District Court Case No: D-13-482854-D

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Aug 01 2025 08:37 AM
Elizabeth A. Brown
Clerk of Supreme Court

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

SHARI SEVERNS, NKA, SHARI CAPELLI, AKA, SHARI GREY,

Plaintiff(s),

vs.

JOHN SEVERNS,

Defendant(s).

NOTICE OF APPEAL PACKET COVER SHEET

Electronically Filed
07/30/2025
CLERK OF THE COURT

District Court Case No. D-13-482854-D
Dept. No. A

IN THE JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN
AND FOR THE COUNTY OF CLARK

Shari Grey

v

John Severns

PLAINTIFF'S MOTION TO ADJUDICATE OMITTED ASSET PURSUANT TO NRS 125.150(3) AND FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

NOTICE OF APPEAL

Notice is hereby given on this the 30th day of July, 2025 that John Severns, Defendant above named, hereby appeals to The Supreme Court of The State of Nevada from the judgement entered in the above action on the 7th day of May, 2025.

The findings of facts, conclusions of law and judgement was recorded by Plaintiff's attorneys on July 2, 2025, as such this Notice is timely filed.

John Severns, Pro Se
7878 Prize Dr.
Las Vegas, NV., 89117
702-666-7883
LasVegasRepairmn@aol.com

cc/file

Electronically Filed
7/31/2025 7:34 AM
Steven D. Grierson
CLERK OF THE COURT

ASTA

District Court Case No: D-13-482854-D

Dept No: A

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

SHARI SEVERNS, NKA, SHARI CAPELLI, AKA, SHARI GREY,

Plaintiff(s),

vs.

JOHN SEVERNS,

Defendant(s),

CASE APPEAL STATEMENT

1. Name of appellant(s) filing this case appeal statement:
   John Severns

2. Identify the judge issuing the decision, judgment or order appealed from:
   Mari D. Parlade

3. Identify each appellant and the name and address of counsel for each appellant. If an appellant(s) is self-represented, identify the name and address of appellant(s):

   John Severns

   John Severns
   7878 Prize Dr.

Las Vegas, NV 89117

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). For self-represented respondents, identify the name and address of each respondent:

   Shari Severns, nka, Shari Capelli, aka, Shari Grey

   Thomas J. Standish, Esq.
   1635 Village Center Cir., Ste. 180
   Las Vegas, NV 89134

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: **N/A**

6. If appellant was represented by counsel in the District Court, indicate whether counsel was ☐ appointed or ☐ retained or ☒ N/A

7. If appellant is represented by counsel on appeal, is counsel ☐ appointed or ☐ retained or ☒ N/A

8. Has appellant been granted leave to proceed informa pauperis?

   ☐ Yes: Identify the date of entry of the District Court order granting such leave:
   (copy of order to follow by mail)
   ***Expires 1 year from date filed*

   ☒ No: Has appellant filed an application to proceed in forma pauperis?
   ☒ No.
   ☐ Yes: identify date the application was filed:
   If application was denied, indicate date of order denying:
   (copy of order to follow by mail.)

9. Indicate the date the proceedings commenced in the District Court (e.g., date complaint, indictment, information, or petition was filed): **July 18, 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: **Judgment**

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court or Court of Appeals and, if so, the caption and appellate court docket number of the prior proceedings:

Docket No.	**Case Caption**
N/A	N/A

12. Does this appeal raise issues involving child custody, the guardianship of a minor, parenting time, or visitation?
☒ Yes: Is this the primary issue on appeal? ☐ Yes ☒ No
☐ No

13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: **unknown**

Dated This 31 day of July 2025.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: John Severns

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-13-482854-D

Shari Severns, Plaintiff	§	Location:	**Department A**
vs.	§	Judicial Officer:	**Parlade, Mari D**
John Severns, Defendant.	§	Filed on:	**07/18/2013**
	§		

CASE INFORMATION

Statistical Closures
07/02/2025 Settled/Withdrawn With Judicial Conference or Hearing
09/26/2013 Settled/Withdrawn Without Judicial Conference or Hearing

Case Type: **Divorce - Complaint**
Subtype: **Complaint Subject Minor(s)**
Case Status: **07/02/2025 Closed**
Case Flags: **Order After Hearing Required**
Appealed to Supreme Court

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	D-13-482854-D
Court	Department A
Date Assigned	01/03/2023
Judicial Officer	Parlade, Mari D

PARTY INFORMATION

Plaintiff — **Severns, Shari**
2730 Briarcliff AVE
Henderson, NV 89074

Standish, Thomas John
Retained
702-998-9344(W)
Waite, Carlia, ESQ
Retained
702-530-7260(W)

Defendant — **Severns, John**
7878 Prize DR
Las Vegas, NV 89117

Pro Se
702-646-5000(H)

Subject Minor — **Severns, David Martin**

DATE — EVENTS & ORDERS OF THE COURT

EVENTS

07/18/2013 Complaint for Divorce
Filed by: Plaintiff Severns, Shari
[1]

07/22/2013 Motion
Filed By: Plaintiff Severns, Shari
[2] Motion for Temporary Child Custody, Temporary Child Support, Temporary Visitation, Temporary Spousal Support TEmporary POssession of the Residence and Other Related Issues

07/22/2013 Ex Parte Motion
Filed by: Plaintiff Severns, Shari
[3] Emergency Ex Parte Motion for Release of Funds

07/30/2013 Ex Parte Motion
Filed by: Plaintiff Severns, Shari
[5] Ex Parte Motion for an Order Shortening Time

