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Nevada State Bar # 11559  
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Attorneys for Plaintiff ANDREA COLLIER, as  
trustee of the JACT TRUST

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

ANDREA COLLIER, as trustee of the JACT  
TRUST,

Plaintiff,

v.

PENNIE MOSSETT-PUHEK, individually;  
ANTHEM HIGHLANDS COMMUNITY  
ASSOCIATION, a Nevada Non-Profit Corporation;  
CARMEN EASSA, an individual; K.G.D.O.  
HOLDING COMPANY, LLC d/b/a TERRA  
WEST MANAGEMENT SERVICES, a Nevada  
limited liability company; DOES I through X and  
ROE BUSINESS ENTITIES I through X,  
inclusive,

Defendants.

Case No.: A-22-852032-C  
Dept.: 8

**STIPULATION AND ORDER  
REGARDING PUNITIVE DAMAGES  
DISCOVERY**

IT IS HEREBY STIPULATED by and between Plaintiff ANDREA COLLIER (“Plaintiff”),  
and Defendants Pennie Mossett-Puhek, Anthem Highlands Community Association, Carmen Eassa,  
and K.G.D.O. Holding Company, LLC d/b/a Terra West Management Services, by and through their  
respective counsel, that:

1. Collier propounded punitive damages discovery on Defendants, which includes, but is  
not limited to, the following written discovery: Second Set of Interrogatories to Mossett-Puhek;  
Second Set of Requests for Production to Mossett-Puhek; First Set of Interrogatories to Eassa;  
Second Set of Requests for Production to Eassa; First Set of Interrogatories to Terra West; First Set  
of Requests for Production to Terra West; and Fourth Set of Requests for Production to Anthem.

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2. In response to Plaintiff's written discovery on punitive damages, Defendants objected on the grounds that it was overly broad and not properly limited in time and scope. In reaching this stipulation, Plaintiff does not agree that the requested discovery was not proper and Defendants do not agree that the requested discovery was proper. In reaching this stipulation, the Parties are simply seeking to resolve this dispute without the need of judicial intervention.

3. Each Defendant agrees to produce financial information (the "Required Financial Information") pertaining to punitive damages discovery if a prayer for relief for punitive damages remains in the case against the respective Defendant after the Court adjudicates the dispositive motions on the issue of punitive damages, which Defendants filed on or about July 10, 2024.<sup>1</sup>

4. To the extent punitive damages remains against a party, that party shall produce the Required Financial Information either 30 days before trial or within 30 days of the Court denying their respective dispositive motions on the issue of punitive damages, whichever is earlier.<sup>2</sup>

5. The Required Financial Information shall include the following: 1) three years' worth of financial information with supporting documentation must be produced, including tax returns;<sup>3</sup> 2) Defendants shall provide a balance sheet list of all assets and liabilities for each of the last three years (2022, 2023, and 2024 to Present), along with all net income information; 3) documents supporting each asset, liability, and net income must also be produced;<sup>4</sup> and 4) as part of the balance sheet,

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<sup>1</sup> As it relates to Terra West and Eassa, the dispositive motion filed by these parties did not seek to adjudicate Plaintiff's prayer for punitive damages. The parties nonetheless agree that the timing for production set forth herein shall apply to a ruling on their dispositive motion (Doc ID# 63).

<sup>2</sup> For purposes of this stipulation only, denying shall include an oral ruling, a minute order, or any other ruling that provides notice even if a formal written order has not been entered on this issue. However, Defendants shall not be required to produce the information until a formal written order has been entered. That is, the 30 days' notice to Defendants shall be triggered before a formal written order is entered but the production shall only occur after a formal written order is entered.

<sup>3</sup> Tax returns shall be produced for 2021 to 2023 unless tax returns for 2024 have been filed.

<sup>4</sup> As it relates to producing supporting documentation, the parties agree to the following: 1) for account statements, itemized transaction lists may be redacted but information pertaining to dollar amounts of account activity will be unredacted (to the extent such information is available on a monthly basis, the parties agree that all other information may be redacted at this time and reserve all rights); and 2) as it relates to real property, Plaintiff is not seeking lease agreements or the identity of the tenants and Defendants agree to produce documents that establish the financial value of real estate (Plaintiff reserves rights on this issue to the extent that such information may affect the value of the property, such as with commercial property).

