

1 Kathy Bazoian Phelps, Esq. (CA Bar No. 155564)
2 Email: kphelps@diamondmccarthy.com
3 DIAMOND MCCARTHY LLP
4 1999 Avenue of the Stars, Suite 1100
5 Los Angeles, California 90067
6 Telephone: 310/651-2997
7 *Admitted Pro Hac Vice*

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8 Jacob L. Houmand, Esq. (NV Bar No. 12781)
9 Email: jhoumand@nelsonhoumand.com
10 Kyle J. Ortiz, Esq. (NV Bar No. 14252)
11 Email: kortiz@nelsonhoumand.com
12 NELSON & HOUMAND, P.C.
13 3900 Paradise Road, Suite U
14 Las Vegas, Nevada 89169-0903
15 Telephone: 702/720-3370
16 Facsimile: 702/720-3371

17 *[Proposed] Counsel for Chapter 7 Trustee*

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
ROBERT C. GRAHAM, LTD. fdba ROB
GRAHAM & ASSOCIATES fdba
LAWYERSWEST,

Debtor.

Case No. BK-S-16-16655-BTB
Chapter 7

DECLARATION OF VICTORIA L. NELSON IN SUPPORT OF EX PARTE APPLICATION TO EMPLOY PAUL M. HEALEY & SONS CPAS, LTD. AS ACCOUNTANT FOR VICTORIA L. NELSON, CHAPTER 7 TRUSTEE, PURSUANT TO 11 U.S.C. §§ 327(a) AND 328(a) AND FEDERAL RULE OF BANKRUPTCY PROCEDURE 2014

Date of Hearing: N/A
Time of Hearing: N/A

Judge: Honorable Bruce T. Beesley

I, VICTORIA L. NELSON, declare as follows:

1. I am over the age of 18 years and I am competent to make this declaration. I have personal knowledge of the facts set forth herein, except for those facts stated on information and belief and, as to those facts, I am informed and believe them to be true. If called as a witness, I could and would testify as to the matters set forth below based upon my personal knowledge.

...

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U, Las Vegas, Nevada 89169
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U, Las Vegas, Nevada 89169
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

1 2. I am the appointed Chapter 7 Trustee in the above-captioned bankruptcy case.

2 3. I make this declaration to support the *Ex Parte Application to Employ Paul M.*
3 *Healey & Sons CPAs, Ltd. As Accountant for Victoria L. Nelson, Chapter 7 Trustee Pursuant to*
4 *11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* (the
5 *“Application”*).¹

6 4. On December 15, 2016, an *Involuntary Bankruptcy Petition* [ECF No. 1]² (the
7 *“Involuntary Petition”*) was filed against ROBERT C. GRAHAM, LTD., fdba ROB GRAHAM &
8 ASSOCIATES fdba LAWYERSWEST (the *“Debtor”*) pursuant to 11 U.S.C. § 303. The
9 Involuntary Petition was filed by the Estate of Michael B. Macknin, the Sharona Dagani Trust,
10 and the Margueritte Owens Revocable Trust (collectively, the *“Petitioning Creditors”*).

11 5. The filing of the Involuntary Petition against the Debtor followed numerous
12 reports that the Debtor had neglected its clients and that its principal, Robert C. Graham, Esq.
13 (*“Mr. Graham”*), had misappropriated funds from the Debtor’s IOLTA Account.

14 6. Specifically, on December 9, 2016, the Nevada State Bar filed an *Emergency*
15 *Petition for Temporary Suspension Pursuant to Supreme Court Rule 102(4)* (the *“Emergency*
16 *Petition”*) with the Supreme Court of the State of Nevada (Case No. 71849). The Emergency
17 Petition sought a temporary suspension of Mr. Graham based upon his misappropriation of
18 millions of dollars from more than fifty clients, guardianships, special needs trusts and estates.
19 The Emergency Petition further details that Mr. Graham abruptly closed his practice and
20 abandoned more than one hundred clients without providing them with any advance notice.

21 7. On December 16, 2016, the Petitioning Creditors filed a *Motion to Appoint Interim*
22 *Trustee in Involuntary Case* [ECF No. 3] (the *“Interim Trustee Motion”*), which sought authority
23 to appoint an interim trustee to take possession of property and to manage the business operations
24 and assets of the Debtor.

25 _____
26 ¹ Unless otherwise provided herein, all defined terms shall have the same meaning ascribed to
27 them in the Application.

28 ² All references to “ECF No.” are to the numbers assigned to the documents filed in the above-
referenced case as they appear on the docket maintained by the clerk of the court.

1 8. On December 21, 2016, the Bankruptcy Court entered an *Order on Trustee Motion*
2 *and Order for Relief Under Chapter 7* [ECF No. 21] (the "Order for Relief"). The Order for
3 Relief provided that the Debtor had consented to the filing of a bankruptcy petition and that the
4 filing of the bankruptcy case was effective as of December 15, 2016 (the "Petition Date"). The
5 Order for Relief further required that the Office of the United States Trustee (the "U.S. Trustee")
6 appoint an Interim Chapter 7 Trustee pursuant to 11 U.S.C. § 701.

7 9. On December 22, 2016, I was appointed as the Chapter 7 Trustee in the Debtor's
8 bankruptcy case [ECF No. 22].

9 10. Following my appointment, I have contacted counsel for the Nevada State Bar,
10 counsel for the Petitioning Creditors, and numerous former clients of the Debtor.

11 11. I have determined that I will require the assistance of an accountant to prepare tax
12 returns on behalf of the Debtor's bankruptcy estate and otherwise assist me in fulfilling my
13 statutory obligations under Section 704. Accordingly, I seek to employ the accounting firm of
14 PAUL M. HEALEY & SONS, LTD. (the "Firm").

15 12. I am also in the process of interviewing accounting firms that specialize in forensic
16 accounting that will analyze bank statements that are obtained through subpoenas issued pursuant
17 to FRBP 2004. Any request to employ such an accounting firm will be requested via a separate
18 application to employ filed with the Court.

19 13. I have employed the Firm in other bankruptcy cases unrelated to the above-
20 referenced bankruptcy case in which I am a Trustee.

21 14. I have selected the Firm because its accountants have experience in matters of this
22 character and will be able to competently represent my interests in the Debtor's bankruptcy case.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is
24 true and correct.

25 Dated this 1st day of February, 2017.

26 /s/ Victoria L. Nelson
27 Victoria L. Nelson, Chapter 7 Trustee
28