

Code: 4050

E. Alan Tiras, Esq.
Nevada State Bar #4400
937 Tahoe Blvd., Ste 130-B
Incline Village, Nevada 89451
Telephone: 775.832.5905
Email: atiras@sierrallawyers.com
Special Master

Richard Haskin, Esq.
Nevada State Bar No. 11592
Gibbs Giden Locher Turner
Senet & Wittbrodt LLP
7251 W. Lake Mead Blvd., Suite 450
Las Vegas, Nevada 89128
Telephone: 702.836.9800
Facsimile 310.861.5422
Attorney for Plaintiff

Whitney Selert, Esq.
Nevada State Bar No. 15769
O'Hagan Meyer PLLC
300 S. 4th Street, Suite 1250
Las Vegas, Nevada 89101
Telephone: 725.286.2801
Email: wselert@ohaganmeyer.com
Attorney for Club Tahoe Resorts Owners' Association, Inc.,
Keith Wilson, Gloria DeAlba,
Donald Wall, Robert Vermeltoort
and Marc Pearl

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

LAWRENCE GARVEY, AN INDIVIDUAL;
AND ROBERT PAYTON, AN INDIVIDUAL,

Plaintiff,

Case No.: CV25-02319

JOINT STIPULATION TO WAIVE
OBJECTIONS AND ADOPT THE
AMENDED INITIAL REPORT AND

Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

1 vs.

RECOMMENDATIONS OF THE SPECIAL
MASTER

2 CLUB TAHOE RESORT OWNERS'
3 ASSOCIATION, INC., A NEVADA NON-
4 PROFIT CORPORATION; KEITH WILSON,
5 GLORIA DEALBA; DONALD WALL;
6 ROBERT VERMELTFOORT; CHRISTINA
7 BECKER; KEITH OGDEN AND MARK
8 PEARL (ASSOCIATION BOARD MEMBERS
9 SUED IN THEIR INDIVIDUAL
10 CAPACITIES); AND DOES 1 THROUGH 10,
11 INCLUSIVE AND ROE CORPORATIONS I
12 THROUGH X, INCLUSIVE,

13 Defendant

14 Plaintiffs LAWRENCE GARVEY and ROBERT PAYTON ("Plaintiffs"), by and
15 through their counsel of record, RICHARD HASKIN, ESQ., and Defendants CLUB TAHOE
16 RESORT OWNERS' ASSOCIATION, INC., KEITH WILSON, GLORIA DEALBA, DONALD
17 WALL, ROBERT VERMELTFOORT and MARK PEARL ("Defendants"), by and through their
18 counsel of record, WHITNEY SELERT, ESQ. (collectively, the "Parties"), hereby enter into this
19 Joint Stipulation to Waive Objections and Adopt the Amended Initial Report and
20 Recommendations of the Special Master pursuant to Nevada Rule of Civil Procedure 53(f) et
21 seq.

22 **RECITALS**

23 1. On April 3, 2026, this Court entered an Order Appointing Special Master,
24 designating E. Alan Tiras, Esq. as the Court-Appointed Special Master to oversee the operations,
25 financial management, and board election procedures of the Club Tahoe Resort Owners'
26 Association, Inc.

27 2. On May 21, 2026, the Special Master submitted and filed his Amended Initial
28 Report of Special Master (the "Report"), a copy of which is attached hereto as Schedule 1, which
outlines the status of his appointment, financial oversight measures, and specific administrative
recommendations regarding the upcoming Association meeting and election.

Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

3. Pursuant to NRCP 53(f)(1), the Parties have fourteen (14) days from the service of notice of the filing of a master's report to file written objections.

4. To avoid unnecessary delay, promote judicial economy, and collectively facilitate an orderly, fair, and rule-compliant election to restore governance to the Association, the Parties have agreed to waive all operational and procedural objections to the Report and stipulate to the immediate adoption of the Special Master's recommendations.

STIPULATION

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, through their respective counsel of record, as follows:

1. The Parties hereby explicitly waive their right to file written objections to the Special Master's Report under NRCP 53(f)(1).

2. The Parties fully stipulate to the findings and recommendations set forth by the Special Master in Section IV of the Report.

3. Regarding Recommendation No. 4 of the Report (concerning staggered terms of office), the Parties expressly stipulate and agree that those Board members elected to a "1-year term" shall serve until the 2028 Annual Meeting, and those Board members elected to a "2-year term" shall serve until the 2029 Annual Meeting, thereby providing necessary administrative continuity as recommended by the Special Master.

4. The Parties jointly and respectfully request that this Court enter an Order adopting the Special Master's Amended Initial Report and Recommendations in its entirety consistent with the terms of this Stipulation.

5. This Stipulation may be executed in counterparts and via electronic signatures, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

////

////

Joint Stipulation to Waive Objections and Adopt the Amended Initial Report and Recommendation of the Special Master

1
2 Respectfully submitted this 26th day of May, 2026.

3 

4 E. Alan Tiras, Esq.
5 Special Master, Club Tahoe Resort Owners' Association, Inc.
6 937 Tahoe Boulevard, Suite 130-B
7 Incline Village, Nevada 89451

8 STIPULATED TO:

9 GIBBS GIDEN LOCHER TURNER
10 SENET & WITTBRODT LLP

O'HAGAN MEYER PLLC

11 By: /s/ Richard Haskin.
12 RICHARD HASKIN, ESQ.
13 Nevada State Bar No. 11592
Attorney for Plaintiffs

By: /s/ Whitney Selert
WHITNEY SELERT, ESQ.
Nevada State Bar No. 15769
Attorneys for Defendants

14 Dated: May 26, 2026

Dated: May 26, 2026

15
16
17
18
19
20
21
22
23
24
25
26
27 Joint Stipulation to Waive Objections and Adopt the
28 Amended Initial Report and Recommendation of the Special Master

Schedule 1
Amended Initial Report of Special Master, E. Alan Tiras
[ATTACHED]

Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

Code: 1944

E. Alan Tiras, Esq.

Nevada State Bar #4400

937 Tahoe Blvd., Ste 130-B

Incline Village, Nevada 89451

Telephone: 775.832.5905

Email: atiras@sierrallawyers.com

Special Master

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

LAWRENCE GARVEY, AN INDIVIDUAL;
AND ROBERT PAYTON, AN INDIVIDUAL,

Plaintiff,

vs.

CLUB TAHOE RESORT OWNERS'
ASSOCIATION, INC., A NEVADA NON-
PROFIT CORPORATION; KEITH WILSON,
GLORIA DEALBA; DONALD WALL;
ROBERT VERMELTFOORT; CHRISTINA
BECKER; KEITH OGDEN AND MARK
PEARL (ASSOCIATION BOARD MEMBERS
SUED IN THEIR INDIVIDUAL
CAPACITIES); AND DOES 1 THROUGH 10,
INCLUSIVE AND ROE CORPORATIONS I
THROUGH X, INCLUSIVE,

Defendant

Case No.: CV25-02319

AMENDED

INITIAL REPORT OF SPECIAL MASTER,
E. ALAN TIRAS

On May 6, 2026, the Special Master submitted the Initial Report of Special Master. Subsequent to that filing, the Special Master was made aware of an error in the Report and hereby submits this Amended Initial Report of Special Master to replace the earlier submittal in its entirety.