07/30/2013 Financial Disclosure Form

	Filed by: Plaintiff Severns, Shari *[4] Financial Disclosure Form*
08/12/2013	Order Shortening Time Filed By: Plaintiff Severns, Shari *[6] Order Shortening Time*
08/15/2013	Affidavit of Service Filed By: Plaintiff Severns, Shari *[7] Affidavit of Service*
09/13/2013	Affidavit Filed By: Plaintiff Severns, Shari *[9] Affidavit of Shari Severns, Plaintiff*
09/13/2013	Affidavit of Resident Witness Filed by: Plaintiff Severns, Shari *[8] Affidavit of Resident Witness*
09/13/2013	Child Support and Welfare Party Identification Sheet Filed by: Defendant Severns, John; Plaintiff Severns, Shari; Subject Minor Severns, David Martin *[10] Divorce and Welfare Party Identification Sheet*
09/18/2013	Request for Summary Disposition Filed by: Plaintiff Severns, Shari *[11] Request for Summary Disposition*
09/25/2013	Decree of Divorce Filed by: Plaintiff Severns, Shari *[12] Decree of Divorce*
09/26/2013	Domestic Notice to Statistically Close Case Filed By: Plaintiff Severns, Shari *[13] Domestic Notice to Statistically Close Case*
09/27/2013	Notice of Entry of Decree Party: Plaintiff Severns, Shari *[14] Notice of Entry of Decree of Divorce and Withdrawal of Attorney*
01/17/2017	Administrative Reassignment to Department G *Case reassigned from Judge Vincent Ochoa Dept S*
05/06/2019	Administrative Reassignment - Judicial Officer Change *From Judge Cynthia Dianne Steel to Judge Rhonda K. Forsberg*
06/06/2022	Administrative Reassignment to Department A *Pursuant to Administrative Order 22-09 - Case reassigned from Judge Rhonda K. Forsberg to Vacant, FC A*
01/03/2023	Administrative Reassignment - Judicial Officer Change *Pursuant to Administrative Order 22-14 - Reassigned to Judge Mari D. Parlade*
09/17/2024	Motion Filed By: Plaintiff Severns, Shari *[15] Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney' Fees and Costs*
09/17/2024	Exhibits Filed By: Plaintiff Severns, Shari *[16] Exhibits to Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney's Fees and Costs*
09/17/2024	Family Court Motion Opposition Fee Information Sheet Filed by: Plaintiff Severns, Shari *[17] Motion/Opposition Fee Information Sheet*
09/17/2024	Clerk's Notice of Hearing *[18] Clerk's Notice of Hearing*

09/18/2024 Certificate of Service
Filed by: Plaintiff Severns, Shari
[19] Certificate of Service

09/30/2024 Ex Parte
Filed By: Plaintiff Severns, Shari
[20] Ex-Parte Application for an Order Shortening Time to Hear Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney's Fees and Costs

09/30/2024 Financial Disclosure Form
Filed by: Plaintiff Severns, Shari
[21] Plaintiff's General Financial Disclosure Form

10/02/2024 Order Shortening Time
[22] Order Shortening Time

10/03/2024 Certificate of Service
[23] Certificate of Service

10/03/2024 Certificate of Service
[24] Certificate of Service

10/07/2024 Opposition
Filed By: Defendant Severns, John
[25] Defendant's Response to Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney's Fees and Costs

10/16/2024 Order Setting Evidentiary Hearing
[26] Evidentiary Hearing Management Order

10/23/2024 Order Setting Evidentiary Hearing
[27] Amended Evidentiary Hearing Management Order

11/08/2024 Order
[28] Order From October 15, 2024 Hearing

11/13/2024 Notice of Entry of Order
Filed By: Plaintiff Severns, Shari
[29] Notice of Entry of Order from October 15, 2024, Hearing

11/14/2024 Notice of Withdrawal
Filed by: Defendant Severns, John
[30] Notice of Withdrawal as Attorney of Record

04/17/2025 Brief
Filed By: Plaintiff Severns, Shari
[31] Plaintiff's Trial Brief

04/23/2025 Pre-trial Memorandum
Filed By: Defendant Severns, John
[32] Pre-trial Memorandum

05/02/2025 Ex Parte Motion
Filed by: Defendant Severns, John
[33] Ex Parte Motion for Continuance

05/02/2025 Certificate of Service
Filed by: Defendant Severns, John
[34] Certificate of Service

05/02/2025 Motion
Filed By: Defendant Severns, John
[35] Motion for Plaintiff's Retirement Information

06/16/2025

Notice of Hearing
[36] Notice of Hearing

07/02/2025 Findings of Fact, Conclusions of Law and Judgment
[37] Findings of Fact, Conclusions of Law and Judgement

07/03/2025 Notice of Entry of Order
[38] NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT

07/30/2025 Notice of Appeal
Filed By: Defendant Severns, John
[39] Notice of Appeal

07/31/2025 Case Appeal Statement
Case Appeal Statement

HEARINGS

08/19/2013 **Motion for Temporary Custody** (1:30 PM) (Judicial Officer: Ochoa, Vincent)
Events: 07/22/2013 Motion
Plaintiff's Motion for Temporary Child Custody, Temporary Child Support, Temporary Visitation, Temporary Spousal Support Temporary Possession of the Residence and other Related Issues.

MINUTES
Divorce Granted;

10/15/2024 **Motion** (9:00 AM) (Judicial Officer: Parlade, Mari D)
Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney' Fees and Costs
Granted in Part;

10/15/2024 **Opposition** (9:00 AM) (Judicial Officer: Parlade, Mari D)
Defendant's Response to Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150(3) and for an Award of Attorney's Fees and Costs
Granted in Part;

10/15/2024 **All Pending Motions** (9:00 AM) (Judicial Officer: Parlade, Mari D)

MINUTES
Matter Heard;

04/24/2025 **Calendar Call** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Confirmed;

05/07/2025 **Non-Jury Trial** (1:30 PM) (Judicial Officer: Parlade, Mari D)
RE: OMMITTED ASSETS

MINUTES
Decision Made;

06/25/2025 **Order to Show Cause** (11:00 AM) (Judicial Officer: Parlade, Mari D)
RE: Past Due Order from the hearing on 5/7/2025. Atty Standish was to prepare the order.
Order Submitted on 6/25/25
Off Calendar;

07/09/2025 *CANCELED* **Motion** (10:00 AM) (Judicial Officer: Parlade, Mari D)
Vacated - per Order
Motion for Plaintiff's Retirement Information

Electronically Filed
07/02/2025 8:43 PM
CLERK OF THE COURT

FFCL

THOMAS J. STANDISH, ESQ.
Nevada State Bar No. 1424
tom@standishlaw.com
JOHN L. WAITE, III ESQ.
Nevada State Bar No. 15110
john@standishlaw.com
STANDISH LAW GROUP
1635 Village Center Circle, Suite 180
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Attorneys for Plaintiff

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Telephone: (702) 998-9344 Fax: (702) 998-7460

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

SHARI GREY F/K/A SEVERNS, Plaintiff, vs. JOHN SEVERNS, Defendant.	CASE NO.: D-13-482854-D DEPT.: A

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT

This matter having come on for evidentiary hearing on May 7, 2025 on *Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150 (3) and for an Award of Attorney's Fees and Costs*, Plaintiff Shari Severns ("Shari") present and represented by Thomas Standish Esq. of Standish Law Group, and Defendant John Severns ("John") appearing in proper person, and the Court having heard the testimony of witnesses, and having received exhibits, documents and other evidence, and having heard the argument of the parties, and good cause appearing, the Court makes the following Findings and Orders:

/ / /

/ / /

/ / /

STANDISH LAW GROUP
1635 Village Center Circle, Suite 180, Las Vegas, NV 89134
Telephone: (702) 998-9344 Fax: (702) 998-7460

FINDINGS

THE COURT FINDS that the Court has proper jurisdiction over the subject matter as well as the parties hereto.

