerk Peg Franchetti also present. Denise Comastro, Temporary Guardian, also present.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court and Counsel discussed setting the matter for trial; Counsel indicated that there are depositions still to be completed. Court and Counsel engaged in discussion regarding the recovery action and the issues to be addressed at trial. Following discussion, Court requested Attorney Simpson provide a supplement or trial brief regarding the issue of the money withdrawn for legal fees.

COMMISSIONER RECOMMENDED, as follows:

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1. The Temporary Guardianship shall be EXTENDED to 1/20/14;

2. Matter CONTINUED TO 1/8/14 at 9:00 a.m.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 08, 2014 9:00AM Calendar Call - HM
Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** January 08, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

January 08, 2014 9:00 AM Calendar Call - HM

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Peg Franchetti

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- CALENDAR CALL

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Prior to the hearing, Court was advised that counsel have agreed to continue this matter. COMMISSIONER RECOMMENDED, the matter shall be CONTINUED to 2/5/14 at 9:00 AM; Temporary Guardianship shall be EXTENDED until 2/5/14.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 08, 2014 9:00AM Calendar Call - HM

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** February 05, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

February 05, 2014 9:00 AM Calendar Call - HM

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Peg Franchetti

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- CALENDAR CALL

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

The Court having been advised counsel have agreed to continue today's hearing, COMMISSIONER RECOMMENDED, the matter shall be CONTINUED to 2/26/14 at 9:00 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 05, 2014 9:00AM Calendar Call - HM
Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** February 26, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

February 26, 2014 9:00 AM Calendar Call - HM

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- CALENDAR CALL

Prior to the hearing, the Court was notified that the Parties have agreed to continue the Calendar Call.

Pursuant to the agreement of the parties, COMMISSIONER RECOMMENDED, the matter shall be CONTINUED TO 3/19/14 at 9:00 A.M.

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 26, 2014 9:00AM Calendar Call - HM

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Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** March 19, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

March 19, 2014 **9:00 AM** **Calendar Call - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, not present	Shelley Krohn, Attorney, present
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- CALENDAR CALL

Attorney Paola Armeni, Bar# 8357, also present.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court and Counsel engaged in discussion regarding setting the matter for trial. Court noted that the Temporary Guardianship has already been extended.

Following discussion, COMMISSIONER RECOMMENDED, as follows:

1. NON-JURY TRIAL SET for (Day 1) 6/23/14 at 10:00 a.m. and (Day 2) 6/30/14 at 10:00 a.m.

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2. Trial briefs may be submitted, but are not required.

INTERIM CONDITIONS:

FUTURE HEARINGS: Mar 19, 2014 9:00AM Calendar Call - HM
Courtroom 07 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** April 16, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

April 16, 2014 **9:00 AM** **Hearing for Account and Report**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Andrea Slayton

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING ON FIRST SEMI-ANNUAL ACCOUNT, REPORT OF GUARDIAN, AND PETITION FOR FEES

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

At the request of Counsel, COMMISSIONER RECOMMENDED this matter shall be CONTINUED to 4/30/14 at 9:00 a.m.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** April 30, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

April 30, 2014 **9:00 AM** **Hearing for Account and Report**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 07

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, not present	Shelley Krohn, Attorney, present
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING FOR ACCOUNT AND REPORT

Denise Comastro, also present.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court and Counsel engaged in discussion regarding some of the fees in dispute, specifically: the notary fee, Senior Guidance fees, car expenses, and the accounting fees. Upon inquiry from the Court, Attorney Tyler confirmed that all of the money has been found. Counsel presented arguments regarding the remaining fees in dispute, specifically: fees charged for tasks delegated by the appointed guardian, payment to Drs. Brown and Margolis, expenses related to the car, and combine

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household expenses. Court recommends Ms. Comastro produce a rate sheet for delegated duties and special arrangements. Upon inquiry, Court noted that charges for the amended inventory are not on this accounting. Court and Counsel engaged in discussion regard the production of bank statements.

COMMISSIONER RECOMMENDED, as follows:

1. The notary fees, being unverified, shall be removed at this time;

2. The Court finds the guardianship fees and attorney fees to be reasonable;

3. Helen shall reimburse the fees paid to Drs. Brown and Margolis; if the parties cannot agree on a date payment shall be made, then the Court shall set a date at trial;

4. Expenses relating to the vehicle (gas, insurance, registration) shall be split in half (prospective);

5. The Court finds the shared household expenses to be reasonable;

6. The parties agree that bank statements shall be provided to Attorney Tyler's client within (approximately) 20 days from receipt.

Attorney Krohn shall prepare the Report and Recommendation; Attorney Tyler to countersign.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** May 14, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

May 14, 2014 **10:00 AM** **Hearing - HM**

HEARD BY: Hughes, Lynn **COURTROOM:** Courtroom 07

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING ON PETITION TO CONTINUE HEARING

The Guardianship Hearing Master was sitting under direction and in lieu of the Guardianship Judge.

Court noted that an evidentiary hearing on appointment of a general guardian is set for June.

Attorney Tyler presented arguments as to why the hearing on the Petition to Remove the Temporary Guardian should go forward on 5/21/14 as scheduled. Court and Counsel discussed the availability of Counsel and the allegations made in the Petition for Removal. Following argument, Court finds the issues in the request for removal of the Temporary Guardian appear to be the same issues to be addressed at trial.

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HEARING MASTER RECOMMENDED, Petition to Continue Hearing on Petition to Remove Temporary Guardian and for Order Shortening Time is APPROVED and GRANTED; the hearing on the Petition to Remove Temporary Guardian shall be CONTINUED TO 6/2/14 at 10:00 a.m. to be heard in conjunction with the Trial to address the appointment of a general guardian.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 02, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 02, 2014 **9:00 AM** **All Pending Motions**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- PETITION TO REMOVE TEMPORARY GUARDIAN ... HELEN NATKO'S AMENDED PETITION FOR APPOINTMENT OF GENERAL CO-GUARDIANS OF PERSON AND ESTATE ... FIRST SUPPLEMENTAL PETITION TO ADD CLAIMS

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Upon inquiry from the Court, Attorneys for Terri Black and Attorneys for Helen Natko confirm that each of their supplemental filings was provided to clarify their respective positions.

Court noted that there were allegations in the Trial Memorandum and in the Petition to Remove Temporary Guardian that the Commissioner has acted improperly and in an unethical manner; this Court, and District Court Judge Hoskin (the Judge this case is assigned to), wanted to find out if there

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was going to be a Petition to remove the Commissioner from the case, so that it could be heard by the Judge before the trial commenced. Court and Counsel met and conferred just before going on the record and all Counsel indicated that such a Motion is not going to be brought. All Counsel confirmed the same on the record.

Court and Counsel engaged in discussion regarding setting temporary visitation schedules, inside and outside of the home, while the trial is in progress.

Court and Counsel engaged in further discussion regarding the Petition for Removal of the Temporary Guardian. Court noted that the Temporary Guardianship will expire following a trial decision, making removal of the Temporary Guardian moot; if, however, the Petitioner is seeking a finding of misconduct then the matter will have to be set separately for an Evidentiary Hearing.

Pursuant to the agreement of the parties, COMMISSIONER RECOMMENDED, Terri Black may have visitation with the ward for a three hour block each day, subject to the health and willingness of the ward, as trial goes forward.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 05, 2014 10:00AM Evidentiary Hearing - HM
Day 2
Courtroom 01 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 02, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 02, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 1

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Upon inquiry from the Court, Attorneys for Terri Black and Attorneys for Helen Natko confirm that each of their supplemental filings was provided to clarify their respective positions.