Initial Report of Special Master E. Alan Tiras

INITIAL REPORT AND RECOMMENDATIONS OF THE SPECIAL MASTER

Pursuant to the Order Appointing Special Master entered on April 3, 2026 (the “Order”), the undersigned, E. Alan Tiras, Esq., in his capacity as the Court-Appointed Special Master, hereby submits this initial report (the “Report”) regarding the status of the Club Tahoe Resort Owners’ Association (the "Association"), the management of its assets, and the proposed procedures for the upcoming election of the Board of Directors.

I. STATUS OF APPOINTMENT AND INITIAL ACTIONS

- 1) Acceptance and Conflict Disclosure: The Special Master has filed the required affidavit disclosing prior professional relationships with counsel for the parties and has confirmed his ability to serve impartially.
- 2) Member Communication: On April 17, 2026, a letter was sent to all members of the Association explaining the Special Master’s role, the current lack of a duly serving Board, and the intent to restore elected governance (the “April 17 Letter”). This Letter was sent out to all known Member email addresses and mailing addresses along with posting it on the Association’s Community webpage. A copy of the April 17 Letter is attached as Schedule 1 to this Report.
- 3) Operational Oversight: The Special Master met with the resort’s onsite Property Manager, Roman Garcia, and has met several times with representatives from Grand Pacific Resorts (“GPR”) to ensure operational continuity. The resort remains fully operational, and no material changes to existing policies or vendor contracts have been made.
- 4) Counsel Communication: The Special Master has had several meetings with counsel for the above-named Plaintiffs and Defendants and all have worked together and have been generally successful in developing consensus on the Rule and Court compliant procedures to be used for the Association’s upcoming Meeting and Election.

II. FINANCIAL MANAGEMENT AND ASSET PRESERVATION

- 1) Bank Account Control: It has been identified that certain Association bank accounts remain under the signatory control of members of a prior Association Board. To ensure

Initial Report of Special Master E. Alan Tiras

1 the Association can meet its financial obligations and avoid "governance paralysis," the
2 Special Master moves the Court to take direct control of these accounts and transfer
3 signatory authority from former board members to the Special Master's office for the
4 duration of this appointment.

- 5 2) Fees and Costs: Consistent with Section 6 of the Order, fees and costs are to be shared
6 equally between the Plaintiffs and Defendants. The Special Master understands that the
7 Plaintiffs have filed a Motion for Modification of Order Appointing Special Master
8 requesting that the entirety of the Special Master's fees and costs be paid by the
9 Association and that the Defendants will file an opposition to this Motion. The Special
10 Master will wait to submit his first billings until the Court has entered its decision on this
11 Motion.
- 12 3) Asset Management: Certain maintenance items have been brought to the attention of the
13 Special Master. Those items which are typically dealt with in the ordinary course of
14 business are continuing to be handled in such a manner. Extraordinary items are being
brought to the Special Master's attention to be dealt with at the board level.

15 **III. ELECTION PLANNING AND PROCEDURES**

16 The Special Master's primary objective is to facilitate a fair and rule-compliant election.
17 Following consultations with GPR and counsel for both parties, the following plan is proposed:

- 18 1) Proposed Election Date and Member Meeting: October 17, 2026.
- 19 2) Contingency Date: In the event a quorum is not reached, a follow-up meeting is
tentatively scheduled for November 7, 2026.
- 20 3) Threshold Issues for Vote: Because the validity of previous board size changes is
21 disputed, the upcoming meeting will include a membership vote to determine the
22 permanent size of the Board (3, 5, or 7 members) followed immediately by the election of
23 directors for those seats.

- 1 4) Use of Proxies / Designation of Member Meeting as “Annual Meeting”: Proxies may be
2 used under Article III of the Bylaws but are specifically disallowed under Article IV¹ for
3 Special Meetings. As an Annual Meeting is typically scheduled for the last Saturday of
4 April and this meeting did not take place, the Special Master requests that the Court rule
5 that the upcoming Member Meeting be designated as an Annual Meeting so that proxies
6 may be used to establish a quorum and to encourage maximum engagement of the
7 Association members.
- 8 5) Nomination Process: A formal nomination period will be established. Candidates will be
9 required to submit a one-page biography and statement to be included in the official
10 election packet sent to members.
- 11 6) Term of Office: As the entire board is to be elected at the upcoming meeting, the board
12 members shall be elected for staggered terms. Here, 2, 3 or 4 board members will serve
13 for “2 years” and 1, 2 or 3, as the case may be, based on item III(3), above, will serve for
14 “1-year.” As the proposed election date is October 17, 2026, and the next Annual
15 meeting is scheduled for April 24, 2027 (the “2027 Annual Meeting”), the board
16 members elected for the “1-year term” would only be serving for approximately 6 months
17 and the board members elected for the “2-year term” would only be serving for
18 approximately 18 months before the April 29, 2028 Annual Meeting (the “2028 Annual
19 Meeting”). Alternatively, if the Court decides, those board members elected for the “1-
20 year term” could serve until the 2028 Annual Meeting and those board members elected
21 for the “2-year term” could serve until the Annual Meeting on April 28, 2029 (the “2029
22 Annual Meeting”). It is notable that major policy decisions impacting the Association are
23 expected over the next couple of years. The Special Master recommends that the “1-year
24 term” expire at the 2028 Annual Meeting and the “2-year term” expire at the 2029

25
26 ¹ See, Article IV, Section 4 of the Bylaws.

1 Annual Meeting and hereby requests the Court rule on the length of the terms for the
2 board members being elected in October.

- 3 7) Quorum: Article III, Section 2 of the Association Bylaws dated August 8, 1979 define a
4 quorum to be a “majority of the Interval Unit Owners” in person or by proxy (e.g., >50%)
5 and, in the “absence of a quorum at a members’ meeting,” the meeting may be adjourned
6 for not less than five (5) days and not more than thirty (30) days from the original
7 meeting date and “[t]he quorum for such an adjourned meeting shall be twenty-five
8 (25%) percent . . .” On October 17, 2003, the First Amendment to Amended Declaration
9 of Covenants, Conditions and Restrictions, Club Tahoe Resort was executed and filed
10 with the Washoe County Recorder on October 20, 2003 which Amended Article VII,
11 VIII and IX of the Amended Declaration of Covenants, Conditions and Restrictions, Club
Tahoe Resort and Article III of the Bylaws to provide:

12 In accordance with NRS 119A.526, a quorum is present thereof at any meeting of
13 the Club Tahoe Resort Associations, Inc. if the persons thereat are entitled to cast
14 10% of the votes that may be cast, are present, in person, or by proxy, at the
15 beginning of the meeting”

16 An issue has been presented as to whether Association Owned Units and/or Delinquent
17 Interval Owners should be counted for quorum purposes and, if so, whether those Owners
should be entitled to vote.

