

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

<p>Appellant } OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZAND IAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an individual, DOES Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30</p> <p>v. }</p> <p>Respondent } JED MARGOLIN, an individual</p>	<p>No. 82559</p> <p>DOCKETING STATEMENT CIVIL APPEALS</p> <p>FILED</p> <p>MAR 11 2021</p> <p>ELIZABETH A. BROWN CLERK OF SUPREME COURT BY <i>E. Richards</i> DEPUTY CLERK</p>
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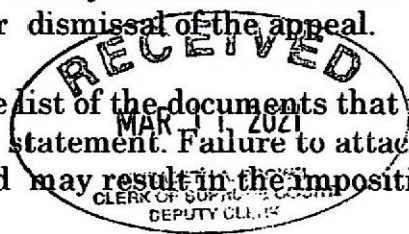
GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.



This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District: Carson City

Department: 1

County: Carson City

Judge: Honorable James T. Russell

District Ct. Case No.: 09OC005791B

2. Attorney filing this docketing statement:

Attorney: Proper person

Telephone:

+33 6 67 54 04 04

775 430 8110

Firm: Reza Zandian

Address:

6 Rue Edouard Fournier

75116 Paris

France

Client(s): Reza Zandian

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney: Matthew D. Francis

Telephone: 775 324 4100

Firm: Brownstein Hyatt Farber Schreck

Address:

5371 Kietzke Lane

Reno, Nevada 89511

Client(s): Jed Margolin

4. Nature of disposition below (check all that apply):

- Judgment after bench trial
- Judgment after jury verdict
- Summary judgment
- Default judgment
- Grant/Denial of NRCP 60(b) relief
- Grant/Denial of injunction
- Grant/Denial of declaratory relief
- Review of agency determination
- Dismissal:
 - Lack of jurisdiction
 - Failure to state a claim
 - Failure to prosecute
 - Other (specify): Dismissal of judgement. Declare judgement null and void. Set aside order to void deeds and convey property.
- Divorce Decree:
 - Original
 - Modification
- Other disposition (specify):

5. Does this appeal raise issues concerning any of the following?

- Child Custody
- Venue
- Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

Nevada Supreme Court Case Numbers 65960 and 65205

District Court Case Number: 09OC005791B

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

- a. District Court of Nevada (Bankruptcy) Chapter 15 Lead Bankruptcy Case of Gholamreza Zandian Jazi in judicial liquidation in France with Patrick Canet as liquidator and foreign representative
Case Number 3:16-BK-50644
Honorable Judge Bruce T. Beesley
- b. Sadri et al v. Margolin et al
Case Number: 3:219-AP-05016 (NVB)
- c. Patrick Canet v. Sadri
Case Number: 3:19-AP-05025

8. Nature of the action. Briefly describe the nature of the action and the result below:

Appellant is the debtor currently in bankruptcy in France under administration of his liquidator, Patrick Canet.

Any notification, judgement or order shall be directed to the liquidator in France, Patrick Canet.

Any violation is contrary to UNCITRAL United Nations Commission on International Trade law and is subject to the international insolvency regulation. Any violation is contrary to the federal law and regulation of the United States.

Therefore the respondent did not have any quality to act and the court does not have any jurisdiction to issue any order.

Further, the judgement and orders are void ab initio since no proper notification ever made to the liquidator, Patrick Canet.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

The judgement and order are void since the respondent did not strictly comply with the notification and registration requirements of the Nevada Revised Statutes NRS 17.150(4), which requires the last 4 digits of the judgement debtor to be recorded concurrently with the judgement to create a lien on the properties and assessor parcel numbers must be recorded. There was no notification to the liquidator, and the NRS. 17.150(4) was never respected, and no lien was ever created. (Please see the findings of fact and law summary judgment issued by Honorable Judge Bruce T. Beesley herewith attached dated July 20, 2018).

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

- a. Nevada Supreme Court Case No. 77248, February 27 2020. WORSNOP v. KARAM. Order of reversal and remand.
- b. Nevada Supreme Court Case No. 41716, October 14 2007. LEVEN v. FREY. Order of reversal and remand.