Court noted that there were allegations in the Trial Memorandum and in the Petition to Remove Temporary Guardian that the Commissioner has acted improperly and in an unethical manner; this Court, and District Court Judge Hoskin (the Judge this case is assigned to), wanted to find out if there was going to be a Petition to remove the Commissioner from the case, so that it could be heard by the

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Judge before the trial commenced. Court and Counsel met and conferred just before going on the record and all Counsel indicated that such a Motion is not going to be brought. All Counsel confirmed the same on the record.

Court and Counsel engaged in discussion regarding setting temporary visitation schedules, inside and outside of the home, while the trial is in progress.

Court and Counsel engaged in further discussion regarding the Petition for Removal of the Temporary Guardian. Court noted that the Temporary Guardianship will expire following a trial decision, making removal of the Temporary Guardian moot; if, however, the Petitioner is seeking a finding of misconduct then the matter will have to be set separately for an Evidentiary Hearing.

Evidentiary Hearing begins:

Witnesses excluded from the courtroom.

Each side presented opening statements.

Testimony and Exhibits presented (see worksheet).

Court and Counsel discussed adding additional days for the Evidentiary Hearing.
Dates added:
6/12/14 from 10:00 a.m. to 12:00 p.m.
6/13/14 from 9:00 a.m. to 11:00 a.m.

Matter recessed for the day; presentation of testimony and exhibits to resume on 6/5/14.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 05, 2014 10:00AM Evidentiary Hearing - HM
Day 2
Courtroom 01 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 05, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 05, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 01

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 2

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed (see worksheet).

Court and Counsel discussed adding additional days for the Evidentiary Hearing.

Court and Counsel engaged in further discussion regarding alterations to the on-going visitation schedule.

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Matter closed for the day; presentation of testimony and exhibits to resume on 6/9/14.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 05, 2014 10:00AM Evidentiary Hearing - HM
Day 2
Courtroom 01 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 09, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 09, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 3

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed (see worksheet).

Court and Counsel engaged in discussion regarding alterations to the on-going visitation schedule.

Court and Counsel engaged in further discussion regarding adding additional days for the Evidentiary Hearing.

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Matter closed for the day; presentation of testimony and exhibits to resume on 6/12/14.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 12, 2014 10:00AM Evidentiary Hearing - HM
Day 4
Courtroom 01 Norheim, Jon

Jun 13, 2014 9:00AM Evidentiary Hearing - HM
Day 5
Courtroom 13 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 12, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 12, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 01

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 4

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court and Counsel engaged in discussion regarding issues occurring during Terri Black's visitation with the ward. Attorney Tyler requested temporary placement of the ward in Aegis (care facility). Arguments by Counsel. Court finds that it would be hugely traumatic for the ward and is medically inappropriate to remove the ward from his home and place him in a facility at this time. Court and Counsel engaged in further discussion regarding modifications to the current visitation schedule and arrangements.

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Court and Counsel discussed adding additional days for the Evidentiary Hearing.
Dates added:
6/19/14 from 10:00 a.m. to 12:00 p.m.
6/23/14 (full day) from 10:00 a.m. to 5:00 p.m.

Presentation of testimony and exhibits resumed (see worksheet).

Court and Counsel engaged in final discussion to clarify specific modifications to the visitation schedule and arrangements.

Matter closed for the day; presentation of testimony and exhibits to resume on 6/13/14.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 13, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 13, 2014 **9:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 13

COURT CLERK: Neida Parker

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, not present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 5

Discussion regarding possibly adding June 24, 2014, as another trial date.

Testimony continued.

Matter CONTINUED to previously set date of June 16, 2014, at 10:00 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 19, 2014 10:00AM Evidentiary Hearing - HM

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Day 7
Courtroom 01 Norheim, Jon

Jun 23, 2014 10:00AM Evidentiary Hearing - HM
Day 8
Courtroom 09 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 16, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 16, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 6

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed (see worksheet).

Attorney Shelly Krohn requested the Court address the impending expiration of the temporary guardianship. Arguments by Counsel.

COMMISSIONER RECOMMENDED, Temporary Guardianship shall be EXTENDED THIRTY (30) DAYS, or until a decision is entered on the General Guardianship - whichever comes first.

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Court and Counsel engaged in discussion regarding further issues that have occurred during Terri Black's visitation with the ward and further alterations to the visitation arrangements.

Court and Counsel engaged in further discussion regarding adding additional days for the Evidentiary Hearing.
Dates added:
6/24/14 (full day) from 10:30 a.m. to 5:00 p.m.
6/26/14 from 10:00 a.m. to 12:00 p.m.
6/27/14 from 9:00 a.m. to 11:00 a.m.

Matter closed for the day; presentation of testimony and exhibits to resume on 6/19/14.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 19, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 19, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 01

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 7

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. Petitioner Terri Black present by telephone.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court and Counsel engaged in discussion regarding Petitioner's Motion in Limine to Exclude Petitioner Helen Natko from Testifying to Hearsay Statements Allegedly Made by Delford W. Mencarelli.

Following arguments, COMMISSIONER RECOMMENDED, the Motion shall be taken UNDER ADVISEMENT. However, the Court noted the on-going objection by Counsel for Terri Black to

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testimony by Helen Natko regarding statements made by the ward.

Presentation of testimony and exhibits resumed (see worksheet).

Matter closed for the day; presentation of testimony and exhibits to resume on 6/23/14.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Jun 24, 2014 10:30AM Evidentiary Hearing - HM
Day 9
Courtroom 02 Norheim, Jon

Jun 26, 2014 10:00AM Evidentiary Hearing - HM
Day 10
Courtroom 01 Norheim, Jon

Jun 27, 2014 9:00AM Evidentiary Hearing - HM
Day 11
Courtroom 13 Norheim, Jon

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 23, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 23, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, not present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, not present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 8

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony (reading of deposition transcripts into the record) continued (see worksheet).

Matter closed for the day; presentation of testimony and exhibits to resume on 6/24/14.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 24, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 24, 2014 **10:30 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 02

COURT CLERK: Victoria Pott

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, not present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- Paola Armeni, Bar #8357, present on behalf of Terri Black. Daniel Foley, Bar #1078, present on behalf of Helen Natko. Denise Comastro, Professional Guardian, also present.

Noel Palmer Simpson, Bar #9642, present following the lunch recess on behalf of Helen Natko.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Discussion regarding Mr. Foley's motion to dismiss Petitioner Terri Black's claims of relief, with the exception of her Petition for Guardianship. Not having heard all the testimony and not having considered all the evidence, COMMISSIONER RECOMMENDED, Mr. Foley's oral Motion to Dismiss is DENIED.

Further discussion regarding Petitioner Terri Black's Motion in Limine, Ms. Armeni's oral Motion to

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Strike Mr. Foley's argument to the Motion in Limine, and Petitioner Terri Black's proposed Exhibit 97.

COMMISSIONER FURTHER RECOMMENDED, Motion in Limine is DENIED. Ms. Armeni's oral Motion to Strike is DENIED. Exhibit 97 is ADMITTED for demonstrative purposes only.

Deposition of Helen Natko PUBLISHED AND FILED IN OPEN COURT.

Testimony and exhibits continued (see worksheet).

Following testimony, counsel requested an additional day to conclude the Evidentiary Hearing. COMMISSIONER FURTHER RECOMMENDED, Day 12 of the Evidentiary Hearing SET for 6/30/14 at 10:00 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jun 02, 2014 9:00AM All Pending Motions
Courtroom 09 Norheim, Jon

Jun 02, 2014 10:00AM Evidentiary Hearing - HM
Courtroom 09 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 26, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 26, 2014 **10:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 01

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 10

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed (see worksheet).