The parties were divorced by a Decree of Divorce on September 25, 2013. That Decree did not mention or provide for any division or allocation of the respective pensions of John or Shari.

Shari filed her Motion as described above on September 17, 2024, in this matter was set by this Court for evidentiary hearing.

At the evidentiary hearing, John testified and argued that Shari had agreed in the divorce that he would keep his pension (with the Operating Engineers Local 501 Central Pension Fund) and that in return, Shari would keep her pension and receive maximum alimony and maximum child support from John.

Shari testified that she had hired counsel for the divorce and both parties entered their terms on the record and signed the Decree, and that there was no discussion between the parties regarding John's pension during the divorce process or during the time of preparation of the Decree.

Shari testified that the first time the parties discussed John's pension was approximately nine years after the Decree was entered, in February 2022, when John came with his fiancée to have Shari notarize a premarital agreement between John and his fiancée.

The Court further finds that Shari's testimony regarding the conversation that arose during the meeting between Shari, John and John's fiancée where John's pension was discussed and Shari reminded John that she had rights to a portion of his pension due to their 20-year marriage, was credible and compelling. The Court further finds that Shari's testimony that the Decree set forth the agreement between the parties and that there was no discussion regarding John's pension at that time, was more credible and compelling before this Court in establishing that there was no agreement that John would keep his pension in its entirety.

Comparing the testimony of Shari to the testimony of John and his fiancée, Claire, the Court finds:

(1) although John credibly testified that it was his understanding that he was to keep his pension in its entirety, the Court finds that his credibility stops short because he failed to establish his alleged agreement with Shari that he would keep his pension, as such agreement did not find its way into the Decree, and his position that he would keep his pension in return for paying alimony and child support, which by law he was obligated to pay, did not corroborate his position; and

(2) that the vast majority of Claire's testimony was through leading questions by John and, as a result, this Court finds Claire's testimony had very minimal value or credibility.

The Court further finds that both parties' pensions are properly considered an omitted asset under NRS 125.150 (3); that Shari first discovered that John's pension was an omitted asset in February 2022, and filed her motion in August 2024, which was within the three-year period of time required under the statute for the filing of a motion for allocation of an omitted asset.

The Court does not find that there was any fraud by either party, but rather the omission of each party's pension from the Decree was the result of a mistake and inadvertence between the parties, and therefore this matter is rightly before this Court for adjudication and division of each party's pension pursuant to the applicable community property laws.

Based on all of the foregoing findings, this Court finds that Shari's Motion should be granted.

The Court further finds that the disputed pension asset of each party was community property to the extent the pension was accrued during the marriage, and the Court recognizes that a qualified domestic relations order ("QDRO") will be necessary to compute and identify the community portion of each party's pension.

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The Court further finds that Shari is entitled to a survivor annuity under John's pension, and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

The Court further finds that Shari's request for attorney's fees is granted, and that Mr. Standish shall submit a Brunzell affidavit and memorandum of fees and costs, leaving a blank and this Order for the Court to enter an amount for that award.

The Court further finds that it is appropriate that each party shall:

(1) Submit an updated Financial Disclosure Form for the Court's information in determining the attorney's fees award;

(2) Execute any and all mutual releases of information necessary for preparation of the QDRO and equally share, 50/50, the cost for preparation of the QDRO.

CONCLUSIONS OF LAW

That both parties' pensions are properly considered an omitted asset under NRS 125.150 (3); that Shari first discovered that John's pension was an omitted asset in February 2022, and filed her motion in August 2024, which was within the three-year period of time required under the statute for the filing of a motion for allocation of an omitted asset.

That there was no fraud by either party, but rather the omission of each party's pension from the Decree was the result of a mistake and inadvertence between the parties, and therefore this matter is rightly before this Court for adjudication and division of each party's pension pursuant to the applicable community property laws.

That the disputed pension asset of each party was community property to the extent the pension was accrued during the marriage, and the Court recognizes that a qualified domestic relations order ("QDRO") will be necessary to compute and identify

/ / /

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the community portion of each party's pension, pursuant to the *Gemma/Fondi* time rule.

That Shari is entitled to a survivor annuity under John's pension, and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

That Shari's request for attorney's fees is granted, and that Mr. Standish shall submit a Brunzell affidavit and memorandum of fees and costs, leaving a blank in this Order for the Court to enter an amount for that award.

ORDERS AND JUDGMENT

Based upon the foregoing Findings of Fact and Conclusions of Law, the Court makes the following Orders:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Shari's *Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150 (3) and for an Award of Attorney's Fees and Costs* is granted, and each party shall receive their community property share of the other party's pension by way of a QDRO; with such share to be calculated pursuant to the *Gemma/Fondi* time rule.

IT IS FURTHER ORDERED that Shari shall receive a survivor annuity under John's pension and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

IT IS FURTHER ORDERED that both parties shall execute any and all mutual releases of information necessary for preparation of the QDRO and equally share, 50/50, the cost for preparation of the QDRO.

IT IS FURTHER ORDERED that Shari's request for attorney's fees is granted. Each party shall submit an updated Financial Disclosure Form for the Court's information in determining the attorney's fees award.

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Telephone: (702) 998-9344 Fax: (702) 998-7460

IT IS FURTHER ORDERED that Mr. Standish shall submit a Brunzel affidavit and memorandum of fees and costs.

IT IS FURTHER ORDERED that the amount of $ TBD is awarded to Shari for her attorney's fees and costs.

IT IS FURTHER ORDERED that attorney's fees and costs cannot be assessed without a Memorandum of Fees and Costs and Brunzell analysis; thus, counsel shall submit a separate Order once the Memorandum of Fees and Costs has been filed.

