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RPLY/OPPS  
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Attorney for Plaintiffs

DISTRICT COURT  
CLARK COUNTY, NEVADA

TED R. BURKE; MICHAEL R and LAURETTA  
L. KEHOE; JOHN BERTOLDO; PAUL  
BARNARD; EDDY KRAVETZ; JACKIE and  
FRED KRAVETZ; STEVEN FRANKS; PAULA  
MARIA BARNARD; PETER T. and LISA A  
FREEMAN; LEON GOLDEN; C.A. MURFF;  
GERDA FERN BILLBE; BOB and ROBYN  
TRESKA; MICHAEL RANDOLPH, and  
FREDERICK WILLIS,

Case No. A558629  
Dept. XIII

Plaintiffs,

vs.

PLAINTIFFS' REPLY TO  
DEFENDANT KOKOWEEF,  
INC.'S OPPOSITION TO  
PLAINTIFFS' RENEWED  
MOTION TO STRIKE  
RENEWED MOTION TO  
REQUIRE SECURITY FROM  
PLAINTIFFS AND OPPOSITION  
TO MOTION FOR SANCTIONS

LARRY L. HAHN, individually, and as President  
and Treasurer of Kokoweef, Inc., and former  
President and Treasurer of Explorations  
Incorporated of Nevada; HAHN'S WORLD OF  
SURPLUS, INC., a Nevada corporation; DOES  
I - X, inclusive; DOE OFFICERS, DIRECTORS  
and PARTICIPANTS I - XX,

Defendants,.

and

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

Date of Hearing: June 26, 2008

Nominal Defendants.

Time of Hearing: 9:00 a.m.

COMES NOW the Plaintiffs, by and through their attorney of record, NEIL J. BELLER,  
ESQ., of the law firm of NEIL J. BELLER, LTD, and submits their REPLY TO DEFENDANT

LAW OFFICES  
NEIL J. BELLER, LTD.  
A PROFESSIONAL CORPORATION  
7408 WEST SAHARA AVENUE  
LAS VEGAS, NEVADA 89117  
AREA CODE 702-368-7767

RECEIVED  
JUN 23 2008  
CLERK OF THE COURT

1 KOKOWEEF, INC.'S OPPOSITION TO PLAINTIFFS' RENEWED MOTION TO STRIKE  
2 RENEWED MOTION TO REQUIRE SECURITY FROM PLAINTIFF'S AND OPPOSITION TO  
3 COUNTERMOTION FOR SANCTIONS as follows:

4 **I. REPLY TO DEFENDANT'S OPPOSITION**

5 Plaintiffs' Renewed Motion to Strike Renewed Motion to Require Security is not frivolous,  
6 unnecessary and unwarranted. The Renewed Motion to Strike was filed for the sole purpose to  
7 correct the wrong dates that were presented in Mr. Beller's Declaration in support of its Motion to  
8 Strike Renewed Motion to Require Security and to have their Renewed Motion heard on an order  
9 shortening time prior to June 27, 2008.

10 Counsel for Kokoweef, Inc. filed its Renewed motion on June 12, 2008. Because Kokoweef,  
11 Inc.'s Renewed Motion does not contain any new evidence, and additionally, does not contain any  
12 affidavits in its support, AND this Court had previously ruled that it was not persuaded that  
13 Defendant has met the requirements of NRS 41.520 (30 (a), why would this Court now grant  
14 Defendant's Renewed Motion when it presented no new evidence.

15 Plaintiffs have clearly cited the applicable rules of procedure in its Motion to Strike.  
16 Defendant's Motion is defective and not meritorious.

17 The citation, State ex re. Office of Att'y Gen., Bureau of Consumer Prot. V. NOS  
18 Comm.Inc., 120 Nev 65, 84 P.3d 1052 (2004), was stated in Plaintiffs' Motion to Strike and  
19 Renewed Motion to Strike to substantiate the defect in Defendant's Renewed Motion that evidence  
20 submitted in support of a motion must be presented in the motion or memorandum. Defendant has  
21 presented no new evidence to support its Renewed Motion.

22 Plaintiffs' Renewed Motion to Strike should be granted.

23 **II. OPPOSITION TO COUNTER-MOTION FOR SANCTIONS**

24 As previously stated, with the exception of counsel's Declaration in support of order  
25 shortening time, Plaintiffs Renewed Motion to Strike has the same content as their Motion to Strike  
26 Defendant's Renewed Motion for Security.

27 EDCR 7.60 (b), which does relates to sanctions specifically provides in pertinent part that  
28 the court may impose sanctions when an attorney "without just cause" (emphasis added) presents

1 an obviously frivolous, unnecessary or unwarranted motion. Plaintiffs had just cause to file their  
2 Renewed Motion to Strike when it was discovered the dates in counsel's Declaration as to when he  
3 was leaving for vacation were incorrect.

4 There was no ruling by this Court that would prevent Plaintiffs from filing a second motion  
5 to strike. The Court stated that if and when a motion for security is filed, the Court will conduct an  
6 evidentiary hearing.

7 The fact that the Court will conduct an evidentiary hearing does not justify Defendant filing  
8 a motion that does not present evidence or facts to support that motion. If this Court was not  
9 persuaded by Defendant's original motion for security, then how could this court be persuaded that  
10 Defendant's Renewed Motion complied with the statutory requirements for requiring security.

11 Plaintiffs had just cause to file their Renewed Motion to Strike. It was not frivolous; its was  
12 not unnecessary; it was not unwarranted. Thus, no sanctions should be imposed against Plaintiffs.

13 Based on the foregoing, Defendant's Counter-motion for Sanctions should be denied.

14 DATED this 27 day of June, 2008.

15 NEIL J. BELLER, LTD.

16  
17  
18 By: 

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 23 day of June, 2008, service of the foregoing  
**PLAINTIFFS' REPLY TO DEFENDANT KOKOWEEF, INC.'S OPPOSITION TO  
PLAINTIFFS' RENEWED MOTION TO STRIKE RENEWED MOTION TO REQUIRE  
SECURITY FROM PLAINTIFFS AND OPPOSITION TO MOTION FOR SANCTIONS**

was made this date by serving via facsimile a true copy of the same addressed as follows:

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An employee of Neil J. Beller, Ltd.