Matter closed for the day; presentation of testimony and exhibits to resume on 6/27/14.

INTERIM CONDITIONS:

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FUTURE HEARINGS: Jun 30, 2014 10:00AM Evidentiary Hearing
(Day 12)
Courtroom 09 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 27, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 27, 2014 **9:00 AM** **Evidentiary Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 13

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 11

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed (see worksheet).

Matter closed for the day; presentation of testimony and exhibits to resume on 6/30/14.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 30, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 30, 2014 **10:00 AM** **Evidentiary Hearing**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 09

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- EVIDENTIARY HEARING: DAY 12

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Presentation of testimony and exhibits resumed and completed (see worksheet).

Each side presented closing arguments.

COMMISSIONER RECOMMENDED, as follows:

1. Matter taken UNDER ADVISEMENT; the Court will prepare the REPORT AND RECOMMENDATION;

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2. The Temporary Guardianship shall remain in place until the appointment of a General Guardian and the objection period has expired.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** October 01, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

October 01, 2014 **9:00 AM** **All Pending Motions - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Senior Guidance, Inc., Temporary Guardian, present	Shelley Krohn, Attorney, present
Terri Black, Petitioner, present	Kristin Tyler, Attorney, present

JOURNAL ENTRIES

- HEARING ON SECOND AND FINAL ACCOUNT, REPORT OF GUARDIAN, AND PETITION FOR FEES, DISTRIBUTION AND DISCHARGE ... HEARING ON PETITION TO SHIFT ALL OR PART OF GUARDIAN'S AND TEMPORARY GUARDIAN'S ATTORNEYS' FEES AND EXPENSES TO TERRI BLACK INDIVIDUALLY ... PETITION FOR ORDER AUTHORIZING PAYMENT OF ATTORNEYS' FEES AND COSTS TO GUARDIAN'S COUNSEL AND FOR REIMBURSEMENT TO GUARDIAN OF ATTORNEYS' FEES AND COSTS PREVIOUSLY PAID

Also present: Attorney Paola Armeni, Bar #8357; and Denise Comostro, Professional Guardian. Terri Black present by telephone.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court questioned participants regarding what issues they would like to go forward with today,

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indicating that another setting can be offered if Counsel would like more time for argument. Court and Counsel engaged in discussion and agreed that all three issues can be addressed today.

Matter TRAILED.
Matter RECALLED at 11:17 a.m.

Counsel represented that an agreement has been reached regarding the Second Account and Petition for Fees filed by Senior Guidance. Upon inquiry from Attorney Tyler, Attorney Krohn indicated that Terri will be sent the August Brokerage Account Statement as soon as it is received. Upon inquiry from the Court, Counsel confirmed that the issue of the Second Accounting has been resolved.

Court addressed the Petition to Shift Fees, indicating that the matter was extremely well-briefed by Counsel. Court stated that the Court does not declare a bad faith filing, and thus the fees shall not be shifted. Court explained the decision and requested a Report and Recommendation be submitted.

Court then sought to address each of the issues raised regarding the Petition for Authorization of Payment of Attorney's Fees to Guardian's Counsel, and Reimbursement to Guardian. Upon inquiry from the Court, Attorney Tyler confirmed that the formalities will be waived.

Attorney Tyler outlined the documentation requested that has not yet been provided.

Court addressed the request that the Fee Agreement be provided. Arguments by Counsel. Court indicated that the Fee Agreement can be reviewed in camera and directed Attorney Tyler to file and serve a brief statement outlining what Counsel wishes the Court to specifically look for in the fee agreement when reviewed.

Upon inquiry from the Court, Attorney Tyler confirmed that the issue regarding the beginning balance has been resolved.

Court and Counsel engaged in discussion regarding the requested reimbursement to the Guardian. Following discussion, all agree to have all approved fees paid to Counsel, and then have Counsel reimburse the Guardian anything that was already paid.

Court and Counsel engaged in discussion regarding Attorney Simpson's invoices; Attorney Tyler confirmed that the supplement provided did show a total consistent with the request.

Court addressed the matter of the deposition date. Attorney Tyler indicated that the date was corrected, but the amount billed is still at issue.

Court and Counsel engaged in discussion regarding the Pennsylvania depositions. Following discussion, Court indicated that the fees shall be approved.

Court addressed the witness fees for Dr. Christiansen. Arguments by Counsel. Following argument,

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Court indicated that the fee shall be reluctantly approved.

Court addressed the request for proof of the payment of the reimbursement ordered to be paid to the ward by Helen. Arguments by Counsel. Counsel stated agreement with the Court's recommendation that once Helen has receives her reimbursement, she will have two (2) weeks to place the previously ordered reimbursement back into the ward's account. Further arguments by Counsel addressing the individual fees requested to be reimbursed by the Guardian. Court directed Attorneys Foley and/or Simpson to provide a supplement to their bill showing the charges for Drs. Brown and Margolis as a cost of litigation. If Counsel wishes to reimburse the Guardian for these charges that she paid, that is up to Counsel.

Counsel presented arguments on the issue of billing by both Attorney's Foley and Simpson in regards to the trial. Court and Counsel engaged in discussion regarding options for presenting evidence to the Court to resolve the issue. Upon inquiry from the Court, Counsel agreed that Attorney Simpson shall prepare and submit an affidavit outlining the duties she performed and how they meaningfully contributed for the ward's benefit; however, Attorney Tyler specified that she has not agreed to waive an evidentiary hearing on the issue. Court directed Attorney Simpson to provide said affidavit by 10/10/14.

Court and Counsel engaged in discussion regarding Attorney Foley's requested fees; Court noted that Attorney's Foley's fees are undisputed and, therefore, approved.

COMMISSIONER RECOMMENDED, as follows:

1. Pursuant to the agreement of the parties, the Second and Final Account, Report of Guardian, and Petition for Fees, Distribution and Discharge shall be APPROVED and GRANTED;

2. Petition to Shift All or Part of Guardian's and Temporary Guardian's Attorneys' Fees and Expenses to Terri Black Individually is DENIED; Attorney Tyler shall prepare a Report and Recommendation, to be reviewed by opposing counsel;

3. The Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid shall be CONTINUED to 10/15/14 at 9:00 a.m. for the filing of the specified supplements, to address the remaining issues, and to determine if an Evidentiary Hearing needs to be set regarding Attorney Simpson's fees. Resolved and undisputed fees shall be listed in a Report and Recommendation to be prepared by Attorney Foley, and countersigned by opposing counsel.

INTERIM CONDITIONS:

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FUTURE HEARINGS: Oct 15, 2014 9:00AM Hearing - HM
Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid
Courtroom 12 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** October 15, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

October 15, 2014 9:00 AM Hearing - HM

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING ON PETITION FOR ATTORNEY'S FEES AND COSTS

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court addressed the issue of the language in the Report and Recommendation submitted; arguments by counsel.

Court advised that the fee agreement was reviewed in camera and then addressed each of the specific questions posed by Attorney Tyler regarding that document.

Court addressed the Affidavit provided by Attorney Simpson in regards to her billing. Counsel presented arguments regarding each fee specifically objected to. Following argument, Court advised that it is inappropriate to pay Attorney Simpson, as non-lead counsel, a higher rate than lead counsel for her litigation duties; additionally, Court advised that counsel cannot bill for fees later for the

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correction of typographical errors that have been acknowledged to be in the billing at this time.