18 The records provided by the previous property manager (Tricom) are reported to be
19 incomplete and the accuracy is suspect. Nevertheless, as of this date, the records reflect
20 the ownership of the interval weeks is as provided in Schedule 2, attached hereto. The
21 Property Manager and Special Master are working together to confirm the accuracy of
22 the reflected ownership and this information is subject to change with the review and
23 discovery of additional information.

24 The Association took ownership of approximately 372 interval weeks and, the Special
25 Master believes that, as an Owner, the Association should be treated similarly to any
26 other Interval owner for quorum and voting purposes. That notwithstanding, it is the

27 Initial Report of Special Master E. Alan Tiras

1 Special Master's intention to refrain from actually voting those intervals at the upcoming
2 election.

3 Further, pursuant to Article III, Section 5 of the Bylaws, all Interval Owners "delinquent
4 in the payment of any assessment for a period in excess of one year" shall have their
5 voting rights suspended. Although the governance documents are silent on how to count
6 these Interval Weeks for quorum purposes, NRS 119A.526(1) provides some guidance:

7 NRS 119A.526

8 1. Unless the bylaws of an association specify a larger percentage, a quorum
9 is present throughout any meeting of the association if persons entitled to cast 10
10 percent *of the votes that may be cast* are present in person or proxy at the
11 beginning of the meeting. (*Emphasis Added*)

12 Based on the foregoing, it is the Special Master's opinion that, the Delinquent Interval
13 Owners are not entitled vote and, accordingly, those interval weeks should be not be
14 counted for quorum purposes.

15 Based on the foregoing, assuming the Association's owned units are counted toward the
16 quorum and the Delinquent Owners (with balances outstanding for more than 1 year) are
17 not counted, a quorum would consist of 384 interval week owners. The Special Master
18 recommends that the Court adopt this number for purposes of establishing a Quorum at
19 the upcoming Member Meeting.

- 20 8) Meeting Appearance: A meeting packet will be sent to all Association Members to their
21 address of record and the Special Master believes that setting a record date (e.g., the date
22 on which Members must own their interval week to be eligible to attend the meeting and
23 to vote) thirty-five (35) days prior to the meeting date is an appropriate date. The
24 meeting packet will provide the meeting notice, proxy form, election form, candidate
25 biography, instructions for submitting their votes in advance of the Members Meeting
26 either via paper/mail or electronically and other required documentation. Logistically,
27 Members may attend in person, virtually or via proxy although it is believed that it may
28 be most convenient for most Members who wish to attend on the day of the meeting to
attend virtually. Virtual attendance will also provide a cost saving by avoiding

Initial Report of Special Master E. Alan Tiras

1 potentially renting space to accommodate Members appearing in person. Based on the
2 foregoing, it is recommended that the Meeting be held virtually only (allowing for
3 Members to “appear” via proxy to place their votes in advance). The Special Master will
4 personally be present in Incline Village, Washoe County, Nevada and asks the Court for a
5 determination that all Members appearing virtually or who submitted their votes
6 electronically and/or via proxy at or in advance of the meeting be treated as attending the
7 Member Meeting in Washoe County, Nevada consistent with Article IV, Section 1 of the
8 Bylaws.

- 9 9) Election of Board Members: As there are presently unresolved variables involved in the
10 number of board members being elected and the term of each, the Special Master
11 recommends that the board positions be filled as follows:

12 a) Depending on the number of board members being elected (please see,
13 Section III(3), above), the top vote getters at the upcoming election will be elected
14 first to fill the available “2-year” positions and then to fill the “1-year” positions.
15 By way of example, it is recommended that, should there be a seven-member
16 board, the top 4 vote getters would be elected to serve the 4 “2-year” positions
17 and the next 3 highest vote getters would be elected into the 3 “1-year positions.
18 The same process would be used for a 5-person or 3-person board but with
19 election only of the top 5 vote getters or top 3 vote getters, respectively.

- 20 10) Other Business: Any other business to come before the association will be addressed at
21 the Member Meeting.

- 22 11) Election of Officers: Pursuant to Article VII of the Association Bylaws, a President, a
23 Vice-President, a Secretary and a Treasurer shall all be elected by the newly elected
24 Board of Directors at a Board of Directors’ meeting immediately following the Members
25 Meeting.

26 /////

27 /////

28 Initial Report of Special Master E. Alan Tiras

IV. RECOMMENDATIONS TO THE COURT

The Special Master respectfully recommends that the Court:

- 1) Approve the proposed election timeline and the inclusion of the "Board Size" vote on the ballot to resolve underlying governance disputes.
- 2) Ratify the Special Master's transition of signatory authority over all Association bank accounts to ensure the uninterrupted payment of staff, vendors, and maintenance obligations.
- 3) Order that the designation of the upcoming Member meeting be an "Annual Meeting" as described in the Association Bylaws.
- 4) Order the persons being elected to a "1-year term" to either serve to the 2027 Annual Meeting OR to the 2028 Annual Meeting and for those persons being elected to a "2-year term" to either serve to the 2028 Annual Meeting OR to the 2029 Annual Meeting.
- 5) Order that all eligible voting Members be allowed to appear and participate in the Member Meeting virtually or via proxy at or in advance of the Member Meeting and that all such appearances be deemed to take place in Washoe County, Nevada pursuant to Article IV, Section 1 of the Association's Bylaws.
- 6) Order that all interval owners, including the Association but not including delinquent owners whose delinquency is at least one-year, be counted for Quorum purposes and that the Quorum for purposes of the upcoming Member Meeting be 10% of such intervals (e.g., 384 interval weeks).
- 7) Order that the process of election of the board members provide that the top vote getters are elected to the board where the highest are elected into 2-year positions and then the balance (up to the number of board members being elected) are elected into the 1-year positions.
- 8) Encourage a status conference if the underlying litigation requires further clarification on candidate eligibility or quorum requirements under Nevada law.

Initial Report of Special Master E. Alan Tiras

1
2 Respectfully submitted this 19th day of May, 2026.