Dated this 2nd day of July, 2025

100 73F 362E 6C40
Mari D. Parlade
District Court Judge

Respectfully Submitted by:

STANDISH LAW GROUP

THOMAS J. STANDISH, ESQ.
Nevada Bar No. 1424
JOHN L. WAITE III, ESQ.
Nevada Bar No. 8915
1635 Village Center Circle, Suite 180
Las Vegas, Nevada 89134
Attorneys for Plaintiff

STANDISH LAW GROUP
1635 Village Center Circle, Suite 180, Las Vegas, NV 89134
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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Shari Severns, Plaintiff	CASE NO: D-13-482854-D
vs.	DEPT. NO. Department A
John Severns, Defendant.	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/2/2025

Thomas Standish	tom@standishlaw.com
Karen Low	karen@standishlaw.com
John Waite III	john@standishlaw.com

Electronically Filed
7/3/2025 9:57 AM
Steven D. Grierson
CLERK OF THE COURT

NEOJ

THOMAS J. STANDISH, ESQ.
Nevada Bar No. 1424
tom@standishlaw.com
STANDISH LAW GROUP
1635 Village Center Circle, Suite 180
Las Vegas, Nevada 89134
Tel: (702) 998-9344
Fax: (702) 998-7460
Attorneys for Plaintiff

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

SHARI GREY F/K/A SEVERNS, Plaintiff, vs. JOHN SEVERNS, Defendant.	CASE NO: D-13-482854-D DEPT. NO.: A

NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT

TO: JOHN SEVERNS, Defendant in Proper Person.

PLEASE TAKE NOTICE that the Findings of Fact, Conclusions of Law and Judgement was duly entered in the above-referenced case on July 2, 2025, a copy of which is attached hereto.

DATED this 3rd day of July, 2025.

STANDISH LAW GROUP

/s/ Thomas J. Standish
THOMAS J. STANDISH, ESQ.
Nevada Bar No. 1424
1635 Village Center Circle, Suite 180
Las Vegas, Nevada 89134
Attorneys for Plaintiff

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1635 Village Center Circle, Suite 180, Las Vegas, NV 89134
Telephone: (702) 998-9344 Fax: (702) 998-7460

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of STANDISH LAW GROUP, and that on this *3rd* day of *July*, 2025, I served a copy of the **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT** as follows:

☒ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada: and/or

☐ Pursuant to EDCR 8.04, NRCP 5(b)(2)(D), and Administrative Order 14-2 captioned "In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court," by mandatory electronic service through the Eighth Judicial District Court's electronic filing system: and/or

☒ By electronic maile: and/or

☐ To be hand-delivered to the attorneys listed below at the address and/or facsimile number indicated below:

John Severns
7878 Prize Drive
Las Vegas, Nevada 89117
Email: lasvegasrepairmn@aol.com

/s/ Karen D. Low
Karen D. Low
An Employee of Standish Law Group

ELECTRONICALLY SERVED
7/2/2025 8:43 PM

Electronically Filed
07/02/2025 8:43 PM
CLERK OF THE COURT

FFCL
THOMAS J. STANDISH, ESQ.
Nevada State Bar No. 1424
tom@standishlaw.com
JOHN L. WAITE, III ESQ.
Nevada State Bar No. 15110
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Attorneys for Plaintiff

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Telephone: (702) 998-9344 Fax: (702) 998-7460

DISTRICT COURT, FAMILY DIVISION
CLARK COUNTY, NEVADA

SHARI GREY F/K/A SEVERNS, Plaintiff, vs. JOHN SEVERNS, Defendant.	CASE NO.: D-13-482854-D DEPT.: A

FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT

This matter having come on for evidentiary hearing on May 7, 2025 on *Plaintiff's Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150 (3) and for an Award of Attorney's Fees and Costs*, Plaintiff Shari Severns ("Shari") present and represented by Thomas Standish Esq. of Standish Law Group, and Defendant John Severns ("John") appearing in proper person, and the Court having heard the testimony of witnesses, and having received exhibits, documents and other evidence, and having heard the argument of the parties, and good cause appearing, the Court makes the following Findings and Orders:

/ / /

/ / /

/ / /

STANDISH LAW GROUP
1635 Village Center Circle, Suite 180, Las Vegas, NV 89134
Telephone: (702) 998-9344 Fax: (702) 998-7460

FINDINGS

THE COURT FINDS that the Court has proper jurisdiction over the subject matter as well as the parties hereto.

The parties were divorced by a Decree of Divorce on September 25, 2013. That Decree did not mention or provide for any division or allocation of the respective pensions of John or Shari.

Shari filed her Motion as described above on September 17, 2024, in this matter was set by this Court for evidentiary hearing.

At the evidentiary hearing, John testified and argued that Shari had agreed in the divorce that he would keep his pension (with the Operating Engineers Local 501 Central Pension Fund) and that in return, Shari would keep her pension and receive maximum alimony and maximum child support from John.

Shari testified that she had hired counsel for the divorce and both parties entered their terms on the record and signed the Decree, and that there was no discussion between the parties regarding John's pension during the divorce process or during the time of preparation of the Decree.

Shari testified that the first time the parties discussed John's pension was approximately nine years after the Decree was entered, in February 2022, when John came with his fiancée to have Shari notarize a premarital agreement between John and his fiancée.

The Court further finds that Shari's testimony regarding the conversation that arose during the meeting between Shari, John and John's fiancée where John's pension was discussed and Shari reminded John that she had rights to a portion of his pension due to their 20-year marriage, was credible and compelling. The Court further finds that Shari's testimony that the Decree set forth the agreement between the parties and that there was no discussion regarding John's pension at that time, was more credible and compelling before this Court in establishing that there was no agreement that John would keep his pension in its entirety.

Comparing the testimony of Shari to the testimony of John and his fiancée, Claire, the Court finds:

(1) although John credibly testified that it was his understanding that he was to keep his pension in its entirety, the Court finds that his credibility stops short because he failed to establish his alleged agreement with Shari that he would keep his pension, as such agreement did not find its way into the Decree, and his position that he would keep his pension in return for paying alimony and child support, which by law he was obligated to pay, did not corroborate his position; and

(2) that the vast majority of Claire's testimony was through leading questions by John and, as a result, this Court finds Claire's testimony had very minimal value or credibility.

The Court further finds that both parties' pensions are properly considered an omitted asset under NRS 125.150 (3); that Shari first discovered that John's pension was an omitted asset in February 2022, and filed her motion in August 2024, which was within the three-year period of time required under the statute for the filing of a motion for allocation of an omitted asset.

The Court does not find that there was any fraud by either party, but rather the omission of each party's pension from the Decree was the result of a mistake and inadvertence between the parties, and therefore this matter is rightly before this Court for adjudication and division of each party's pension pursuant to the applicable community property laws.

Based on all of the foregoing findings, this Court finds that Shari's Motion should be granted.

