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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

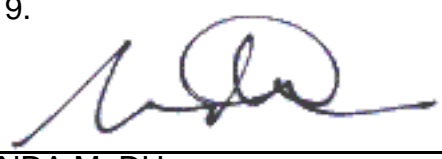
UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
400 ACRES OF LAND, more or less,  
situate in Lincoln County, State of Nevada;  
and JESSIE J. COX, et al.,  
  
Defendants.

Case No. 2:15-cv-01743-MMD-NJK  
  
ORDER

The Court recently received the attached disclosure statements from Land Commissioners the Honorable Philip M. Pro and the Honorable Peggy A. Leen.<sup>1</sup> The Court has reviewed the disclosures. The Court notes that Judge Pro indicates he is a partial owner of JAMS, and that Judge Leen indicates she is not. The Court finds that nothing in the disclosures necessitates the Court take any action at this time, but passes them on to the parties through this order—for the parties’ consideration.

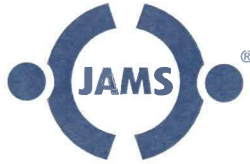
The Clerk of Court is directed to provide a copy of this order to the Land Commissioners by email: (1) The Honorable Philip M. Pro; (2) The Honorable Peggy A. Leen; and (3) The Honorable Justice Michael L. Douglas.

DATED THIS 12<sup>th</sup> day of November 2019.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE

<sup>1</sup>The Land Commissioners explain in a cover letter accompanying their disclosures that they are sending them out of an abundance of caution, and in response to the Ninth Circuit’s decision in *Monster Energy Co. v. City Beverages, LLC*, 940 F.3d 1130 (9th Cir. 2019). There, the Ninth Circuit held as a matter of first impression that arbitrators must disclose ownership interests in arbitration organizations and those organizations’ business deals with parties to the arbitration.



Dear Chief Judge Du:

On October 22, 2019, the United States Court of Appeals for the Ninth Circuit issued an Opinion in *Monster Energy Company v. City Beverages, LLC*, 2019 WL 5382062, holding in a matter of apparent first impression that arbitrators must disclose ownership interests in arbitration organizations.

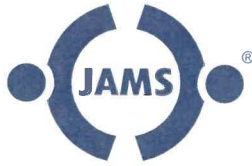
Although the Circuit's ruling may not directly address the circumstances of this case wherein we are appointed by you as Land Commissioners under Federal Rule of Civil Procedure 71.1(h), we think it appropriate to disclose our respective ownership interests in JAMS.

Therefore, we are enclosing a disclosure statement and declaration that would normally be provided as a JAMS neutral to you through Deputy Clerk, Peggie Vannozi, of our respective ownership interests in JAMS for such use as you deem appropriate. We would be pleased to provide any additional information or answer any questions you may have at your convenience.

Kindest regards,

  
Peggy Leen

  
Philip M. Pro



LAND COMMISSION DICLOSURE CHECKLIST

Arbitrator Disclosure Checklist pursuant to:

- Code of Ethics for Arbitrators in Commercial Disputes
• JAMS Ethical Guidelines for Arbitrators Case Title: United States of America vs. 400 Acres of Land, et al. Case No. 2:15-cv-01743-MMD-NJK

JAMS Ref. #: 1260005540

Panelist Name: Peggy Leen for appointment as Land Commissioner under FRCP 71.1(h)

Checklist supplements disclosure report 16A

- 1. Arbitrator or member of arbitrator's family [The term "member of the arbitrator's family" includes the arbitrator's immediate family or member of the arbitrator's household] is a party, a party's spouse or domestic partner, an officer, director or trustee of a party? Yes No ( ) (x)
2. Arbitrator or member of arbitrator's family is a lawyer in the arbitration, related to a lawyer in the arbitration or currently associated in the private practice of law with a lawyer in the arbitration? ( ) (x)
3. Arbitrator or a member of arbitrator's family has or has had a significant personal relationship with any party or lawyer for a party? ( ) (x)
4. Arbitrator is serving or within preceding 5 years has served: (A) As a neutral arbitrator in another arbitration involving a party, lawyer for a party, or law firm for a party to the current arbitration? ( ) (x) (B) As a party-appointed arbitrator in another arbitration for either a party, lawyer for a party, or law firm for a party to the current arbitration? ( ) (x) (C) As a neutral arbitrator in another arbitration in which s/he was selected by a person serving as a party-appointed arbitrator in the current arbitration? ( ) (x) (D) As a dispute resolution neutral other than an arbitrator in another pending or prior case involving a party, lawyer for a party, or law firm in the current arbitration. ( ) (x)
5. Arbitrator has or has had an attorney-client relationship with a party or lawyer for a party to the current arbitration, including representing the party; an officer, director or trustee of a party; or the arbitrator provided legal advice to a party or a lawyer in the arbitration concerning any matter involved in the arbitration? ( ) (x)
6. Arbitrator or member of the arbitrator's family has or has had any other professional relationship with a party or lawyer for a party, including as an expert witness or consultant? ( ) (x)
7. Arbitrator or member of arbitrator's family has a financial interest in a party? (The term "financial interest" means ownership of a legal or equitable interest, or a relationship as a director, adviser, or other active participant in the affairs of a party. [See, 28 U.S.C.A. sec. 455.] ( ) (x)
8. Arbitrator or member of arbitrator's family has personal knowledge of disputed evidentiary facts relevant to the arbitration? A person likely to be a material witness in the proceeding is deemed to have personal knowledge of disputed evidentiary facts. ( ) (x)