Attorney Tyler requested to re-address an issue from the last hearing - Counsel indicated that her client would still like to have Helen produce proof of payment to her Attorneys in the form of cancelled checks. Arguments by Counsel. Court advised that the Court does not see how the request would benefit the ward. Court noted that the Report and Recommendation on that issue has already been signed; Court indicated that if Counsel wishes to put the matter on for reconsideration, it will have to be shown how it would be of benefit to the ward.

COMMISSIONER RECOMMENDED, Attorney Simpson's fees for litigation duties shall be reduced as specified. Attorney Tyler shall prepare the Report and Recommendation.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 15, 2014 9:00AM Hearing - HM
Petition for Order Authorizing Payment of Attorneys' Fees and Costs to Guardian's Counsel and for Reimbursement to Guardian of Attorneys' Fees and Costs Previously Paid
Courtroom 12 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** November 26, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

November 26, 2014 **10:00 AM** **Petition - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present
Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present
Helen Natko, Guardian of Person and Estate, Petitioner, not present
Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present
Terri Black, Guardian of Person, Petitioner, not present
Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING ON PETITION

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Prior to the hearing, the Court was notified that all parties have agreed to continue the matter.

COMMISSIONER RECOMMENDED, the matter shall be CONTINUED TO 12/3/14 at 10:00 a.m.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** December 03, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

December 03, 2014 10:00 AM **Petition - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HEARING ON PETITION FOR APPROVAL OF BUDGET AND ATTORNEY FEES

Attorney Noel Simpson present by telephone.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Attorney Foley indicated that there was an error in the Accounting and clarified that there is only one guardianship account - the blocked account - and that the request is for an unblocked account to be opened for the guardianship budget. Discussion by Counsel.

Court noted the criminal complaint filed against the current guardian and advised that if convicted, she would be disqualified from serving as guardian. Court further noted that there is no action seeking removal of the guardian at this time.

Court and Counsel engaged in discussion regarding the Budget and Request for Fees before the

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Court.

Upon inquiry, Attorney Foley asserted that the money from the bank in Pennsylvania has now all been transferred into the blocked trust account. Court and Counsel engaged in discussion regarding Attorney Tyler's request for documentation regarding the accounts.

Court and Counsel engaged in discussion regarding the request for fees and addressed each objection presented. Arguments by Counsel.

Court and Counsel engaged in discussion regarding the Budget submitted; arguments by Counsel. Court advised that a more detailed breakdown of charges (based on the specific historical needs of the ward) must be provided. Court and Counsel addressed specific budget items including room and board; caregiver and respite fees; and guardian fees. Court and Counsel engaged in discussion regarding releasing funds for the ward's care pending the submission of a revised budget.

COMMISSIONER RECOMMENDED, as follows:

1. The Guardian shall provide the closing statements from the Pennsylvania bank accounts (as soon as they are available) and the monthly credit union statements (going forward) to Attorney Tyler for review;

2. Pursuant to STIPULATION, Attorney Simpson's fees shall be reduced by $162.50 (as specified in argument);

3. There shall be no reduction of fees for the fee-shifting action as it was not brought in bad faith and, had the guardian prevailed, would have been clear benefit to the ward;

4. The fees requested for the prior hearing regarding the objections to Attorney Simpson's prior fee request are appropriate and shall not be reduced;

5. The fees requested for time spent addressing the correspondence the Guardian received from Senator Dean Heller's office are appropriate and shall not be reduced;

6. The fees requested to address the issue of the family visits with the ward was not inappropriate at the time and shall not be reduced;

7. The Guardian shall submit (and re-notice) a revised Budget, with a clear breakdown of charges based on the historical needs of the ward;

8. Pursuant to STIPULATION, the undisputed amount of $4,400.00 shall be released today as the minimum amount for the care of the ward for the months of November and December; the release of the undisputed amount of $2,200.00 per month shall be the standing Order until the budget is resolved.

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Attorney Foley shall prepare the Report and Recommendation.

INTERIM CONDITIONS:

FUTURE HEARINGS: Dec 03, 2014 10:00AM Petition - HM
Petition For Approval Of Budget And Attorney Fees
Courtroom 12 Norheim, Jon

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** December 16, 2014

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

December 16, 2014 10:30 AM **Objection**

HEARD BY: Hoskin, Charles J. **COURTROOM:** Courtroom 02

COURT CLERK: Kim Jones

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, present	Noel Palmer Simpson, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- HELEN NATKO'S OBJECTION TO GUARDIANSHIP COMMISSIONER'S REPORT AND RECOMMENDATION SIGNED OCTOBER 15, 2014

Petitioner Terri Black appeared telephonically for the hearing. Paola Armeni, Esq., #8357, also present for Ms. Black. Daniel Foley, Esq., #1078, appearing on behalf of Ms. Natko.

COURT disclosed a possible basis for recusal in that Petitioner Terri Black's husband has had contact with this Court regarding complaints about Guardianship Court and Guardianship cases in general, but not about this case. Both counsel had no objection to this Court hearing the matter and waived any potential conflict.

Argument by counsel regarding the Objection.

COURT ADVISED, this Court's analysis of this case is fairly limited. The Court must determine if the Guardianship Commissioner's recommendations were clearly erroneous. In considering everything,

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this Court CANNOT FIND that the findings made in the report and recommendations were clearly erroneous.

COURT ORDERED, the objection to the Guardianship Commissioner's report and recommendations is DENIED. Ms. Armeni is to prepare the order and Mr. Foley is to sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS:

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** February 04, 2015

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

February 04, 2015 9:00 AM Motion - HM

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present
Delford Mencarelli, Ward, not present
Helen Natko, Guardian of Person and Estate, Petitioner, not present
Parties Receiving Notice, Other, not present
Terri Black, Petitioner, present

Noel Palmer Simpson, Attorney, not present

Daniel Foley, Attorney, present

JOURNAL ENTRIES

- MOTION TO WITHDRAW

Attorney Paola Armeni also present. Terri Black present by telephone.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Upon inquiry from the Court, all present indicated no objection to Counsel's Motion to Withdraw. Court and participants engaged in discussion regarding the upcoming hearing set for 2/11/15.

COMMISSIONER RECOMMENDED, as follows:

1. Counsel's Motion to Withdraw is GRANTED;

2. The hearing currently on calendar for 2/11/15 shall be CONTINUED to 3/11/15 at 10:00 a.m.; any objections to the budget to be addressed at that hearing must be filed by 2/25/15.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** March 11, 2015

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

March 11, 2015 **10:00 AM** **Hearing - HM**

HEARD BY: Norheim, Jon **COURTROOM:** Courtroom 12

COURT CLERK: Amy Lunsford

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, Guardian of Person and Estate, present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Petitioner, present	Pro Se

JOURNAL ENTRIES

- HEARING ON PETITION FOR APPROVAL OF WARD'S BUDGET ... OPPOSITION AND COUNTER-PETITION FOR REMOVAL OF GUARDIAN

Richard Black, son-in-law of the ward, also present.

The Guardianship Commissioner was sitting under direction and in lieu of the Guardianship Judge.

Court instructed the parties that Mr. Black shall be allowed to sit at the table to provide moral support for his wife, but he is not allowed to represent her or speak on her behalf.

Court clarified that the two issues before the Court are the proposed budget for the ward and the counter-petition for removal of the guardian.

Attorney Foley presented arguments in support of the amended budget, specifically addressing the issue of "room and board". Terri Black argued in opposition to the budget voicing objections to

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several items including the calculation of "room and board". Attorney Foley presented rebuttal arguments, followed by additional arguments by Terri Black.