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

- N/A
- Yes
- No

If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

- Reversal of well-settled Nevada precedent (identify the case(s)):
 - A. Nevada Supreme Court Case No. 77248, February 27 2020. WORSNOP v. KARAM. Order of reversal and remand.
 - B. Nevada Supreme Court Case No. 41716, October 14 2007. LEVEN v. FREY. Order of reversal and remand.And any other case designated by the Supreme Court of Nevada.
- An issue arising under the United States and/or Nevada Constitutions
- A substantial issue of first impression
- An issue of public policy
- An issue where en banc consideration is necessary to maintain uniformity of this court's decisions
- A ballot question

If so, explain:

A default judgement is given to a patent troll by fraud by the district court, false address, false service (Appellant never lived in Sacramento California. Appellant is in liquidation and lives in France. Center of main interest is in France (COMI)). The court was defrauded by mistake and a \$2,700 default judgement against the appellant was converted to a \$1,495,000 attorney fee default judgement. Attorneys and previous employees of the appellant and appellant's partners conspired to get the default judgement and execute on the vacant land properties owned by the appellant in Nevada. Their motivation is greed and the Supreme Court is mandated to stop these unlawful practices in Nevada. No damage was ever inflicted on the respondent.

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance (s) that warrant retaining the case, and include an explanation of their importance or significance:

The appellant is not an attorney and is unaware of all of his rights and refers to the Supreme Court of Nevada and justice to make a final determination of his rights.

14. Trial.

If this action proceeded to trial, how many days did the trial last? Was it a bench or jury trial?

No. Default judgement without any merit.

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from: January 25, 2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served

Respondent failed to notify foreign representative of the appellant, his liquidator, Patrick Canet, in France.

Was service by:

- Delivery
- Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

NRCP 50(b)	Date of filing	
NRCP 52(b)	Date of filing	
NRCP 59	Date of filing	

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ____, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion

(c) Date written notice of entry of order resolving tolling motion was served

Respondent failed to notify foreign representative of the appellant, his liquidator, Patrick Canet, in France.

Was service by:

- Delivery
- Mail

19. Date notice of appeal filed February 23, 2021 by UPS attached receipt.

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

NRAP	(specify)
3A(b)(1)	NRS 38.205
NRAP	NRS
3A(b)(2)	233B.150
NRAP	NRS 703.376
3A(b)(3) Other	

(b) Explain how each authority provides a basis for appeal from the judgment or order:

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

Appellant } OPTIMA TECHNOLOGY CORPORATION, a California corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZAND IAN aka REZA JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONOREZA ZANDIAN JAZI, an individual, DOES Companies 1-10, DOE Corporations 11-20, and DOE Individuals 21-30

v. }

Respondent } JED MARGOLIN, an individual

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, e.g., formally dismissed, not served, or other:

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

Appeal to void order to void deeds and convey properties dated January 25, 2021.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

Yes

No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

Yes

No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

Yes

No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims •
Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

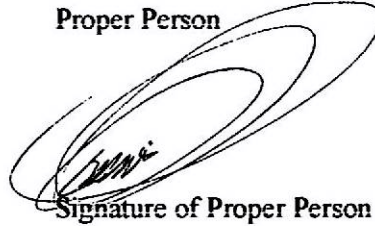
VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Name of appellant: Reza Zandian

Date: March 10, 2021

Proper Person



Signature of Proper Person

6 Rue Edouard Fournier
75116 Paris
France

CERTIFICATE OF SERVICE

I certify that on the 10 day of March, 2021 I served a copy of this completed docketing statement upon all counsel of record:

- By personally serving it upon him/her; or
- By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Attorney for Jed Margolin: Matthew D. Francis

Telephone: 775 324 4100

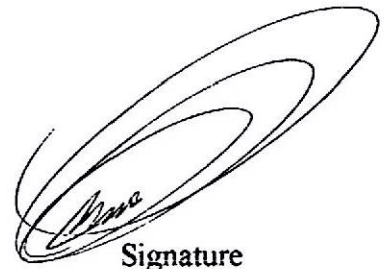
Firm: Brownstein Hyatt Farber Schreck

Address:

5371 Kietzke Lane

Reno, Nevada 89511

Dated this 10 day of March, 2021



Signature

Reza Zandian

EXHIBIT "A"

REC'D & FILED
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AUSNEY ROWLATT
CLERK
BY C. COOPER
DEPUTY

1 Matthew D. Francis, Bar No. 6978
2 mfrancis@bhfs.com
3 Arthur A. Zorio, Bar No. 6547
4 azorio@bhfs.com
5 BROWNSTEIN HYATT FARBER SCHRECK, LLP
6 5371 Kietzke Lane,
7 Reno, Nevada 89511
8 Telephone: (775) 324-4100
9 Facsimile: (775) 333-8171

10 *Attorneys for Plaintiff JED MARGOLIN*

11 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
12 IN AND FOR CARSON CITY

13 JED MARGOLIN, an individual,
14 Plaintiff,

CASE NO. 09 0C 00579 1B

DEPT NO. 1

15 v.

16 OPTIMA TECHNOLOGY
17 CORPORATION, a California
18 corporation, OPTIMA TECHNOLOGY
19 CORPORATION, a Nevada corporation,
20 REZA ZANDIAN aka GOLAMREZA
ZANDIANJAZI aka GHOLAM REZA
ZANDIAN aka REZA JAZI aka J. REZA
JAZI aka G. REZA JAZI aka
GHONOREZA ZANDIAN JAZI, an
individual, DOES Companies 1-10, DOE
Corporations 11-20, and DOE Individuals
21-30,
Defendants.

NOTICE OF ENTRY OF ORDER

22 Notice is hereby given that the Court entered its Order Granting Plaintiff's Motion to
23 Void Deeds, Assign Property, For Writ of Execution and to Convey on January 19, 2021. A
24 copy of said Order is attached hereto as Exhibit 1.

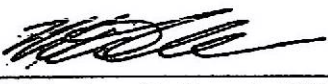
AFFIRMATION Pursuant to NRS 239B.030

25 The undersigned does hereby affirm that the preceding document does not contain
26 the social security number of any person.
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DATED: January 21, 2021

BROWNSTEIN HYATT FARBER SCHRECK, LLP

BY: 

Matthew D. Francis (6978)
Arthur A. Zorio (6547)
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171

Attorneys for Plaintiff Jed Margolin

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, Nevada 89511
775-124-4100

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 22nd day of January, 2021, I served the document entitled **NOTICE OF ENTRY OF ORDER** on the parties listed below via the following:

Reza Zandian
9 MacArthur Place, Unit 2105
Santa Ana, CA 92707-6753

Gholam Reza Zandian Jazi
6 rue Edouard Fournier
75116 Paris
France

Email: rezazand@hotmail.com

VIA FIRST CLASS U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

VIA COURIER: by delivering a copy of the document to a courier service for over-night delivery to the foregoing parties.

VIA ELECTRONIC SERVICE: by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

VIA ELECTRONIC MAIL: by electronically transmitting a courtesy copy of the document to the Defendant Reza Zandian at the foregoing email address.



Employee of Brownstein Hyatt Farber
Schreck, LLP

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kierulke Lane
Reno, Nevada 89511
775-324-4100

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EXHIBIT LIST

1. Order Granting Plaintiff's Motion to Void Deeds, Assign Property, 5 Pages
For Writ of Execution and to Convey

Exhibit 1

Exhibit 1

1 Case No. 09 0C 00579 1B

REC'D & FILED

2 Dept. No. I

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AUDREY ROWLATT
CLERK

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BY S. BARAJAS
ATTORNEY

5

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

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JED MARGOLIN, an individual,

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Plaintiff,

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vs.

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OPTIMA TECHNOLOGY CORPORATION,
a California corporation, OPTIMA
TECHNOLOGY CORPORATION, a Nevada
corporation, REZA ZANDIAN
aka GOLAMREZA ZANDIANJAZI
aka GHOLAM REZA ZANDIAN
aka REZA JAZI aka J. REZA JAZI
aka G. REZA JAZI aka GHONONREZA
ZANDIAN JAZI, an individual, DOE Companies
1-10, DOE Corporations 11-20, and DOE
Individuals 21-30,

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Defendants.

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**ORDER GRANTING PLAINTIFF'S
MOTION TO VOID DEEDS,
ASSIGN PROPERTY, FOR WRIT
OF EXECUTION AND TO
CONVEY**

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WHEREAS, on May 3, 2016, Plaintiff Jed Margolin filed and served his Motion to Void
Deeds, Assign Property, and For Writ of Execution and to Convey;

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WHEREAS, an Opposition to Plaintiffs Motion to Void Deeds, Assign Property, and For
Writ of Execution and to Convey was due by May 20, 2016, but no opposition was filed; and

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WHEREAS, this Court has reviewed and considered Plaintiffs Motion to Void Deeds,
Assign Property, and For Writ of Execution and to Convey, and finds that the Motion should be
granted.

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Based on the foregoing, and good cause appearing,

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IT IS HEREBY ORDERED that Plaintiffs Motion to Void Deeds, Assign Property, and
For Writ of Execution and to Convey is hereby GRANTED;

1 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 001-
2 -660-034 located in Elko County, Nevada, contained in Elko County Doc# 684351 - Grant
3 Deed recorded 03/17/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS
4 112.180(2), and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS
5 112.210(1);

6 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 007-
7 151-12 located in Churchill County, Nevada, contained in Churchill County Doc# 439670 -
8 Grant Deed recorded 03/18/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS
9 112.180(2), and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS
10 112.210(1);

11 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 007--
12 151-77 located in Churchill County, Nevada, contained in Churchill County Doc# 439671 -
13 Grant Deed recorded 03/18/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS
14 112.180(2), and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS
15 112.210(1);

16 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 009-
17 331-04 located in Churchill County, Nevada, contained in Churchill County Doc# 439672 -
18 Grant Deed recorded 03/18/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS
19 112.180(2), and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS
20 112.210(1);

21 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 079-
22 150-12 located in Washoe County, Nevada, contained in Washoe County Doc# 4335754 - Grant
23 Deed recorded 03/18/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS
24 112.180(2), and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS
25 112.210(1);

26 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN Nos. 079-
27 150-09, 079-150-10, 079-150-13, 084-040-04, 084-040-06, 084-040-10, 084-130-07, 084-040-
28 02, and 084-140-17 located in Washoe County, Nevada, contained in Washoe County Doc

1 #4335755 - Grant Deed recorded 03/18/2014, were fraudulent transfers pursuant to NRS
2 112.180(1)(a), NRS 112.180(2), and NRS 112.150(7), and are void and is hereby set aside
3 pursuant to NRS 112.210(1);

4 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN Nos. 006-
5 052-04, 006-052-05 and 006-052-06 located in Lyon County, Nevada, contained in Lyon
6 County Doc# 521532 - Grant Deed recorded 5/21/2014, were fraudulent transfers pursuant to
7 NRS 112.180(1)(a), NRS 112.180(2), and NRS 112.150(7), and are void and is hereby set aside
8 pursuant to NRS 112.210(1);

9 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 015-
10 311-02 located in Lyon County, Nevada, contained in Lyon County Doc# 521533 - Grant Deed
11 recorded 5/21/2014, was a fraudulent transfer pursuant to NRS 112.180(1)(a), NRS 112.180(2),
12 and NRS 112.150(7), and is void and is hereby set aside pursuant to NRS 112.210(1);

13 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN Nos. 015-
14 311-18 and 015-311-19 located in Lyon County, Nevada, contained in Lyon County Doc#
15 521531 - Grant Deed recorded 5/21/2014, were fraudulent transfers pursuant to NRS
16 112.180(1)(a), NRS 112.180(2), and NRS 112.150(7), and are void and is hereby set aside
17 pursuant to NRS 112.210(1);

18 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 071-
19 02-000-005 located in Clark County, Nevada, contained in Clark County Doc# 20140530-
20 0001037 - Grant Deed recorded 05/30/2014, was a fraudulent transfer pursuant to NRS
21 112.180(1)(a), NRS 112.180(2), and NRS 112.150(7), and is void and is hereby set aside
22 pursuant to NRS 112.210(1);

23 IT IS FURTHER ORDERED that Defendant Reza Zandian's transfer of APN No. 071-
24 02-000-013 located in Clark County, Nevada, contained in Clark County Doc# 20140530-
25 0001038 - Grant Deed recorded 05/30/2014, was a fraudulent transfer pursuant to NRS
26 112.180(1)(a), NRS 112.180(2), and NRS 112.150(7), and is void and is hereby set aside
27 pursuant to NRS 112.210(1);

28

1 IT IS FURTHER ORDERED that all applicable County Sheriffs or other authorized
2 officers in the State of Nevada be authorized to execute upon the June 24, 2013 Default
3 Judgment in the sum of \$1,495,775.74 which includes interest at the legal rate, pursuant to NRS
4 17.130, therein from the date of default until the judgment is satisfied, through the seizure of
5 Defendant Reza Zandian's bank accounts, investment accounts, certificates of deposit, annuities,
6 wages, and real and personal property;

7 IT IS FURTHER ORDERED that an injunction is hereby issued pursuant to NRS
8 112.210(1)(c)(1) and (3) against Defendant Reza Zandian and all persons acting in concert with
9 him from selling, assigning, divesting, encumbering, or dividing his interest in any of APN No.
10 001-660-034 located in Elko County, Nevada;

11 IT IS FURTHER ORDERED that an injunction is hereby issued pursuant to NRS
12 112.210(1)(c)(1) and (3) against Defendant Reza Zandian and all persons acting in concert with
13 him from selling, assigning, divesting, encumbering, or dividing his interest in any of APN Nos.
14 007-151-12, 007-151-77, and 009-331-04 located in Churchill County, Nevada;

15 IT IS FURTHER ORDERED that an injunction is hereby issued pursuant to NRS
16 112.210(1)(c)(1) and (3) against Defendant Reza Zandian and all persons acting in concert with
17 him from selling, assigning, divesting, encumbering or dividing his interest in any of APN Nos.
18 079-150-12, 079-150-09, 079-150-13, 084-040-04, 084-040-06, 084-040-10, and 084-140-17
19 located in Washoe County, Nevada;

20 IT IS FURTHER ORDERED that an injunction is hereby issued pursuant to NRS
21 112.210(1)(c)(1) and (3) against Defendant Reza Zandian and all persons acting in concert with
22 him from selling, assigning, divesting, encumbering, or dividing his interest in any of APN Nos.
23 APN Nos. 006-052-04, 006-052-05, 006-052-06, 015-311-02 015-311-18, and 015-311-19
24 located in Lyon County, Nevada;

25 IT IS FURTHER ORDERED that an injunction is hereby issued pursuant to NRS
26 112.210(1)(c)(1) and (3) against Defendant Reza Zandian and all persons acting in concert with
27 him from selling, assigning, divesting, encumbering, or dividing his interest in any of APN Nos.
28 071-02-000-005 and 071-02-000-013 located in Clark County, Nevada;

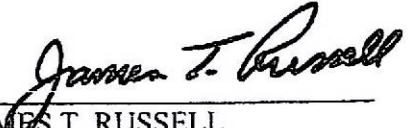
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IT IS FURTHER ORDERED that pursuant to NRS 21.190 and 21.220(4), APN No. 071-02-000-013 located in Clark County, Nevada has been and is conveyed to Plaintiff;

IT IS FURTHER ORDERED that pursuant to NRS 21.190 and 21.220(4), APN No. 071-02-000-005 located in Clark County, Nevada has been and is conveyed to Plaintiff; and

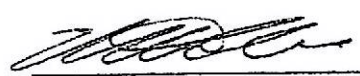
IT IS FURTHER ORDERED that pursuant to NRS 21.190 and 21.220(4), APN No. 079-150-12 located in Washoe County, Nevada has been and is conveyed to Plaintiff.

DATED: This 19th day of January, 2021.



JAMES T. RUSSELL
DISTRICT COURT JUDGE

Respectfully submitted by:



Matthew D. Francis, SBN 6978
Brownstein Hyatt Farber Schreck, LLP
5371 Kietzke Lane
Reno, Nevada 89511
775-324-4100

EXHIBIT "B"

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Bruce T Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
July 20, 2018

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

PATRICK CANET and
JAZI GHOLAMREZA ZANDIAN,

Debtors.

Case No. 16-50644-BTB

Chapter 15

FRED SADRI, as Trustee for the Star Living Trust,
dated April 14, 1997, SATHSOWI T. KOROGHLI,
as Managing Trustee for Koroghli Management Trust,
and RAY KOROGHLI, as Managing Trustee for
Koroghli Management Trust,

Plaintiffs,

v.

JED MARGOLIN and
JAZI GHOLAMREZA ZANDIAN,

Defendants.

Adversary No: 17-05016-BTB

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW IN
SUPPORT OF ORDER GRANTING
PARTIAL MOTION FOR
SUMMARY JUDGMENT AND
DENYING MOTION FOR
SUMMARY JUDGMENT AGAINST
CROSS CLAIMANT PATRICK
CANET AND GRANTING COUNTER
MOTION FOR SUMMARY
JUDGMENT**

This matter came before the court on the Motion for Summary Judgment Against Cross-Claimant Patrick Canet, Patrick Canet's Opposition and Counter Motion for Summary Judgment and Star Living Trust and Koroghli Management Trust's Partial Motion for Summary Judgment

1 filed on March 21, 2018, April 11, 2018 and April 16, 2018, respectively. Docket Nos. 23, 34,
2 and 39, respectively. The case was heard on June 13, 2018 at 2:00 PM. Yanxiong Li, Esq.,
3 Wright Findlay & Zak, LLP appeared at the hearing on behalf of Star Living Trust and Koroghli
4 Management Trust. Jeffrey L. Hartman, Esq., Hartman & Hartman, appeared at the hearing on
5 behalf of Patrick Canet. Arthur A. Zorio, Esq. and Matthew D. Francis Esq., Brownstein Hyatt
6 Farber Shreck. No other appearances were made at the hearing

8 The Court has reviewed and considered the Complaint for Quiet Title and Declaratory
9 Relief, and the exhibits attached thereto, the Answer and Affirmative Defenses of Jed Margolin to
10 the Adversary Complaint and Demand for Jury Trial, the Notice of Lis Pendens, the Answer to
11 Complaint, the Answer to Crossclaim of Patrick Canet and Affirmative Defenses and the exhibits
12 attached thereto, the Answer to Counterclaim of Patrick Canet, the Motion for Summary
13 Judgment Against Cross-Claimant Patrick Canet, the Statement of Undisputed Facts in Support of
14 Motion for Summary Judgment Against Cross-Claimant Patrick Canet, the Declaration Of: Adam
15 P. McMillen in support of Motion for Summary Judgment Against Cross-Claimant Patrick Canet,
16 and the exhibits attached thereto, the Declaration Of: Matthew D. Francis in Support of Motion
17 for Summary Judgment Against Cross-Claimant Patrick Canet, and the exhibits attached thereto,
18 the Opposition and Counter Motion for Summary Judgment (the "Counter Motion"), the Partial
19 Joinder to Patrick Canet's Opposition and Countermotion for Summary Judgment Voiding
20 Judgment Lien, the Partial Motion for Summary Judgment on Plaintiff's Quiet Title/Declaratory
21 Relief Cause of Action, the Amended Statement of Undisputed Facts In Support of Motion for
22 Partial Summary Judgment on Plaintiff's Quiet title/Declaratory Relief Cause of Action and the
23 exhibits attached thereto, the Reply in support of Motion for Summary Judgment and Opposition
24 to Counter Motion, the Declaration of Arthur Zorio in Support of Cross-Defendant Jed Margolin's
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1 Reply in Support of Motion for Summary Judgment Against Cross-Claimant Patrick Canet and
 2 Opposition to Counter Motion, and the exhibits attached thereto, the Opposition to Plaintiffs'
 3 Motion for Partial Summary Judgment, and the Reply in Support of Motion for Partial Summary
 4 Judgment on Plaintiff's Quiet Title/Declaratory Relief Cause of Action, and the exhibits attached
 5 thereto, and the certificates of service of these pleadings, the summonses, the Standard Discovery
 6 Plan, the Stipulation to Extend Time to File Dispositive Motions, the Stipulation to continue
 7 Hearing on Motion for Summary Judgment, the Joint Motion to Extend Time to file Dispositive
 8 Motions, and the Proceeding Procedures. Docket Nos. 1, 13, 14, 15, 16, 20, 23, 24, 25, 26, 34,
 9 37, 39, 42, 46, 49, 53, 54. In accordance with Fed. R. Civ. P. 52, as adopted pursuant to Fed. R.
 10 Bankr. P. 7052, the Court recorded in open court its findings of fact and conclusions of law in
 11 support of Order Granting Motion and such findings and conclusions are incorporated herein.

12 These include, but are not limited to the following Findings of Fact and Conclusions of Law:

13 **FINDINGS OF FACT**

14 1. The Court finds that multiple plots of land in Washoe County, Nevada are at issue
 15 (collectively referred to as the "Property"). Their respective Assessor Parcel Numbers (APN) are
 16 as follows:

- 17 a) 079-150-09 (Parcel 1);
- 18 b) 079-150-10 (Parcel 2);
- 19 c) 079-150-13 (Parcel 3);
- 20 d) 084-040-02 (Parcel 4);
- 21 e) 084-040-04 (Parcel 5);
- 22 f) 084-040-06 (Parcel 6);
- 23 g) 084-040-10 (Parcel 7);

1 h) 084-130-07 (Parcel 8);

2 i) 084-140-17 (Parcel 9).

3 2. Mr. Fred Sadri ("Sadri") is the sole trustee for the Star Living Trust ("SLT").

4 3. The Court finds that SLT is a co-owner of a one-third undivided interest in title to
5 the Property under a Grant Bargain and Sale Deed signed by Nevada Land and Resources
6 Company, and recorded on August 6, 2003 as Instrument No. 2900592 in the Washoe County
7 Recorder's Office.

8 4. Mr. Ray Koroghli ("Mr. Koroghli") and Sathsowi T. Koroghli ("Mrs. Koroghli")
9 are co-trustees for the Koroghli Management Trust ("KMT").

10 5. The Court finds that KMT is a co-owner of a one-third undivided interest in title to
11 the Property under a Quitclaim Deed signed by Mr. Koroghli, and recorded on May 12, 2009 as
12 Instrument No. 3758659 in the Washoe County Recorder's Office.

13 6. The Court finds that Mr. Gholam Reza Jazi Zandian ("Debtor") is the owner of an
14 undivided one-third interest in title to the Property as a co-owner with SLT and KMT.

15 7. The Court Finds that on December 11, 2009, Mr. Jed Margolin ("Margolin") filed
16 a civil action against Debtor in the First Judicial District for Carson City, Nevada.

17 8. SLT and KMT were not parties to this dispute.

18 9. The Court finds that on June 26, 2013, a default judgment was entered granting
19 Margolin \$1,495,775.74 against Debtor.

20 10. The Court finds that Margolin never recorded an affidavit to create his judgment
21 lien in the manner stipulated by NRS 17.150(4).

22 11. The Court finds that on April 3, 2015 Margolin caused Parcels 2, 4, and 8 of the
23 Property to be sold to himself by Sheriff's Sale for \$5,000, \$5,000, and \$3,000 respectively. He
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1 received Sheriff's Certificates of Sale of Real Property on the date of the sale for the three
2 parcels.

3 12. The Court finds that on September 8, 2016 a Sheriff's Deed Upon Execution of
4 Real Property was recorded in Washoe County in favor of Margolin regarding Parcels 2, 4, 8, and
5 APN 079-150-12.
6

7 13. The Court finds that SLT and KMT had no notice of the sales or of their right to
8 protect their interest in title to the Property.
9

10 14. Any Finding of Fact more properly described as a Conclusion of Law shall be
11 deemed a Conclusion of Law.
12

13 **CONCLUSIONS OF LAW**

14 1. Notice of all Motions for Summary Judgment were properly given to Defendants.
15

16 **SLT and KMT's Motion for Partial Summary Judgment on Their Claim for Quiet**
17 **Title/Declaratory Relief**
18

19 2. "(S)tatutes creating time or manner restrictions are generally construed as
20 mandatory." *Village League to Save Incline Assets, Inc. v. State ex rel. Bd. of Equalization*, 124
21 Nev. 1079, 1086-87 (2008). "(S)tatutes allowing for a "reasonable time" to act are subject to
22 interpretation for substantial compliance, those with set time limitations are not." *Leven v. Frey*,
23 123 Nev. 399, 408 (2007). NRS 17.150(4) provides, "In addition to recording the information
24 described in subsection 2, a judgment creditor who records a judgment or decree for the purpose
25 of creating a lien upon the real property of the judgment debtor pursuant to subsection 2 shall
26 record at that time an affidavit of judgment(.)" "(A)t that time" is a statutory time restriction
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1 meaning the affidavit recordation requirement is construed as mandatory and any sale which
2 occurred without such an affidavit is void *ab initio*. Further, "at that time" is a set time limitation
3 meaning it also requires strict compliance. As such, SLT and KMT are entitled to Summary
4 Judgment against Margolin because Margolin never recorded an affidavit and therefore did not
5 strictly comply with NRS 17.150(4). Accordingly, SLT and KMT's respective one-third
6 interests in the property are affirmed and the Sheriffs's Sales are invalid.
7

8 **Margolin's Motion for Summary Judgment Against Cross-Claimant Patrick Canet**

9 3. Despite Margolin's arguments related to the ministerial act exception and Canet's
10 failure to participate in the discovery process, he is not entitled to summary judgment because he
11 did not strictly comply with NRS 17.150(4) since he never recorded an affidavit with his
12 judgment. Accordingly, the Sheriff's sales through which he obtained an interest in the Property
13 were invalid and any interest he may have had in the property is voided.
14

15 **Canet's Opposition and Counter Motion for Summary Judgment**

16 4. Canet's Counter Motion for Summary Judgment should be granted for the
17 reasons set forth above in the analysis of SLT and KMT's Motion for Partial Summary Judgment.
18 Accordingly, the Sheriff's sales based upon the default judgment are void.
19

20 5. Any Conclusion of Law more properly described as a Finding of Fact shall be
21 deemed a Finding of Fact.
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EXHIBIT "C"

Nevada
Appellate Courts

Appellate Case Management System

Track, the browser based CMS for Appellate Courts

Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing. For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600.

Combined Case Information: 65205

Short Caption:	ZANDIAN VS. MARGOLIN C/W 65960	Court:	Supreme Court
Consolidated:	65205*, 65960	Related Case(s):	65960, 69372, 82559
Lower Court Case(s):	Carson City - First Judicial District - 09OC005791B	Classification:	Civil Appeal - General - Other
Disqualifications:		Case Status:	Remittitur Issued/Case Closed
Replacement:		Panel Assigned:	Panel
To SP/Judge:	03/18/2014 / Wasick, David	SP Status:	Completed
Oral Argument:		Oral Argument Location:	
Submission Date:	01/23/2015	How Submitted:	On Record And Briefs

+ Party Information

Docket Entries

Date	Type	Description	Pending?	Document
03/14/2014	Filing Fee	Filing fee due for Appeal. Filing fee will be forwarded by the District Court.		
03/14/2014	Notice of Appeal Documents	Filed Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)		14-08327
03/14/2014	Notice/Outgoing	Issued Notice of Referral to Settlement Program. This appeal may be assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed.		14-08330
03/14/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.		14-08363
03/14/2014	Filing Fee	Filing Fee Paid. \$250.00 from Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino. Check No. 11042.		
03/18/2014	Settlement Notice	Issued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: David Wasick.		14-08750
03/25/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries		14-09385

04/04/2014	Docketing Statement	Filed Docketing Statement Civil Appeals.	14-10697
04/04/2014	Notice/Outgoing	Issued Notice to Provide Proof of Service on Settlement Judge.	14-10757
04/07/2014	Notice/Incoming	Filed Proof of Service - Docketing Statement served on Settlement Judge.	14-10934
04/10/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-11609
04/18/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-12549
04/22/2014	Settlement Program Report	Filed ECAR/Appropriate for Settlement Program. This case is appropriate for mediation and a settlement conference is scheduled for May 27, 2014.	14-12950
04/23/2014	Notice of Appeal Documents	Filed District Court Docket Entries.	14-13121
04/24/2014	Settlement Program Report	Filed Interim Settlement Program Report. The settlement conference is continued to the following date: May 21, 2014. The May 27th conference is cancelled.	14-13302
05/02/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries	14-14215
05/14/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-15676
05/15/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-15891
05/20/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-16483
05/28/2014	Notice of Appeal Documents	Filed District Court Docket Entries.	14-17257
05/30/2014	Settlement Program Report	Filed Final Report/No Settlement. The parties were unable to agree to a settlement of this matter.	14-17653
06/04/2014	Settlement Order/Procedural	Filed Order: No Settlement/Briefing Reinstated. The parties were unable to agree to a settlement. Appellant: 15 days transcript request; 90 days opening brief and appendix.	14-18095
06/12/2014	Notice of Appeal Documents	Filed Copy District Court Docket Entries.	14-19366
06/19/2014	Transcript Request	Filed Certificate That No Transcript is Being Requested.	14-20161
06/19/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries	14-20199
07/02/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-21598
07/09/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries	14-22261
07/17/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-23315
07/24/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-24222
07/29/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-24711
08/01/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-25259
08/06/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-25696
08/08/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-26011
08/12/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries	14-26394
08/19/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-27263
08/28/2014	Order/Clerk's	Filed Order Granting Telephonic Extension. Appellant shall have until September 9, 2014, to file and serve the opening brief and appendix. Filed Motion for Extension of Time to File Opening	14-28515

09/09/2014	Motion	Brief and Appendix.	14-29708
09/11/2014	Order/Procedural	Filed Order Granting Motion for Extension of Time. Appellant shall have until October 9, 2014, to file and serve the opening brief and appendix.	14-30111
10/09/2014	Motion	Filed Stipulation to Extend Deadline for Filing of Appellant's Opening Brief & Joint Appendix (Second Request).	14-33524
10/15/2014	Order/Procedural	Filed Order Granting Motion. Opening Brief and Appendix due: October 16, 2014.	14-34271
10/16/2014	Appendix	Filed Joint Appendix Volume I-IV. (CD included)	14-34530
10/17/2014	Brief	Filed Appellant's Opening Brief.	14-34616
10/17/2014	Notice/Incoming	Filed Affidavit Affidavit of Service	14-34710
10/20/2014	Notice/Incoming	Filed Affidavit of Service of Opening Brief.	14-34745
10/22/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-35185
11/05/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-36646
11/13/2014	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	14-37504
11/17/2014	Brief	Filed Respondent's Answering Brief.	14-37907
11/17/2014	Appendix	Filed Respondent's Appendix Volume I.	14-37908
11/17/2014	Appendix	Filed Respondent's Appendix Volume II.	14-37909
12/17/2014	Order/Clerk's	Filed Order Granting Telephonic Extension. Reply Brief due: December 24, 2014.	14-41001
12/23/2014	Brief	Filed Appellant's Reply Brief.	14-42027
12/24/2014	Case Status Update	Briefing Completed/To Screening.	
01/12/2015	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	15-01188
01/23/2015	Order/Procedural	Filed Order Submitting Appeal for Decision without Oral Argument.	15-02503
02/03/2015	Notice/Incoming	Filed Notice of Appearance (Severin A. Carlson of Kaempter Crowell as counsel for Reza Zandian).	15-03571
03/03/2015	Notice of Appeal Documents	Filed District Court Docket Entries.	15-06659
06/16/2015	Notice of Appeal Documents	Filed District Court Docket Entries. Nos. 65205/65960.	15-18310
07/21/2015	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	15-22080
09/14/2015	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	15-27727
09/28/2015	Notice of Appeal Documents	Filed District Court Docket Entries.	15-29245
10/09/2015	Notice of Appeal Documents	Filed Copy of District Court Docket Entries.	15-30774
10/19/2015	Order/Dispositional	Filed Order of Affirmance. "We perceive no abuse of discretion in this district court's decision and affirm its award of attorney fees and costs." [We elect to consolidate these appeals for disposition.] NNP15-NS/MG/KP Nos. 65205/65960.	15-31719
11/13/2015	Remittitur	Issued Remittitur. Nos. 65205/65960.	15-34730
11/13/2015	Case Status Update	Remittitur Issued/Case Closed. Nos. 65205/65960.	
11/30/2015	Remittitur	Filed Remittitur. Received by County Clerk on November 16, 2015.	15-34730