The Court further finds that the disputed pension asset of each party was community property to the extent the pension was accrued during the marriage, and the Court recognizes that a qualified domestic relations order ("QDRO") will be necessary to compute and identify the community portion of each party's pension.

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The Court further finds that Shari is entitled to a survivor annuity under John's pension, and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

The Court further finds that Shari's request for attorney's fees is granted, and that Mr. Standish shall submit a Brunzell affidavit and memorandum of fees and costs, leaving a blank and this Order for the Court to enter an amount for that award.

The Court further finds that it is appropriate that each party shall:

(1) Submit an updated Financial Disclosure Form for the Court's information in determining the attorney's fees award;

(2) Execute any and all mutual releases of information necessary for preparation of the QDRO and equally share, 50/50, the cost for preparation of the QDRO.

CONCLUSIONS OF LAW

That both parties' pensions are properly considered an omitted asset under NRS 125.150 (3); that Shari first discovered that John's pension was an omitted asset in February 2022, and filed her motion in August 2024, which was within the three-year period of time required under the statute for the filing of a motion for allocation of an omitted asset.

That there was no fraud by either party, but rather the omission of each party's pension from the Decree was the result of a mistake and inadvertence between the parties, and therefore this matter is rightly before this Court for adjudication and division of each party's pension pursuant to the applicable community property laws.

That the disputed pension asset of each party was community property to the extent the pension was accrued during the marriage, and the Court recognizes that a qualified domestic relations order ("QDRO") will be necessary to compute and identify

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the community portion of each party's pension, pursuant to the *Gemma/Fondi* time rule.

That Shari is entitled to a survivor annuity under John's pension, and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

That Shari's request for attorney's fees is granted, and that Mr. Standish shall submit a Brunzell affidavit and memorandum of fees and costs, leaving a blank in this Order for the Court to enter an amount for that award.

ORDERS AND JUDGMENT

Based upon the foregoing Findings of Fact and Conclusions of Law, the Court makes the following Orders:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Shari's *Motion to Adjudicate Omitted Asset Pursuant to NRS 125.150 (3) and for an Award of Attorney's Fees and Costs* is granted, and each party shall receive their community property share of the other party's pension by way of a QDRO; with such share to be calculated pursuant to the *Gemma/Fondi* time rule.

IT IS FURTHER ORDERED that Shari shall receive a survivor annuity under John's pension and if that option is not mandatory or has not already been selected, then both parties shall execute any and all documents to confirm or designate the survivor option for Shari pursuant to the applicable rules of the Operating Engineers Central Pension Fund.

IT IS FURTHER ORDERED that both parties shall execute any and all mutual releases of information necessary for preparation of the QDRO and equally share, 50/50, the cost for preparation of the QDRO.

IT IS FURTHER ORDERED that Shari's request for attorney's fees is granted. Each party shall submit an updated Financial Disclosure Form for the Court's information in determining the attorney's fees award.

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IT IS FURTHER ORDERED that Mr. Standish shall submit a Brunzel affidavit and memorandum of fees and costs.

IT IS FURTHER ORDERED that the amount of $ TBD is awarded to Shari for her attorney's fees and costs.

IT IS FURTHER ORDERED that attorney's fees and costs cannot be assessed without a Memorandum of Fees and Costs and Brunzell analysis; thus, counsel shall submit a separate Order once the Memorandum of Fees and Costs has been filed.

Dated this 2nd day of July, 2025

100 73F 362E 6C40
Mari D. Parlade
District Court Judge

Respectfully Submitted by:

STANDISH LAW GROUP

THOMAS J. STANDISH, ESQ.
Nevada Bar No. 1424
JOHN L. WAITE III, ESQ.
Nevada Bar No. 8915
1635 Village Center Circle, Suite 180
Las Vegas, Nevada 89134
Attorneys for Plaintiff

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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Shari Severns, Plaintiff	CASE NO: D-13-482854-D
vs.	DEPT. NO. Department A
John Severns, Defendant.	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/2/2025

Thomas Standish	tom@standishlaw.com
Karen Low	karen@standishlaw.com
John Waite III	john@standishlaw.com

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint **COURT MINUTES** August 19, 2013

D-13-482854-D Shari Severns, Plaintiff
vs.
John Severns, Defendant.

August 19, 2013 **1:30 PM** **Motion for Temporary Custody**

HEARD BY: Ochoa, Vincent **COURTROOM:** RJC Courtroom 10A

COURT CLERK: Sherri Estes

PARTIES:
David Severns, Subject Minor, not present
John Severns, Defendant, present Pro Se
Shari Severns, Plaintiff, present Gary Huntsman, Attorney, present

JOURNAL ENTRIES

- - PLAINTIFF'S MOTION FOR TEMPORARY CHILD CUSTODY, TEMPORARY CHILD SUPPORT, TEMPORARY VISITATION, TEMPORARY SPOUSAL SUPPORT, TEMPORARY POSSESSION OF THE RESIDENCE AND OTHER RELATED ISSUES

T-13-150077-T heard simultaneously this date. The request to EXTEND the Temporary Protective Order (TPO) was DISSOLVED at Plaintiff s (mom) request.

Mr. Huntsman represented to the Court the parties have a resolution.

The parties will share JOINT LEGAL CUSTODY with Plaintiff (mom) being designated as the PRIMARY PHYSICAL CUSTODIAN subject to Defendant's VISITATION. Dad's VISITATION with the minor child will be at the teenager's discretion since he is seventeen (17) years old.

Dad will pay the sum of $726.00 as and for CHILD SUPPORT to be paid in two (2) equal payments commencing September 1, 2013 forward.

In addition, Dad will pay Mom the sum of $150.00 as and for ALIMONY to also be paid in two (2)

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equal payments commencing September 1, 2013 for a period of ten (10) and one-half years.

Both parties will continue to provide double coverage MEDICAL COVERAGE for the minor child. Any UNREIMBURSED MEDICAL EXPENSES shall be borne equally (50/50) between the parties subject to the 30/30 rule whereby the party incurring the expense shall have 30 days to submit the bill to the other party and that party will have 30 days to reimburse the party incurring the expense for one-half the bill.

The parties will each pay their own debts and bills in their respectful names as their sole and separate debt.

The parties COMMUNITY PROPERTY will be divided pursuant to a list they have prepared and initialed off on and will be incorporated into the DECREE OF DIVORCE.

As for the ATTORNEY'S FEES in the amount of $1,500.00 that are left due and owing; Dad will pay Mr. Huntsman the sum of $500.00 at the rate of $100.00 per month for a period of five (5) months until paid in full. The remaining $1,000.00 will be paid directly from Dad to Mom no later than 8/23/13.

