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 Nevada Bar No. 001489
 3 528 So. Casino Center Dr. 311
 Las Vegas, NV 89101
 (702) 385-7385
 4 Attorney for Defendant

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 Nevada Bar No. 008401
 6 619 S. Sixth Street
 Las Vegas, NV 89101
 7 (702) 388-8071
 Co-counsel for defendant

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 9 IN THE FAMILY DIVISION
 IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA
 IN AND FOR THE COUNTY OF WASHOE

10 ANDREW EARL FURER,

11 Plaintiff,

12 vs.

13 ELOISA BESADA FURER,

14 Defendant

CASE NO. DV04-01628
 DEPT. NO. 11

15
 16 **MOTION TO RELEASE HOLD ON DEFENDANT'S FUNDS**

17 The defendant now comes before the court by and through her counsel and
 18 respectfully moves the court for an order directing the plaintiff to release his hold on the
 19 defendant's dividend income so that defendant can have access to her own money.
 20 This motion is based upon the attached affidavit of counsel. The defendant prays the
 21 court for an order releasing \$85,500.00 to her from the trust account maintained at
 22 Credit Suisse in San Francisco, CA.

23 DATED this 30th day of April, 2008.

24 Respectfully Submitted

25 ROBERT W. LUECK, ESQ.
 Nevada Bar No. 001489
 26 528 S. Casino Center Dr. #311
 Las Vegas, NV 89101
 (702) 385-7385

And you told me you will also include my concern!

AFFIDAVIT OF COUNSEL

STATE OF NEVADA)
COUNTY OF CLARK)

ROBERT W. LUECK, being first duly sworn, deposes and says that:

I am one of the present attorneys of record for the defendant and I make this affidavit in support of a motion for the release of the defendant's funds.

Pursuant to the Decree, the defendant is the owner of 570,000 shares of WaMu stock that was part of the marital estate. In February, 2008, that stock paid a dividend of 15 cents per share and her dividend came to \$85,500.00. For the past few years, this dividend income came into the possession of Credit Suisse in their San Francisco, California office. Julius Simonini is the present manager of the Furer family funds, at least as to those that have been deposited with his financial institution.

Since this dividend belonged to the defendant, the defendant finally asked Mr. Simonini to transfer the funds to her personal checking account for her own uses and purposes. She was advised that Mr. Simonini could not do so since he had received instructions from Mr. Furer to hold the funds for 2007 tax payments. I have personally confirmed with him that he has her funds but is also under an obligation to hold them pending further instructions and court orders. Because of the contentious nature of this divorce case, he has all court orders, etc reviewed by corporate counsel in New York.

The defendant was expecting a spousal support payment for the months of January and February, 2008. However, plaintiff's counsel had filed a motion to end her spousal support. The court granted its decree of divorce on February 22, 2008 and did not provide her with any further spousal support.

Two month ~~year~~ arrears ~~before~~ ~~made~~ ~~including the~~
The purpose of this motion is to seek the release of ~~at least~~ that money so

that the defendant can pay her legal fees for this divorce and start the process for her appeal. Apparently, both sides intend to appeal. The plaintiff appealed very early on

but that case was remanded back for the purpose of allowing the District Court to

his decision - If you read the order Mr. Furer is over charging for taxes - At this point I have been trying to be patient

*W. Lueck
We discussed this before*

NOT JUST
frustrating
I need money

1 conclude its processing of the post trial motions. The court has now made its rulings
2 and the case can otherwise move forward to the next level.

3 The defendant has long since gone through her initial retainer of \$10,000.00 with
4 this counsel. She needs the money released so that she can continue paying counsel
5 and pay her other living expenses. This has become extremely frustrating for her and
6 this counsel is obligated to try and obtain a release of at least some of her funds so she
7 can continue to litigate her case on a relatively equal footing with the plaintiff.

8 The plaintiff has large sums of unencumbered funds at his disposal and can
9 easily afford to continue paying the legal fees of his two Reno attorneys, both of whom
10 are reputable lawyers. They have literally bombarded the defendant and her attorneys
11 with several motions, letters, etc. and the amount of work needed to adequately
12 represent the defendant and respond on her behalf is substantial.

