

CLERK OF THE COURT

1 **ORDR**
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7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 TED R. BURKE; MICHAEL R. and
LAURETTA L. KEHOE; JOHN BERTOLDO;
11 PAUL BARNARD; EDDY KRAVETZ; JACKIE
& FRED KRAVETZ; STEVE FRANKS;
12 PAULA MARIA BARNARD; PETE T. and
LISA A. FREEMAN; LEON GOLDEN;
13 C.A. MURFF; GERDA FERN BILLBE;
BOB and ROBYN TRESKA; MICHAEL
14 RANDOLPH; and FREDERICK WILLIS,

15 Plaintiffs,

16 vs.

17 LARRY L. HAHN, individually, and
18 as President and Treasurer of
Kokoweef, Inc., and former
19 President and Treasurer of
Explorations Incorporated of
20 Nevada; HAHN'S WORLD OF SURPLUS,
INC., a Nevada corporation;
21 PATRICK C. CLARY, an individual;
DOES 1 through 100, inclusive;

22 Defendants,

23 and

24 KOKOWEEF, INC., a Nevada
25 corporation; EXPLORATIONS
INCORPORATED OF NEVADA, a
26 dissolved corporation,

27 Nominal Defendants.
28

) CASE NO. A558629
) DEPT NO. XI
)
) **ORDER ON PLAINTIFFS'**
) **DISCOVERY, GRANTING IN**
) **PART AND DENYING IN PART**
) **MOTION TO COMPEL ANSWERS TO**
) **INTERROGATORIES PROPOUNDED**
) **TO PLAINTIFFS AND RESPONSE**
) **TO REQUEST TO PLAINTIFF[S]**
) **FOR PRODUCTION OF DOCUMENTS,**
) **AND DENYING PLAINTIFFS'**
) **COUNTERMOTION FOR SANCTIONS**

) DATE OF HEARING: 5/27/10
) TIME OF HEARING: 9:00 A.M.

1 On May 27, 2010, the Court conducted a Status Conference to determine the status of Defendant
2 Kokoweef, Inc.'s ("Kokoweef") responses to Plaintiffs' Requests for Production, and heard argument
3 on Kokoweef's and Defendant Patrick C. Clary's ("Defendant Clary") Motion to Compel Answers to
4 Interrogatories and Responses to Request for Production of Documents propounded on Plaintiffs ("the
5 Defendants' Motion to Compel") and Plaintiffs' Countermotion for Sanctions. Plaintiffs appeared by
6 and through Jennifer L. Taylor, Esq. of Robertson & Vick, LLP. Defendant Larry L. Hahn and Hahn's
7 World of Surplus, Inc. appeared by and through M Nelson Segel, Esq. of M Nelson Segel, Chartered.
8 Defendant Clary and Kokoweef appeared by and through Patrick C. Clary, Esq. of Patrick C. Clary,
9 Chartered. The Court having considered the Memorandum of Points and Authorities in support of the
10 Defendants' Motion to Compel, and the Plaintiffs' Opposition to Kokoweef's Motion to Compel and
11 Countermotion for Sanctions and having also considered the argument of counsel, it is hereby

12 ORDERED that the Defendants' Motion to Compel is granted in part and denied in part, and
13 more specifically, answers to the Interrogatories served on Plaintiffs on April 2, 2010, except for
14 Interrogatory Nos. 14, 15, 16, 18 and 19, relating to the "Causes of Action" contained in the Plaintiffs'
15 "Verified Derivative First Amended Complaint" that were previously dismissed by the Court, as well
16 as Interrogatory No. 32, are directed to be served by Plaintiffs' counsel on counsel for the other parties
17 no later than June 17, 2010; and it is further

18 ORDERED that no later than June 17, 2010, Plaintiffs respond to Kokoweef and Defendant
19 Clary's Request for Production of Documents ("RTP"), served on the Plaintiffs by Kokoweef and
20 Defendant Clary on April 2, 2010, with the exception that to the extent the RTP requests documents in
21 support of the First, Second, Third, Fifth or Sixth Causes of Action in Plaintiffs' Verified Derivative
22 First Amended Complaint, no response is required as these Causes of Action were previously dismissed
23 by the Court; and it is further

24 ORDERED that no later than June 17, 2010, Plaintiffs serve on the other parties a compilation
25 of any category of damages claimed by them and the basis therefor, as required by N.R.C.P. 16.1; and
26 it is further

27 ORDERED that a complete set of all discs identified by Laurie Wright in her Affidavit of May
28 26, 2010 and attached to Kokoweef's May 26, 2010 Status Report, be produced by Defendants, in

1 accordance with N.R.C.P. 16.1 and N.R.C.P. 34, to the Plaintiffs no later than June 1, 2010; and it is
2 further

3 ORDERED that Kokoweef shall prepare an amended Response to Plaintiffs' August 5, 2009
4 Requests for Production of Documents, which contains in each Response, specific bates number
5 references for those documents responsive to each Request for Production, and such amended Response
6 shall be served by Kokoweef's counsel upon counsel for the other respective parties hereto no later than
7 July 16, 2010; and it is further

8 ORDERED that the Defendants shall be entitled to re-notice their respective pending motions
9 for summary judgment; and it is further

10 ORDERED that the Plaintiffs' Countermotion for Sanctions is hereby denied; and it is further

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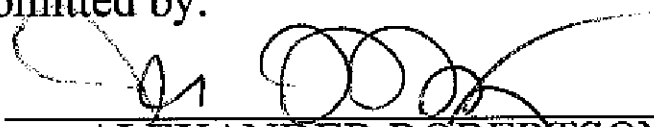
1 ORDERED that Plaintiffs' counsel may also provide copies of the Shareholder Records to Talon
2 Stringham, an expert that has been retained by Plaintiffs in this matter, under the same terms and
3 conditions as set out in this Court's previous order entered April 22, 2010.

4 DATED this 29 day of June, 2010.

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7 DISTRICT JUDGE

8 Submitted by:

9 By

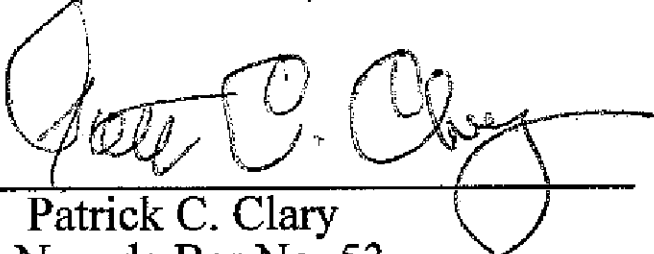

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20 Approved By:

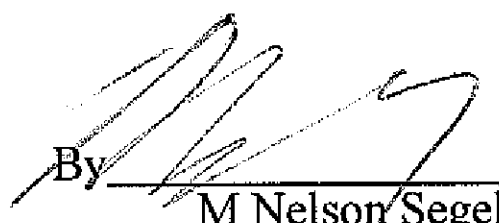
21 PATRICK C. CLARY, CHARTERED

22 By


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28 Defendant Kokoweef, Inc. and
Defendant Patrick C. Clary

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By


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