Mom's last name will be RESTORED to "CAPELLI".

The parties hereby WAIVE having to attend the Helping Children Cope with Divorce Class (COPE).

COURT SO ORDERED the agreement placed on the record this date shall be the order of the Court.

COURT FURTHER ORDERED the following:

DIVORCE GRANTED. In addition, since Mom has PRIMARY PHYSICAL CUSTODY she shall be required to cover the minor child's medical insurance in the event that Dad no longer has insurance.

Mr. Huntsman shall file an Affidavit of Resident Witness and prepare the DECREE OF DIVORCE.

CASE CLOSED

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint **COURT MINUTES** October 15, 2024

D-13-482854-D Shari Severns, Plaintiff
vs.
John Severns, Defendant.

October 15, 2024 9:00 AM All Pending Motions

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Cindy Sandoval-Aleman; Cindy Sandoval-Aleman

PARTIES:
David Severns, Subject Minor, not present
John Severns, Defendant, present Pro Se
Shari Severns, Plaintiff, present Thomas Standish, Attorney, present

JOURNAL ENTRIES

- MOTION: PLAINTIFF'S MOTION TO ADJUDICATE OMITTED ASSET PURSUANT TO NRS 125.150(3) AND FOR AN AWARD OF ATTORNEY' FEES AND COSTS...OPPOSITION: DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION TO ADJUDICATE OMITTED ASSET PURSUANT TO NRS 125.150(3) AND FOR AN AWARD OF ATTORNEY'S FEES AND COSTS

Plaintiff/Wife and Attorney Standish appeared in the Courtroom.

Defendant/Husband and Attorney Richard Crane, unbundled, appeared in the Courtroom.

Attorney Richard Crane's case manager, Victoria Javiel, appeared via VIDEO CONFERENCE through the Zoom application.

Housekeeping matters.

The Court reviewed the case.

Attorney Standish indicated that the Decree of Divorce was entered in 2014 and although there were details of personal property and so forth, there were no bank accounts nor Defendant's pension listed.

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Attorney Standish further indicated that the essential pension fund is the asset that Wife would like the Court to recognize as an omitted asset and to be divided appropriately pursuant to the Gemma Fondi rule. Attorney Standish further indicated that Defendant's pension was omitted by mistake. Attorney Standish indicated that assembly bill 362 that became 125.150(3) was intended to provide the remedy of if an omitted asset is able to be recovered that the party after finding out they had that right within three years brings that lawsuit before the Court. Attorney Standish indicated that Plaintiff was told by Defendant that he recognized her community property interest in it, however, when she attempted to tender a QDRO to him some months ago, he indicated that she would not get anything. Attorney Standish indicated that Plaintiff was certainly in the three years and there is no question regarding such. Attorney Standish indicated that the Defendant has no cognizable defense or issue that he can create there. Court allowed further argument by Attorney Standish regarding reopening discovery and preparation of the QDRO. Attorney Standish requested that the Court order Defendant to cooperate regarding a release of information from the Union.

Attorney Crane indicated that the Parties negotiated a Decree of Divorce in 2014 where Plaintiff was represented and Defendant was not. Attorney Crane further indicated that Plaintiff controlled the entirety of the division of the assets of this marriage and did not include the pensions. Attorney Crane further indicated Plaintiff has a pension as well. Attorney Crane further indicated that the Parties had an agreement where Defendant would sign off on anything as it related to the Divorce, provided that Plaintiff does not touch his pension. Attorney Crane further indicated that per Doan vs. Wilkerson, which was the case law that was controlling up until 2015, indicated that if something was left out and one did not make the 60b timeframe then one would not receive those pension benefits. Attorney Crane further indicated that Attorney Willick wrote NRS 125.150(3), submitted it to legislature, and was made law as of 2015. Attorney Crane indicated that it is not a constitutional change and as such, it is not retroactive, but prospective. Attorney Crane further indicated that they did not make the three year window, nor did they make the six month window which was controlling when the Divorce went through. Attorney Crane further indicated that each Party kept their individual pensions and moved on with their lives. Court allowed further argument by Attorney Crane regarding Plaintiff's pensions.

Court allowed rebuttal argument by Attorney Standish.

The Court inquired if both Parties have a pension.

Attorney Standish indicated that that could be correct, however, there is no Motion for that before the Court.

The Court discussed the communications made between the Parties wherein Defendant acknowledges that the pension was left out.

COURT NOTED that it is going to trust Attorney Crane's representation indicating that Defendant stated in his countermotion that if Plaintiff's pension was to be left out, Defendant's would be left out as well.

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Attorney Crane indicated that the representation is present in Defendant's Opposition.

Colloquy regarding production of documents.

Following statements, COURT ORDERED the following,

The Motion and Countermotion are GRANTED to the extent that LIMITED DISCOVERY is OPEN.

The Court set the matter for a NON-JURY TRIAL re: OMITTED ASSETS on May 7, 2025 at 1:30 p.m. The Case and Non-Jury Trial Management Order shall be prepared by the Court's Judicial Executive Assistant (JEA) and provided to the parties. The Parties shall ENSURE to REVIEW the TRIAL MANAGEMENT ORDER.

CALENDAR CALL set on April 25, 2025 at 10:00 a.m.

Both Counsel are to provide Opposing Counsel with the corresponding information regarding the Parties' pension necessary for calculation of a QDRO and implementation of a QDRO within thirty (30) days. If Counsel fails to provide that, Discovery may be OPEN, to include Motions to Compel and Discovery sanctions.

Attorney Standish shall prepare the Order from today's hearing.

CLERK'S NOTE: Minutes prepared by Court Clerk II, Elize Tupaz, by a review of the official JAVS audio/video record. (ect 10.31.2024)

INTERIM CONDITIONS:

FUTURE HEARINGS: Apr 24, 2025 10:00AM Calendar Call
Courtroom 02 Parlade, Mari D

May 07, 2025 1:30PM Non-Jury Trial
RE: OMMITTED ASSETS
Courtroom 02 Parlade, Mari D

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

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint **COURT MINUTES** April 24, 2025

D-13-482854-D Shari Severns, Plaintiff
vs.
John Severns, Defendant.

April 24, 2025 **10:00 AM** **Calendar Call**

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Nillyreth Tabares

PARTIES:
David Severns, Subject Minor, not present
John Severns, Defendant, present Pro Se
Shari Severns, Plaintiff, not present Thomas Standish, Attorney, present

JOURNAL ENTRIES

- CALENDAR CALL:

Defendant present in person. Attorney Thomas Standish present via audio/ visual.