Terri Black asserted arguments in support of her request for removal of the guardian. Court noted that there have been two plans for the ward presented to the Court - the plan currently in place and the plan submitted by Terri Black. Court reviewed the specific details medically necessary to implement the plan proposed by Mrs. Black and noted that the plan has been found to be not medically feasible and not in the best interest of the ward. Terri presented further arguments in support of her request. Court advised that Mrs. Black would need to provide new evidence or new plan that is medically appropriate and in the best interest of the ward for the Court to move forward on her request. Attorney Foley argued in opposition to Mrs. Black's request for removal. Terri Black presented rebuttal arguments. Court advised that an attorney can be appointed for the ward if the parties believe it would be in his benefit to have one.

COMMISSIONER RECOMMENDED, as follows:

1. Petition for Removal is DENIED WITHOUT PREJUDICE;

2. Addressing the proposed budget: the medical expenses, personal expenses, Essential Care, auto expenses, and entertainment expenses are not in dispute and shall be APPROVED; the calculation for average "room and board" and care of the ward shall be reduced approximately 20% and be set at $2,298.40 per month.

Attorney Foley shall prepare the Report and Recommendation and provide it to Terri Black for review.

INTERIM CONDITIONS:

FUTURE HEARINGS: Mar 11, 2015 10:00AM Hearing - HM
Hearing on Petition to Approve Ward's Budget
Courtroom 12 Norheim, Jon

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** June 23, 2015

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

June 23, 2015 **1:30 PM** **Objection**

HEARD BY: Steel, Cynthia Dianne **COURTROOM:** Courtroom 09

COURT CLERK: Ruthanne Denning

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Petitioner, Guardian of Person and Estate, present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Petitioner, present	Pro Se

JOURNAL ENTRIES

- TERRI BLACK'S OBJECTION TO GUARDIANSHIP COMMISSIONER'S REPORT AND RECOMMENDATION FILED MARCH 26, 2015.

Richard Black, Petitioner's husband, present.

Court stated the only matter before the Court today is the budget. Court further stated, a fugitive document has been filed by Terri Black, which is concerning to the Court.

Court heard arguments regarding the proposed budget. Mrs. Black argued the budget of $4,200 per month is too high, and the care her father would be receiving is not comparable to the care from a facility. Attorney Foley argued that the Ward is in need of extensive care. Counsel represented the care at a facility would cost $6,700 per month. Therefore, Counsel argued a budget of $4,200 is reasonable.

Discussion ensued regarding the pending Criminal Complaint against Helen Natko. Counsel

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represented he spoke with the District Attorney (DA) assigned to the case and was offered a plea bargain. Mrs. Black stated she spoke with the DA, and was told they will be proceeding with the case. Matter is set for Preliminary Hearing in August of 2015.

Discussion ensued regarding the fugitive document filed by Terri Black. The Ward is currently receiving treatment for an infection, which may result in amputation. Court expressed concern that the Guardian may have removed the Ward from a medical facility against medical advice. The Ward is currently receiving care at Nathan Adelson Hospice.

The Court expressed concern regarding the current health status of the Ward. The Court appointed Mrs. Black as a Co-Guardian over the Person with Helen Natko, on a temporary basis, until further Order of the Court.

COURT ORDERED:

As to the Report and Recommendation regarding the BUDGET, the Court modified the Recommendation as follows: Guardianship Fee of $500 per month; Room and Personal Care of $1,000 per month; and Groceries of $300 per month. Status amounts as previously agreed upon shall stand. Reimbursement on expenses from November through May shall be proven by receipts.

Terri Black shall be appointed as CO-GUARDIAN in a General Guardianship of the Person on a TEMPORARY basis. Mrs. Black shall prepare the Order for Co-Guardianship and submit it to the Court. Order is made without prejudice.

Should the Co-Guardians disagree as to the care of the Ward, the Court will make a determination based on 2 (two) corroborating physicians on the same diagnosis. The current facility shall not release the Ward unless they determine release will be safe for the Ward.

A Motion for Reconsideration to change the Court's Order for Co-Guardianship may be filed after the Criminal Complaint has been resolved; with proof that the Guardian did not remove the Ward from a facility against medical advice; and with professional information regarding the ability of the Guardian to care for the Ward, based on his current medical condition, without the assistance of a Co-Guardian.

Attorney Foley shall prepare the Order from this hearing, obtain approval as to form and content from Terri Black, and submit it to the Court.

STATUS CHECK RE: ORDERS SET for 7-23-15 at 10:00 a.m. in Department G.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** August 18, 2015

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

August 18, 2015 **1:30 PM** **All Pending Motions**

HEARD BY: Steel, Cynthia Dianne **COURTROOM:** Courtroom 09

COURT CLERK: Ruthanne Denning

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, present	Pro Se

JOURNAL ENTRIES

- HEARING...HEARING REGARDING MOTION FOR RECONDIDERATION OF ORDER REGARDING TERRI BLACK'S OBJECTION TO REPORT AND RECOMMENDATIONS; PETITION FOR APPROVAL OF BUDGET; COUNTER PETITION TO REMOVE GUARDIAN FILED ON 3-26-15...HEARING REGARDING MOTION TO COMPEL HELEN NATKO TO PRODUCE COPIES OF CANCELLED CHECKS FOR ATTORNEY FEES.

Richard Black, Petitioner's husband, present.

Court noted, the Ward has passed away, and a final accounting has not been filed. The Court does not see a benefit to the Ward to reconsider the prior decision of the Court regarding overruling the Hearing Master's decision. Court heard arguments.

Attorney Foley stated he anticipates having a final accounting completed within the next 2 weeks. Court noted, the accounting is not due until October. Court stated, the final accounting will begin at the last approved and granted accounting (through 8-31-14) to present. Discussion ensued regarding

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Ms. Black's accounting during the short time that she was acting Guardian for the Ward.

COURT ORDERED:

Motion for Reconsideration shall be DENIED.

Motion to Compel shall be DENIED.

Copies of bank statements shall be released to Attorney Foley and Terri Black. Attorney Foley shall prepare an appropriate Order for the Court's signature.

Final Accounting shall be submitted by 10-4-15. Ms. Black shall have the opportunity to object to the accounting.

Any bills received on behalf of the Ward shall be forwarded to Ms. Black.

INTERIM CONDITIONS:

FUTURE HEARINGS:

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** October 22, 2015

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

October 22, 2015 2:00 PM Hearing

HEARD BY: Steel, Cynthia Dianne **COURTROOM:** Courtroom 09

COURT CLERK: Ruthanne Denning

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, present	Anthony Barney, Attorney, present

JOURNAL ENTRIES

- HEARING REGARDING OBJECTION TO THE ACCOUNTING.

Terri Black appeared telephonically.

Court noted, Attorney Foley filed a Reply on 10-22-15, and the Court has not had the opportunity to read it. Court heard arguments regarding matters on calendar. Attorney Foley represented a hearing is set for 11-19-15 in the criminal action. Court stated, it may be better to wait until the criminal action is resolved before proceeding in this matter.

Court stated, the Accounting and the Objection will be reviewed by the Court, any items not being challenged will be granted. Other issues will be reviewed to see if it would be better to decide those issues before or after the criminal proceeding. The Court will issue an Order regarding items being granted. The Court will specify the amount of money being maintained in the blocked account or the attorney trust account, and allow the remaining monies to be released to Ms. Black.

