

EXHIBIT M

1 LAW OFFICE OF DANIEL MARKS
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3 Nevada State Bar No. 002003
4 302 East Carson Avenue, Suite 702
5 Las Vegas, Nevada 89101
6 (702) 386-0536; Fax: (702) 386-6812

7 -and
8 BELDING HARRIS & PETRONI, LTD.
9 GLORIA M. PETRONI, ESQ.
10 Nevada State Bar No. 002230
11 417 West Plumb Lane
12 Reno, Nevada 89509
13 (775) 786-7600; Fax: (775) 786-7764
14 Attorneys for Defendant

FILED

'06 DEC -8 P1:12

RONALD A. LONGTIN, JR.
BY C. Parsley
DEPUTY

15 IN THE FAMILY DIVISION

16 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

17 IN AND FOR THE COUNTY OF WASHOE

18 ANDREW E. FURER,

19 Plaintiff,

Case No. DV04-01626
Dept. No. 11

20 vs.

21 ELOISA BESADA FURER,

22 Defendant.

23 **OBJECTIONS TO PROPOSED ORDER FOLLOWING STATUS CONFERENCE**

24 COMES NOW, the Defendant, Eloisa Besada Furer by and through her counsel of
25 record, the Law Office of Daniel Marks, Daniel Marks, Esq., and hereby objects to the
26 Order Following Status Conference submitted by counsel for Plaintiff on December 6,
27

1 2006 as follows:

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3 **1. Personal Property**

4 This Court never ordered a specific time limit with regard to Mrs. Furer receiving
5 her personal property, and never ordered that Mrs. Furer only had thirty days to have her
6 property packed and shipped. With the holidays quickly approaching, and the difficulty
7 in hiring movers for the unique and delicate items to be shipped, it may not possible to
8 have this accomplished in thirty days.

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10 In addition, Mrs. Furer objects to the language in the Order that the Court will
11 treat her failure to make arrangements to have her property shipped within the thirty day
12 time frame as a waiver of her right to possession of the property. This was *never*
13 discussed at the hearing on November 22, 2006.

14 Mrs. Furer also objects to the sentence on p. 2, line 24 ½ through p. 3, line 3, and
15 believes that sentence should state:

16
17 Any disputes regarding personal property, broken items or items which are
18 not produced will be addressed in the next phase of this bifurcated
19 proceeding

20 **2. No Finding of Contempt:**

21 There is no dispute that the Court found no contempt. However, the Court never
22 stated it would defer the issue of fees and costs until the next phase of this case. It is Mrs.
23 Furer's position that the Court should address each party's request for fees during the
24 next phase of this bifurcated proceeding. Accordingly, Mrs. Furer is requesting that the
25 language regarding fees be removed, and that a separate provision be added to the Order
26 that both parties have sought attorneys fees in this case, and that the issue of fees will be
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1 addressed in Phase III.

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3 **3. Family Photos:**

4 Mrs. Furer has no objection to the language contained within this provision of the
5 Order.

6 **4. Mrs. Furer's Automobile Insurance:**

7 Mrs. Furer has no objection to the language contained within this provision of the
8 Order.

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10 **5. Mrs. Furer's Personal Papers:**

11 Mrs. Furer has no objection to the language contained within this provision of the
12 Order.

13 **6. Interim Spousal Support:**

14 Mrs. Furer objects to the language utilized by the Plaintiff, and believes this
15 section should be revised to state:

16
17 Mr. Furer made a motion to terminate interim spousal support to Mrs.
18 Furer. The Court ordered that the interim support shall continue without
19 prejudice. Mr. Furer's claim that he should be reimbursed for any alimony
20 payments and the characterization of such payments are reserved for Phase
21 III.

22 **7. Restraining Order:**

23 While Mrs. Furer objected at the hearing to the extension of the Restraining
24 Order, Mrs. Furer has no objection to the language contained within this provision of the
25 Order as it accurately reflects the Court's decision.

26 **8. Issue of Briefs:**

27 Mrs. Furer objects to item (2) in this section because Mrs. Furer may not be able
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1 to state how an issue can be resolved without discovery on that issue.

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9. Hearing Date:

Mrs. Furer has no objection to the language contained within this provision of the Order.

10. Miscellaneous:

Mrs. Furer has proposed that the safe be brought to the settlement conference, opened in Court and inventoried. Mrs. Furer can then take possession of the safe and its contents. However, Plaintiff will not agree to this suggestion. Accordingly, this issue must be addressed in order for Mrs. Furer to receive the safe pursuant to ¶ 1 of the Order.

Dated this 8th day of December, 2006.