3 

4 E. Alan Tiras, Esq.
5 Special Master, Club Tahoe Resort Owners' Association, Inc.
6 937 Tahoe Boulevard, Suite 130-B
7 Incline Village, Nevada 89451
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 Initial Report of Special Master E. Alan Tiras

Schedule 1
April 17, 2026 Letter to Association Membership
[ATTACHED]

Initial Report of Special Master E. Alan Tiras

E. ALAN TIRAS, ESQ.
Special Master – Club Tahoe Resort Owners’ Association
937 Tahoe Boulevard, Suite 130-B
Incline Village, Nevada 89451

April 17, 2026

TO ALL MEMBERS OF CLUB TAHOE RESORT OWNERS’ ASSOCIATION

RE: Court-Appointed Special Master – Important Notice Regarding Association Governance

Dear Members of Club Tahoe Resort Owners’ Association:

I am writing to you in my capacity as Court-Appointed Special Master for Club Tahoe Resort Owners’ Association, Inc. (the “Association”). This letter is intended to inform you of recent legal proceedings directly affecting the governance of the Club Tahoe Resort Owners’ Association (the “Association”), the current status of the Board of Directors, and the steps that will be taken to replace me with member-elected leadership as quickly as possible.

BACKGROUND AND LEGAL PROCEEDINGS

As many of you are aware, a dispute arose regarding the validity of the Association’s most recent Board of Directors election, the composition of the Board, and certain actions taken by or on behalf of the Board. That dispute resulted in litigation filed in the Second Judicial District Court of the State of Nevada, Washoe County, Case No. CV25-02319 (the “Litigation”).

On April 3, 2026, the Honorable District Court Judge Scott Freeman issued an Order Appointing Special Master (the “Order”) in the Litigation. A copy of that Order is enclosed with this letter for your review.

CURRENT STATUS OF THE BOARD OF DIRECTORS

I must inform you plainly: there is currently no duly serving Board of Directors for the Association.

The Court found that the governance dispute, including the contested Board election procedures and the resulting uncertainty over who is lawfully authorized to act on behalf of the Association, has created an emergency condition in which the Association cannot function properly without a valid and properly constituted Board in place. Both parties to the Litigation agreed before the Court that appointment of a Special Master was an appropriate and necessary step to address this situation.

Until a new Board of Directors has been duly elected and fully established in their roles and responsibilities, I, as Special Master, am authorized by the Court’s Order to perform the functions of the Board and to manage, supervise, and maintain the Association and its operations. In practical terms, this means that I am currently serving in the role that your elected Board would otherwise occupy.

I want to be clear that my role is not to take sides in the underlying Litigation, nor to make permanent policy decisions for the Association. My mandate from the Court is to be a neutral

officer, to keep the Association operating, to protect its assets and physical premises, and to facilitate a fair and orderly election so that the members of this Association can elect the leadership of their choice.

THE SPECIAL MASTER'S ROLE AND AUTHORITY

The Court's Order grants me the following authority and responsibilities during the period of my appointment:

- **Day-to-Day Management of the Association.** I am authorized to manage and supervise the Association's ongoing operations, maintenance of the physical premises, and preservation of Association assets. The Association's staff and vendors will continue their normal functions, and I will oversee those relationships to ensure continuity of services to members.
- **Financial Oversight.** I will exercise oversight over the Association's finances to ensure that funds are appropriately managed and that the Association's financial obligations are met. No extraordinary expenditures will be made without appropriate consideration of the Association's best interests.
- **Preservation of the Status Quo.** Unless required by the operational needs of the Association, I will not make material changes to existing policies, rules, contracts, or programs. My role is to maintain, not to transform, – the Association pending the election of a new Board.
- **Oversight of the Board Election.** Most importantly, I am charged by the Court with promptly scheduling and overseeing an election for the Board of Directors in full compliance with the Association's governing documents and applicable Nevada law. A more detailed description of the election process is set forth below.
- **Reporting to the Court.** I will file reports and recommendations with the Court as required by the Order. The Court retains ultimate oversight of my activities and decisions, and any party may seek Court review of my actions.
- **Dispute Resolution.** I will endeavor to resolve any issues that arise in the course of my duties as quickly and inexpensively as possible, and I will avoid disputes wherever practicable.

THE UPCOMING BOARD OF DIRECTORS ELECTION

My primary mission is to restore elected, member-controlled governance to this Association as soon as practicable. To that end, I will be taking the following steps to organize and conduct a new Board of Directors election in accordance with the Association's governing documents and Nevada law:

1. **Review of Governing Documents.** I will promptly review the Association's CC&Rs, Bylaws, and any applicable election rules to confirm the precise procedural requirements for a valid Board election, including the number of seats to be filled, eligibility criteria for candidates, notice requirements, quorum requirements, and voting procedures.

2. Member Record Verification. I will work with Association management to verify and update the current membership roster to ensure that all members in good standing are identified and that election notices and ballots reach every eligible voter possible.

3. Notice to Members. Proper advance notice of the election will be provided to all members in the manner required by the governing documents and Nevada law. This notice will include information about the election date, candidate nomination procedures, and voting instructions.

4. Candidate Nomination Process. I will establish and announce a nomination period during which any eligible member may submit their candidacy for a position on the Board of Directors. All nominations will be processed in a transparent and non-discriminatory manner consistent with the governing documents.

5. Conduct of the Election. The election will be conducted in strict compliance with the Association's governing documents and Nevada law. I will take all reasonable steps to ensure that the election is fair, transparent, and that every eligible member has a meaningful opportunity to vote.

6. Certification and Transition. Once the election has been completed and the results certified, I will facilitate the transition of governance to the newly elected Board of Directors, ensuring that they have full access to all Association records, accounts, and operational information. Upon the new Board's full establishment in their roles, my appointment as Special Master will be concluded.

I intend to move forward with these steps as expeditiously as possible. You will receive further written notice in advance of the nomination period and election date.

QUESTIONS AND COMMUNICATIONS

I recognize that this is an unusual and potentially unsettling situation, and I welcome your questions. Please note, however, that the Court's Order requires that communications between members and the Special Master be conducted appropriately. Members wishing to contact me regarding Association operational matters may do so in writing at the address listed in this letterhead. My apologies, but no phone calls or personal meetings will be allowed.

Please be advised that the underlying Litigation between the named parties continues before the Court. Members who are not parties to the Litigation should not attempt to contact the Court directly, and members who are parties to the Litigation must continue to communicate through their counsel of record.

////

////

Letter to
Club Tahoe Resort Owners' Association Membership
April 17, 2026
Page -4-

I am committed to serving all members of this Association fairly and impartially, and to returning governance of the Association to you, through your elected representatives, as soon as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Alan Tiras", with a horizontal line extending from the end of the signature.

E. Alan Tiras, Esq.

Special Master

Club Tahoe Resort Owners' Association, Inc.

Appointed by Order of the Second Judicial District Court,
Washoe County, Nevada, Case No. CV25-02319

Enclosure: Order Appointing Special Master, dated April 3, 2026

Code: 3370

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

LAWRENCE GARVEY, an individual; and
ROBERT PAYTON, an individual,

Plaintiffs,

v.

CLUB TAHOE RESORT OWNERS'
ASSOCIATION, INC., a Nevada non-profit
corporation; KEITH WILSON, GLORIA DEALBA;
DONALD WALL; ROBERT VERMELTFOORT;
CHRISTINA BECKER ; KEITH OGDEN AND
MARK PEARL (Association Board Members Sued
In Their Individual Capacities); and DOES 1 through
10, inclusive and ROE CORPORATIONS I through
X, inclusive,

Defendants.

