

LAW OFFICES OF KERMITT L. WATERS

Kermitt L. Waters, Esq., Bar No. 2571
info@kermittwaters.com
Charles E. Springer, of Counsel, Bar No. 1019
James J. Leavitt, Esq., Bar No. 6032
jim@kermittwaters.com
Michael A. Schneider, Esq., Bar No. 8887
michael@kermittwaters.com
Autumn L. Waters, Esq., Bar No. 8917
autumn@kermittwaters.com
704 South Ninth Street
Las Vegas, Nevada 89101
Telephone: (702) 733-8877
Facsimile: (702) 731-1964

**Attorneys for Defendant
GROOM MINE LANDOWNERS**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiffs,) Case No.: 2:15-cv-01743-MMD-NJK
)
 vs.)
)
 400 ACRES OF LAND, MORE OR LESS,)
 SITUATE IN LINCOLN COUNTY, STATE OF)
 NEVADA; and JESSIE J. COX., et al.)
)
 Defendant.)

ORDER TO RELEASE FUNDS

Defendant Landowners’ Motion to Release Funds on Deposit, the United States’ Response to Certain Landowners’ Motion to Release Funds on Deposit and the Defendant Landowners’ Reply in Support of Motion to Release Funds on Deposit having come before this Court and after reading the pleadings and papers submitted therewith the Court hereby finds that the moving defendants have demonstrated that eighty five percent (85%) of the deposit should be distributed to the moving defendants. Therefore, the Defendants’ Motion to Release Funds on Deposit is **GRANTED**.

Accordingly, it is hereby **ORDERED** that:

- 1) The Clerk of Court shall issue a check in the amount of **One Million Twenty Thousand Dollars** (\$1,020,000.00) made payable to the Law Offices of Kermitt L. Waters and that the

1 same shall be released to the Law Offices of Kermit L. Waters, forthwith.

2 2) Upon disbursement of said funds:

3 (a) The moving Defendants shall be liable for any valid claims by other interested parties
4 if it is ultimately determined that the moving Defendants are entitled to less than the amount
5 disbursed, and if so the moving Defendants shall return the difference to the Court with
6 interest; and

7 (b) The moving Defendants shall pay and discharge in full all taxes, assessments, liens and
8 encumbrances against the property in existence as of the date of taking.

9 (c) The United States shall be held harmless from the claims of any and all parties having
10 liens or encumbrances and any other parties who may be entitled to the distributed funds or
11 any part thereof by virtue of any recorded or unrecorded agreement.

12
13 IT IS SO ORDERED

14 

15 _____
16 UNITED STATES DISTRICT JUDGE

17
18 DATED: March 9, 2016

19
20 *Respectfully Submitted by:*

21 **LAW OFFICES OF KERMIT L. WATERS**

22
23 By: /s/ Autumn Waters
24 KERMIT L. WATERS, ESQ.
25 JAMES JACK LEAVITT, ESQ.
MICHAEL A. SCHNEIDER, ESQ.
AUTUMN WATERS, ESQ.

Approved as to Content and Form:

26 **UNITED STATES OF AMERICA**
27 **DANIEL G. BODEN**
28 **United States Attorney**

/s/ Georgia Garthwaite
GEORGIA GARTHWAITE, ESQ.

GUNDERSON LAW FIRM

/s/ John R. Funk
MARK H. GUNDERSON, Esq.
JOHN R. Funk, Esq.