LAW OFFICES OF DANIEL MARKS



DANIEL MARKS, ESQ.
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302 East Carson Avenue, Suite 702
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-and
BELDING HARRIS & PETRONI, LTD.
GLORIA M. PETRONI, ESQ.
Nevada Bar No. 002230
417 West Plumb Lane
Reno, Nevada 89509
Attorneys for Defendant

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I certify that I am an employee of BELDING, HARRIS &
3 PETRONI, LTD., and that I caused a true and correct copy of **OBJECTIONS TO**
4 **PROPOSED ORDER FOLLOWING STATUS CONFERENCE** to be served by:

5 [] (BY MAIL) on all parties in said action, by placing a true copy thereof enclosed in
6 a sealed envelope in a designated area for outgoing mail, addressed as set forth
7 below. At the Law Offices of Belding, Harris & Petroni, Ltd., mail placed in that
8 designated area is given the correct amount of postage and is deposited that same
9 date in the ordinary course of business, in a United States mailbox in the City of
10 Reno, County of Washoe, Nevada.

11 [] (BY PERSONAL DELIVERY) by causing a true copy thereof to be hand delivered
12 this date to the addressee(s) at the address(es) set forth below.

13 [] (BY FACSIMILE) on the parties in said action by causing a true copy thereof to be
14 telecopied to the number indicated after the address(es) noted below.

15 [] Federal Express or other overnight delivery

16 [X] Reno/Carson Messenger Service

17 addressed as follows:

18 Shawn B. Meador, Esq.
19 WOODBURN AND WEDGE
20 6100 Neil Road, Suite 500
21 Post Office Box 2311
22 Reno, Nevada 89505

23 Kent R. Robison, Esq.
24 ROBISON, BELAUSTEGUI, SHARP & LOW
25 71 Washington Street
26 Reno, NV 89503

27 DATED: this 8 day of December, 2006.

28 
PAULA RODRIGUEZ

1 CODE: 2630
2 **Dawn Throne, Esq.**
Nevada Bar No. 006145
3 **Michelle A. Hauser, Esq.**
Nevada Bar No. 007738
4 PECOS LAW GROUP
8925 South Pecos Road, Suite 14B
5 Henderson, Nevada 89074
6 Telephone : (702) 361-2318
Facsimile: (702) 388-7406
7 Attorney for Defendant

FILED

2007 MAY -9 PM 12: 23

RONALD A. LONGTIN, JR.

BY N. Delgado
DEPUTY

8
9 **IN THE FAMILY DIVISION**
10 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
11 **IN AND FOR THE COUNTY OF WASHOE**

12 **Andrew Furer,**

13 Plaintiff,

14 vs.

15 **Eloisa Furer,**

16 Defendant.

Case No. DV04-01626
Dept. No. 11

17
18 **OBJECTION TO PROPOSED ORDER REGARDING**
19 **TRIAL DATE AND OTHER PROCEDURAL MATTERS**

20 Defendant, ELOISA BESADA FURER ("Mrs. Furer"), by and through her attorney of
21 record, Dawn R. Throne, Esq., of PECOS LAW GROUP hereby objects to the Order Regarding Trial
22 Date and Other Procedural Matters submitted by Plaintiff's counsel on April 30, 2007.

23
24 On April 30, 2007, Plaintiff submitted a proposed Order Regarding Trial Date and Other
25 Procedural Matters to the Court that purports to summarize the proceedings that occurred on April
26 3, 2007, April 9, 2007 and April 12, 2007. Mrs. Furer believes that there are several errors in
27 Plaintiff's proposed order as summarized below and she requests that the Court enter her proposed
28 order, a copy of which is attached as Exhibit "A."

1 Plaintiff's proposed Order Regarding Trial Date and Other Procedural Matters contains the
2 following errors:

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4 1. On page 2, in paragraph 2, lines 14 - 15, the phrase "notwithstanding the Court's
5 expectation that she would participate" should be deleted. Mrs. Furer was never told that the Court
6 expected her to participate in that telephone conference regarding her motion to continue the trial
7 and, in fact, was told by Ms. Cho that her participation was not necessary. If Mrs. Furer had been
8 informed that the Court expected her to participate in the conference call, she would have attended.

9
10 2. On page 3, paragraph 5 is incorrect. Ms. Cho informed the Court that Mr. Furer was
11 having difficulty finding counsel willing to take on such a complex case when a trial was scheduled
12 in early April. From the time that she terminated the service of Mr. Marks in January 2007, Mrs.
13 Furer attempted to locate new counsel, but could not find competent counsel who was willing to take
14 this case on with a trial looming on April 9 and 10, 2007. That problem and her health problems are
15 what prompted Mrs. Furer to file her motion to continue the trial on March 6, 2007. There was a
16 comment made about some potential attorneys asking for very large retainers, but that is not the
17 reason Mrs. Furer was not able to hire competent counsel to represent her prior to the trial scheduled
18 for April 9 and 10, 2007.

