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

*General Bankruptcy Counsel for
Victoria L. Nelson, Chapter 7 Trustee*

**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

**NOTICE OF ENTRY OF ORDER
GRANTING APPLICATION TO
EMPLOY ANDERSEN LAW FIRM, LTD.
AS SPECIAL LITIGATION COUNSEL
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: May 9, 2017
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 4, Second Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Bruce T. Beesley¹

PLEASE TAKE NOTICE that an *Order Granting Application to Employ Andersen Law Firm, Ltd. as Special Litigation Counsel 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* [ECF No. 250] (the “Order”) was entered in the above-captioned case on May 25, 2017.

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...

¹ All references to “ECF No.” are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.

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

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A copy of said Order is attached hereto as **Exhibit “1”**.

Dated this 25th day of May, 2017.

NELSON & HOUMAND, P.C.

By: /s/ Jacob L. Houmand
Jacob L. Houmand, Esq. (NV Bar No. 12781)
Kyle J. Ortiz, Esq. (NV Bar No. 14252)
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
Facsimile: 702/720-3371

*General Bankruptcy Counsel for
Victoria L. Nelson, Chapter 7 Trustee*

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

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of May 2017, I caused to be served a true and correct copy of NOTICE OF ENTRY OF ORDER GRANTING APPLICATION TO EMPLOY ANDERSEN LAW FIRM, LTD. AS SPECIAL LITIGATION COUNSEL 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 in the following manner:

(ECF System) By electronically filing a copy of the above-referenced document with the Clerk of the Court for the United States Bankruptcy Court for the District of Nevada via the ECF System.

CANDACE C CARLYON on behalf of Creditor MARKEL INSURANCE COMPANY
ccarlyon@mpplaw.com,
CRobertson@MPPLAW.com; nrodriguez@mpplaw.com; mcarlyon@mpplaw.com

MATTHEW R. CARLYON on behalf of Creditor MARKEL INSURANCE COMPANY
mcarlyon@mpplaw.com,
CRobertson@MPPLAW.com; nrodriguez@mpplaw.com; ccarlyon@mpplaw.com

DAMON K. DIAS on behalf of Creditor DIAS LAW GROUP, LTD.
ddias@diaslawgroup.com, jisselas@diaslawgroup.com; elizabethd@diaslawgroup.com

DAMON K. DIAS on behalf of Creditor EARL AND JEAN PARTON TRUST, SPECIAL NEEDS TRUST, (THANE PARTON)
ddias@diaslawgroup.com, jisselas@diaslawgroup.com; elizabethd@diaslawgroup.com

DAMON K. DIAS on behalf of Creditor THANE PARTON
ddias@diaslawgroup.com, jisselas@diaslawgroup.com; elizabethd@diaslawgroup.com

PATRICK R. DRISCOLL on behalf of Creditor ESTATE OF CHARLOTTE BENTLEY
pdriscoll@patrickdriscolllaw.com,
shansen@patrickdriscolllaw.com; slee@patrickdriscolllaw.com; mobilebklasvegas@gmail.com

DANA A. DWIGGINS on behalf of Creditor ESTATE OF CAROL M. FRANCIS
ddwiggins@sdfnlaw.com,
skeast@sdfnlaw.com; tpickett@sdfnlaw.com; acarnival@sdfnlaw.com

DANA A. DWIGGINS on behalf of Creditor ESTATE OF LAWRENCE GENE FISHER
ddwiggins@sdfnlaw.com,
skeast@sdfnlaw.com; tpickett@sdfnlaw.com; acarnival@sdfnlaw.com

DANA A. DWIGGINS on behalf of Creditor ESTATE OF ROGER WAYNE BREWER
ddwiggins@sdfnlaw.com,
skeast@sdfnlaw.com; tpickett@sdfnlaw.com; acarnival@sdfnlaw.com

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

1 DANA A. DWIGGINS on behalf of Creditor ALLISON SPANGLER
2 ddwiggins@sdfnlaw.com,
3 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

4 DANA A. DWIGGINS on behalf of Creditor HELENE CORONEOS
5 ddwiggins@sdfnlaw.com,
6 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

7 DANA A. DWIGGINS on behalf of Creditor JEFFREY GALE
8 ddwiggins@sdfnlaw.com,
9 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

10 DANA A. DWIGGINS on behalf of Creditor JEFFREY ALLEN COVAY
11 ddwiggins@sdfnlaw.com,
12 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

13 DANA A. DWIGGINS on behalf of Creditor MIRIAM RIGG
14 ddwiggins@sdfnlaw.com,
15 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

