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6 *Attorneys for Club Tahoe Resorts Owners*
7 *Association, Inc., Keith Wilson, Gloria DeAbla,*
8 *Donald Wall, and Robert Vermeltoort*

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

11
12 Lawrence Garvey, an individual; and Robert
Payton, an individual;

13 *Plaintiffs,*

14 vs.

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

20 *Defendants.*

Case No.: CV25-02319
Dept.: 9

**REPLY IN SUPPORT OF MOTION TO
STRIKE**

21
22 Defendants, Club Tahoe Resort Owners' Association ("the Association") and Keith
23 Wilson, Donald Wall, Marc Pearl, Gloria DeAlba and Robert Vermelfoort ("the Board") offer
24 the following Reply In Support of their Motion To Strike Fugitive Document, which should be
25 granted because Plaintiff's lengthy "response" to Defendants' Request for Submission of its
26 Motion for Preliminary Injunction is not authorized by the rules of civil procedure and
27 constitutes an unauthorized sur-reply.

28 It is undisputed that Plaintiffs failed to timely file their Opposition to Defendants' Motion

1 for Preliminary Injunction within the stipulated extended deadline for doing so, that Defendants'
2 Request for Submission of that motion (unopposed at that time) was proper and authorized by
3 the local rules, and Plaintiffs' "Response" to that request for submission was not. Plaintiffs'
4 response is therefore a fugitive document that should be stricken.

5 As is apparent from this record, Plaintiffs thereafter filed an untimely Response to
6 Defendants' Motion for Preliminary Injunction, to which Defendants have filed a Reply together
7 with a second request for submission. The matter is now fully briefed and submitted for the
8 Court's consideration.

9 Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding
10 document does not contain the social security number of any person.

11 Dated this 2nd day of March, 2026.

12 O'HAGAN MEYER PLLC

13
14 By /s/ Whit Selert

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25 *Pearl*
26
27
28

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of O'HAGAN MEYER, and that on this 2nd day of March, 2026, I electronically filed and served the foregoing **REPLY IN SUPPORT OF MOTION TO STRIKE** with the Clerk of the Court through Case Management/Electronic Filing System as follows:

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By:

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