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20 3. On page 5, paragraph 5, lines 5 - 6 - the last sentence of this paragraph is inaccurate
21 and should be deleted. Mrs. Furer did not make that comment to the Court, that comment was made
22 by Mrs. Furer in response to representations Mr. Meador made to the Court. —

23
24 ... Meador lied in his motion that Mrs. Furer, had told
25 ... Judge Walker, "you are lying."

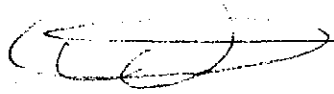
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4. On page 6, paragraph 10 is inaccurate. While there were discussions on April 9, 2007 about Mrs. Furer signing a HIPPA release and authorization, the Court deferred ruling on this issue and all discovery issues for three weeks and until Mrs. Furer had counsel. Please refer to page 3 of the minutes for April 9, 2007 and paragraph 14 of Plaintiff's proposed order which is inconsistent with paragraph 10.

5. On pages 6-7, in paragraph 14, items number 2, 3 and 4 should not be included as these are not items the Court indicated would be deferred for three weeks. With regard to items number 3 and 4, the Court stated that the prior orders would stand. With regard to item number 2, the Court did not indicate when it would rule on the motions for sanctions but merely indicated that there were many motions that the Court still needed to review and decide.

Wherefore, Mrs. Furer requests that the Court not enter the proposed order submitted by Plaintiff and instead enter her proposed order, a copy of which is attached as Exhibit "A."

DATED this 7th day of May, 2007

PECOS LAW GROUP


Dawn R. Throne, Esq.
Nevada Bar No. 006145
Michelle A. Hauser, Esq.
Nevada Bar No. 007738
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CERTIFICATE OF MAILING

I, hereby certify that on the ^{ok}7 day of May, 2007, I served pursuant to NRCP 5(b) by depositing in the United States Post Office, at Las Vegas, Nevada, in a sealed envelope, postage fully pre-paid thereon, a true and correct copy of the foregoing **OBJECTION TO PROPOSED ORDER REGARDING TRIAL DATE AND OTHER PROCEDURAL MATTERS**, addressed to:

Shawn B. Meador, Esq.
WOODBURN AND WEDGE
6100 Neil Road, Suite 500
Post Office Box 2311
Reno, Nevada 89505

Kent R. Robison, Esq.
ROBISON, BELAUSTEGUI, SHARP & LOW
71 Washington Street
Reno, Nevada 89503



Employee of Pecos Law Group

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December 21, 2006

DANE W. ANDERSON
MICHAEL W. KEANE
JOHN F. KEUSCHER
SHARON M. PARKER
JESSICA S. HANSON
JILL M. VACCHINA
BRENOCH R. WIRTHLIN
—
WILLIAM K. WOODBURN (1910-1989)
VIRGIL H. WEDGE (1912-2000)
CASEY W. VLAUTIN (1938-2001)
—
OF COUNSEL
JAMES J. HALLEY

SENT VIA FACSIMILE

Daniel Marks, Esq.
310 Carson Avenue, #702
Las Vegas, NV 89101

Gloria Petroni, Esq.
Belding, Harris & Petroni, Ltd.
417 W. Plumb Lane
Reno, NV 89509

Re: Furer v. Furer

Dear Counsel:

I have faxed a notice of entry of Order Following Status Conference and (Exhibit A) the Amended And Restated Mutual Restraining Order.

Due to a clerical error on p.3, ln. 6, "...September 26, 2006" has been changed to read "...September 26, 2005". I have enclosed an Amended Order Following Status Conference reflecting this change. Let me know if you concur.

*↑ Contension
Was Not Legal
after one year*

Sincerely yours,


Shawn B Meador

SBM:jgh
cc: K. Robison
A. Furer

Code: 2700

ORIGINAL

FILED

DEC 20 2006

RONALD A. LONGIN, JR. CLERK
By: [Signature] DEPUTY

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

ANDREW EARL FURER,
Plaintiff,

Case No. DV04-01626

Dept. No. 11

vs.

ELOISA BESADA FURER
Defendant.

ORDER FOLLOWING STATUS CONFERENCE

A status conference was conducted in this matter on November 22, 2006. Mr. Furer and his counsel, Shawn B Meador and Kent Robison, were present in court. Mrs. Furer and her counsel, Daniel Marks, participated by phone. Mrs. Furer's counsel, Gloria Petroni, was present in court. The Court, having reviewed the parties' status conference statements and pending motions, heard argument of counsel and statements by the parties. Based on the foregoing, and good cause appearing therefore, IT IS HEREBY ORDERED:

1. Personal Property: The Court's Order of September 26, 2006, is clarified to make it clear that Mrs. Furer has the right to make appropriate arrangements, including but not