13 I am requesting an order that the sum of \$85,500.00 be released to the
14 defendant for the purposes set forth above. It is her money and she needs access to it
15 right away. She had a system wherein many of her bills were paid by automatic bill
16 payments directly from her bank. — then WTHA? why?

17 She needs this money since Washington Mutual is in significant financial trouble
18 now. The dividend for the first quarter of 2008 has just been declared and it is a mere
19 one cent per share. This means she will receive only \$5,700.00 for her three month
20 dividend. At least the stock has moved up to about \$42.50 per share at the close of
21 trading on April 30, 2008.

NO it was 10:30
today

22 The defendant has been without a source of funds for the entire year of 2008 to
23 date. She did not received spousal support for January or February, 2008 and has not
24 received any of her dividend income. It has become extremely frustrating for her and I
25 am obligated to do what I can to have her money released to her.

26 The fact is that the defendant will need substantial sums of money with which to
27 prosecute an appeal to the Nevada Supreme Court. As this court is well aware, this is

28 but one can only take so much
I lived a good life too, before
I married Mr. Juler -

Are you opposed to your bank
have bank need??

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA
AFFIRMATION
Pursuant to NRS 239B.030**

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The undersigned does hereby affirm that the preceding:

Motion to Release Hold on Defendant's Funds

filed in or submitted for District Court Case number: **DV04-01626**

Does not contain the social security number of any person.

ROBERT W. LUECK, ESQ.
Nevada Bar No. 001489
528 S. Casino Center #311
Las Vegas, NV 89101
(702) 385-7385
Attorney for Defendant

Date _____

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IN THE FAMILY DIVISION
IN THE SECOND JUDICIAL DISTRICT COURT FO THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

ANDREW EARL FURER,

Plaintiff,

vs.

ELOISA BESADA FURER,

Defendant.

CASE NO. DV04-01628
DEPT. NO. 11

ORDER SHORTENING TIME

Upon consideration by the Court of the Defendant's Ex Parte Motion for an Order Shortening Time to hear Defendant's Motion to Release Hold on Defendant's Funds and good cause appearing,

It is hereby Ordered that Defendant's Motion for an Order Shortening Time is hereby granted and the Defendant's Motion to Release Hold on Defendant's Funds be set on the Court's calendar for hearing on _____ at _____ m.

DATED this _____ day of _____, 2008.

DISTRICT COURT JUDGE

Respectfully submitted,

Robert W. Lueck

ROBERT W. LUECK, ESQ.
Nevada Bar No. 001489
528 So. Casino Center Dr. #311
Las Vegas, NV 89101
(702) 385-7385

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA
AFFIRMATION
Pursuant to NRS 239B.030**

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Order Shortening Time

filed in or submitted for District Court Case number: **DV04-01626**

Does not contain the social security number of any person.

Robert W. Lueck
ROBERT W. LUECK, ESQ.
Attorney for Eloisa Furer

5/8/08
Date

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ANDREW EARL FURER,
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vs.

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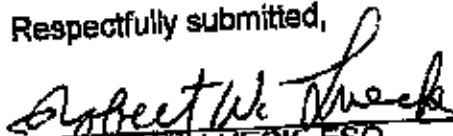
**EX PARTE MOTION FOR ORDER SHORTENING TIME FOR MOTION TO RELEASE
HOLD ON DEFENDANT'S FUNDS**

The Defendant respectfully moves the court pursuant to DCR 11.3 for an Order Shortening Time to hear Defendant's Motion To Release Hold on Defendant's Funds.

Defendant has no other source of income for basic living expenses. For this reason, Defendant requests that an Order Shortening Time be signed setting his motion for a date to hear this motion.

Date this 8 day of ^{May} ~~April~~, 2008.

Respectfully submitted,


ROBERT W. LUECK, ESQ.
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528 So. Casino Center Dr. #311
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(702) 385-7385
Attorney for Defendant

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA
AFFIRMATION
Pursuant to NRS 239B.030**

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The undersigned does hereby affirm that the preceding:

**Ex Parte Motion for an Order Shortening Time for Motion To Release Hold
on Defendant's Funds**

filed in or submitted for District Court Case number: **DV04-01626**

Does not contain the social security number of any person.


ROBERT W. LUECK, ESQ.
Attorney for Eloisa Furer

5/8/08
Date