1 Defendants will need to identify all personal assets, which includes, but is not limited to, real property,  
2 personal property, cash, personal effects that have value, etc. The balance sheet should identify  
3 categories, such as real property, personal property, cash accounts, stock accounts, and other  
4 appropriate categories for assets and mortgage on real property, credit card debt, and other appropriate  
5 categories for liabilities. The categories shall contain only the relevant and non-objectionable  
6 information, which is set forth in this paragraph, within the punitive damages discovery propounded  
7 by Plaintiff, as those interrogatories and requests for production<sup>5</sup> seek information that pertains to  
8 assets and liabilities. However, the balance sheet does not need to identify the personal property by  
9 line items (such as jewelry) but supporting documentation will need to be produced as to the personal  
10 property (such as jewelry) and the amounts provided. The Parties shall also identify and persons or  
11 entities that assisted with the preparation of any financial documents (such as accountants).  
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13  
14 5. As it pertains to Anthem, in addition to the information identified above, Anthem  
15 shall also produce all budgets for the last three years. To the extent the following is not included in  
16 Anthem's budgets, Anthem shall also produce documents detailing the following information for the

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28 <sup>5</sup> For example, punitive damages discovery for Mossett-Puhek includes all interrogatories in the Second Set and all requests for production in the Second Set. Similar discovery was propounded to Eassa and Terra West in their respective First Set.

last three years: 1) account balances for all accounts held by Anthem; and 2) assessment amounts.  
Anthem shall also produce its most recent reserve study.

DATED this 20th day of August, 2024.

**BOYACK ORME & ANTHONY**

/s/ Edward Boyack  
Edward D. Boyack, Esq.  
Nevada Bar No. 5229  
7432 West Sahara Avenue, Suite 101  
Las Vegas, Nevada 89117  
(702) 562-3415  
*Attorneys for Defendants Anthem Highlands  
Community Association, Carmen Eassa,  
K.G.D.O. Holding Company, LLC d/b/a Terra  
West Management Services*

DATED this 20th day of August, 2024.

**FREEMAN MATHIS AND GARY, LLP**

/s/ Derek Noack  
Derek Noack, Esq.  
Nevada Bar No. 15074  
770 E. Warm Springs Road, Suite 360  
Las Vegas, Nevada 89119  
(725) 258-7360  
*Attorneys for Defendant Pennie Mossett-Puhek*

DATED this 20th day of August, 2024.

**THE LAW OFFICES OF TIMOTHY ELSON**

/s/ Timothy Elson  
TIMOTHY P. ELSON, ESQ.  
Nevada Bar No. 11559  
8965 S. Eastern Ave., Suite 382  
Las Vegas, Nevada 89123  
(702) 874-8600  
*Attorney for Plaintiff Andrea Collier*

**ORDER**

IT IS HEREBY ORDERED that the stipulation set forth above is the order of this Court.

Dated this 27th day of August, 2024



**3E4 77A 91B2 DC48  
Jessica K. Peterson  
District Court Judge**

Respectfully Submitted by:

THE LAW OFFICES OF TIMOTHY ELSON

/s/ Timothy Elson  
Timothy Elson, Esq.  
Nevada State Bar # 11559  
8965 S. Eastern Ave., Suite 382  
Las Vegas, Nevada 89123  
Attorneys for Plaintiff ANDREA COLLIER,  
as trustee of the JACT TRUST



Tim Elson &lt;tim@elsonlawoffices.com&gt;

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**Re: Collier**

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**ted** <ted@boyacklaw.com>

Wed, Aug 21, 2024 at 9:37 AM

To: Tim Elson &lt;tim@elsonlawoffices.com&gt;, Derek Noack &lt;Derek.Noack@fmglaw.com&gt;, Norma Ramirez &lt;Norma@boyacklaw.com&gt;

Mine as well

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Tim Elson &lt;tim@elsonlawoffices.com&gt;

Date: 8/21/24 5:47 PM (GMT+01:00)

To: Derek Noack &lt;Derek.Noack@fmglaw.com&gt;, Ted Boyack &lt;ted@boyacklaw.com&gt;, Norma Ramirez &lt;Norma@boyacklaw.com&gt;

Subject: Re: Collier

Ted? Please confirm.

Best,

Tim Elson

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On Tue, Aug 20, 2024 at 4:25 PM Derek Noack &lt;Derek.Noack@fmglaw.com&gt; wrote:

You may affix my e-signature.

**Derek Noack**

Attorney at Law

Freeman Mathis &amp; Gary, LLP

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Freeman  
Mathis & Gary LLP

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[Please read this important notice and confidentiality statement](#)

**From:** Tim Elson <[tim@elsonlawoffices.com](mailto:tim@elsonlawoffices.com)>

**Sent:** Tuesday, August 20, 2024 12:16 PM

**To:** Ted Boyack <[ted@boyacklaw.com](mailto:ted@boyacklaw.com)>; Derek Noack <[Derek.Noack@fmglaw.com](mailto:Derek.Noack@fmglaw.com)>

**Subject:** Collier

**Caution:** This email originated from outside of the FMG organization. **Do not click links or open attachments** unless you recognize the sender and know the content is safe.

Ted and Derek,

Please confirm authority to affix your e-signature to this stipulation. Thank you.

Best,

Tim Elson



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1 **CSERV**

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3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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6 Andrea Collier, Plaintiff(s)

CASE NO: A-22-852032-C

7 vs.

DEPT. NO. Department 8

8 Pennie Mossett-Puhek,  
9 Defendant(s)

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11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 8/27/2024

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