

B2100A(Form2100A)(12/15)

UNITED STATES BANKRUPTCY COURT

In re Robert C. Graham, Ltd.

Case No. 16-16655-btb

PARTIAL TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

State Bar of Nevada, Clients' Security Fund
Name of Transferee

Barbara Mackinn
Name of Transferor

Name and Address where notices to transferee should be sent:

Court Claim# (if known): 72-2
Amount of Claim: \$50,000.00
Date Claim Filed: June 7, 2017

3100 W. Charleston Blvd., Suite 100
Las Vegas, Nevada 89102

Phone: 702-382-2200
Last Four Digits of Acct #: N/A

Phone: (702) 515-1957
Last Four Digits of Acct. #: 7325

Name and Address where transferee payments should be sent (if different from above):



State Bar of Nevada, Clients' Security Fund
3100 W. Charleston Blvd., Suite 100
Las Vegas, Nevada 89102

Phone: 702-382-2200
Last Four Digits of Acct #: N/A

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

By: [Signature]
Transferee/Transferee's Agent

Date: 1/29/19

STATE BAR OF NEVADA CLIENT SECURITY FUND 3100 W CHARLESTON BLVD STE 100 LAS VEGAS, NV 89102 702-382-2200		WELLS FARGO BANK, N.A. www.wellsfargo.com 94-7074/3212	2260
		11/27/2018	
PAY TO THE ORDER OF	Barbara A. Macknin, Executor of Estate of Michael B. Macknin		\$ 50,000.00
	Fifty Thousand and 00/100*****		DOLLARS 
MEMO	Barbara A. Macknin, Executor of Estate of Michael B. Macknin 9805 Cathedral Pines Ave. Las Vegas, NV 89149		 AUTHORIZED SIGNATURE
	CSF17-025		
	@000000 2260 @ 1:321270742: 2451459164 @		

Details on Back. Security Features Included

STATE BAR OF NEVADA CLIENT SECURITY FUND

2260

11/27/18

CSF17-025

\$50,000.00

RECEIVED BY

NOV 14 2018

STATE BAR OF NEVADA

SUBROGATION AGREEMENT

KNOW ALL MEN BY THESE PRESENT, that whereas Barbara A. Macknin of 9805 Cathedral Pines Ave., Las Vegas, NV, 89149, claims to have sustained losses and damages resulting from or by reason of the defalcation, fraud, improper handling, failure or refusal to account, or mismanagement of funds or property of the undersigned or in which the undersigned has an interest against Robert Graham, Bar Number: 4618.

NOW, THEREFORE, for and in consideration of the total sum of \$50,000.00, the receipt of which is hereby acknowledged from the STATE BAR OF NEVADA, which sum was paid in compensation of and on account of the aforesaid claims, I, the undersigned, hereby assign and subrogate, up to the amount above recited, my right, title and interest in and to any and all claims for such defalcations, frauds, improper handlings, failures or refusals to account, or mismanagement, to the STATE BAR OF NEVADA; and I hereby authorize the STATE BAR OF NEVADA to make claims, including estate claims, compromise or sue in my name or any other name to the extent of the aforesaid sum, and it is fully subrogated to all my rights in the premises and duly authorized to do any and all things in my name and as my attorney as necessary to any such claim, compromise or suit, it being expressly agreed that any action taken by said STATE BAR OF NEVADA in its own interest as created herein shall be at no cost or expense to the undersigned.

The undersigned warrants that no payment for any sums or in any form has been received directly or indirectly from said Robert Graham in any way related to the claims above delineated. This includes any reimbursement from an estate proceeding.

The undersigned agrees that she will cooperate in all ways reasonably requested by the STATE BAR OF NEVADA or its attorneys in the prosecution of such suits as may be brought by it, execute all documents requested by it and testify if requested by it.

The undersigned further agrees that she will not bring any suit in regard to the total overall claim, including the amount paid in consideration of this agreement, unless the STATE BAR OF NEVADA shall fail to do so within 60 days of receipt by it of a written demand for the same, except that if, in the judgment of the undersigned, such delay will prejudice the collection of the claim or will prejudice the obtaining of security therefore by attachment or otherwise, then the undersigned may begin suit for not less than the full amount paid for this agreement and will so notify the STATE BAR OF NEVADA in writing by certified mail within ten (10) days after the commencement of the suit. Such suit may include the amount due the client over and above the consideration paid for this agreement. The STATE BAR OF NEVADA may intervene or join in such action to the extent of its interest by virtue of this agreement.