Case No.: CV25-02319

Dept. No.: 9

ORDER APPOINTING SPECIAL MASTER

This matter came before this Court for oral arguments on April 1, 2026. At the time of the hearing the Court was in receipt of Defendants CLUB TAHOE RESORT OWNERS' ASSOCIATION, INC. (hereafter "The Association") and its BOARD OF DIRECTORS, DEFENDANTS KEITH WILSON, GLORIA DEALBA, DONALD WALL, MARC PEARL, AND ROBERT VERMELTFOORT (hereafter the "Board") (collectively "the Defendants") *Motion for Preliminary Injunction* filed January 27, 2026; Plaintiffs LAWRENCE GARVEY and ROBERT PAYTON's (hereafter the "Plaintiffs") *Opposition to Motion for Preliminary Injunction* filed February 17, 2026, Plaintiffs' *Opposition to Defendants' Request for Submission* filed February 19,

2026; and Defendants’ *Reply in Support of Motion for Preliminary Injunction* filed February 24, 2026.

The Court was also in receipt of Defendants’ *Motion for Order Shortening Time* filed January 27, 2026; Plaintiffs’ *Opposition to Motion for Order Shortening Time* filed January 28, 2026; Defendants’ *Reply in Support of Motion for Order Shortening Time* filed February 4, 2026.¹

Finally, the Court was also in receipt of the Plaintiffs’ *Motion for Preliminary Injunction Against Defendants* filed February 17, 2026; Defendants’ *Opposition to Countermotion for Preliminary Injunction* filed March 3, 2026; and Plaintiffs’ *Reply in Support of Motion for Preliminary Injunction Against Defendants* filed March 10, 2026.

The Court is also in receipt Defendants’ *Motion to Strike Fugitive Document* filed February 23, 2026; Plaintiffs’ *Opposition to Motion to Strike Fugitive Document* filed February 26, 2026; and Defendants’ *Reply in Support of Motion to Strike Fugitive Document* filed March 2, 2026.

During the hearing Plaintiff further developed at the Court’s invitation, their alternative request for the appointment of a special master pursuant to NRCP 53. *See Plaintiff’s Motion for TRO*, pg. 21:8-28. After hearing arguments, reviewing the pleadings and papers on file herein, and having considered the factors set forth in NRCP 53, the Court granted that request and ORDERED that a Special Master be appointed in this case.

STANDARD OF REVIEW

The Legislature has repeatedly allowed Courts to exercise its authority in appointing a special mater by enacting laws permitting masters to act as referees in district courts. *Matter of L.L.S.*, 137 Nev. 241, 244, 487 P.3d 791, 795 (2021) (*citing Henry v. Nev. Comm’n on Judicial Discipline*, 135

¹ The Court notes that the matter for the order shortening time is now moot due to the passage of time and the numerous other conflicting motions that were filed by the parties collectively throughout this matter. The Court notes for the parties that due to there being two conflicting motions for a temporary restraining order the Court used its discretion to reserve its ruling on each motion so that they could collectively be heard together along with any other outstanding motions. Such a decision is within this Court’s discretion to control its docket in order to resolve these matters in a fair and expeditious manner. *See Johnson v. State*, 135 Nev. 667 (Nev. App. 2019); *see also Maheu v. Eighth Judicial Dist. Court*, 89 Nev. 214, 217, 510 P.2d 627, 629 (1973) (recognizing the court’s inherent power to “control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants”); *Yong v. Immigration and Naturalization Service*, 208 F.3d 1116, 1119 (9th Cir.2000) (holding that a court has the inherent authority to control its own docket and calendar)). Moreover, this Court notes that the modern rules of procedure “*are recognized as being intended to allow the court to reach the merits, as opposed to disposition on technical niceties.*” *Costello v. Casler*, 127 Nev. 436, 441 (2011) (*citing Schmidt v. Sadri*, 95 Nev. 702, 705 (1979) (holding “The [L]egislature envisioned that [the Nevada Rules of Civil Procedure] would serve to simplify existing judicial procedures and promote the speedy determination of litigation upon its merits.”)) (emphasis added).

1 Nev. 34, 36, 435 P.3d 659, 661 (2019) (recognizing the Legislature's constitutional authorization to
2 provide for masters)).

3 Under NRCP 53(a)(2), the court may appoint a master to (1) perform duties consented to by
4 the parties; (2) address pretrial or posttrial matters that cannot be effectively and timely addressed by
5 an available judge; or (3) in actions to be decided without a jury, hold trial proceedings and
6 recommend findings of fact, conclusions of law, and a judgment, if appointment is warranted by (a)
7 some exceptional condition; or (b) the need to perform an accounting or resolve a difficult
8 computation of damages. *See* NRCP 53(a)(2). Additionally, NRCP 53(b)(2) provides that “[a]ny
9 party may move to have a master appointed, or the court may issue an order to show cause.”

10 In actions not before a jury, NRCP 53(b) authorizes referral to a special master for “matters
11 of account and of difficult computation of damages” or “upon a showing that some exceptional
12 condition requires it.” *Venetian Casino Resort, LLC v. Eighth Jud. Dist. Ct. of State ex rel. Cnty. of*
13 *Clark*, 118 Nev. 124, 128, 41 P.3d 327, 329 (2002). Where matters of account are involved, referral
14 to a special master is only warranted if the matters are “beyond the competence of a court,” which
15 has been found to matters that are “not simple, would reach substantial proportions, or would consume
16 an inordinate amount of judicial resources.” *Id.* “In all cases, referral to a special master is only
17 warranted when it is necessary, not merely when it is desirable.” *Id.*

18 Additionally, special masters may only exercise limited authority. The Supreme Court has
19 explained that “[m]asters are appointed ‘to aid judges in the performance of specific judicial duties,
20 as they may arise in the progress of a cause,’ and not to place the trial judge into a position of a
21 reviewing court.” *Id.* The district court, not the special master, is primarily responsible for
22 determining the rights of the parties. *Id.*

23 **FINDING OF FACT AND CONCLUSION OF LAW APPOINTING SPECIAL MASTER**

24 The Court finds that upon hearing arguments on this matter, the governance dispute in this
25 case presents exceptional conditions that warrant the appointment of a special master. The Court finds
26 that the technical nature of the Governing Documents, the complex factual and legal history of the
27 association Board election procedures that have been asserted and challenged, and the emergency
28 situation where the Association cannot function properly without a valid and proper board of directors
in place, all support such an appointment. Additionally, both parties averred during the April 1, 2026,

1 hearing that they are agreeable that this matter be oversaw by a special master appointed by this Court.
2 Therefore, the Court finds that the appointment of a master will provide an efficient resolution to the
3 governance dispute, minimize the period of the current governance paralysis affecting the
4 Association, and ensure the just and expeditious resolution of this matter while ensuring that all
5 interests of the parties are properly considered while maintaining the status quo until the resolution
6 of this matter.