Yes   No

- 9. Is there any other matter that:
  - (A) Might cause a person aware of the facts to reasonably entertain a doubt that the arbitrator would be able to be impartial? ( ) (✓)
  - (B) Leads the proposed arbitrator to believe there is a substantial doubt as to his or her capacity to be impartial, including, but not limited to, bias or prejudice toward a party, lawyer, or law firm in the arbitration? ( ) (✓)
  - (C) Otherwise leads the arbitrator to believe that his or her disqualification will further the interests of justice? ( ) (✓)
  
- 10. Is the arbitrator not able to properly perceive the evidence or properly conduct the proceedings because of a permanent or temporary physical impairment? ( ) (✓)
  
- 11. Are there any constraints on the arbitrator's availability known to the arbitrator that will interfere with his or her ability to commence or complete the arbitration in a timely manner? ( ) (✓)
  
- 12. Do you participate in social networking sites such as Facebook, Twitter, or LinkedIn? ( ) (✓)
  
- 13. Is the Commissioner an owner panelist of JAMS? ( ) (✓)

If the arbitrator marked this question, "Yes," it is possible that one of the lawyers or law firms involved in this matter is in some way connected to the Arbitrator through this professional networking application. However, none of these contacts rises to the level of a prior business relationship that might cause a person aware of the facts to reasonably entertain a doubt that the arbitrator would be able to be impartial, unless otherwise noted below.

**If the Land Commissioner has answered "yes" to any of the above questions, s/he will explain below and/or see attached rider:**

Question #:      Explanation:

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**Declarations of Land Commissioner:**

1. Having been nominated or appointed by the Court as a Land Commissioner pursuant to Federal Rule of Civil Procedure 71.1(h), I have made a reasonable effort to inform myself of any matters that could cause a person aware of the facts to reasonably entertain a doubt that as a Land Commissioner I would be able to be impartial. In addition, I have disclosed all such matters to the Court.

2. I practice in association with JAMS. Each JAMS neutral, including me, has an economic interest in the overall financial success of JAMS. JAMS has approximately 400 neutrals on its panel, and a little over one quarter of JAMS neutrals, have an equal ownership share in the company. I do not have an ownership interest. Owners are not privy to information regarding the number of cases or revenue related to cases assigned to other panelists. Additional information is available on the JAMS website at [www.jamsadr.com/neutrality](http://www.jamsadr.com/neutrality). In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.

3. My responses to the questions above are true and correct to the best of my knowledge.

4. Please note JAMS neutrals regularly engage in speaking engagements, CLEs, discussion groups and other professional activities, and it is possible that a party, company, lawyer or law firm connected with this proceeding either attended, participated or was on a panel with the Arbitrator.

Date: November 4, 2019

Signature of Land Commissioner:

Jerry A. Deo

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

This report includes General Disclosure of Client Activity from 10/23/2014 to 10/23/2019. Due to the confidential nature of mediations only the number of mediations concerning the involved parties are listed. The number of cases listed below does not include the pres case. All branches of counsel firms are included.

Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Defendant(s)**

**Sheahan Landowners**

No Address Listed

**Cases heard with Sheahan Landowners**

No Cases to Report

**Tanis Landowners**

No Address Listed

**Cases heard with Tanis Landowners**

No Cases to Report

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**Counsel for Defendant**

**Austin Sweet**

**Gunderson Law Firm**

3895 Warren Way

Reno, NV 89509

**Cases heard with Austin Sweet**

No Cases to Report

**John R Funk**

**Gunderson Law Firm**

3895 Warren Way

Reno, NV 89509

**Cases heard with John R Funk**

No Cases to Report

**Cases heard with Gunderson Law Firm**

No Cases to Report

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Panelist: Peggy A. Leen

Reference #: 1260005540 10/23/2019

**Mark H. Gunderson  
Gunderson Law Firm**

3895 Warren Way  
Reno, NV 89509

**Cases heard with Mark H. Gunderson**

No Cases to Report

**Autumn L. Waters  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Autumn L. Waters**

No Cases to Report

**Cases heard with L/O Kermitt L. Waters**

No Cases to Report

**James J. Leavitt  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with James J. Leavitt**

No Cases to Report

**Kermitt L. Waters  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Kermitt L. Waters**

No Cases to Report

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**General Disclosures, Report A (MKT016A)**

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

**Michael A. Schneider**  
**L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Michael A. Schneider**

No Cases to Report

**Plaintiff(s)**

**United States of America**

No Address Listed

**Cases heard with United States of America**

No Cases to Report

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Panelist: Peggy A. Leen

Reference #: 1260005540 10/23/2019

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**Counsel for Plaintiff**

**Troy K. Flake**  
**United States Department of Justice**

501 Las Vegas Blvd South  
Suite 1100  
Las Vegas, NV 89101

**Cases heard with Troy K. Flake**

No Cases to Report

**Cases heard with United States Department of Justice**

No Cases to Report

**Anthony Gentner**  
**US Department of Justice**

Environmental Enforcement Section  
PO Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Anthony Gentner**

No Cases to Report

**Cases heard with US Department of Justice**

No Cases to Report

**Eugene N. Hansen**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Eugene N. Hansen**

No Cases to Report

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Cases heard with US Department of Justice**

No Cases to Report

**Johanna M. Franzen**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Johanna M. Franzen**

No Cases to Report

**Mark C. Elmer**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Mark C. Elmer**

No Cases to Report

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10/23/2019

Page 5 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Party(s)**

**Amy E. Sears**

No Address Listed

**Cases heard with Amy E. Sears**

No Cases to Report

**Animal Place**

No Address Listed

**Cases heard with Animal Place**

No Cases to Report

**Debbie DeVito**

No Address Listed

**Cases heard with Debbie DeVito**

No Cases to Report

**Deborah Lynn Sheahan**

No Address Listed

**Cases heard with Deborah Lynn Sheahan**

No Cases to Report

**Diane Sibley-Origlia**

No Address Listed

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**House Rabbit Society**

No Address Listed

**Cases heard with House Rabbit Society**

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United States of America vs. 400 Acres of Land, et al.

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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No Cases to Report

**Hui Chu Poole**

No Address Listed

**Cases heard with Hui Chu Poole**

No Cases to Report

**John B. Sheahan**

No Address Listed

**Cases heard with John B. Sheahan**

No Cases to Report

**Katherine Kell**

No Address Listed

**Cases heard with Katherine Kell**

No Cases to Report

**Melanie Goodpasture**

No Address Listed

**Cases heard with Melanie Goodpasture**

No Cases to Report

**Sandra Spears-Lavallee**

No Address Listed

**Cases heard with Sandra Spears-Lavallee**

No Cases to Report

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10/23/2019

Page 7 of 12

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United States of America vs. 400 Acres of Land, et al.

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Counsel for Party**

**Amy E. Sears**

P.O. Box 71  
Pioche, NV 89043

**Cases heard with Amy E. Sears**

No Cases to Report

**Cases heard with**

No Cases to Report

**Animal Place**

c/o Kim Sturla (Registered Agent)  
Grass Valley, CA 95949

**Cases heard with Animal Place**

No Cases to Report

**Cases heard with**

No Cases to Report

**Debbie DeVito**

c/o Stanley Pedder  
3445 Golden Gate Way  
Lafayette, CA 94549

**Cases heard with Debbie DeVito**

No Cases to Report

**Cases heard with**

No Cases to Report

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

**Deobrah Lynn Sheahan**

4662 Gabriel Drive  
Las Vegas, NV 89121

**Cases heard with Deobrah Lynn Sheahan**

No Cases to Report

**Cases heard with**

No Cases to Report

**Diane Sibley-Origlia**

1615 Via Romero  
Alamo, CA 94507

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**Cases heard with**

No Cases to Report

**House Rabbit Society**

c/o Anne Martin (Registered Agent)  
Richmond, CA 94804

**Cases heard with House Rabbit Society**

No Cases to Report

**Cases heard with**

No Cases to Report

**Hui Chu Poole**

165 Lakewood Road  
Walnut Creek, CA 94598

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Cases heard with Hui Chu Poole**