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2 limited to reasonable advance notice, to have the personal
3 property awarded to her under the terms of the parties'
4 Marital Settlement Agreement packed and shipped to a location
5 or locations of her choice. ~~Mrs. Furer shall not have the~~
6 right to enter onto the property located at 949 Lakeshore
7 Blvd., Incline Village, Nevada, to supervise the packing or
8 for any other reason, but instead, shall be required to comply
9 with the mutual restraining order set forth in paragraph 6 of
10 this Court's Order After Early Case Management Conference
11 dated December 23, 2005. Mrs. Furer may have the safe that
12 was maintained in the master bedroom of the Incline residence
13 shipped to her in Las Vegas, provided, however, that before
14 the safe is allowed to be in Mrs. Furer's unsupervised
15 possession, Mrs. Furer's counsel shall cause the safe to be
16 opened and inventoried and shall promptly provide Mr. Furer's
17 counsel with a copy of the inventory. Mrs. Furer shall make
18 appropriate arrangements to have the property packed and
19 shipped within 30 days of the entry of this Order. ~~The Court~~
20 ~~will treat her failure to do so as a waiver of her right to~~
21 ~~possession of the property and Mr. Furer will then have the~~
22 ~~right to dispose of the property as he sees fit. Any disputes~~
23 regarding personal property that Mrs. Furer is to receive
24 under the terms of the parties' Marital Settlement Agreement,
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2 will be addressed in the next phase of this bifurcated
3 proceeding.

4 2. No Finding of Contempt: The Court finds that Mr.
5 Furer is not in contempt of the Order of this Court dated
6 September 26, 2006. The Court finds that there was no
7 language in that Order which required Mr. Furer to allow Mrs.
8 Furer to enter the Incline Residence to supervise the packing
9 of the personal property. In light of the Court's Rulings as
10 set forth in paragraphs 1 and 2 of this Order, Mr. Furer
11 voluntarily agreed to withdraw his Motion to Strike, dated
12 November 15, 2006. The attorneys' fees and costs that Mr.
13 Furer incurred in connection with these motions will be
14 addressed in the next phase of this bifurcated proceeding.
15

16 3. Family Photos: Mr. Furer shall inspect the
17 remaining family photos that are in his possession and shall
18 copy the photos he is interested in having. Mr. Furer shall
19 then have all of the original family photos that are in his
20 possession delivered to Mrs. Furer's counsel's office by no
21 later than January 15, 2007. The issue of who should bear
22 the costs of copying photos will be addressed in the next
23 phase of this bifurcated proceeding. Provided, however, that
24 the photographs which have already been packed will be
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2 4. Mrs. Furer's Automobile Insurance: On or before
3 December 13, 2006, Mrs. Furer shall obtain and pay the premium
4 for automobile insurance covering the vehicles that are in her
5 possession or titled in her name. The insurance coverage
6 shall be equivalent (in coverage amount, including the excess
7 liability umbrella coverage and with respect to named
8 insureds) to the insurance historically carried jointly by the
9 parties. Mr. Furer's claim that he should be reimbursed for
10 automobile insurance premiums that he paid to cover Mrs.
11 Furer's automobiles subsequent to the execution of the
12 parties' Marital Settlement Agreement will be addressed in the
13 next phase of this bifurcated proceeding. The prior orders
14 entered by the Court with respect to this issue remain in full
15 force and effect.

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18 5. Mrs. Furer's Personal Papers: Mr. Furer shall use
19 his best good faith efforts to locate any of Mrs. Furer's
20 personal papers, such as birth certificates, wedding license,
21 social security records, etc. and shall promptly deliver any
22 such documents to Mrs. Furer's counsel. Mr. Furer, however,
23 shall not be required to open packed boxes to search for Mrs.
24 Furer's papers.

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26 6. Interim Spousal Support: The interim spousal
27 support order shall continue, without prejudice, until further
28 order of this Court. Mr. Furer's claim that he should be

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2 what issues the parties believe may be amenable to settlement.
3 The parties' briefs shall be limited to no more than one page
4 per issue. Following receipt of the parties' respective Issue
5 Briefs, the Court shall enter appropriate orders which, among
6 other things, will address 1) what discovery, if any, is
7 necessary to allow the court to resolve the issues; 2) the
8 scope and timing of any such discovery; 3) which issues can be
9 addressed and ruled on by the Court without the need for an
10 evidentiary hearing; 4) whether additional briefing of any
11 legal or factual issues will be necessary or helpful; and 5)
12 any other or further orders that would assist the Court in
13 reaching prompt resolution of all outstanding issues.
14

15
16 9. Hearing Dates: A settlement Conference will be
17 conducted on January 25, 2007, at 1:30 p.m. Trial of any
18 disputed issues for which an evidentiary hearing is necessary
19 or helpful will be conducted on April 9 and 10, 2007.

20 DATED this 15 day of DECEMBER, 2006.

21
22 
23 DISTRICT COURT JUDGE