

Mark Forsberg, Esq., NSB 4265
Rick Oshinski, Esq., NSB 4127
OSHINSKI & FORSBERG, LTD.
504 E. Musser Street, Suite 202
Carson City, NV 89701
T 775-301-4250 | F 775-301-4251
rick@oshinskiforsberg.com
mark@oshinskiforsberg.com
Attorneys for Appellant

Electronically Filed
Jun 04 2021 11:01 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

REZA ZANDIAN, A/K/A
GOLAMREZA ZANDIANJAZI, A/K/A
GHOLAM REZA ZANDIAN, A/K/A
REZA JAZI, A/K/A J. REZA JAZI,
A/K/A G. REZA JAZI, A/K/A
GHONOREZA ZANDIAN JAZI, an
individual,

Supreme Court Case No. 82559
District Court Case No. 09OC005791B

**MOTION TO TAKE JUDICIAL
NOTICE (NRAP 27(a)(1))**

Appellant,

vs.

JED MARGOLIN, an individual,

Respondent.

_____/

COMES NOW Appellant, Reza Zandian, A/K/A Golamreza Zandianjazi, A/K/A Gholam Reza Zandian, A/K/A Reza Jazi, A/K/A J. Reza Jazi, A/K/A G. Reza Jazi, A/K/A Ghonoreza Zandian Jazi (“Appellant” and/or “Zandian”), by and through his attorneys, Oshinski & Forsberg, Ltd., and hereby moves this honorable court that it take judicial notice of certain pleadings filed in a Nevada bankruptcy case where Appellant herein was debtor and which is closely connected to the instant

appeal. This motion is made and based upon the following points and authorities and all the papers and pleadings on file herein.

SUMMARY OF MOTION

This appeal raises the issue of whether Respondent properly created a valid judgment lien pursuant to NRS 17.150(4). In reliance on the purported judgment lien, the district court issued the order which led to this appeal.¹ Accordingly, Appellant respectfully requests this court to take judicial notice of the bankruptcy court pleadings as set forth below.

FACTS

The complaint in the action that led to this appeal was filed in the First Judicial Court on December 11, 2009 by Respondent Margolin naming Appellant Zandian as a defendant. *ROA 1-7*. The default judgment at issue was entered against Appellant Zandian by the district court on June 24, 2013. *ROA 1255-1257*. That order noted that default judgments had previously been entered against the other defendants, Optima Technology Corporation, a California corporation, and Optima Technology Corporation, a Nevada corporation on September 24, 2012 for the failure of the corporate defendants to appear by counsel.

On May 3, 2016, based upon the default judgment, Respondent filed his Motion to Void Deeds, Assign Property, For Writ of Execution and to Convey. *ROA 3162-3449*. Neither the motion nor the supporting documents reflect the default judgment was recorded or that an affidavit of judgment was recorded at the time the default judgment was recorded as required by NRS 17.150(4).

Before the Motion to Void Deeds, Assign Property, For Writ of Execution and to Convey was decided by the district court, the district court entered its Notice of Bankruptcy Filing and Automatic Stay on June 3, 2016. *ROA 3491-3492*.

¹ Appellant appealed the district court's Order Granting Plaintiff's Motion to Void Deeds, Assign Property, For Writ of Execution and to Convey. *ROA v. 15, p. 3524*.

In the course of the bankruptcy proceedings, a Chapter 15 Petition for Recognition of Foreign Proceeding, Bankruptcy Court Case Number 16-50644-btb, and two concurrent adversary proceedings, the plaintiffs in adversary case number 17-05016-BTB filed a motion for partial summary judgment arguing that the default judgment against Appellant entered by the Nevada district court and referenced above was void because an affidavit of judgment had not been recorded at the time the default judgment was recorded. On July 20, 2018, the Honorable Bruce T. Beesley, United States Bankruptcy Judge, in and for the District of Nevada, granted the Motion for Partial Summary Judgment. A copy of the order is attached hereto as **Exhibit 1**. In the order, the court made a finding of fact that Respondent Margolin never recorded an affidavit to create a judgment lien based on the default judgment in the manner required by NRS 17.150(4). In the Conclusions of Law set forth in the order, the court relied on *Village League to Save Incline Assets, Inc. v. State ex rel. Bd. of Equalization*, 124 Nev. 1079, 1086-1087 (2008) and *Leven v. Frey*, 123 Nev. 399, 408 (2007), to hold that the default judgment was void because Margolin failed to record an affidavit and therefore did not strictly comply with NRS 17.150(1). In those cases, this Court held that strict -- rather than substantial -- compliance with the affidavit requirement of NRS 17.150(4) was required to perfect a lien. Judge Beesley held that because no affidavit was concurrently recorded, no lien was created by the recorded default judgment and that as a result, any sheriffs' sales conducted based on the recorded default judgment were void *ab initio*.

On August 1, 2018, Judge Beesley's order was recorded in at least one jurisdiction. It was recorded as document number 4838439 in the official records of the Washoe County Recorder. *See Exhibit 1*. Nonetheless, Respondent Margolin filed and recorded an Affidavit of Renewal of Judgment in the state district court on May 2, 2019. *ROA 3498*. The Affidavit of Renewal of Judgment, which was signed by Respondent Margolin, stated at Section 10 that the bankruptcy court had declared the Sheriff's deeds based on the default judgment void *ab-initio* on July 20, 2018.

Margolin also stated that he “intends to appeal the bankruptcy court’s order declaring the Sheriff’s deeds void ab initio. Notwithstanding the above, Margolin has not received payments from Judgment Debtor.” Although the record on appeal does not contain any evidence of it, the Affidavit of Renewal of Judgment was recorded on May 3, 2019 as document number 4907598 in the official records of the Washoe County Recorder. A true and correct copy is attached hereto as **Exhibit 2**.

On January 15, 2021, the district court entered its notice of termination of bankruptcy. *ROA 3511*. The order of the bankruptcy court is attached hereto as **Exhibit 3**. All the parties to the Chapter 15 case and the two adversary proceedings stipulated to the termination of all three cases. Moreover, as part of the stipulation, Judge Beesley vacated all his previous orders in all of the cases, including his July 20, 2018 Order Granting the Motion for Partial Summary Judgment that held the judgment liens to be void *ab initio*.

On January 19, 2021, the district court granted Respondent Margolin’s Motion to Void Deeds, Assign the Property, For Writ of Execution and To Convey, leading to this appeal. Because the issues addressed by the orders of the bankruptcy court are the same as those raised in this appeal, Appellant now requests that this Court take judicial notice of the bankruptcy court orders and the public records referenced above.

ARGUMENT

This Court may take judicial notice of facts generally known or capable of verification from a reliable source whether the court is requested to do so or not. *Mack v. Estate of Mack*, 125 Nev. 80, 206 P.3d 98, 106 (Nev. 2009), citing NRS 47.150(1). Further, the court may take judicial notice of facts that are “capable of accurate and ready determination by resources whose accuracy cannot reasonably be questioned so that the fact is not subject to reasonable dispute.” *Id.*, citing NRS 47.130(2)(b). Such requests are required to be filed with the court by motion

pursuant to NRAP 27(a)(1); *Quiana M. B. v. State Dept. Family Services (In re parental rights D.N.)*, 120 Nev. Adv. Op. 44, 283 P.3d 842, 846, fn 3 (Nev. 2012).

As a general rule the Supreme Court will not take judicial notice of records in another and different case even though the cases are connected. *Occhiuto v. Occhiuto*, 97 Nev. 143, 145, 625 P.2d 568, 569 (1981), citing *Giannopoulos v. Chachas*, 50 Nev. 269, 270, 257 P. 1618, 1618 (1927). However, this rule is flexible in its application and under some circumstances the court will invoke judicial notice to take cognizance of the record in another case. *Id.*

To determine if a particular circumstance falls within the exception, the court examines the closeness of the relationship between the two cases. *Id.* This court has taken judicial notice of other state court and administrative proceedings when a valid reason presented itself. *Occhiuto v. Occhiuto*, 97 Nev. 143, 145, 625 P.2d 568, 569 (1981) (record of prior divorce case); *see also, State Farm Mutual v. Commissioner of Insurance*, 114 Nev. 535, 539, 958 P.2d 733, 735 (1998) (determination by commissioner of insurance). This court has likewise taken judicial notice of the minutes of the Nevada Commission on Judicial Discipline, *Whitehead v. Nev. Commission on Judicial Discipline*, 110 Nev. 380, 873, P.2d 946, 978, fn 35 (Nev. 1994), opinions of the Attorney General, *Cannon v. Taylor*, 88 Nev. 89, 493 P.2d 1313, 1314-15 (Nev. 1972); public records of the Nevada Real Estate Division, *Jory v. Bennight*, 91 Nev. 763, 542 P.2d 1400, 1402-03 (Nev. 1975); practices of the state mail service, *Micon Gaming v. Espinosa*, 137 P.3d 1150, 1155, fn 4 (2006).

In the present case, the exact issue on appeal was litigated in the Appellant's bankruptcy proceeding in the United States Bankruptcy Court for the District of Nevada. Respondent herein filed a motion for summary judgment in the bankruptcy proceeding which was opposed by the Appellant/debtor's representative who filed its own cross motion for summary judgment. The bankruptcy court judge made specific findings of facts and conclusions of law and held that Respondent herein failed to properly create his judgment lien and that the judgment was therefore void.

The factual assertions, documents and arguments concerning this issue are not part of the district court record. Accordingly, selected pleadings from the bankruptcy court will provide additional and useful factual background for this appeal.

CONCLUSION

Based upon the foregoing, Appellant respectfully requests this honorable court to take judicial notice of the bankruptcy pleadings set forth in this motion.

Dated this 4th day of June, 2021.

OSHINSKI & FORSBERG, LTD.

By /s/ Mark Forsberg, Esq.
Mark Forsberg, Esq., NSB 4265
Rick Oshinski, Esq., NSB 4127
Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that and that on June 4, 2021, I filed a true and correct copy of the foregoing **Motion To Take Judicial Notice (NRAP 27(a)(1))** with the Clerk of the Court through the Court's CM/ECF system, which sent electronic notification to all parties as follows:

Arthur A. Zorio
Matthew Francis
Brownstein Hyatt Farber Schrek
5371 Kietzke Lane
Reno, NV 89511
Attorneys for Respondent

/s/ Linda Gilbertson
Linda Gilbertson

EXHIBIT 1

EXHIBIT 1

079-150-09; 079-150-10; 079-150-13;
084-040-02; 084-040-04; 084-040-06;
084-040-10; 084-130-07; 084-140-17

APN# _____

Recording Requested by:

Name: Wright Finlay & Zak, LLP
Address: 7785 W. Sahara Ave., Suite 200
City/State/Zip: Las Vegas, Nevada 89117

When Recorded Mail to:

Name: Wright Finlay & Zak, LLP
Address: 7785 W. Sahara Ave., Suite 200
City/State/Zip: Las Vegas, Nevada 89117

Mail Tax Statement to:

Name: _____
Address: _____
City/State/Zip: _____

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

(Title of Document)

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons.
(Per NRS 239B.030)

OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:
(State specific law)

Signature Attorney
Yanxiong Li, Esq.
Printed Name Title

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

DOC # 4838439

08/01/2018 10:41:08 AM
Requested By
NATIONWIDE LEGAL NEVADA LLC
Washoe County Recorder
Lawrence R. Burtness - Recorder
Fee: \$41.00 RPTT: \$0.00
Page 1 of 7



(for Recorder's use only)

I certify that this is a true copy:

Attest: 2 *Carol A. Castella*
Deputy Clerk, Bankruptcy Court

Bruce T. Beesley
Honorable Bruce T. Beesley
United States Bankruptcy Judge



4 Entered on Docket
July 20, 2018

6 UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

8 In re:

9 PATRICK CANET and
10 JAZI GHOLAMREZA ZANDIAN,

11 Debtors.

Case No. 16-50644-BTB

Chapter 15

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

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**

18 Plaintiffs,

19 v.
20 JED MARGOLIN and
21 JAZI GHOLAMREZA ZANDIAN,

22 Defendants.

26 This matter came before the court on the Motion for Summary Judgment Against Cross-
27 Claimant Patrick Canet, Patrick Canet's Opposition and Counter Motion for Summary Judgment,
28 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. Yanxiang 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.

7
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
25
26
27
28

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 Plaintiffs 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 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
- 5 3. The Court finds that SLT is a co-owner of a one-third undivided interest in title to
- 6 the Property under a Grant Bargain and Sale Deed signed by Nevada Land and Resources
- 7 Company, and recorded on August 6, 2003 as Instrument No. 2900592 in the Washoe County
- 8 Recorder's Office.
- 9 4. Mr. Ray Koroghli ("Mr. Koroghli") and Sathisowi T. Koroghli ("Mrs. Koroghli")
- 10 are co-trustees for the Koroghli Management Trust ("KMT").
- 11
- 12 5. The Court finds that KMT is a co-owner of a one-third undivided interest in title to
- 13 the Property under a Quitclaim Deed signed by Mr. Koroghli, and recorded on May 12, 2009 as
- 14 Instrument No. 3758659 in the Washoe County Recorder's Office.
- 15 6. The Court finds that Mr. Gholam Reza Jazi Zandian ("Debtor") is the owner of an
- 16 undivided one-third interest in title to the Property as a co-owner with SLT and KMT.
- 17
- 18 7. The Court Finds that on December 11, 2009, Mr. Jed Margolin ("Margolin") filed
- 19 a civil action against Debtor in the First Judicial District for Carson City, Nevada.
- 20 8. SLT and KMT were not parties to this dispute.
- 21 9. The Court finds that on June 26, 2013, a default judgment was entered granting
- 22 Margolin \$1,495,775.74 against Debtor.
- 23 10. The Court finds that Margolin never recorded an affidavit to create his judgment
- 24 lien in the manner stipulated by NRS 17.150(4).
- 25
- 26 11. The Court finds that on April 3, 2015 Margolin caused Parcels 2, 4, and 8 of the
- 27 Property to be sold to himself by Sheriff's Sale for \$5,000, \$5,000, and \$3,000 respectively. He
- 28

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 **CONCLUSIONS OF LAW**

13
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
27
28

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.
22
23
24
25
26
27
28

EXHIBIT 2

EXHIBIT 2

APN# N/A

Recording Requested by:

Name: Brownstein Hyatt Farber Schreck, LLP
Address: 5371 Kietzke Lane
City/State/Zip: Reno, NV 89511

When Recorded Mail to:

Name: SAME AS ABOVE
Address: _____
City/State/Zip: _____

Mail Tax Statement to:

Name: N/A
Address: _____
City/State/Zip: _____

DOC # 4907598

05/03/2019 10:40:36 AM
Requested By
BROWNSTEIN HYATT FARBER SCHRECK
Washoe County Recorder
Katie M. Work - Recorder
Fee: \$41.00 RPTT: \$0.00
Page 1 of 10



(for Recorder's use only)

AFFIDAVIT OF RENEWAL OF JUDGMENT

(Title of Document)

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons.
(Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

Signature

Attorney of Record

Title

Matthew D. Francis

Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

1 Matthew D. Francis
Nevada Bar No. 6978
2 Arthur A. Zorio
Nevada Bar No. 6547
3 Samantha J. Reviglio
Nevada Bar No. 14258
4 BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
5 Reno, NV 89511
Telephone: 775.324.4100
6 Facsimile: 775.333.8171
Email: mfrancis@bhfs.com
7 azorio@bhfs.com
sreviglio@bhfs.com

8 Attorneys for Plaintiff

9
10 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
11 IN AND FOR CARSON CITY

12
13 JED MARGOLIN, an individual,
14 Plaintiff,

CASE NO.: 090600579 1B
DEPT NO.: 1

15 v.

AFFIDAVIT OF RENEWAL OF JUDGMENT

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

23
24 STATE OF NEVADA)
25 COUNTY OF CARSON) ss.

26 Plaintiff/Judgment Creditor, JED MARGOLIN, by and through his attorneys of the law
27 firm of BROWNSTEIN HYATT FARBER SCHRECK, and pursuant to NRS § 17.214, first
28 being duly sworn according to law, hereby submits this Affidavit of Renewal of Judgment

REC'D & FILED
2019 MAY -2 PM 1:16
AUBREY ROWLATT
CLERK
BY J. HARKLEROAD
DEPUTY

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

1 against Defendant/Judgment Debtors OPTIMA TECHNOLOGY CORPORATION, a California
2 corporation, OPTIMA TECHNOLOGY CORPORATION, a Nevada corporation, REZA
3 ZANDIAN aka GOLAMREZA ZANDIANJAZI aka GHOLAM REZA ZANDIAN aka REZA
4 JAZI aka J. REZA JAZI aka G. REZA JAZI aka GHONONREZA ZANDIAN JAZI, an
5 individual, DOE Companies 1-10; DOE Corporations 11-20; and DOE Individuals 21-30,
6 inclusive (collectively "Judgment Debtors").

7 1. I am the Plaintiff/Judgment Creditor, JED MARGOLIN. I have personal
8 knowledge of the facts contained in this Affidavit and if called to do so, would testify
9 competently thereto.

10 2. On June 24, 2013, this Court entered a Default Judgment ("the Judgment") in the
11 amount of \$1,495,775.74 for Plaintiff and against Defendants in this matter.

12 3. The Judgment was recorded with the Washoe County Recorder, Nevada, as
13 Document Number 4269631, on August 16, 2013.

14 4. In addition to the recordation of the Judgment in Washoe County, Nevada (*see*
15 paragraph 3 above), the Judgment has been recorded in the office of the County Recorder in the
16 following Counties in the following States:

17 a. The Judgment was also recorded with the Clark County Recorder,
18 Nevada, as Instrument Number 20130820001370 on August 20, 2013.

19 b. The Judgment was also recorded with the Lyon County Recorder,
20 Nevada, as Document Number 511155 on August 16, 2013.

21 c. The Judgment was also recorded with the Churchill County Recorder,
22 Nevada, as Document Number 436437 on August 16, 2013.

23 5. The Judgment being renewed was initially entered in this Court on June 24, 2013
24 for a total amount of \$1,495,775.74, accruing interest at the legal rate.

25 6. The total Judgment amount due and owing as of May 1, 2019 including accrued
26 interest, is \$2,002,587.58, to wit:

27 \$1,495,775.74 Principal Judgment

28 \$ 506,811.84 Interest on total judgment

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

1 \$2,002,587.58 Total Amount of Judgment as of May 1, 2019.

2 7. Interest has been calculated and adjusted according to NRS 17.130 as follows on
3 the principal amount of \$1,495,775.74:

- 4 a. From June 24, 2013 through December 31, 2015, the rate of legal interest was
5 5.25% pursuant to NRS 17.130. From June 24, 2013 to December 31, 2015, 920
6 days elapsed. For this time period the sum of \$197,934.16 has accrued as interest
7 on the principal sum of \$1,495,775.74.
- 8 b. From January 1, 2016 through December 31, 2016, the rate of legal interest was
9 5.5% pursuant to NRS 17.130. From January 1, 2016 through December 31,
10 2016, 365 days had elapsed. For this time period the sum of \$82,267.67 has
11 accrued as interest on the principal sum of \$1,495,775.74.
- 12 c. From January 1, 2017 through June 30, 2017 the rate of legal interest was 5.75%
13 pursuant to NRS 17.130. From January 1, 2017 through June 30, 2017 180 days
14 had elapsed. For this time period the sum of \$42,414.46 has accrued as interest
15 on the principal sum of \$1,495,775.74.
- 16 d. From July 1, 2017 through December 31, 2017 the rate of legal interest was
17 6.25% pursuant to NRS 17.130. From July 1, 2017 through December 31, 2017,
18 183 days had elapsed. For this time period the sum of \$46,871.05 has accrued as
19 interest on the principal sum of \$1,495,775.74.
- 20 e. From January 1, 2018 through June 30, 2018, the rate of legal interest was 6.5%
21 pursuant to NRS 17.130. From January 1, 2018 through June 30, 2018, 180 days
22 had elapsed. For this time period the sum of \$47,946.78 has accrued as interest
23 on the principal sum of \$1,495,775.74.
- 24 f. From July 1, 2018 through December 31, 2018, the rate of legal interest was 7%
25 pursuant to NRS 17.130. From July 1, 2018 through December 31, 2018, 183
26 days had elapsed. For this time period the sum of \$52,495.58 has accrued as
27 interest on the principal sum of \$1,495,775.74.
- 28

g. From January 1, 2019 through June 30, 2019, the rate of legal interest is 7.5% pursuant to NRS 17.130. From January 1, 2019 through May 1, 2019, 120 days have elapsed. For this time period the sum of \$36,882.14 has accrued as interest on the principal sum of \$1,495,775.74.

h. Total interest that has accrued since June 24, 2013 is therefore: \$506,811.84 on the principal sum of \$1,495,775.74, up to May 1, 2019.

8. After the Default Judgment was entered, Judge Russell awarded Plaintiff costs and fees in the following amounts:

Postjudgment Costs: \$1,355.17

Postjudgment Fees: \$31,247.50

Total Award: \$32,602.67

See Order on Motion for Order Allowing Costs and Necessary Disbursements and Memorandum of Points and Authorities in Support Thereof, filed May 19, 2014. Interest on the \$32,602.67 awarded by Judge Russell on May 19, 2014 has been calculated and adjusted according to NRS 17.130 as follows:

a. From May 19, 2014 through December 31, 2015, the rate of legal interest was 5.25% pursuant to NRS 17.130. From May 19, 2014 through December 31, 2015, 591 days elapsed. For this time period the sum of \$2,771.45 has accrued as interest on the total award of \$32,602.67.

b. From January 1, 2016 through December 31, 2016, the rate of legal interest was 5.5% pursuant to NRS 17.130. From January 1, 2016 through December 31, 2016, 365 days had elapsed. For this time period the sum of \$1,793.15 has accrued as interest on the total award of \$32,602.67.

c. From January 1, 2017 through June 30, 2017 the rate of legal interest was 5.75% pursuant to NRS 17.130. From January 1, 2017 through June 30, 2017, 180 days had elapsed. For this time period the sum of \$924.49 has accrued as interest on the total award of \$32,602.67.

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

1 d. From July 1, 2017 through December 31, 2017 the rate of legal interest was
2 6.25% pursuant to NRS 17.130. From July 1, 2017 through December 31, 2017,
3 183 days had elapsed. For this time period the sum of \$1,021.62 has accrued as
4 interest on the total award of \$32,602.67.

5 e. From January 1, 2018 through June 30, 2018, the rate of legal interest was 6.5%
6 pursuant to NRS 17.130. From January 1, 2018 through June 30, 2018, 180 days
7 had elapsed. For this time period the sum of \$1,045.07 has accrued as interest on
8 the total award of \$32,602.67.

9 f. From July 1, 2018 through December 31, 2018, the rate of legal interest was 7%
10 pursuant to NRS 17.130. From July 1, 2018 through December 31, 2018, 183
11 days had elapsed. For this time period the sum of \$1,144.21 has accrued as
12 interest on the total award of \$32,602.67.

13 g. From January 1, 2019 through June 30, 2019, the rate of legal interest is 7.5%
14 pursuant to NRS 17.130. From January 1, 2019 through May 1, 2019, 120 days
15 have elapsed. For this time period the sum of \$803.90 has accrued as interest on
16 the total award of \$32,602.67.

17 h. Total interest that has accrued since May 19, 2014 is therefore: \$9,503.89 on the
18 on the total award of \$32,602.67, up to May 1, 2019.

19 9. On September 5, 2014, Margolin filed a Writ of Execution against two properties
20 in Clark County in which Zandian has an interest. On September 10, 2014, Margolin filed a
21 Writ of Execution against ten properties in Washoe County in which Zandian had an interest.
22 Notwithstanding the above, there are currently no Writs of Execution outstanding for levy,
23 execution, or collection.

24 10. On December 9, 2014, the Clark County Sheriff sold at public auction Zandian's
25 interest in two Clark County parcels. As there were no other bidders, Margolin credit bid at the
26 auction and purchased both parcels. On April 3, 2015, the Washoe County Sheriff sold at public
27 auction Zandian's interest in four Washoe County parcels. As there were no other bidders,
28 Margolin credit bid at the auction and purchased all four parcels. Both purchases made by

1 Margolin were more than the assessed value of the property: the assessed value of the two Clark
 2 County parcels totaled \$10,500, Margolin bought them for \$24,000; and the assessed value of
 3 the four Washoe County parcels totaled \$24,575; Margolin bought them for \$28,000. However,
 4 in the adversary proceeding in the United States Bankruptcy Court, District of Nevada,
 5 Adversary Case Number 17-0516-btb, the Court granted a Partial Motion for Summary
 6 Judgment against Margolin for quiet title and declaratory relief in favor of Star Living Trust and
 7 Koroghli Management Trust, declaring the Sheriff's deeds void ab-initio on July 20, 2018.
 8 Margolin intends to appeal the Bankruptcy Court's order declaring the Sheriff's deeds void ab-
 9 initio. Notwithstanding the above, Margolin has not received any payments from Judgment
 10 Debtor.

11 11. It appears that on March 18, 2014, Zandian recorded a grant deed which
 12 transferred his interest in the nine Washoe County parcels to Fred Sadri, Ray Koroghli and
 13 Sathsowi Thay Koroghli, and Alborz Zandian and Niloofar Foughani. On or about May 3,
 14 2016, Plaintiff Jed Margolin filed a Motion to Void Deeds, Assign Property, For Writ of
 15 Execution and to Convey before the First Judicial District Court, State of Nevada, County of
 16 Carson City, Case No. 090C00579. Because of the automatic stay existing pursuant to Title 11,
 17 United States Code, by virtue of the pending bankruptcy proceeding, United States Bankruptcy
 18 Court, District of Nevada, BK-16-50644-btb, the First Judicial District Court has not yet ruled
 19 on the motion.

20 12. There are no set offs or counterclaims in favor of Judgment Debtor.

21 13. The exact amount due on the judgment as of May 1, 2019 is \$2,044,694.14.¹

22 14. After inquiry, affiant has ascertained that neither the Plaintiff/Judgment Creditor,
 23 JED MARGOLIN, nor anyone on his behalf, has received any payments other than as set forth
 24 above.

25 ///

26 ///

27 _____
 28 ¹ \$2,002,587.58 from the principal Default plus interest and \$42,106.56 from Judge Russell's Award of Fees and Costs plus interest.

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

AFFIRMATION

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

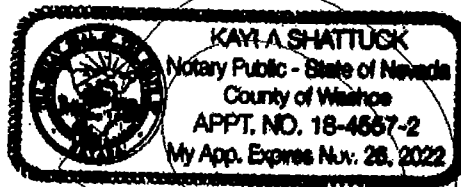
Jed Margolin

JED MARGOLIN

Subscribed and sworn before me
this 1st day of May, 2019.

Kay A. Shattuck

Notary Public



BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

CERTIFICATE OF SERVICE

Pursuant to *NRCP 5(b)*, I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and on this 1st day of May, 2019, I served the document entitled **AFFIDAVIT OF RENEWAL OF JUDGMENT** on the parties listed below in the manner described below:

Reza Zandian
9 MacArthur Place, Unit 2105
Santa Ana, California 92707-6753
(Certified Mail)

Gholam Reza Zandian Jazi
6 Rue Edouard Fournier
75116 Paris
France
(Federal Express)

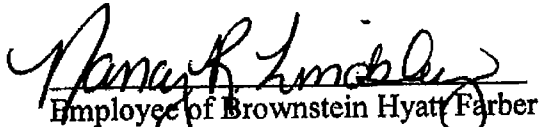
VIA CERTIFIED MAIL U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with certified mailing postage thereon fully prepaid, in the United States mail at Reno, Nevada as addressed to the foregoing party in Santa Ana, California.

VIA FACSIMILE: by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

BY PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and is attached.

VIA COURIER: by delivering a copy of the document to Federal Express for over-night delivery to the foregoing party in Paris, France.

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


Employee of Brownstein Hyatt Farber
Schreck, LLP

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

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

COPY

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

Date MAY 2 2019

Aubrey Powell, City Clerk and Clerk of the Peace, Justice of the Peace Court of the State of Nevada, for and for Carson City.

By [Signature]

Per NRS 200.030 the SIGN may be redacted, but in no way affects the legality of the document.

EXHIBIT 3

EXHIBIT 3

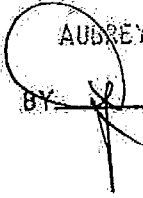
1 Matthew D. Francis, Bar No. 6978
2 mfrancis@bhfs.com
3 Arthur A. Zorio, Bar No. 6547
4 azorio@bhfs.com
5 BROWNSTEIN HYATT FARBER SCHRECK, LLP
6 5371 Kietzke Lane,
7 Reno, Nevada 89511
8 Telephone: (775) 324-4100
9 Facsimile: (775) 333-8171

10 *Attorneys for Plaintiff JED MARGOLIN*

REC'D & FILED ✓

2021 JAN 15 PM 12:59

AUDREY ROWLATT
CLERK

BY  DEPUTY

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

14 JED MARGOLIN, an individual,
15
16 Plaintiff,

CASE NO. 090C00579 1B

DEPT NO. 1

17 v.

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

**NOTICE OF TERMINATION OF
BANKRUPTCY PROCEEDINGS**

21 On June 3, 2016, this Court entered an Order styled "Notice of Bankruptcy Filing and
22 Automatic Stay." In that Order, the Court stated as follows:

23 GHOLAM REZA JAZI ZANDIAN filed a verified Chapter 15 Petition for
24 Recognition of a Foreign Proceeding with the United States Bankruptcy Court,
25 Case No. 16-50644-btb. Pursuant to the United States Bankruptcy Code, upon the
26 filing of a bankruptcy petition, judicial proceedings involving the bankruptcy
27 petitioner are automatically stayed. See 11 U.S.C. § 362(a). Therefore, this Court
28 is unable to proceed on any motions until the automatic stay is lifted by the United
States Bankruptcy Court. At that time, the parties should resubmit any pending
motions to the Court for decision.

1 On October 14, 2020, the United States Bankruptcy Court, District of Nevada (“USBC”),
2 entered an Order Approving Stipulation to Dismiss Chapter 15 Case. *See* Exhibit 1 hereto. In
3 that Order, the USBC dismissed Case No. 16-50644-btb with prejudice. *Id.* The USBC also
4 dismissed two ancillary adversary proceedings (Adversary Case Nos. 17-05016-BTB and 19-
5 05025-BTB) with prejudice. *Id.* No party appealed this Order, and Chapter 15 Case No. 16-
6 50644-btb and Adversary Case Nos. 17-05016-BTB and 19-05025-BTB were closed on
7 November 2, 2020. *See* Exhibit 2 hereto.

9 Prior to the filing of Chapter 15 Case No. 16-50644-btb, Plaintiff Jed Margolin filed a
10 Motion to Void Deeds, Assign Property and For Writ of Execution (“Motion to Void Deeds”), to
11 which no opposition was filed. On June 2, 2016, Mr. Margolin filed a Request for Submission
12 for the Motion to Void Deeds, stating that no opposition had been filed. Following this filing, the
13 Court entered its aforementioned June 3, 2016 Order staying this case and directing the parties to
14 “resubmit any pending motions to the Court for decision.” *See supra.*

16 Mr. Margolin now resubmits his Motion to Void Deeds in accordance with this Court’s
17 June 3, 2016 Order and also submits a proposed Order granting his Motion to Void Deeds in
18 conjunction therewith. Mr. Margolin’s proposed Order and Request for Submission are
19 submitted contemporaneously herewith.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///


28 ///

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

AFFIRMATION Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED: January 15, 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
775-324-4100

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

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 15th day of January, 2021, I served the document entitled **NOTICE OF TERMINATION OF BANKRUPTCY PROCEEDINGS** 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 Kietzke Lane
Reno, Nevada 89511
775-324-4100

LIST OF EXHIBITS

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

1. Order Approving Stipulation to Dismiss Chapter 15 Case
2. Case Summary

3 Pages
2 Pages

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

Bruce T. Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
October 14, 2020

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

Matthew D. Francis
Nevada Bar No. 6978
Arthur A. Zorio
Nevada Bar No. 6547
BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Email: mfrancis@bhfs.com
azorio@bhfs.com

Attorneys for Jed Margolin

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:
PATRICK CANET
JAZI GHOLAMREZA ZANDIAN,
Debtor(s).

Case No. BK-N-16-50644-BTB
Chapter 15

**ORDER APPROVING STIPULATION TO
DISMISS CHAPTER 15 CASE**

Current Hearing Date: September 2, 2020
Current Hearing Time: 11:00 AM
Estimated Time for hearing: 1 hour

1 The Court, having read and considered the Parties' [Proposed] Stipulated Order Granting
2 Motion to Dismiss on to Dismiss Chapter 15 Case ("Stipulation") entered into by Claimants Fred
3 Sadri, both in his individual capacity and as Trustee for The Star Living Trust, dated April 14,
4 1997; Ray Koroghli, individually; and Ray Koroghli and Sathsowi T. Koroghli, in their individual
5 capacities as well as Managing Trustees for Koroghli Management Trust, by and through counsel
6 of record Richard F. Holley, Esq. Andrea M. Gandara, Esq. and Mary Langsner, Ph.D. of the law
7 firm Holley Driggs ("Claimants"); Jed Margolin, by and through his counsel of record Arthur A.
8 Zorio, Esq. and Matthew D. Francis, Esq., of the law firm Brownstein Hyatt Farber Schreck, LLP
9 ("Margolin"); (Claimants and Margolin together, the "Parties"), and the Court, having read and
10 considered the Stipulation, the papers and pleadings on file in the above-captioned case, and good
11 cause appearing therefor:

12 **IT IS ORDERED** that the Stipulation is **APPROVED**.

13 **IT IS FURTHER ORDERED** that Margolin's Amended Motion to Dismiss Chapter 15
14 Case is **GRANTED**.

15 **IT IS FURTHER ORDERED** that the Chapter 15, Case No. BK-N-16-50644-BTB with
16 all ancillary and adversary proceedings related thereto are and shall be dismissed with prejudice.

17 **IT IS FURTHER ORDERED** that Adversary Case No. 17-05016-BTB is and shall be
18 dismissed with prejudice.

19 **IT IS FURTHER ORDERED** that the Adversary Case No. 19-05025-BTB is and shall
20 be dismissed with prejudice.

21 **IT IS FURTHER ORDERED** that pursuant to 11 U.S.C. 349(b), dismissal of the
22 Chapter 15 case:

23 (1) reinstates: (A) any proceeding or custodian any proceeding or custodianship
24 superseded under section 543 of Title 11 of the United States Code ("Code"); (B) any
25 transfer avoided under section 522, 544, 545, 547, 548, 549, or 724(a) of the Code, or
26 preserved under section 510(c)(2), 522(i)(2), or 551 of the Code; and (C) any lien voided
27 under section 506(d) of the Code;
28

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Klotzke Lane
Reno, NV 89511
775.324.4100

1 (2) vacates any order, judgment, or transfer ordered, under section 522(i)(1), 542,
2 550, or 553 of the Code; and

3 (3) reverts the property of the estate in the entity in which such property was
4 vested immediately before the commencement of the case under this title.

5 **IT IS FURTHER ORDERED** that the Order Granting Partial Motion for Summary
6 Judgment and Denying Motion for Summary Judgment Against Cross-Claimant Patrick Canet
7 and Granting Counter Motion for Summary Judgment (“Interlocutory Order”) (Adv. ECF No. 61
8 in Adversary Case No. 17-05016-BTB) and the corresponding Findings of Fact and Conclusions
9 of Law (“Findings”) (Adv. ECF No. 60 in Adversary Case No. 17-05016)-BTB are and shall be
10 vacated as void *ab initio*. To the extent that either the Interlocutory Order or the Findings have
11 been recorded in the office of any county recorder, the same, by this Order are and shall be
12 expunged and removed from the record, and any transfers based upon the Interlocutory Order or
13 the Findings shall be void *ab initio*.

14 **IT IS SO ORDERED.**

15 Prepared and submitted by:

16 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**

17
18 /s/ Matthew D. Francis

19 Matthew D. Francis, Esq.

20 Nevada Bar No. 6978

21 Arthur A. Zorio, Esq.

22 Nevada Bar No. 6547

23 5371 Kietzke Lane

24 Reno, NV 89511

25 *Attorneys for Jed Margolin*

26
27
28
###

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

16-50644-btb PATRICK CANET and JAZI GHOLAMREZA ZANDIAN

Case type: bk **Chapter:** 15 **Vol:** v **Judge:** BRUCE T. BEESLEY

Date filed: 05/19/2016 **Date of last filing:** 11/02/2020

Debtor dismissed: 10/14/2020

Date terminated: 11/02/2020

Case Summary

Office: Reno
County: WASHOE-NV
Fee: Paid
Origin: 0
Previous term:

Filed: 05/19/2016
Terminated: 11/02/2020
Debtor discharged:
Reopened:
Converted:
Debtor dismissed: 10/14/2020
Confirmation hearing:

Joint: n
Original chapter: 15
Current chapter: 15

Debtor disposition: Dismissed for Other Reason

Related adversary proceedings: 17-05016-btb,19-05025-btb

Pending status: Case Closed

Flags: CLOSED, BAPCPA, DISMPREJUDICE

Party 1: CANET, PATRICK (Foreign Representative)

SSN / ITIN: xxx-xx-0000

Party 2: ZANDIAN, JAZI GHOLAMREZA (Debtor)

Atty: JEFFREY L
HARTMAN

Represents party 1: Foreign
Representative

Phone: (775) 324-2800

Fax: (775) 324-1818

Email: notices@bankruptcyreno.com

Atty: JEFFREY L
HARTMAN

Represents party 2: Debtor

Phone: (775) 324-2800

Fax: (775) 324-1818

Email: notices@bankruptcyreno.com

Location of case files:

Volume: CS1

The case file may not be available.

PACER Service Center			
Transaction Receipt			
11/02/2020 18:04:34			
PACER Login:	pNambicSys:3125266:0	Client Code:	

Description:	Case Summary	Search Criteria:	16-50644-btb
Billable Pages:	1	Cost:	0.10