7 THEREFORE, IT IS HEREBY ORDRED as follows:

8 ***1. Appointment.***

9 The Court hereby appoints the E. Alan Tiras, Esq. of E. Alan Tiras P.C., 937 Tahoe
10 Boulevard, Suite 130-B, Incline Village, Nevada 89451 as Special Master in this action (hereafter
11 referred to as “Special Master”).

12 ***2. Special Master's Duties and Authority.***

13 The Special Master is appointed pursuant to NRCP 53(a)(2)(B) to manage, supervise, and
14 resolve the issues listed at the beginning of this Order and considered during the hearing on April 1,
15 2026.

16 The Special Master shall promptly schedule and oversee an election for the Board of
17 Directors for the Association in compliance with the Association’s governing documents and Nevada
18 law. Additionally, the Special Master shall manage, supervise, and maintain the Association up and
19 until a new Board of Directors has been elected and fully established within their roles and
20 corresponding responsibilities. The Special Master may use his discretion when considering how best
21 to maintain the Association, its assets, physical premise, and any related matter so long as he acts in
22 the best interest of the Association.

23 The Special Master may also perform any additional duties the parties consent to in writing
24 through a stipulation and order. The Special Master shall proceed with all reasonable diligence to
25 undertake these responsibilities with a view to avoiding disputes wherever possible and, where
26 disputes arise, to resolve them as quickly and inexpensively as possible. The Special Master shall
27 have the authority provided to masters as set forth in NRCP 53(d), unless otherwise provided herein.
28

1 **3. Report and Recommendations.**

2 The Special Master shall have the duties charged to masters related to reports and
3 recommendations as set forth in NRCP 53(e), except that the Special Master shall not be required to
4 comply with NRCP 53(e)(1)(D) by filing the original exhibits and a transcript of the proceedings and
5 evidence with any report and recommendations.

6 *(a) Objection to or Modification of Report and Recommendations.*

7 Any party that objects to or wishes to seek a modification of the Special Master's report and
8 recommendation on any matter shall file an objection or request to modify within fourteen (14) days
9 of service of the report and recommendation, specifying the grounds therefore. Any party may file an
10 opposition to the objection or request to modify within fourteen (14) days of service of the objection
11 or request to modify, and a reply to any opposition shall be filed within seven (7) days of any
12 opposition.

13 *(b) District Court's Standard and Method of Review.*

14 In reviewing a Special Master's report and recommendations and in ruling on any objection
15 or request to modify a report and recommendations, the District Court shall review legal
16 determinations and findings de novo and factual determinations and findings for abuse of discretion.
17 The Court may set the objection or request to modify for hearing or may rule on the pleadings and
18 papers on file.

19 *(c) Failure to object.*

20 If no party has filed a timely objection or request to modify the Special Master's findings of
21 fact and conclusions of law, the Court will adopt the Special Master's report and recommendations
22 by court order and may do so without a hearing.

23 **4. Ex Parte Communications.**

24 *(a) With the Court.*

25 The Special Master may have ex parte communications with the Court regarding (1) the
26 scope of the Special Master's duties; (2) assisting the Court with procedural matters, such as apprising
27 the Court regarding logistics, the nature of the Special Master's activities, and management of the
28 litigation; (3) any matter upon which the parties or their counsel have consented; (4) the application
of NRCP 53; and (5) any matter, the subject of which is initiated by the Court.

1 (b) *With the Parties and Counsel.*

2 The parties shall not engage in any ex parte communications with the Special Master, and
3 the Special Master shall not engage in any ex parte communications with any of the parties, unless
4 otherwise agreed by the parties, confirmed in writing (or by email).

5 ***5. Material to be Preserved and Filed as the Record of the Special Master's Activities.***

6 All orders, reports, and recommendations of the Special Master shall be filed with the Court,
7 unless the parties or their counsel have agreed otherwise. It shall be the duty of the parties and counsel,
8 not the Special Master, to provide for any record of proceedings with the Special Master. The Special
9 Master shall not be responsible for maintaining any records of the Special Master's activities other
10 than billing records. In the event of any hearing where evidence is taken, it shall be the duty of the
11 parties and counsel to preserve any exhibits tendered or rejected at the hearing and to provide the
12 Special Master with a copy of all transcripts. Materials provided to the Special Master shall be filed,
13 kept, and where applicable, subject to any stipulated protective order.

14 ***6. Compensation.***

15 The Special Master shall be compensated at a rate which is his standard billable rate and shall
16 be reimbursed for all reasonable expenses and costs incurred in the performance of his duties.

17 (a) *Allocation of Fees and Costs.*

18 The Special Master's fees and costs shall initially be shared evenly between the parties
19 subject to further order. Any fees and costs paid by a party may be reallocated by the Court in its
20 discretion, and an award of costs at the conclusion of the case may include an award of all fees and
21 costs incurred with the Special Master.

22 (b) *Prompt Payment to the Special Master.*

23 The Special Master shall bill the parties monthly for fees and disbursements, with invoices
24 that provide sufficient description to understand the work performed and costs incurred. The parties
25 shall promptly pay the Special Master upon receipt of the Special Master's invoice.

26 ***7. Special Master's Affidavit.***

27 The Special Master shall file an Affidavit required by NRCP 53(b)(4) disclosing whether
28 there is any ground for his disqualification under Rule 2.11 of the Revised Nevada Code of Judicial
Conduct.

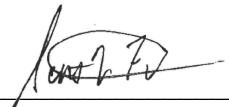
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

8. First Meeting With the Special Master.

Pursuant to NRCp 53(d)(2)(B), the Special Master shall set a time and place for the first meeting of the Parties to be held within 21 days after the date of this Order.

IT IS SO ORDERED.

DATED this 3rd day of April 2026.



DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court
3 of the State of Nevada, County of Washoe, and I electronically filed the foregoing with the Clerk of
4 the Court electronic filing system, which will send notice of electronic filing to the following:
5

6 RICHARD HASKIN, ESQ. for LAWRENCE GARVEY, ROBERT PAYTON
7 JORGE PADILLA, ESQ. for GLORIA DEALBA, MARC PEARL, DONALD WALL, CLUB
8 TAHOE RESORT OWNERS ASSOCIATION, ROBERT VERMELTOORT, KEITH WILSON
9 WHITNEY SELERT, ESQ. for GLORIA DEALBA, MARC PEARL, DONALD WALL, CLUB
TAHOE RESORT OWNERS ASSOCIATION, ROBERT VERMELTOORT, KEITH WILSON

10
11 Further, I deposited in the County mailing system for postage and mailing with the United
12 States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

13 MADISON G. WEDDERSPOON, ESQ.
14 Gibbs Giden Locher Turner
15 7251 W. Lake Mead Blvd., Suite 450
16 Las Vegas, NV 89128

17
18 DATED this 3rd day of April 2026.