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COURT ORDERED:

To the extent that the out-of-state account (Citizens Bank) is blocked, the account shall be unblocked and proceeds released to Terri Black. Attorney Barney shall prepare the Order and submit it to the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** February 29, 2016

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

February 29, 2016 9:00 AM Minute Order

HEARD BY: Steel, Cynthia Dianne **COURTROOM:** Courtroom 09

COURT CLERK: Ruthanne Denning

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, Petitioner, not present	Daniel Foley, Attorney, not present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, Petitioner, not present	Anthony Barney, Attorney, not present

JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING HELD.

The Court, having reviewed the request for clarification, and subsequent opposition and reply has issued its own Order pursuant to EDCR 2.23(c) and (d); and rule 5.11(e). The Court hereby vacates the hearing set for 3/1/2016 at 9:30 a.m. All other matters, not addressed in the order are reserved for hearing following the resolution of the pending criminal action against Guardian.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Guardianship of Adult **COURT MINUTES** August 23, 2017

G-13-038863-A In the Matter of the Guardianship of:
Delford Mencarelli, Adult Ward(s)

August 23, 2017 **10:30 AM** **All Pending Motions**

HEARD BY: Potter, William **COURTROOM:** RJC Courtroom 10B

COURT CLERK: Ashley Gonzales

PARTIES:

Angelica Sanchez, Petitioner, Other, not present	Noel Palmer Simpson, Attorney, not present
Delford Mencarelli, Ward, not present	
Helen Natko, Guardian of Person and Estate, present	Daniel Foley, Attorney, present
Parties Receiving Notice, Other, not present	
Terri Black, Guardian of Person, present	Anthony Barney, Attorney, present

JOURNAL ENTRIES

- HEARING ON PETITION FOR DISTRIBUTION OF ATTORNEY'S FEES AND COSTS AND GUARDIAN'S FEES PREVIOUSLY SUBMITTED TO COURT AND REPORT ON STATUS OF CASE...OBJECTION TO PETITION FOR DISTRIBUTION OF ATTORNEY'S FEES AND COSTS AND GUARDIAN'S FEES PREVIOUSLY SUBMITTED TO COURT AND REPORT ON STATUS OF CASE AND COUNTERPETITION TO AWARD DOUBLE DAMAGES TO THE GUARDIANSHIP ESTATE, TO ALLOW DISBURSEMENT OF ESTATE FUNDS TO ESTATE'S SOLE BENEFICIARY, FOR REIMBURSEMENT OF GUARDIAN'S AND ATTORNEY'S FEES, AND FOR PAYMENT OF ATTORNEY FEES AND COSTS

Ms. Black appeared TELEPHONICALLY.

Arguments by counsel.

Attorney Foley requested a STAY of releasing the IOLTA funds. Attorney Barney objected.

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COURT ORDERED, as follows:

The matter of the Accounting shall be taken UNDER ADVISEMENT. The matter of the Discharge of the Guardian shall be taken UNDER ADVISEMENT. As for the issue of Guardian's fees and Attorney's Fees are DENIED based upon the outcome of the criminal case and arguments contained in the voluminous pleadings. The Court FINDS specifically that the Guardian should not be entitled to the fees based upon the conviction that both the Guardian's Fees and Attorney's Fees seem to be primarily generated by disputes relating from this conduct and that most of the efforts and the expenditure of time and the efforts of the Guardian and the attorney were not to the benefit of the Guardianship estate, but were in fact of furtherance of the conflict between Ms. Black and Ms. Natko and stemmed from the underlying criminal case.

Court noted the request for fees related back to 2015, and similar to the statements it made in denying the Guardianship fees and Attorney's fees, it appears that while an argument can be made that all of those fees were generated in an attempt to protect the Guardianship Estate, the fact of the matter is that the COURT FINDS that there was truly at that point in time not a legitimate benefit to the estate, that those fees were previously requested and addressed at prior hearings and it is not going to award any additional fees against the estate, especially since the estate is flowing through to the party who incurred those fees and can be used to pay those fees individually as opposed to from the Guardianship estate.

The $60,000 in the IOLTA account shall be distributed pursuant to the estate plan in place. If in fact, Ms. Black is the sole beneficiary under the estate plan, then she would be entitled to that. Mr. Barney stated he will plan on transferring the $60,000.00 to the probate estate when a case is opened.

Mr. Barney's request to award double damages to the Guardianship estate shall be DENIED.

Mr. Barney's request to return, refund, and disgorge previously paid fees shall be DENIED as the fees were approved by jurists who would have been required to weigh the factors.

The payment of $4,847.40 that will be paid from the Guardianship estate shall be authorized to go directly to the fine in the criminal case. Ms. Natko shall not be allowed to access those funds directly and the funds shall be paid directly into the account into the Court as part of her fine. Attorney Foley moved to stay that. Attorney Barney objected. Attorney Foley's Request to stay is DENIED.

Attorney Barney's request for fees is DENIED because his fees are going to come from his client who is the sole beneficiary of the estate. Court does not see a need to evade what is in the Guardianship at this point in time because there may be priority claims that would supersede its.

Attorney Barney shall submit an Order and Attorney Foley shall countersign.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓1.	Black	Copy of check No. 767 dated 8/4/2011 **Black000004**	6/2/14	NO	6/2/14
✓2.	Black	Copy of check No. 780 dated 7/23/2012 **Black000005**	6/2/14	NO	6/2/14
✓3.	Black	Copy of check No. 786 dated 4/26/2013 **Black000006**	6/2/14	NO	6/2/14
✓4.	Black	Copy of check No. 789 dated 6/14/2013 **Black000007**	6/2/14	NO	6/2/14
✓5.	Black	Delta Airlines Itinerary **Black00008-000010**	6/2/14	NO	6/2/14
✓6.	Black	Delford Mencarelli's Last Will **Black000011**	6/2/14	NO	6/2/14
✓7.	Black	Burial Purchase Agreement **Black000012-000019**	6/2/14	NO	6/2/14
✓8.	Black	Mellon Master Signature card dated 7/5/2000 **Black000020**	6/2/14	NO	6/2/14

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black: Paola M. Armeni, Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓ 9.	Black	Photograph of burial plot **Black000046**	6/2/14	NO	6/2/14
✓ A	Black	Photographs of burial plot **Black000047**	6/2/14	NO	6/2/14
✓ 10.	Black	Picture of Terri and her Dad from April 2014 **Black000048**	6/2/14	yes	6/2/14
✓ A	Black	Picture of Terri and her Dad from April 2014 **Black000049**	6/2/14	yes	6/2/14
✓ B	Black	CD- Full 1 minute video of Delford and Terri	6/2/14	yes	6/2/14
✓ C	Black	CD- Trimmed video clip of Delford and Terri	6/2/14	yes	6/2/14
✓ D	Black	CD – Video of Delford and Terri	6/2/14	yes	6/2/14
~~11~~	Black	PlusCredit Signature Card dated 7/23/2013 **PlusCredit000003**			
✓ 12.	Black	Plus Credit Union bank records **PlusCredit000061-000062**	6/16/14	NO	6/16/14

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black: Paola M. Armeni, Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~13.~~	Black	Plus Credit Union bank records **PlusCredit000106-000107**			
~~14.~~	Black	Plus Credit Union bank records **PlusCredit000163-000164**			
~~15.~~	Black	Plus Credit Union bank records **PlusCredit000176-000177**			
~~16.~~	Black	Plus Credit Union bank records **PlusCredit000188-000189**			
~~17.~~	Black	Plus Credit Union bank records **PlusCredit000200-000201**			
~~18.~~	Black	Plus Credit Union bank records **PlusCredit000209-000210**			
~~19.~~	Black	Plus Credit Union bank records **PlusCredit000227-000239**			
✓ 20.	Black	Plus Credit Union bank records **PlusCredit000464-000465**	6/16/14	NO	6/16/14
✓ 21.	Black	Citizens Bank records **Citizens00001-00139**	6/2/14	NO	6/2/14
✓ 22.	Black	Patient Information as of 9/5/2013 **FamilyHealth000008**	6/5/14	NO	6/5/14