16 DANA A. DWIGGINS on behalf of Creditor SANDRA ZEPEDA
17 ddwiggins@sdfnlaw.com,
18 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

19 DANA A. DWIGGINS on behalf of Creditor STANLEY SANDERS
20 ddwiggins@sdfnlaw.com,
21 skeast@sdfnlaw.com;tpickett@sdfnlaw.com;acarnival@sdfnlaw.com

22 BRIAN P. EAGAN on behalf of Interested Party ESTATE OF GLENDA TOLINE
23 beagan@sdfnlaw.com, brian9397@aol.com

24 BRIAN P. EAGAN on behalf of Interested Party PAMELA OLEKAS
25 beagan@sdfnlaw.com, brian9397@aol.com

26 BRIAN P. EAGAN on behalf of Interested Party WARREN WEST
27 beagan@sdfnlaw.com, brian9397@aol.com

28 MICHAEL N FEDER on behalf of Interested Party BRADLEY BENSON
mfeder@dickinson-wright.com, LV_LitDocket@dickinsonwright.com;lstewart@dickinson-wright.com;MCarter@dickinson-wright.com

MICHAEL N FEDER on behalf of Interested Party DAWN STARRETT
mfeder@dickinson-wright.com, LV_LitDocket@dickinsonwright.com;lstewart@dickinson-wright.com;MCarter@dickinson-wright.com

MICHAEL N FEDER on behalf of Interested Party JOHN JAY PAYNE
mfeder@dickinson-wright.com, LV_LitDocket@dickinsonwright.com;lstewart@dickinson-wright.com;MCarter@dickinson-wright.com

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

- 1 MICHAEL N FEDER on behalf of Interested Party ROBIN ADLER, TESTAMENTARY
2 TRUSTEE AND ADMINISTRATOR
3 mfeder@dickinson-wright.com, LV_LitDocket@dickinsonwright.com; lstewart@dickinson-wright.com; MCarter@dickinson-wright.com
- 4 ERICK T. GJERDINGEN on behalf of Creditor THE DALE N. FINE TRUST
5 bknotices@gtg.legal, egjerdingen@gtg.legal
- 6 ERICK T. GJERDINGEN on behalf of Petitioning Creditor ESTATE OF MICHAEL B.
7 MACKNIN
8 bknotices@gtg.legal, egjerdingen@gtg.legal
- 9 ERICK T. GJERDINGEN on behalf of Petitioning Creditor THE MARGUERITTE OWENS
10 REVOCABLE TRUST
11 bknotices@gtg.legal, egjerdingen@gtg.legal
- 12 ERICK T. GJERDINGEN on behalf of Petitioning Creditor THE SHARONA DAGONI TRUST
13 bknotices@gtg.legal, egjerdingen@gtg.legal
- 14 GERALD M GORDON on behalf of Petitioning Creditor ESTATE OF MICHAEL B.
15 MACKNIN
16 ggordon@gtg.legal, bknotices@gtg.legal
- 17 GERALD M GORDON on behalf of Petitioning Creditor THE MARGUERITTE OWENS
18 REVOCABLE TRUST
19 ggordon@gtg.legal, bknotices@gtg.legal
- 20 GERALD M GORDON on behalf of Petitioning Creditor THE SHARONA DAGONI TRUST
21 ggordon@gtg.legal, bknotices@gtg.legal
- 22 MARJORIE A. GUYMON on behalf of Interested Party MARJORIE A. GUYMON
23 bankruptcy@goldguylaw.com,
24 selenav@goldguylaw.com; ehouston@goldguylaw.com; peterc@goldguylaw.com; jschneringer@goldguylaw.com; bluna@goldguylaw.com
- 25 JACOB L. HOUMAND on behalf of Trustee VICTORIA L. NELSON
26 jhoumand@nelsonhoumand.com, ynelson@nelsonhoumand.com; kortiz@nelsonhoumand.com
- 27 JARED R. JOHNSON on behalf of Creditor ESTATE OF MIKIO NAKAZONO
28 jjohnson@ashworthlaw.com, suzanne@ashworthlaw.com
- JARED R. JOHNSON on behalf of Creditor GRACE ALIFF
jjohnson@ashworthlaw.com, suzanne@ashworthlaw.com
- JOSEPH S. KISTLER on behalf of Interested Party THE ESTATE OF MICHAEL B. MACKNIN
jkistler@hutchlegal.com, bbenitez@hutchlegal.com

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

1 JOSEPH S. KISTLER on behalf of Petitioning Creditor ESTATE OF MICHAEL B. MACKNIN
jkistler@hutchlegal.com, bbenitez@hutchlegal.com

2 ISHI KUNIN on behalf of Attorney ISHI KUNIN
3 ishi@kununlawgroup.com

4 ISHI KUNIN on behalf of Creditor MARVIN L. MARTIN
5 ishi@kununlawgroup.com

6 VICTORIA L. NELSON
7 trustee@nelsonhoumand.com,
8 cgauss@nelsonhoumand.com; vln@trustesolutions.net; nv29@ecfcbis.com; trustee2@nelsonhoumand.com; trustee3@nelsonhoumand.com

9 KYLE J. ORTIZ on behalf of Trustee VICTORIA L. NELSON
10 kortiz@nelsonhoumand.com,
jhoumand@nelsonhoumand.com; vnelson@nelsonhoumand.com; cgauss@nelsonhoumand.com

11 KATHY BAZOIAN PHELPS on behalf of Trustee VICTORIA L. NELSON
12 kphelps@diamondmccarthy.com

13 SAMUEL A. SCHWARTZ on behalf of Debtor ROBERT C. GRAHAM, LTD.
14 sam@nvfirm.com, ecf@schwartzlawyers.com; schwartzecf@gmail.com

15 SAMUEL A. SCHWARTZ on behalf of Trustee VICTORIA L. NELSON
16 sam@nvfirm.com, ecf@schwartzlawyers.com; schwartzecf@gmail.com

17 SAMUEL A. SCHWARTZ on behalf of U.S. Trustee U.S. TRUSTEE - LV - 7
18 sam@nvfirm.com, ecf@schwartzlawyers.com; schwartzecf@gmail.com

19 U.S. TRUSTEE - LV - 7
USTPRegion17.LV.ECF@usdoj.gov

20 WHITNEY B. WARNICK on behalf of Interested Party BRANDI K. CASSADY
21 wbw@albrightstoddard.com, cgrey@albrightstoddard.com; bclark@albrightstoddard.com

22 WHITNEY B. WARNICK on behalf of Interested Party JASEN E. CASSADY
23 wbw@albrightstoddard.com, cgrey@albrightstoddard.com; bclark@albrightstoddard.com

24 GREGORY L. WILDE on behalf of Creditor BANK OF AMERICA, N.A.
25 nvbk@tblaw.com, gwaring@tblaw.com; llcano@tblaw.com; klgamboa@tblaw.com

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Dated this 25th day of May, 2017.

NELSON & HOUMAND, P.C.

By: /s/ Jacob L. Houmand
Jacob L. Houmand, Esq. (NV Bar No. 12781)
Kyle J. Ortiz, Esq. (NV Bar No. 14252)
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
Facsimile: 702/720-3371

*General Bankruptcy Counsel for
Victoria L. Nelson, Chapter 7 Trustee*

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

EXHIBIT “1”

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Bruce T Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
May 25, 2017

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

*General Bankruptcy Counsel for
Victoria L. Nelson, Chapter 7 Trustee*

**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

**ORDER GRANTING APPLICATION TO
EMPLOY ANDERSEN LAW FIRM, LTD.
AS SPECIAL LITIGATION COUNSEL
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: May 9, 2017
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 4, Second Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Bruce T. Beesley

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

1 This matter came before this Court on the *Application to Employ Andersen Law Firm, Ltd.*
 2 *as Special Litigation Counsel for Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§*
 3 *327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* (the “Application”) [ECF No.
 4 35]¹, by VICTORIA L. NELSON, the Chapter 7 Trustee in the above-captioned bankruptcy case
 5 (the “Trustee”), by and through her general bankruptcy counsel of record, Jacob L. Houmand,
 6 Esq. and Kyle J. Ortiz, Esq. of the Law Firm of Nelson & Houmand, P.C.² The Application
 7 sought authority to employ the Andersen Law Firm, Ltd (the “Firm”) as special litigation counsel
 8 pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014.

9 Jacob L. Houmand, Esq. and Ryan A. Andersen, Esq. appeared on behalf of the Trustee.
 10 Candace C. Carlyon, Esq. appeared on behalf of Markel Insurance Company. No other
 11 appearances were noted on the record at the hearing on the Application.

12 The Court reviewed the Application, the *Declaration of Ryan A. Andersen, Esq. In*
 13 *Support of Application to Employ Andersen Law Firm, Ltd. as Special Litigation Counsel for*
 14 *Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal*
 15 *Rule of Bankruptcy Procedure 2014* [ECF No. 236], the *Declaration of Victoria L. Nelson In*
 16 *Support of Application to Employ Andersen Law Firm, Ltd. as Special Litigation Counsel for*
 17 *Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal*
 18 *Rule of Bankruptcy Procedure 2014* [ECF No. 237], the *Notice of Entry of Order Shortening Time*
 19 *for Hearing On Application to Employ Andersen Law Firm, Ltd. as Special Litigation Counsel for*
 20 *Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal*
 21 *Rule of Bankruptcy Procedure 2014* [ECF No. 242], the *Notice of Hearing On Application to*
 22 *Employ Andersen Law Firm, Ltd. as Special Litigation Counsel for Victoria L. Nelson, Chapter 7*
 23 *Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure*
 24 *2014* [ECF No. 243], the *Certificate of Service of Application to Employ Andersen Law Firm, Ltd.*

25 _____
 26 ¹ All references to “ECF No.” are to the numbers assigned to the documents filed in the case as
 27 they appear on the docket maintained by the clerk of the court.

28 ² All defined terms in this Order shall have the same meaning ascribed to them in the Application
 unless otherwise provided herein.

1 as Special Litigation Counsel for Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§
2 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 244], the Response
3 of Markel Insurance Company to Trustee’s Application to Employ Andersen Law Firm, Ltd. As
4 Special Counsel [ECF No. 246], the exhibits attached thereto, and all of the papers on file herein.

5 Based upon this review and the findings of fact and conclusions of law placed on the
6 record at the hearing, and incorporated herein pursuant to Federal Rule of Civil Procedure 52,
7 made applicable to this matter pursuant to Federal Rules of Bankruptcy Procedure 9014(c) and
8 7052, and good cause appearing,

9 **IT IS HEREBY ORDERED** that:

10 (1) The Application is GRANTED as modified herein;

11 (2) The Trustee appointed in the above-referenced bankruptcy case is hereby
12 authorized pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure
13 2014 only to employ the Firm as her special litigation counsel to defend against any and all claims
14 alleged against the Trustee by Markel Insurance Company (“MIC”) or any other party in the
15 litigation captioned *Markel Insurance Company v. Robert C. Graham, Ltd. et al.* (Case Number
16 2:17-cv-00975-RFB-GWF) (the “District Court Action”) and to investigate whether the Trustee
17 holds any claims that can be asserted against MIC or any other third parties related to the Debtor’s
18 Malpractice Insurance Policy with MIC (Policy Number LA303-630 (collectively, the “Claims”);

19 (3) If the Trustee seeks to utilize the Firm for any other purpose, additional
20 authorization to expand the scope of the Firm’s employment must be sought form this Court;

21 (4) Although the Court approves the contingency fee arrangement described in the
22 Application, the Court makes no finding as to whether or to what extent the Trustee has any
23 interest in the proceeds of the MIC Policy (Policy Number LA 303 630) to which such a
24 contingency fee could attach; and

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

1 (5) Any payment to special counsel is subject to approval by the Court.

2 **IT IS SO ORDERED.**

3 Prepared and Submitted By:

4 **NELSON & HOUMAND, P.C.**

5 By: */s/ Jacob L. Houmand*
Jacob L. Houmand, Esq. (NV Bar No. 12781)

6 Kyle J. Ortiz, Esq. (NV Bar No. 14252)
3900 Paradise Road, Suite U

7 Las Vegas, Nevada 89169-0903

8 Telephone: 702/720-3370

9 Facsimile: 702/720-3371

10 *General Bankruptcy Counsel for*
Victoria L. Nelson, Chapter 7 Trustee

11 Approved:

12 

13 Candace C. Carlyon, Esq.
14 Counsel for MIC

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

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NELSON & HOUMAND, P.C.
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Telephone: (702) 720-3370 Facsimile: (702) 720-3371

LOCAL RULE 9021 CERTIFICATE

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court’s ruling and that:

The Court has waived the requirements set forth in Local Rule 9021(b)(1).

No party appeared at the hearing or filed an objection to the Application.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Approved

By: /s/ Candace C. Carlyon
Nicholas M. Wieczorek Esq.
(NV Bar No. 6170)
Candace C. Carlyon, Esq.
(NV Bar No. 2666)
MORRIS POLICH & PURDY LLP
3800 Howard Hughes Parkway, Suite 500
Las Vegas, Nevada 89169

Attorneys for Markel Insurance Company

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the Application pursuant to Local Rule 9014(g), and that no party has objected to the form or content of the order.

Dated this 24th day of May, 2017.

NELSON & HOUMAND, P.C.

By: /s/ Jacob L. Houmand
Jacob L. Houmand, Esq. (NV Bar # 12781)
Kyle J. Ortiz, Esq. (NV Bar # 14252)
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
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*General Bankruptcy Counsel for
Victoria L. Nelson, Chapter 7 Trustee*

###