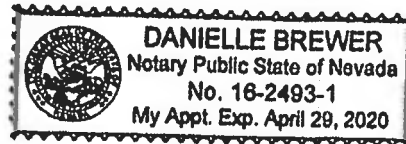
The undersigned further agrees that in respect of any suit brought to recover on the above claims, whether or not the STATE BAR OF NEVADA has entered or prosecuted its interest, the proceeds of any settlement or adjudication shall, in order, be applied to the amount of reimbursement paid by the STATE BAR OF NEVADA as above set forth, and its expenses in relation to such suit, all sums over and above such reimbursement and expenses to be paid to the undersigned.

DATED this 13th day of November, 2018.

Barbara A. Macknin
Barbara A. Macknin

Subscribed and sworn to, and acknowledged to me to be Barbara A. Macknin's free act and deed before me this 13th day of November, 2018.

Danielle Brewer
NOTARY PUBLIC



Fill in this information to identify the case:

Debtor 1 ROBERT C. GRAHAM, LTD.

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: District of Nevada

Case number 16-16655-BTB

Official Form 410
Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. **Who is the current creditor?** Estate of Michael B. Macknin
Name of the current creditor (the person or entity to be paid for this claim) _____
Other names the creditor used with the debtor _____

2. **Has this claim been acquired from someone else?** No Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?** **Where should notices to the creditor be sent?** **Where should payments to the creditor be sent? (if different)**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<u>Michael Esposito, Esq.</u> Name <u>650 White Dr., Ste. 100</u> Number Street <u>Las Vegas, NV 89119</u> City State ZIP Code Contact phone <u>(725) 777-3000</u> Contact email <u>mesposito@gtg.legal</u>	_____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
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Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. **Does this claim amend one already filed?** No Yes. Claim number on court claims registry (if known) 72 Filed on 06/06/2017
MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?** No Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 1,080,265.67. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Money held in Debtor's IOLTA account on behalf of the Estate.

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature of property:
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check one:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____

Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____

Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies. \$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 06/07/2017
MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name Michael Esposito, Esq.
First name Middle name Last name

Title Attorney for Creditor

Company Garman Turner Gordon
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 650 White Dr., Ste. 100
Number Street

Las Vegas, NV 89119
City State ZIP Code

Contact phone (725) 777-3000 Email mesposito@gtq.legal

Electronically Filed
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Alvin D. Quinn
CLERK OF THE COURT

1 **ORDR**
2 **LAWYERSWEST**
3 **ROBERT C. GRAHAM, ESQ.**
4 Nevada Bar No. 4618
5 10000 W. Charleston Boulevard
6 Howard Hughes Plaza 140
7 Las Vegas, Nevada 89135
8 Voice: (702) 255-6161
9 Fax: (702) 255-8383
10 rgraham@lawyerswest.net

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

11 In the Matter of the Estate of
12
13 **MICHAEL B. MACKNIN,**
14
15 Deceased.

Case No.: P-13-077855-E
Dept. No.: Probate
Date: November 4, 2016
Time: 9:30 a.m.

**ORDER ON PETITION FOR APPROVAL OF ATTORNEY FEES
AND TO TRANSFER BLOCKED FUNDS**

16 THIS MATTER HAVING COME ON FOR HEARING on this 4th day of November, 2016
17 and notice having been given properly, including notice by publication to a disinherited party; and
18 having no objections filed or noted; this court, having first found good cause; finds and orders as
19 follows:

20 IT IS ORDERED that the requested attorney fees by LawyersWest, as voluntarily adjusted by
21 LawyersWest and agreed upon by the Executrix Barbara Macknin, in the amount of \$16,356.50, are
22 hereby deemed reasonable for the work associated with this matter and are therefore APPROVED.

23 IT IS ORDERED that prior payment by the Executrix is acknowledged and the unpaid balance
24 of fees in the amount of \$12,039.00 shall be paid as a set off against any transfer to new counsel, as
25 set forth herein, from funds of the estate held in the Blocked Attorney Trust Account of the estate, and
26

LAWYERSWEST, LTD.
10000 W. Charleston
Howard Hughes Plaza, Suite 140
Las Vegas, Nevada 89135
(702)255-6161 - Fax (702)255-8383

12

1 the satisfaction of payment of said fees shall be issued by LawyersWest, in writing, to either the
2 Executrix or to new counsel for future estate accounting purposes;

3 IT IS ORDERED that the the request by LawyersWest to be paid costs totaling \$1,097.39
4 which are associated with this matter is hereby approved. The prior payment of Barbara Macknin is
5 acknowledged. The remaining unpaid balance of \$252.06 shall be paid as a set off against any transfer
6 to new counsel, as set forth herein, from funds of the estate held in the Blocked Attorney Trust Account
7 of the estate, and the satisfaction of payment of said costs shall be issued, in writing, to either the
8 Executrix or new counsel for future estate accounting purposes;

10 IT IS ORDERED that the estate funds currently held in the Robert C. Graham, Ltd. Attorney
11 Trust Account (Blocked Attorney Trust Account), along with any and all accrued interest and/or
12 income shall be transferred to The Law Offices of Michael I. Kling, Ltd., IOLTA (Blocked Attorney
13 Trust Account) in two checks of certified funds. One check shall be for the non-taxable settlement
14 principal proceeds held in trust in the amount of \$1,045,405.08; and a second check shall be for the
15 income of the estate, less applied fees and costs, for a net amount of \$22,569.53.

17 IT IS ORDERED that a third check shall be issued to LawyersWest for approved attorney fees
18 and costs totaling \$12,291.09.

19 IT IS ORDERED that the Executrix of the Estate shall presently provide to LawyersWest an
20 original W-9 tax form for the estate (for the reporting of income by way of 1099-INT in the amount
21 of \$34,860.59 for 2016).

23 IT IS ORDERED that upon satisfaction of payment of fees and costs to LawyersWest, that any
24 remaining documents of the case in the possession of LawyersWest relating to the case or the file,

25 \\\

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27 \\\

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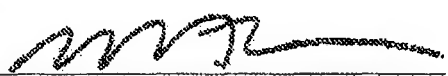

LAWYERSWEST, LTD.
10000 W. Charleston
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(702)255-6161 - Fax (702)255-8383

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including the underlying file or files, shall be transmitted or transferred to Michael Kling, Esq. and or Kling Law Offices at 8906 Spanish Ridge Ave., Suite 100, Las Vegas, Nevada 89148.

IT IS ORDERED that the parties shall make all related transfers and related document and file exchanges no later than 15 days from the date of entry of the order, but under no circumstances later than November 22, 2016.

DATED THIS 4 day of November, 2016


DISTRICT COURT JUDGE


Prepare and submitted by:


LAWYERS WEST

ROBERT C. GRAHAM, ESQ.
Nevada Bar No. 4618
10000 W. Charleston Boulevard
Howard Hughes Plaza 140
Las Vegas, Nevada 89135
Voice: (702) 255-6161
Fax: (702) 255-8383

LAWYERS WEST, LTD.
10000 W. Charleston
Howard Hughes Plaza, Suite 140
Las Vegas, Nevada 89135
(702) 255-6161 - Fax: (702) 255-8383

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12/07/16

Accrual Basis

Rob Graham & Associates
Transaction Detail by Account
 December 1, 2001 through December 7, 2016

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
230088 · Macknin, Michael-Estate								
Deposit	09/06/2013	54235...	Weitz & Luxenberg	Deposit		Attorney Trust ...	33,312.47	33,312.47
Deposit	09/19/2013	54243...	Weitz & Luxenberg	Deposit		Attorney Trust ...	100,375.20	133,687.67
Deposit	09/19/2013	54243...	Weitz & Luxenberg	Deposit		Attorney Trust ...	32,808.09	166,495.76
Deposit	09/30/2013		Weitz & Luxenberg	Deposit		Attorney Trust ...	13,318.85	179,814.61
Deposit	11/19/2013	54341...	Weitz & Luxenberg	Deposit		Attorney Trust ...	44,381.78	224,196.39
Deposit	11/27/2013	54344...	Weitz & Luxenberg	Deposit		Attorney Trust ...	85,982.24	310,178.63
Deposit	12/02/2013	54347...	Weitz & Luxenberg	Deposit		Attorney Trust ...	119,991.40	430,170.03
Deposit	12/13/2013	54392...	Weitz & Luxenberg	Deposit		Attorney Trust ...	8,442.68	438,612.71
Deposit	12/24/2013	54404...	Weitz & Luxenberg	Deposit		Attorney Trust ...	17,146.80	455,759.51
Deposit	01/27/2014	54469...	Weitz & Luxenberg	Peerless Indu...		Attorney Trust ...	60,000.00	515,759.51
Deposit	01/27/2014	54468...	Weitz & Luxenberg	Kaiser Gypsu...		Attorney Trust ...	99,988.49	615,748.00
Deposit	01/27/2014	54468...	Weitz & Luxenberg	Dunham-Bus...		Attorney Trust ...	8,000.00	623,748.00
Deposit	02/24/2014	54504...	Weitz & Luxenberg	Settlement		Attorney Trust ...	7,963.06	631,711.06
Check	02/26/2014	7998	Macknin, Michael - ...	Nevada Legal...		Attorney Trust ...	-70.00	631,641.06
Deposit	02/28/2014	54513...	Weitz & Luxenberg	Macknin - Set...		Attorney Trust ...	8,582.40	640,223.46
Deposit	02/28/2014	54514...	Weitz & Luxenberg	Macknin - Set...		Attorney Trust ...	60,000.00	700,223.46
Deposit	02/28/2014	54513...	Weitz & Luxenberg	Macknin - Set...		Attorney Trust ...	29,996.80	730,220.26
Check	03/03/2014	8016	Macknin, Michael - ...	Barbara Mack...		Attorney Trust ...	-71,925.85	658,294.41
Deposit	03/10/2014	54550...	Weitz & Luxenberg	Settlement		Attorney Trust ...	4,663.62	662,958.03
Deposit	03/21/2014	54570...	Weitz & Luxenberg	Settlement		Attorney Trust ...	80,000.00	742,958.03
Deposit	04/29/2014	54618...	Weitz & Luxenberg	Settlement		Attorney Trust ...	15,042.43	758,000.46
Deposit	05/08/2014	54623...	Weitz & Luxenberg	Settlement		Attorney Trust ...	29,996.80	787,997.26
Deposit	08/11/2014	54714...	Weitz & Luxenberg	Multiple Defe...		Attorney Trust ...	97,877.03	885,874.29
Deposit	08/25/2014	54727...	Weitz & Luxenberg	Weir Valve & ...		Attorney Trust ...	20,000.00	905,874.29
Deposit	08/25/2014	54731...	Weitz & Luxenberg	Babcok & Wil...		Attorney Trust ...	2,943.78	908,818.07
Deposit	09/03/2014	54738...	Weitz & Luxenberg	Weir Valve & ...		Attorney Trust ...	4,793.60	913,611.67
Deposit	09/23/2014	54755...	Weitz & Luxenberg	Worthington T...		Attorney Trust ...	13,424.39	927,036.06
Deposit	10/10/2014	54773...	Weitz & Luxenberg	Federal Mogu...		Attorney Trust ...	1,320.59	928,356.65
Deposit	01/26/2015	11565...	Weitz & Luxenberg	Goodyear Tire		Attorney Trust ...	59,841.57	988,198.22
Deposit	02/13/2015	11589...	Weitz & Luxenberg	Settlement		Attorney Trust ...	8,318.35	996,516.57
Deposit	12/04/2015	11861...	Weitz & Luxenberg	A.P. Green Tr...		Attorney Trust ...	2,330.18	998,846.75
Deposit	01/04/2016	11912...	Weitz & Luxenberg	Plibrico Comp...		Attorney Trust ...	2,145.49	1,000,992.24
Deposit	02/05/2016	11979...	Weitz & Luxenberg	Plibrico Trust ...		Attorney Trust ...	414.94	1,001,407.18
Deposit	02/09/2016	11997...	Weitz & Luxenberg	Babcok & Wil...		Attorney Trust ...	1,731.71	1,003,138.89
Deposit	02/09/2016	12004...	Weitz & Luxenberg	U.S. Gypsum ...		Attorney Trust ...	14,760.00	1,017,898.89
Deposit	02/09/2016	12011...	Weitz & Luxenberg	Fibreboard Tru...		Attorney Trust ...	3,047.48	1,020,946.37
Deposit	03/04/2016	12046...	Weitz & Luxenberg	OCF Trust set...		Attorney Trust ...	22,435.28	1,043,381.65
Deposit	06/20/2016	12158...	Weitz & Luxenberg	Settlement wit...		Attorney Trust ...	1,953.43	1,045,335.08
Total 230088 · Macknin, Michael-Estate							1,045,335.08	1,045,335.08
TOTAL							1,045,335.08	1,045,335.08