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓23.	Black	Charts/Clinical Notes from dated 9/8/2012-9/5/2013 **FamilyHealth000026-000027**	6/5/14	No	6/5/14
~~24.~~	Black	Patient Summary dated 7/14/2012 **Summerlin000035-000056**			
✓25.	Black	Neurology Note dated 8/19/2013 **SWMA00019-00020**	6/9/14	No	6/9/14
✓26.	Black	Consultation Report dated 9/24/29012 **SWMA000060-000062**	6/9/14	No	6/9/14
✓27.	Black	Summerlin Hospital Medical Center medical records **SWMA00086-99**	6/9/14	No	6/9/14
✓28.	Black	Podiatry Progress Report dated 7/11/2012 **SWMA000104-000105**	6/9/14	No	6/9/14
✓29.	Black	Neurology Note dated 1/10/2012 **SWMA000134-000135**	6/9/14	No	6/9/14
✓30.	Black	Mini Mental State Exam dated 10/17/2011 **SWMA000142**	6/9/14	No	6/9/14

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓ 31.	Black	Neurology Note dated 10/14/2011 **SWMA000143**	6/9/14	No	6/9/14
✓ 32.	Black	Letter from SWMA to Delford Mencarelli dated 9/1/2011 **SWMA000149**	6/9/14	No	6/9/14
✓ 33.	Black	Referral Summary dated 3/11/2010 **SWMA000179-000180**	6/9/14	No	6/9/14
~~34.~~	Black	UMC Declaration of Custodian of Records **UMC000001**			
~~35.~~	Black	UMC Primary Care Intake form dated 10/7/2013 **UMC000003**			
~~36.~~	Black	UMC Physician Record dated 10/7/2013 **UMC000005-000006**			
~~37.~~	Black	UMC Primary Care Intake Form dated 9/3/2013 **UMC000020**			

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~38~~	Black	Letter to Dr. Christiansen dated 9/4/2013 re nephrologic evaluation **UMC000021-000023**			
~~39~~	Black	UMC Physician Record dated 9/3/2013 **UMC000026-000027**			
~~40~~	Black	UMC Referral Form dated 9/3/23013 **UMC000037-000038**			
~~41~~	Black	UMC Primary Care Intake Form dated 8/26/2013 **UMC000041**			
~~42~~	Black	UMC Physician Record dated 8/26/2013 **UM000043**			
~~43~~	Black	UMC Primary Care Intake Form dated 7/23/2013 **UMC000061**			
~~44~~	Black	UMC Ambulatory Care patient Telephone Request **UMC000062**			

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~45~~	Black	UMC Physician Record date 7/23/2013 **UMC000063-00064**			
~~46~~	Black	UMC Primary Care Intake Form 7/15/2013 **UMC000074**			
~~47~~	Black	UMC- Primary Care Physician Record 7/15/2013 **UMC000076-UMC000077**			
~~48~~	Black	UMC Primary Intake Form dated 2/6/2013 **UMC00085**			
~~49~~	Black	UMC Physician Record 2/06/2013 **UMC000087-UMC000088**			
~~50~~	Black	UMC Primary Care Intake Form 11/13/2012 **UMC000101**			
~~51~~	Black	UMC Physician Record 11/13/2012 **UMC000102-UMC000103**			

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~52~~	Black	UMC Primary Care Intake Form 10/08/2012 **UMC000111**			
~~53~~	Black	Southwest Medical Associates Consultation dated 9/24/2012 **UMC000112-UMC000114**			
~~54~~	Black	UMC Physician Record dated 10/08/2012 **UMC000116-UMC000117**			
~~55~~	Black	UMC Primary Care Intake Form dated 9/06/2012 **UMC000126**			
~~56~~	Black	UMC Ambulatory Care Patient Telephone Request **UMC000130**			
~~57~~	Black	UMC Physician Record dated 9/16/2012 **UMC000131-UMC000132**			
~~58~~	Black	UMC Referral Form dated 9/6/2012 **UMC000138**			

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~59.~~	Black	UMC Primary Care Intake Form dated 6/21/2012 **UMC000142**			
~~60.~~	Black	UMC Physician Record dated 6/21/2012 **UMC000143-UMC000144**			
~~61.~~	Black	UMC Primary Care Intake Form dated 6/04/2012 **UMC000161**			
~~62.~~	Black	UMC Physician Record dated 6/04/2012 **UMC000162-UMC000163**			
~~63.~~	Black	UMC Primary Care Intake Form dated 3/27/2012 **UMC000174**			
~~64.~~	Black	UMC Physician Record dated 3/27/2012 **UMC000176-177**			
~~65~~	Black	UMC Primary Care Intake Form dated 2/14/2012 **UMC000184**			

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~66~~	Black	UMC Physician Record dated 2/14/2012 **UMC000186-000187**			
~~67~~	Black	UMC Primary Care Intake Form dated 7/17/2012 **UMC000199**			
~~68~~	Black	UMC Physician Record dated 1/17/2011 **UMC000201-000202**			
~~69~~	Black	UMC Primary Care Intake Form dated 11/3/2011 **UMC000209**			
~~70~~	Black	UMC Physician Record dated 11/3/2011 **UMC000212-000213**			
~~71~~	Black	UMC Physician Record dated 9/20/2011 **UMC000231-000232**			
~~72~~	Black	UMC Patient Intake form dated 7/19/2011 **UMC000238-000240**			

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black: Paola M. Armeni, Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~73.~~	Black	Mini Mental State Exam **UMC000243-000244**			
~~74.~~	Black	UMC Physician Record dated 7/19/2011 **UMC000245-000246**			
✓75.	Black	Station Casinos gaming records (RedRock) **RedRock000001-000106**	6/5/14	yes	6/5/14
~~76.~~	Black	Station Casinos gaming records (Green Valley) **RedRock000107-000108**			
~~77.~~	Black	Station Casinos letters to Helen Natko **RedRock000109-RedRock000111**			
~~78.~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2012 **Redrock000115**			
~~79.~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2011 **RedRock000116**			

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
~~80~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2010 **RedRock000117**			
~~81~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2009 **RedRock000118**			
~~82~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2008 **RedRock000119**			
~~83~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2007 **RedRock000120**			
~~84~~	Black	Letter from Station Casinos to Helen Natko dated 11/21/2013 for year ending 2006 **RedRock000121**			
~~85~~	Black	Gaming Print out of account activity **RedRock 000124**			

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black Paola M. Armeni
Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓86.	Black	Suncoast gaming records **Suncoast000001-Suncoast000461**	6/5/14	yes	6/5/14
✓87.	Black	Doug Winters expert report **Winters000001-000012**	6/16/14	yes	Not Admitted
~~88.~~	Black	Power of Attorney dated 7/19/2012			
~~89.~~	Black	Statement from Lloyda Kostolansky			
~~90.~~	Black	Affidavit of Terrie Gordish in Support of Guardianship			
~~91.~~	Black	Affidavit of Gary Simon in Support of Guardianship			
~~92.~~	Black	Email from Gary Simon dated 6/25/2013			
~~93.~~	Black	Letter from Eva Simone date 1/26/2013			
~~94.~~	Black	Affidavit of Eva Simone in support of Guardianship			
✓95.	Black	Email from Senior Guidance to Terri Black dated 12/06/2013	6/2/14	NO	6/2/14

Print Date: 6/2/2014

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black: Paola M. Armeni, Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
✓96.	Black	Email to Terri from Denise Comastro re: Update on Physician's Appointment for Delford M. dated 04/29/2014	6/2/14	NO	6/2/14
✓97.	Black	Gaming Calendar	6/24/14	YES	6/24/14
✓98.	Black	Email from Denise Comastro to Terri Black and Shelley Krohn dated 5/27/2014	6/2/14	NO	6/2/14
✓99.	Black	Email from Terri Black to Denise Comastro dated 5/27/2014	6/2/14	NO	6/2/14
✓100.	Black	Family photograph	6/2/14	No	6/2/14
✓101.	Black	Family photograph	6/2/14	No	6/2/14
✓102.	Black	Family photograph			
✓103.	Black	Family photograph	6/2/14	NO	6/2/14
✓104.	Black	Family photograph	6/2/14	NO	6/2/14
✓105.	Black	Family photograph	6/2/14	No	6/2/14
✓106.	Black	Family photograph	6/2/14	NO	6/2/14
✓107.	Black	Family photograph	6/2/14	NO	6/2/14
108.					
109.					

BLACK'S TRIAL EXHIBITS

In the Matter of Delford Mencarelli

Petitioner Black: Paola M. Armeni, Kristin M. Tyler

Petitioner Natko: Daniel T. Foley

Case No: G038863 Dept. No: E

Exhibit #	Party	Description	Marked	Objected Yes/No	Admitted
110.					
111.					
112.					

IN THE MATTER OF THE GUARDIANSHIP OF DELFORD MENCARELLI

CASE NO. G-13-038863-A

HELEN NATKO'S TRIAL EXHIBITS

Exh. No.	Description	Date Offered	Obj	Date Admit
A.	Photographs of Helen Natko and Delford Mencarelli.	6/19/14	NO	6/19/14
B.	Citizens Bank copies of checks from account 610257-788-8 and receipt for $150,000 at Plus Credit Union, bates stamped MENC000001 – MENC000009.	6/19/14	NO	6/19/14
C.	Plus Credit Union Signature Card, bates stamped MENC000012.	6/16/14	NO	6/16/14
D.	Power of Attorney, bates stamped MENC000023 – MENC000026.	6/16/14	NO	6/16/14
E.	Plus Credit Union Bank Statements with Redaction Log, bates stamped PlusCredit000463 – PlusCredit000530, identified in Terri Black's Eleventh Supplemental Disclosure.	6/16/14	No	6/16/14
F.	UMC Medical Records dated July 19, 2011	6/9/14	No	6/9/14
G.	UMC Medical Records dated September 28, 2011	6/9/14	No	6/9/14
H.	UMC Medical Records dated November 3, 2011	6/9/14	No	6/9/14
I.	UMC Medical Records dated January 17, 2012	6/9/14	No	6/9/14
J.	UMC Medical Records dated February 14, 2012	6/9/14	No	6/9/14
K.	UMC Medical Records dated March 27, 2012	6/9/14	No	6/9/14
L.	UMC Medical Records dated June 4, 2012	6/9/14	No	6/9/14
M.	UMC Medical Records dated June 21, 2012	6/9/14	No	6/9/14
N.	UMC Medical Records dated September 6, 2012	6/9/14	yes	6/9/14 except pg B. Stamp #129
O.	UMC Medical Records dated October 8, 2012	6/9/14	NO	6/9/14

Exh. No.	Description	Date Offered	Obj	Date Admit
P.	UMC Medical Records dated November 13, 2012	6/9/14	No	6/9/14
Q.	UMC Medical Records dated February 6, 2013	6/9/14	NO	6/9/14
R.	UMC Medical Records dated July 15, 2013	6/9/14	NO	6/9/14
S.	UMC Medical Records dated July 23, 2013	6/9/14	NO	6/9/14
T.	UMC Medical Records dated August 26, 2013	6/9/14	NO	6/9/14
U.	UMC Medical Records dated September 3, 2013	6/9/14	NO	6/9/14
V.	UMC Medical Records dated September 6, 2013	6/9/14	NO	6/9/14
W.	UMC Medical Records dated October 7, 2013	6/9/14	NO	6/9/14
X.	Hi Tech Dental Care with redaction log, bates stamped HiTech000001 – HiTech000035, as identified in Terri Black's Sixth Supplemental Disclosures.	6/19/14	NO	6/19/14
Y.	Checks, bates stamped Black000004 – Black000006, as identified in Terri Black's Ninth Supplemental Disclosure.	6/19/14	NO	6/19/14
X	Brown & Margolis Report regarding the evaluation of Delford Mencarelli, dated September 23, 2013, bates stamped MENC000017 – MENC000020.			
AA.	State Farm Insurance Card, bates stamped MENC000011.	6/19/14	NO	6/19/14
BB.	Application for Duplicate Certificate of Title by Owner and check #2497 from Helen Natko's account made payable to the Pennsylvania Department of Transportation, bates stamped MENC000013 – MENC000014.	6/19/14	NO	6/19/14
CC.	Copy of Driver's License, bates stamped MENC000015.	6/19/14	No	6/19/14
DD.	Quest Diagnostics Invoice, bates stamped MENC000016.	6/19/14	No	6/19/14
EE.	Family Healthcare Services medical records (and redaction log), bates stamped FamilyHealth000001 – FamilyHealth000043, as identified in Terri Black's Tenth Supplemental Disclosures.	6/16/14	NO	6/16/14
FF.	Medical records and bills from Nevada Kidney with	6/19/14	NO	6/19/14

Exh. No.	Description	Date Offered	Obj	Date Admit
	redaction log, bates stamped NVKidney000001 – NVKidney000021, as identified in Terri Black's Eleventh Supplemental Disclosures.	6/19/14	No	6/19/14
✓ GG.	Summerlin Hospital medical records (with redaction log), bates stamped Summerlin000001 – Summerlin000194, as identified in Terri Black's Tenth Supplemental Disclosures. Summerlin Hospital medical records (with redaction), bates stamped Summerlin000195 – Summerlin000368, as identified in Terri Black's Twelfth Supplemental Disclosures.	6/19/14	No	6/19/14
✓ HH.	Medical records and bills from Southern Hills Hospital with redaction log, bates stamped SouthernHills000001 – SouthernHills000046, as identified in Terri Black's Eleventh Supplemental Disclosures.	6/19/14	yes	6/19/14
✓ II.	Purchase Invoice and Registration of the 2001 Toyota Camry owned by Delford Mencarelli, bates stamped MENC000021 – MENC000022.	6/19/14	No	6/19/14

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

ANTHONY L. BARNEY, ESQ.
3317 W. CHARLESTON BLVD., SUITE B
LAS VEGAS, NV 89102

DATE: October 9, 2017
CASE: G-13-038863-A

RE CASE: In the Matter of the Guardianship of: DELFORD W. MENCARELLI, an Adult Ward

NOTICE OF APPEAL FILED: October 5, 2017

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☒ $250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
- If the $250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.

☐ $24 – District Court Filing Fee (Make Check Payable to the District Court)**

☒ $500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
- NRAP 7: Bond For Costs On Appeal in Civil Cases

☐ Case Appeal Statement
- NRAP 3 (a)(1), Form 2

☐ Order

☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

> "The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACTS, CONCLUSIONS OF LAW; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

In the Matter of the Guardianship of:

DELFORD W. MENCARELLI,

An Adult Ward,

Case No: G-13-038863-A

Dept No: M

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto Set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada This 9 day of October 2017.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk