

1 RICHARD F. HOLLEY, ESQ. (Nevada Bar No. 3077)  
E-mail: rholley@nevadafirm.com  
2 OGONNA M. BROWN, ESQ. (Nevada Bar No. 7589)  
E-mail: obrown@nevadafirm.com  
3 F. THOMAS EDWARDS, ESQ. (Nevada Bar No. 9549)  
E-mail: tedwards@nevadafirm.com  
4 HOLLEY DRIGGS WALCH  
FINE WRAY PUZEY & THOMPSON  
5 400 South Fourth Street, Third Floor  
Las Vegas, Nevada 89101  
6 Telephone: 702/791-0308  
Facsimile: 702/791-1912  
7 *Attorneys for Tenant Quest Academy Preparatory Education,  
by and through its duly appointed Receiver, Joshua M. Kern*

8 **JUSTICE COURT, TOWNSHIP OF LAS VEGAS**  
9 **CLARK COUNTY, NEVADA**

10 TOWER DISTRIBUTION CENTER, LLC  
11 Landlord,

Case No.: 16E017030  
Dept. No.: LVJC 6

12 v.

13 QUEST ACADEMY PREPARATORY  
EDUCATION OR TENANT(S) IN  
POSSESSION  
14 Tenant.

15 TOWER DISTRIBUTION CENTER, LLC  
16 Landlord,

Consolidated with:  
Case No.: 16E017039  
Dept. No.: LVJC 6

17 v.

18 QUEST ACADEMY PREPARATORY  
EDUCATION  
OR TENANT(S) IN POSSESSION  
19 4660 N. Rancho Drive, Las Vegas, NV 89130

**ORDER DENYING AFFIDAVIT OF  
COMPLAINT FOR SUMMARY  
EVICTION**

20 QUEST ACADEMY PREPARATORY  
EDUCATION  
OR TENANT(S) IN POSSESSION  
21 4648 N. Rancho Drive, Las Vegas, NV 89130

22 QUEST ACADEMY PREPARATORY  
EDUCATION  
OR TENANT(S) IN POSSESSION  
23 4624 N. Rancho Drive, Las Vegas, NV 89130

24 Tenant.  
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26 This matter came before the Honorable Judge Bitu Yeager presiding over Department <sup>6</sup>  
27 on August 15, 2016, at 1:30 p.m., on the Landlord TOWER DISTRIBUTION CENTER, LLC

28 **RECEIVED**

**AUG 19 2016**

**LAS VEGAS JUSTICE COURT**

HOLLEY•DRIGGS•WALCH  
FINE•WRAY•PUZEY•THOMPSON  
**HDW**

1 (“Tower”) Affidavit of Complaint for Summary Eviction; the Tenant’s Answer in Opposition to  
2 Summary Eviction, and supporting Affidavit of Joshua M. Kern filed by JOSHUA M. KERN,  
3 solely in his capacity as Receiver of QUEST ACADEMY PREPARATORY EDUCATION  
4 (“Quest”), a Nevada State funded charter school, relating to the real property identified as 4548  
5 N. Rancho Drive, Las Vegas, 89103; 4660 N. Rancho Drive, Las Vegas, Nevada, 89103; 4624  
6 N. Rancho Drive, Las Vegas, Nevada, 89103; and portable classrooms situated within Las Vegas  
7 Township, Clark County, Nevada. Mark A. Hutchison, Esq. and Michael K. Wall, Esq. of the  
8 law firm of Hutchison & Steffen appeared on behalf of Tower, and Richard F. Holley, Esq. of  
9 the law firm Holley Driggs Walch Fine Wray Puzey and Thompson appeared on behalf of the  
10 Receiver for Quest.

11 This Court, having reviewed the pleadings and documentation on file herein, and based  
12 upon the findings of fact and conclusions of law placed on the record at the hearing and  
13 incorporated herein pursuant to Rule 52 of the Justice Court Rules of Civil Procedure, including,  
14 without limitation, the assertion of a justifiable defense to summary eviction as well as the  
15 existence of genuine issues of material fact, and good cause appearing,

16 **IT IS HEREBY ORDERED** that Tower’s Affidavit of Complaint for Summary Eviction  
17 is DENIED in its entirety.

18 **IT IS SO ORDERED.**

19 Dated this \_\_\_\_\_ day of August, 2016.


20 **AUG 2 2 2016**

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22 \_\_\_\_\_  
23 LAS VEGAS JUSTICE COURT JUDGE  
24 BITA YEAGER  
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Prepared and submitted by:

**HOLLEY DRIGGS WALCH**  
**FINE WRAY PUZEY & THOMPSON**

  
RICHARD F. HOLLEY, ESQ. (NV Bar 3077)  
OGONNA M. BROWN, ESQ. (NV Bar 7589)  
F. THOMAS EDWARDS, ESQ (NV Bar 9549)  
400 South Fourth Street, Third Floor  
Las Vegas, Nevada 89101  
*Attorneys for Joshua M. Kern, as Receiver of Quest Academy Preparatory Education*

Approved as the Form and Content:

**HUTCHISON & STEFFEN,**  
  
Mark A. Hutchison, Esq. (NV Bar 4639)  
Michael K. Wall, Esq. (NV Bar 2098)  
10080 W. Alta Drive, Suite 200  
Las Vegas Nevada 89145  
*Attorneys for Tower Distribution Center, LLC*