19
20
21 

22 _____
Judicial Assistant

Schedule 2
Club Tahoe Resort Owners' Association, Inc. Interval Ownership
[ATTACHED]

Initial Report of Special Master E. Alan Tiras

Club Tahoe Interval Status for Quorum

5/19/26

Status		# of Intervals	Total
HOA Owned		372	372
Delinquent			
	2+ Years	580	
	Did not pay 2025	277	
	Did not pay 2026	385	
Total Delinquent > 1 year			857
Total Delinquent			1,242
Owners In Good Standing			
	Future Balance for 2026	1,712	
	Paid in Full for 2026	1,366	
Total Owners In Good Standing			3,078
GRAND TOTAL			4,692

		Number of Intervals Present for Quorum
Quorum Scenarios		10%
	All Intervals	469
	No Delinquent >1 year Only	384
	No Delinquent Total Only	345
	No HOA Owned Only	432
	No Delinquent >1 year or HOA Owned	346
	No Delinquent Total or HOA Owned	308

Notes:	Delinquent is defined as balance of \$50 or more	
	Delinquent - 2+ Years Delinquent - Balances include amounts from 2024 and prior	
	Delinquent - Did not pay 2025 - Any 2025 balance of \$50 or more	
	Delinquent - > 1 year outstanding	
	Delinquent - Unpaid for 2026 - Past due 2026 dues	
	Owner in Good Standing - Future Balance for 2026: 2026 Dues are not yet due	
	Owner in Good Standing - Paid in Full for 2026: Owner has paid 2026 and has \$0 balance	
	If Delinquent intervals aren't counted toward quorum, but HOA owned intervals are (and assuming they are treated as "present"), 384 additional intervals would need to be present for a 10% quorum.	

	Recommendation by Special Master
--	----------------------------------

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA**

LAWRENCE GARVEY, an individual; and ROBERT PAYTON, an individual,
Plaintiffs,

v.

CLUB TAHOE RESORT OWNERS' ASSOCIATION, INC., a Nevada non-profit corporation; KEITH WILSON, GLORIA DEALBA; DONALD WALL; ROBERT VERMELTFOORT; CHRISTINA BECKER; KEITH OGDEN AND MARK PEARL (Association Board Members Sued In Their Individual Capacities); and DOES 1 through 10, inclusive and ROE CORPORATIONS I through X, inclusive,
Defendants.

Case No.: CV25-02319

Dept. No.: 9

**AFFIRMATION
Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding document,

AMENDED Initial Report of Special Master E. Alan Tiras, Esq.

filed in case number: **CV25-02319**

☒ **Document does not contain the personal information of any person.**

—OR—

☐ Document contains the personal information of a person as required by:

☐ A specific state or federal law, to wit:

(State specific state or federal law)

☐ For the administration of a public program

☐ For an application for a federal or state grant

☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: May 21, 2026



(Signature)

E. Alan Tiras, Esq.

(Print Name)

Special Master

(Title / Capacity)

Code: 3860

E. Alan Tiras, Esq.
Nevada State Bar #4400
937 Tahoe Blvd., Ste 130-B
Incline Village, Nevada 89451
Telephone: 775.832.5905
Email: atiras@sierrallawyers.com
Special Master

Richard Haskin, Esq.
Nevada State Bar No. 11592
Gibbs Giden Locher Turner
Senet & Wittbrodt LLP
7251 W. Lake Mead Blvd., Suite 450
Las Vegas, Nevada 89128
Telephone: 702.836.9800
Facsimile 310.861.5422
Attorney for Plaintiff

Whitney Selert, Esq.
Nevada State Bar No. 15769
O'Hagan Meyer PLLC
300 S. 4th Street, Suite 1250
Las Vegas, Nevada 89101
Telephone: 725.286.2801
Email: wselert@ohaganmeyer.com
Attorney for Club Tahoe Resorts Owners' Association, Inc.,
Keith Wilson, Gloria DeAlba,
Donald Wall, Robert Vermeltoort
and Marc Pearl

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

LAWRENCE GARVEY, AN INDIVIDUAL;
AND ROBERT PAYTON, AN INDIVIDUAL,

Plaintiff,

Case No.: CV25-02319

REQUEST FOR SUBMISSION

Request for Submission - Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

1 vs.

2 CLUB TAHOE RESORT OWNERS'
3 ASSOCIATION, INC., A NEVADA NON-
4 PROFIT CORPORATION; KEITH WILSON,
5 GLORIA DEALBA; DONALD WALL;
6 ROBERT VERMELTFOORT; CHRISTINA
7 BECKER; KEITH OGDEN AND MARK
8 PEARL (ASSOCIATION BOARD MEMBERS
9 SUED IN THEIR INDIVIDUAL
10 CAPACITIES); AND DOES 1 THROUGH 10,
11 INCLUSIVE AND ROE CORPORATIONS I
12 THROUGH X, INCLUSIVE,

13 Defendant

14 REQUEST FOR SUBMISSION

15 Plaintiffs LAWRENCE GARVEY and ROBERT PAYTON, and Defendants CLUB
16 TAHOE RESORT OWNERS' ASSOCIATION, INC., et al., by and through their respective
17 counsel of record, hereby submit the JOINT STIPULATION TO WAIVE OBJECTIONS AND
18 ADOPT THE AMENDED INITIAL REPORT AND RECOMMENDATIONS OF THE
19 SPECIAL MASTER to Department No. 9 of this Court for immediate review, consideration, and
20 signature.

21 1. On May 21, 2026, Court-Appointed Special Master E. Alan Tiras, Esq. filed
22 his Amended Initial Report of Special Master.

23 2. On May 26, 2026, the Parties filed their JOINT STIPULATION TO WAIVE
24 OBJECTIONS AND ADOPT THE AMENDED INITIAL REPORT AND
25 RECOMMENDATIONS OF THE SPECIAL MASTER.

26 3. Because the filing is a mutual agreement and joint stipulation executed by all
27 parties of record, no opposition or reply will be filed, and the matter is fully ripe for judicial
28 determination.

4. A copy of the [Proposed] Order Adopting the Amended Initial Report and
Recommendations of the Special Master is submitted herewith for the Court's convenience.

Request for Submission - Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

1
2 Respectfully submitted this 26th day of May, 2026.

3 

4 E. Alan Tiras, Esq.
5 Special Master, Club Tahoe Resort Owners' Association, Inc.
6 937 Tahoe Boulevard, Suite 130-B
7 Incline Village, Nevada 89451

8 GIBBS GIDEN LOCHER TURNER
9 SENET & WITTBRODT LLP

O'HAGAN MEYER PLLC

10 By: /s/ Richard Haskin.
11 RICHARD HASKIN, ESQ.
12 Nevada State Bar No. 11592
13 Attorney for Plaintiffs

By: /s/ Whitney Selert
WHITNEY SELERT, ESQ.
Nevada State Bar No. 15769
Attorneys for Defendants

14 Dated: May 26, 2026

Dated: May 26, 2026

15
16
17
18
19
20
21
22
23
24
25
26
27 Request for Submission - Joint Stipulation to Waive Objections and Adopt the
28 Amended Initial Report and Recommendation of the Special Master

Code: 1987

E. Alan Tiras, Esq.
Nevada State Bar #4400
937 Tahoe Blvd., Ste 130-B
Incline Village, Nevada 89451
Telephone: 775.832.5905
Email: atiras@sierrallawyers.com
Special Master

Richard Haskin, Esq.
Nevada State Bar No. 11592
Gibbs Giden Locher Turner
Senet & Wittbrodt LLP
7251 W. Lake Mead Blvd., Suite 450
Las Vegas, Nevada 89128
Telephone: 702.836.9800
Facsimile 310.861.5422
Attorney for Plaintiff

Whitney Selert, Esq.
Nevada State Bar No. 15769
O'Hagan Meyer PLLC
300 S. 4th Street, Suite 1250
Las Vegas, Nevada 89101
Telephone: 725.286.2801
Email: wselert@ohaganmeyer.com
Attorney for Club Tahoe Resorts Owners' Association, Inc.,
Keith Wilson, Gloria DeAlba,
Donald Wall, Robert Vermeltoort
and Marc Pearl

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

LAWRENCE GARVEY, AN INDIVIDUAL;
AND ROBERT PAYTON, AN INDIVIDUAL,

Plaintiff,

Case No.: CV25-02319
**[PROPOSED] ORDER ADOPTING THE
AMENDED INITIAL REPORT AND
RECOMMENDATIONS OF THE SPECIAL
MASTER**

Request for Submission - Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

1 vs.

2 CLUB TAHOE RESORT OWNERS'
3 ASSOCIATION, INC., A NEVADA NON-
4 PROFIT CORPORATION; KEITH WILSON,
5 GLORIA DEALBA; DONALD WALL;
6 ROBERT VERMELTFOORT; CHRISTINA
7 BECKER; KEITH OGDEN AND MARK
8 PEARL (ASSOCIATION BOARD MEMBERS
9 SUED IN THEIR INDIVIDUAL
10 CAPACITIES); AND DOES 1 THROUGH 10,
11 INCLUSIVE AND ROE CORPORATIONS I
12 THROUGH X, INCLUSIVE,

13 Defendant

14 **[PROPOSED] ORDER**

15 The Court having reviewed the Amended Initial Report of Special Master filed on May
16 21, 2026, by E. Alan Tiras, Esq., the Court-Appointed Special Master in this matter; and the
17 Parties having filed a Joint Stipulation to Waive Objections and Adopt the Report; and the Court
18 finding good cause appearing therefor:

19 **IT IS HEREBY ORDERED** that the Special Master's Amended Initial Report and
20 Recommendations are ADOPTED in full as follows:

21 1. The proposed election timeline and the inclusion of the "Board Size" vote (3,
22 5, or 7 members) on the membership ballot are approved to resolve underlying governance
23 disputes.

24 2. The Special Master's transition of signatory and operational authority over all
25 Club Tahoe Resort Owners' Association, Inc. bank accounts is ratified to ensure uninterrupted
26 payments to staff, vendors, and maintenance obligations.

27 3. The upcoming Member Meeting tentatively scheduled for October 17, 2026
28 (with a contingency date of November 7, 2026), is officially designated as an "Annual Meeting"
under the Association Bylaws, thereby permitting the use of proxies to establish a quorum and
maximize member engagement.

Request for Submission - Joint Stipulation to Waive Objections and Adopt the
Amended Initial Report and Recommendation of the Special Master

1
2 4. Board terms shall be staggered such that those individuals elected to a "1-year
3 term" shall serve until the 2028 Annual Meeting, and those individuals elected to a "2-year term"
4 shall serve until the 2029 Annual Meeting.

5 5. All eligible voting members are permitted to appear, submit votes
6 electronically or via mail, and participate in the meeting virtually. All virtual appearances and
7 proxy submissions shall be legally deemed to have taken place within Washoe County, Nevada,
8 consistent with Article IV, Section 1 of the Association Bylaws.

9 6. Association-owned intervals shall count toward establishing a quorum, but
10 the Special Master shall refrain from voting them for or against any Association business.
11 Interval owners who are delinquent in assessments for a period exceeding one year shall have
12 their voting rights suspended and shall not count for quorum calculations. Accordingly, the
13 required quorum baseline for the upcoming meeting is established at ten percent (10%) of
14 eligible voting intervals, equating to 384 interval week owners. Using this framework, the
15 Special Master may recalculate the quorum, as necessary, based upon new and updated
16 information provided him prior to the election.

17 7. Board vacancies shall be filled sequentially based on ballot results, with the
18 highest vote-getters filling the available 2-year terms first, followed by the next highest vote-
19 getters filling the 1-year terms.

20 8. The Special Master is authorized to call a status conference before this Court
21 should candidate eligibility or further legal elements require clarification.

22 IT IS SO ORDERED.

23 DATED this ____ day of _____, 2026.

24 _____
25 DISTRICT JUDGE
26 SECOND JUDICIAL DISTRICT COURT

27 Request for Submission - Joint Stipulation to Waive Objections and Adopt the
28 Amended Initial Report and Recommendation of the Special Master

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA**

LAWRENCE GARVEY, an individual; and ROBERT PAYTON, an individual,
Plaintiffs,

v.

CLUB TAHOE RESORT OWNERS' ASSOCIATION, INC., a Nevada non-profit corporation; KEITH WILSON, GLORIA DEALBA; DONALD WALL; ROBERT VERMELTFOORT; CHRISTINA BECKER; KEITH OGDEN AND MARK PEARL (Association Board Members Sued In Their Individual Capacities); and DOES 1 through 10, inclusive and ROE CORPORATIONS I through X, inclusive,
Defendants.

Case No.: CV25-02319

Dept. No.: 9

**AFFIRMATION
Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding documents,

Joint Stipulation to Waive Objections and Adopt the Amended Initial Report and Recommendations of the Special Master; Request for Submission and [Proposed] Order Adopting the Amended Initial Report and Recommendations fo the Special Master

filed in case number: **CV25-02319**

☒ **Documents do not contain the personal information of any person.**

—OR—

☐ Document contains the personal information of a person as required by:

☐ A specific state or federal law, to wit:

(State specific state or federal law)

☐ For the administration of a public program

Affirmation Pursuant to NRS 239B.030 of E. Alan Tiras - 1

- ☐ For an application for a federal or state grant
- ☐ Confidential Family Court Information Sheet (NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: May 26, 2026



(Signature)

E. Alan Tiras, Esq.

(Print Name)

Special Master

(Title / Capacity)