Defendant SWORN IN.

Attorney Standish and Defendant confirmed they are ready to proceed with trial.

Court ORDERED,

Trial on May 7, 2025 at 1:30 p.m., STANDS.

INTERIM CONDITIONS:

FUTURE HEARINGS: Apr 24, 2025 10:00AM Calendar Call
Courtroom 02 Parlade, Mari D

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

May 07, 2025 1:30PM Non-Jury Trial
RE: OMMITTED ASSETS
Courtroom 02 Parlade, Mari D

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

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint **COURT MINUTES** May 07, 2025

D-13-482854-D Shari Severns, Plaintiff
vs.
John Severns, Defendant.

May 07, 2025 **1:30 PM** **Non-Jury Trial**

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Cindy Sandoval-Aleman

PARTIES:
David Severns, Subject Minor, not present
John Severns, Defendant, present Pro Se
Shari Severns, Plaintiff, present Thomas Standish, Attorney, present

JOURNAL ENTRIES

- NON- JURY TRIAL: RE: OMITTED ASSETS

All parties were present IN PERSON.

All Parties were SWORN IN.

Discussions regarding preliminary matters.

Attorney Standish presented opening statements.

Defendant presented opening arguments.

Attorney Standish presented arguments.

Plaintiff was called to Stand and Presented TESTIMONY.

Cross Examined

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Re-direct

Matter Recessed

Matter Reconvened

Defendant's Witness, Clare Severns, SWORN and TESTIFIED.

Defendant TESTIFIED.

The COURT took Judicial Notice of Plaintiff's Exhibit 1 of Plaintiff's Financial Disclosure Form (FDF) dated 9/30/2024.

Plaintiff's Exhibit 2 was OFFERED and ADMITTED.

Plaintiff's Exhibit 3 was OFFERED and ADMITTED.

Defendant Exhibit A was OFFERED and ADMITTED.

Cross Examined

The COURT admonished the Defendant's behavior.

Follow-up

Attorney Standish presented closing arguments.

Defendant presented closing arguments.

The COURT REVIEWED the case and FINDS it has proper jurisdiction over the subject matter as well as the Parties hereto. The COURT received testimony herein regarding the alleged omitted assets. It is undisputed that the pensions of both the husband and wife were omitted from the decree of divorce. The wife had testified that her pension accrued prior to the marriage in New Jersey and then transferred to Nevada to continue to accrue pension with the respective unions. Husband also accrued pension during the marriage and continued to accrue even after the marriage, as evidence that he has a new wife, wherein there was an argument about the new wife's entitlement to his pension. The husband argued that the wife had agreed throughout the underlying divorce proceedings that the Parties had an agreement that he would keep his pension in exchange for the wife being entitled to what he described as maximum alimony and maximum child support as long as he kept his pension and she kept hers. Husband presented very compelling testimony herein in establishing that he is able to articulate for himself, as he was able to cite the law, quote the law, cite the facts, and cite the arguments. The court is impressed that Mr. Severns has established himself as fully competent and able to speak for himself and could advocate for himself in a very coherent

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capacity. Mrs. Gray provided credible testimony regarding her understanding of when the Parties were divorced and entered her decree; she had hired counsel, and both Parties signed and entered their terms on the record. Ms. Severns testified that there was no discussion regarding the pension during the divorce decree or the preparation of the decree thereof. The COURT NOTES that the decree was entered on September 25, 2013. Ms. Severns did testify that it wasn't until after September 25, 2023, specifically on or about February 2022, that there was the first discussion of Mr. Severns' pension, in the context wherein Mr. Severns asked her to notarize the premarital agreement that he was going to have with his new wife, who testified today, Mrs. Clare. During the encounter, Ms. Gray was discussing the prenuptial's with Mr. Servens and his new wife; it was in that context in which the pension was discussed. Ms. Gray provided very credible testimony regarding the conversation that arose during the meeting between the three Parties wherein the discussion was regarding his pension, and Ms. Gray reminded him that that was her pension due to the 20-year marriage. Ms. Gray s testimony was very credible, compelling, and very natural in describing the conversation that the Parties had. The COURT compared Ms. Gray s testimony and Mr. Severns testimony and Clara s testimony regarding the alleged conversations that the three Parties had. The COURT NOTES that while Ms. Clara was testifying, the vast majority of her testimony was through leading questions by Mr. Severns. The COURT had to admonish Mr. Severns to allow Ms. Clara to provide testimony. The COURT does FIND upon this Court s review and observation of Mr. Severns s and Ms. Clara s testimony, the COURT FINDS Ms. Clara s testimony carries very minimal value or credibility, in that her testimony appeared to be very leading and extremely suggestive by Mr. Severns in his questioning. The COURT does FIND that Mr. Severns did creditably testify today that it was his understanding that he keeps his pension. The COURT FINDS that he was credible and that was his position. The COURT does FIND that his credibility stops short because Mr. Severns, during cross-examination, failed to establish that he did not do anything to ensure that the agreement that the Parties had, the COURT FINDS that the agreement was not found anywhere in the decree. The decree did not contain this agreement. The COURT FINDS that this COURT had to admonish Mr. Severns several times during cross-examination to answer the questions that were asked of him as opposed to providing non-responsive, argumentative testimony. Notwithstanding the COURT S agreement, the COURT does FIND that Mr. Severns did not provide credible testimony with regard to how the Parties alleged agreement wherein he would keep his pension and Ms. Severns would walk away with alimony and child support, by law she was entitled to. The COURT FINDS that this position did not find its way into the decree; therefore, the COURT FINDS this position is not credible, nor is it corroborated by the evidence before this court. The COURT FINDS that the creditable evidence before this court is in writing: the agreement and the decree between the Parties. The COURT FINDS that Ms. Gray s testimony was more credible and compelling before this court in establishing that the decree set forth the agreement between the Parties that the Parties had discussed at the time when the decree was entered; there was no discussion regarding the pension; therefore, it had not made its way into the decree. As a matter of fact, it was not until 2022, post-decree, that there was the first discussion regarding the pension, wherein Ms. Gray s was asked to notarize the premarital agreement between Mr. Severns and his new wife. The COURT FINDS that that testimony is more credible, compelling, and persuasive before this court as opposed to Mr. Severns' position that he expects this court to admit that there was an agreement and the agreement was not found in the decree, notwithstanding Mr. Severns' ability to articulate for himself and speak up for himself as

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evidenced by today s trial. Therefore, the COURT does FIND that both Parties pensions are considered an omitted asset.