No Cases to Report

**Cases heard with**

No Cases to Report

**John Sheahan**

No Address

Irvine, CA 92612

**Cases heard with John Sheahan**

No Cases to Report

**Cases heard with**

No Cases to Report

**Katherine Kell**

c/o Stanley Pedder

3445 Golden Gate Way

Lafayette, CA 94549

**Cases heard with Katherine Kell**

No Cases to Report

**Cases heard with**

No Cases to Report

**Melanie Goodpasture**

P.O. Box 7044

Cotati, CA 94931

**Cases heard with Melanie Goodpasture**

No Cases to Report

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10/23/2019

Page 10 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Cases heard with**

No Cases to Report

**Sandra Sears-Lavallee**

1172 Skyline road  
Henderson, NV 89002

**Cases heard with Sandra Sears-Lavallee**

No Cases to Report

**Cases heard with**

No Cases to Report

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Panelist: Peggy A. Leen

Reference #: 1260005540

10/23/2019

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**Other Disclosures**

N/A

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10/23/2019

Page 12 of 12



LAND COMMISSION DICLOSURE CHECKLIST

Arbitrator Disclosure Checklist pursuant to:

- Code of Ethics for Arbitrators in Commercial Disputes
• JAMS Ethical Guidelines for Arbitrators Case Title: United States of America vs. 400 Acres of Land, et al. Case No. 2:15-cv-01743-MMD-NJK

JAMS Ref. #: 1260005540

Panelist Name: Philip Pro for appointment as Land Commissioner under FRCP 71.1(h)

Checklist supplements disclosure report 16A

- 1. Arbitrator or member of arbitrator's family [The term "member of the arbitrator's family" includes the arbitrator's immediate family or member of the arbitrator's household] is a party, a party's spouse or domestic partner, an officer, director or trustee of a party? Yes No ( ) (x)
2. Arbitrator or member of arbitrator's family is a lawyer in the arbitration, related to a lawyer in the arbitration or currently associated in the private practice of law with a lawyer in the arbitration? ( ) (x)
3. Arbitrator or a member of arbitrator's family has or has had a significant personal relationship with any party or lawyer for a party? ( ) (x)
4. Arbitrator is serving or within preceding 5 years has served: (A) As a neutral arbitrator in another arbitration involving a party, lawyer for a party, or law firm for a party to the current arbitration? ( ) (x) (B) As a party-appointed arbitrator in another arbitration for either a party, lawyer for a party, or law firm for a party to the current arbitration? ( ) (x) (C) As a neutral arbitrator in another arbitration in which s/he was selected by a person serving as a party-appointed arbitrator in the current arbitration? ( ) (x) (D) As a dispute resolution neutral other than an arbitrator in another pending or prior case involving a party, lawyer for a party, or law firm in the current arbitration. ( ) (x)
5. Arbitrator has or has had an attorney-client relationship with a party or lawyer for a party to the current arbitration, including representing the party; an officer, director or trustee of a party; or the arbitrator provided legal advice to a party or a lawyer in the arbitration concerning any matter involved in the arbitration? ( ) (x)
6. Arbitrator or member of the arbitrator's family has or has had any other professional relationship with a party or lawyer for a party, including as an expert witness or consultant? ( ) (x)
7. Arbitrator or member of arbitrator's family has a financial interest in a party? (The term "financial interest" means ownership of a legal or equitable interest, or a relationship as a director, adviser, or other active participant in the affairs of a party. [See, 28 U.S.C.A. sec. 455.] ( ) (x)
8. Arbitrator or member of arbitrator's family has personal knowledge of disputed evidentiary facts relevant to the arbitration? A person likely to be a material witness in the proceeding is deemed to have personal knowledge of disputed evidentiary facts. ( ) (x)

- |   | <u>Yes</u>                              | <u>No</u>                               |
|---|---|---|
| 9. Is there any other matter that:  |   |   |
| (A) Might cause a person aware of the facts to reasonably entertain a doubt that the arbitrator would be able to be impartial?  | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| (B) Leads the proposed arbitrator to believe there is a substantial doubt as to his or her capacity to be impartial, including, but not limited to, bias or prejudice toward a party, lawyer, or law firm in the arbitration? | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| (C) Otherwise leads the arbitrator to believe that his or her disqualification will further the interests of justice?   | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| 10. Is the arbitrator not able to properly perceive the evidence or properly conduct the proceedings because of a permanent or temporary physical impairment?   | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| 11. Are there any constraints on the arbitrator's availability known to the arbitrator that will interfere with his or her ability to commence or complete the arbitration in a timely manner?                                | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| 12. Do you participate in social networking sites such as Facebook, Twitter, or LinkedIn?   | ( )                                     | ( <input checked="" type="checkbox"/> ) |
| 13. Is the Commissioner an owner panelist of JAMS?  | ( <input checked="" type="checkbox"/> ) | ( )                                     |

If the arbitrator marked this question, "Yes," it is possible that one of the lawyers or law firms involved in this matter is in some way connected to the Arbitrator through this professional networking application. However, none of these contacts rises to the level of a prior business relationship that might cause a person aware of the facts to reasonably entertain a doubt that the arbitrator would be able to be impartial, unless otherwise noted below.

**If the Land Commissioner has answered "yes" to any of the above questions, s/he will explain below and/or see attached rider:**

Question #:      Explanation:  
 ----- Please see Paragraph 2 in the Declarations below. -----  
 -----

**Declarations of Land Commissioner:**

1. Having been nominated or appointed by the Court as a Land Commissioner pursuant to Federal Rule of Civil Procedure 71.1(h), I have made a reasonable effort to inform myself of any matters that could cause a person aware of the facts to reasonably entertain a doubt that as a Land Commissioner I would be able to be impartial. In addition, I have disclosed all such matters to the Court.

2. I practice in association with JAMS. Each JAMS neutral, including me, has an economic interest in the overall financial success of JAMS. JAMS has approximately 400 neutrals on its panel, and a little over one quarter of JAMS neutrals, including me, have an equal ownership share in the company. Owners are not privy to information regarding the number of cases or revenue related to cases assigned to other panelists. Additional information is available on the JAMS website at [www.jamsadr.com/neutrality](http://www.jamsadr.com/neutrality). In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.

3. My responses to the questions above are true and correct to the best of my knowledge.

4. Please note JAMS neutrals regularly engage in speaking engagements, CLEs, discussion groups and other professional activities, and it is possible that a party, company, lawyer or law firm connected with this proceeding either attended, participated or was on a panel with the Arbitrator.

Date: November 1, 2019

Signature of Arbitrator: 

## General Disclosures, Report A (MKT016A)

United States of America vs. 400 Acres of Land, et al.

This report includes General Disclosure of Client Activity from 10/23/2014 to 10/23/2019. Due to the confidential nature of mediations only the number of mediations concerning the involved parties are listed. The number of cases listed below does not include the pres case. All branches of counsel firms are included.

Panelist: Philip Pro

Reference #: 1260005540 10/23/2019

### Defendant(s)

#### Sheahan Landowners

No Address Listed

#### Cases heard with Sheahan Landowners

No Cases to Report

#### Tanis Landowners

No Address Listed

#### Cases heard with Tanis Landowners

No Cases to Report

### Counsel for Defendant

Austin Sweet

Gunderson Law Firm

3895 Warren Way

Reno, NV 89509

#### Cases heard with Austin Sweet

No Cases to Report

John R Funk

Gunderson Law Firm

3895 Warren Way

Reno, NV 89509

#### Cases heard with John R Funk

No Cases to Report

#### Cases heard with Gunderson Law Firm

No Cases to Report

*The neutral practices in association with JAMS. Each JAMS neutral, including the neutral in this case, has an economic interest in the overall financial success of JAMS. In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.*

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10/23/2019

Page 1 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

This report includes General Disclosure of Client Activity from 10/23/2014 to 10/23/2019. Due to the confidential nature of mediations only the number of mediations concerning the involved parties are listed. The number of cases listed below does not include the pres case. All branches of counsel firms are included.

Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

**Mark H. Gunderson  
Gunderson Law Firm**

3895 Warren Way  
Reno, NV 89509

**Cases heard with Mark H. Gunderson**

No Cases to Report

**Autumn L. Waters  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Autumn L. Waters**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Cases heard with L/O Kermitt L. Waters**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**James J. Leavitt  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with James J. Leavitt**

No Cases to Report

**Kermitt L. Waters  
L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

*The neutral practices in association with JAMS. Each JAMS neutral, including the neutral in this case, has an economic interest in the overall financial success of JAMS. In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.*

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**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Cases heard with Kermitt L. Waters**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Michael A. Schneider**

L/O Kermitt L. Waters

704 S. Ninth St.

Las Vegas, NV 89101

**Cases heard with Michael A. Schneider**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Plaintiff(s)**

**United States of America**

No Address Listed

**Cases heard with United States of America**

No Cases to Report

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10/23/2019

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540 10/23/2019

**Counsel for Plaintiff**

**Troy K. Flake**  
**United States Department of Justice**

501 Las Vegas Blvd South  
Suite 1100  
Las Vegas, NV 89101

**Cases heard with Troy K. Flake**

No Cases to Report

**Cases heard with United States Department of Justice**

No Cases to Report

**Anthony Gentner**  
**US Department of Justice**

Environmental Enforcement Section  
PO Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Anthony Gentner**

No Cases to Report

**Cases heard with US Department of Justice**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases

1

**Eugene N. Hansen**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Eugene N. Hansen**

No Cases to Report

*The neutral practices in association with JAMS. Each JAMS neutral, including the neutral in this case, has an economic interest in the overall financial success of JAMS. In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.*

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10/23/2019



**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Cases heard with US Department of Justice**

No Cases to Report

**Johanna M. Franzen  
US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Johanna M. Franzen**

No Cases to Report

**Mark C. Elmer  
US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Mark C. Elmer**

No Cases to Report

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10/23/2019

Page 5 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Party(s)**

**Amy E. Sears**

No Address Listed

**Cases heard with Amy E. Sears**

No Cases to Report

**Animal Place**

No Address Listed

**Cases heard with Animal Place**

No Cases to Report

**Debbie DeVito**

No Address Listed

**Cases heard with Debbie DeVito**

No Cases to Report

**Deborah Lynn Sheahan**

No Address Listed

**Cases heard with Deborah Lynn Sheahan**

No Cases to Report

**Diane Sibley-Origlia**

No Address Listed

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**House Rabbit Society**

No Address Listed

**Cases heard with House Rabbit Society**

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*The neutral practices in association with JAMS. Each JAMS neutral, including the neutral in this case, has an economic interest in the overall financial success of JAMS. In addition, because of the nature and size of JAMS, the parties should assume that one or more of the other neutrals who practice with JAMS has participated in an arbitration, mediation or other dispute resolution proceeding with the parties, counsel or insurers in this case and may do so in the future.*

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United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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No Cases to Report

**Hui Chu Poole**

No Address Listed

**Cases heard with Hui Chu Poole**

No Cases to Report

**John B. Sheahan**

No Address Listed

**Cases heard with John B. Sheahan**

No Cases to Report

**Katherine Kell**

No Address Listed

**Cases heard with Katherine Kell**

No Cases to Report

**Melanie Goodpasture**

No Address Listed

**Cases heard with Melanie Goodpasture**

No Cases to Report

**Sandra Spears-Lavallee**

No Address Listed

**Cases heard with Sandra Spears-Lavallee**

No Cases to Report

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**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Counsel for Party**

**Amy E. Sears**

P.O. Box 71  
Pioche, NV 89043

**Cases heard with Amy E. Sears**

No Cases to Report

**Cases heard with**

No Cases to Report

**Animal Place**

c/o Kim Sturla (Registered Agent)  
Grass Valley, CA 95949

**Cases heard with Animal Place**

No Cases to Report

**Cases heard with**

No Cases to Report

**Debbie DeVito**

c/o Stanley Pedder  
3445 Golden Gate Way  
Lafayette, CA 94549

**Cases heard with Debbie DeVito**

No Cases to Report

**Cases heard with**

No Cases to Report

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10/23/2019

Page 8 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

**Deobrah Lynn Sheahan**

4662 Gabriel Drive  
Las Vegas, NV 89121

**Cases heard with Deobrah Lynn Sheahan**

No Cases to Report

**Cases heard with**

No Cases to Report

**Diane Sibley-Origlia**

1615 Via Romero  
Alamo, CA 94507

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**Cases heard with**

No Cases to Report

**House Rabbit Society**

c/o Anne Martin (Registered Agent)  
Richmond, CA 94804

**Cases heard with House Rabbit Society**

No Cases to Report

**Cases heard with**

No Cases to Report

**Hui Chu Poole**

165 Lakewood Road  
Walnut Creek, CA 94598

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10/23/2019

Page 9 of 12

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Cases heard with Hui Chu Poole**

No Cases to Report

**Cases heard with**

No Cases to Report

**John Sheahan**

No Address  
Irvine, CA 92612

**Cases heard with John Sheahan**

No Cases to Report

**Cases heard with**

No Cases to Report

**Katherine Kell**

c/o Stanley Pedder  
3445 Golden Gate Way  
Lafayette, CA 94549

**Cases heard with Katherine Kell**

No Cases to Report

**Cases heard with**

No Cases to Report

**Melanie Goodpasture**

P.O. Box 7044  
Cotati, CA 94931

**Cases heard with Melanie Goodpasture**

No Cases to Report

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**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Cases heard with**

No Cases to Report

**Sandra Sears-Lavallee**

1172 Skyline road  
Henderson, NV 89002

**Cases heard with Sandra Sears-Lavallee**

No Cases to Report

**Cases heard with**

No Cases to Report

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10/23/2019

**General Disclosures, Report A (MKT016A)**

United States of America vs. 400 Acres of Land, et al.

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Panelist: Philip Pro

Reference #: 1260005540

10/23/2019

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**Other Disclosures**

N/A

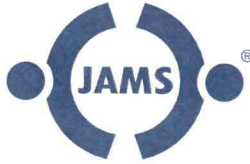
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10/23/2019





Chief Judge Miranda M. Du  
U.S. District Court, District of Nevada  
400 S. Virginia St.  
Reno, NV 89501

RE: **2:15-cv-1743-MMD-NJK - United States of America vs. 400 Acres of Land, et al.**  
JAMS Ref. No.: 1260005540

Dear Judge Du:

Please see the enclosed additional disclosure report.

Sincerely,

A handwritten signature in blue ink, appearing to read "SP", is written over a horizontal line.

Scott Parreno  
Case Manager  
sparreno@jamsadr.com

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

JAMS administers approximately 13,000 cases per year. This report lists the numbers of cases JAMS has administered in the last five years involving any party, lawyer, or law firm in the present case. "Administered" means any case in which JAMS received a payment, regardless of which party (or parties) remitted payment. The numbers below do not include the present case. All branches of law firms are included.

JAMS has approximately 400 neutrals on its panel, and a little over one quarter of JAMS neutrals have an equal ownership share in the company. Owners are not privy to information regarding the number of cases or revenue related to cases assigned to other panelists. No shareholder's distribution has ever exceeded 0.1% of JAMS total revenue in a given year. Shareholders are not informed about how their profit distributions are impacted by any particular client, lawyer or law firm and shareholders do not receive credit for the creation or retention of client relationships.

This information is typically provided at the commencement of a JAMS matter. This report is not provided to JAMS neutrals and will not be provided to the neutral in this matter. The neutral issues his or her own required disclosures.

Reference #: 1260005540 11/4/2019

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**Defendant(s)**

**Sheahan Landowners**

No Address Listed

**Cases heard with Sheahan Landowners**

No Cases to Report

**Tanis Landowners**

No Address Listed

**Cases heard with Tanis Landowners**

No Cases to Report

JAMS Commencement Disclosure (MKT016I)

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Counsel for Defendant**

**Austin Sweet**  
**Gunderson Law Firm**  
3895 Warren Way  
Reno, NV 89509

**Cases heard with Austin Sweet**

No Cases to Report

**John R Funk**  
**Gunderson Law Firm**  
3895 Warren Way  
Reno, NV 89509

**Cases heard with John R Funk**

No Cases to Report

**Cases heard with Gunderson Law Firm**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 2

**Mark H. Gunderson**  
**Gunderson Law Firm**  
3895 Warren Way  
Reno, NV 89509

**Cases heard with Mark H. Gunderson**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Autumn L. Waters**  
**L/O Kermitt L. Waters**  
704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Autumn L. Waters**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Cases heard with L/O Kermitt L. Waters**

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**James J. Leavitt**  
**L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with James J. Leavitt**

No Cases to Report

**Kermitt L. Waters**  
**L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Kermitt L. Waters**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**Michael A. Schneider**  
**L/O Kermitt L. Waters**

704 S. Ninth St.  
Las Vegas, NV 89101

**Cases heard with Michael A. Schneider**

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 1

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Plaintiff(s)**

**United States of America**

No Address Listed

**Cases heard with United States of America**

Court Reference

- Court Reference(s) - Closed cases 3
- Court Reference(s) - Open cases 2

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 69
- Mediation(s) - Open cases 4
- Neutral Evaluation(s) - Closed cases 1

JAMS Commencement Disclosure (MKT016I)

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Counsel for Plaintiff**

**Troy K. Flake**  
**United States Department of Justice**  
501 Las Vegas Blvd South  
Suite 1100  
Las Vegas, NV 89101

**Cases heard with Troy K. Flake**

No Cases to Report

**Cases heard with United States Department of Justice**

Court Reference

- Court Reference(s) - Closed cases 2
- Court Reference(s) - Open cases 2

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 21
- Neutral Analysis(s) - Closed cases 1

**Anthony Gentner**  
**US Department of Justice**

Environmental Enforcement Section  
PO Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Anthony Gentner**

No Cases to Report

**Cases heard with US Department of Justice**

Arbitration

- Arbitration(s) - Closed cases 1

Court Reference

- Court Reference(s) - Closed cases 3
- Court Reference(s) - Open cases 1

Mediations\Neutral Analysis\Other

- Mediation(s) - Closed cases 27
- Mediation(s) - Open cases 3

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Eugene N. Hansen**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Eugene N. Hansen**

No Cases to Report

**Cases heard with US Department of Justice**

Court Reference

▪ Court Reference(s) - Closed cases 3

Mediations\Neutral Analysis\Other

▪ Mediation(s) - Closed cases 11

▪ Neutral Analysis(s) - Closed cases 1

**Johanna M. Franzen**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Johanna M. Franzen**

No Cases to Report

**Mark C. Elmer**  
**US Department of Justice**

Environment & Natural Resources Division  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

**Cases heard with Mark C. Elmer**

No Cases to Report

JAMS Commencement Disclosure (MKT016I)

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Party(s)**

**Amy E. Sears**

No Address Listed

**Cases heard with Amy E. Sears**

No Cases to Report

**Animal Place**

No Address Listed

**Cases heard with Animal Place**

No Cases to Report

**Debbie DeVito**

No Address Listed

**Cases heard with Debbie DeVito**

No Cases to Report

**Deborah Lynn Sheahan**

No Address Listed

**Cases heard with Deborah Lynn Sheahan**

No Cases to Report

**Diane Sibley-Origlia**

No Address Listed

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**House Rabbit Society**

No Address Listed

**Cases heard with House Rabbit Society**

No Cases to Report

**Hui Chu Poole**

No Address Listed

**Cases heard with Hui Chu Poole**



**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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No Cases to Report

**John B. Sheahan**

No Address Listed

**Cases heard with John B. Sheahan**

No Cases to Report

**Katherine Kell**

No Address Listed

**Cases heard with Katherine Kell**

No Cases to Report

**Melanie Goodpasture**

No Address Listed

**Cases heard with Melanie Goodpasture**

No Cases to Report

**Sandra Spears-Lavallee**

No Address Listed

**Cases heard with Sandra Spears-Lavallee**

No Cases to Report

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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**Counsel for Party**

**Amy E. Sears**

P.O. Box 71  
Pioche, NV 89043

**Cases heard with Amy E. Sears**

No Cases to Report

**Cases heard with**

No Cases to Report

**Animal Place**

c/o Kim Sturla (Registered Agent)  
Grass Valley, CA 95949

**Cases heard with Animal Place**

No Cases to Report

**Cases heard with**

No Cases to Report

**Debbie DeVito**

c/o Stanley Pedder  
3445 Golden Gate Way  
Lafayette, CA 94549

**Cases heard with Debbie DeVito**

No Cases to Report

**Cases heard with**

No Cases to Report

**Deobrah Lynn Sheahan**

4662 Gabriel Drive  
Las Vegas, NV 89121

**Cases heard with Deobrah Lynn Sheahan**

No Cases to Report

**Cases heard with**

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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No Cases to Report

**Diane Sibley-Origlia**

1615 Via Romero  
Alamo, CA 94507

**Cases heard with Diane Sibley-Origlia**

No Cases to Report

**Cases heard with**

No Cases to Report

**House Rabbit Society**

c/o Anne Martin (Registered Agent)  
Richmond, CA 94804

**Cases heard with House Rabbit Society**

No Cases to Report

**Cases heard with**

No Cases to Report

**Hui Chu Poole**

165 Lakewood Road  
Walnut Creek, CA 94598

**Cases heard with Hui Chu Poole**

No Cases to Report

**Cases heard with**

No Cases to Report

**John Sheahan**

No Address  
Irvine, CA 92612

**Cases heard with John Sheahan**

No Cases to Report

**Cases heard with**

**JAMS Commencement Disclosure (MKT016I)**

United States of America vs. 400 Acres of Land, et al.

Reference #: 1260005540 11/4/2019

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No Cases to Report

**Katherine Kell**

c/o Stanley Pedder  
3445 Golden Gate Way  
Lafayette, CA 94549

**Cases heard with Katherine Kell**

No Cases to Report

**Cases heard with**

No Cases to Report

**Melanie Goodpasture**

P.O. Box 7044  
Cotati, CA 94931

**Cases heard with Melanie Goodpasture**

No Cases to Report

**Cases heard with**

No Cases to Report

**Sandra Sears-Lavallee**

1172 Skyline road  
Henderson, NV 89002

**Cases heard with Sandra Sears-Lavallee**

No Cases to Report

**Cases heard with**

No Cases to Report