The COURT NOTES that the applicable law in this case is NRS 125.150 subsection 3 and CITED the case and law on record. The COURT FINDS that this is the pertinent language: the three years begin after the discovery by the agreed party of the facts constituting the fraud or mistake. The COURT does FIND that it was not until February 2022, by Ms. Gray s credible testimony, when Mr. Severns and his new wife came to Ms. Gray s to notarize their premarital agreement, that she discovered that Mr. Severns pension was an omitted asset in 2022. Ms. Gray s filed her motion in August 2024, within the 3-year mark. Therefore, the COURT does FIND, pursuant to NRS 125.150 subsection 3, specifically the disputed asset of both Parties pension was community property to the extent the pension was accrued during the marriage. The Court does recognize that a QDRO will be necessary to compute and identify what the actual community property value is, especially considering that there was a prior pension obtained in New Jersey and transferred over to Nevada. Therefore, a QDRO will be necessary to identify the community portion of the omitted asset, specifically the pension for both of the Parties based upon the length of both of the Parties. This community asset was omitted by mistake. The COURT does NOT FIND that there was any fraud by either Party but rather a mistake and inadvertence between the two Parties. The COURT FINDS that the motion was filed within the three years of the discovery of the omitted asset, and therefore this matter is rightly before this court. The COURT does FIND that, based on the testimony provided, there was an omitted asset, and that was mainly the pension between the two Parties that was omitted from the decree of divorce filed, simply by mistake. Therefore, the omitted asset is right for adjudication to be divided pursuant to community property laws.

Discussions regarding housekeeping matters.

Attorney Standish requested for Survivor Annuity.

The COURT REVIEWED and CITED exhibit D on the record.

Further discussions regarding housekeeping matters.

COURT ORDERED the following:

1) Attorney Standish shall submit written FINDINGS OF FACT, CONCLUSIONS OF LAW and FINAL ORDERS within 30 days.

2) Both Parties shall execute mutual releases of information for the respective assets.

3) Parties shall equally share 50/50, the cost of the QDRO, and for the preparation of the QDRO.

4) Pursuant to NRS 18.010, Plaintiff's request for ATTORNEY'S FEES shall be GRANTED. The Court

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directed attorney Standish to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount.

5) Both parties are to complete and submit Updated Financial Disclosure Forms to the Court.

6) Parties shall execute required documents to enforce this order.

Attorney Standish shall PREPARE the order.

Clerk's Note: Unadmitted Exhibits were returned to counsel and the Defendant. The Court Minutes was prepared by Courtroom Clerk Cindy Sandoval-Aleman (CS)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint **COURT MINUTES** June 25, 2025

D-13-482854-D Shari Severns, Plaintiff
vs.
John Severns, Defendant.

June 25, 2025 **11:00 AM** **Order to Show Cause**

HEARD BY: Parlade, Mari D **COURTROOM:** Courtroom 02

COURT CLERK: Cindy Sandoval-Aleman

PARTIES:
David Severns, Subject Minor, not present
John Severns, Defendant, not present Pro Se
Shari Severns, Plaintiff, not present Thomas Standish, Attorney, not present

JOURNAL ENTRIES

- ORDER TO SHOW CAUSE: RE: PAST DUE ORDER FROM THE HEARING ON 5/7/2025. ATTY STANDISH WAS TO PREPARE THE ORDER.

COURT CLERKS: Cindy Sandoval (CS)

No appearances.

CLERK'S NOTE: Hearing was Vacated per recieved order off the record. Minutes prepared by Courtroom Clerk I Cindy Sandoval-Aleman (CS)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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PLAINTIFF'S EXHIBIT LIST

SHARI GREY f/k/a SEVERNS vs. JOHN SEVERNS
Case No. D-13-482854-D
Evidentiary Hearing: May 7, 2025 @ 1:30 p.m.

No.	Exhibit	Stipulated	Offered	Admitted	Objected	Bates Numbers
1	Financial Disclosure Form of Shari Grey filed September 30, 2024.	returned to Counsel				P000001 – P000011
2	Email from John Severns with related pension documentation dated November 21, 2024.		5/7/25	5/7/25	No	P000012 – P000022
3	Email from Standish Law Group to John Severns along with letter providing Plaintiff's pension documentation dated December 30, 2024.		5/7/25	5/7/25	No	P000023 – P000028
4	Email from John Severns to Standish Law Group dated April 12, 2025, regarding Safe Harbor provision.	returned to Counsel				P000029 – P000035
5						
6						
7						

DEFENDANT EXHIBIT LIST

CASE NO. D-13-482854-D

Serverns, Shari , PLAINTIFF,

VS

Serverns, John , DEFENDANT.

Hearing/Trial Date: 5/07/2025

Judge: Parlade, Mari D.

Court Clerk: Sandoval, Cindy G.

Recorder: JAVS

Counsel for Plaintiff/Applicant:Standish, Thomas J.

Counsel for Defendant/Adverse Party: Pro Se

HEARING / TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Obj	Date Admitted
✓ A	List of Assets	5/7/25	No	5/7/25
✓ B	Non- Criminal Henderson Incident Report	5/7/25	No	5/7/25
✓ C	Divorce Granted order 7/16/2013 pg.5	5/7/25	No	5/7/25
✓ D	Designation of Beneficiary	5/7/25	No	5/7/25
E	Social Security Identification			returned to Defendant
F	Summary of Material Modifications			

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

JOHN SEVERNS
7878 PRIZE DR.
LAS VEGAS, NV 89117

DATE: July 31, 2025
CASE: D-13-482854-D

RE CASE: SHARI SEVERNS, NKA, SHARI CAPELLI, AKA, SHARI GREY vs. JOHN SEVERNS

NOTICE OF APPEAL FILED: July 30, 2025

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

☒ $24 – District Court Filing Fee (Make Check Payable to the District Court)**

☐ 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 an appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay any district court fees or Supreme Court filing fee. The district court clerk must apprise the appellant of the deficiencies in writing, and must send the notice of appeal to the Supreme Court in accordance with Rule 3(g) 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 must 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; CONFIDENTIAL FAMILY COURT COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGEMENT; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

SHARI SEVERNS, NKA, SHARI CAPELLI, AKA, SHARI GREY,

Plaintiff(s),

vs.

JOHN SEVERNS,

Defendant(s),

Case No: D-13-482854-D

Dept No: A

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 31 day of July 2025.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk