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5 Attorney for Plaintiffs
 6 **DONALD L. BLACKWELDER**,
 individually and derivatively
 7 on behalf of THORNTON-TERMOHLEN
 GROUP CORPORATION

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 **DONALD L. BLACKWELDER**, individually and
 derivatively on behalf of
 11 **THORNTON-TERMOHLEN GROUP**
CORPORATION, a Nevada corporation,

Case No. 2:15-cv-02373-JAD-(PAL)

PLAINTIFF DONALD L. BLACKWELDER'S
STATUS REPORT

12 Plaintiff,

13 vs.

14 **CHARLES THORNTON**, individually; **BRIAN**
 15 **HOWELLS**, individually; and **AECOS, LTD.**, a
 Nevada corporation,

16 Defendants.

17 _____/
 AND ALL RELATED ACTIONS

18 _____/
 19 Plaintiff **DONALD L. BLACKWELDER**, an individual, and derivatively on behalf of
 20 **THORNTON-TERMOHLEN GROUP CORPORATION**, a Nevada corp., by his attorney Steven J.
 21 Parsons of LAW OFFICES OF STEVEN J. PARSONS, hereby provides the Court a status report.

22 Dated: August 24, 2018.

LAW OFFICES OF STEVEN J. PARSONS

23 /s/ Steven J. Parsons

STEVEN J. PARSONS

24 Nevada Bar No. 363

25 Attorneys for Plaintiff

26 **DONALD L. BLACKWELDER**, individually and
 derivatively on behalf of **THORNTON-TERMOHLEN**
GROUP CORPORATION, a Nevada corporation

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1 **PROOF OF SERVICE**

2 I hereby certify that service of this Status Report was made upon all parties' counsel,
3 by e-filing with the Court's e-filing system, duly noting that counsel is deemed to have
4 consented to be served in that manner, and upon all parties' counsel, the receiver and Mr.
5 Howells, *in pro per*, by email directed to each persons' last known email address, as shown.

6 **Counsel for Defendant Thornton:**

7 Nicholas M. Wieczorek
8 Jeremy Thompson
9 CLARK HILL, LLP
nwieczorek@clarkhill.com
jthompson@clarkhill.com

10 **Receiver for Aecos, Ltd.:**

11 Adam Derman
Aderman@csglaw.com

12 **Defendant Howells:**

13 Brian Howells, *in pro per*
14 bhdandc@gmail.com

15 Dated: Friday, August 24, 2018.

16 /s/ Candice Benson
17 An employee of LAW OFFICES OF STEVEN J. PARSONS

1 STATUS REPORT

2 Pursuant to its Order dated August 22, 2018 (“DOC 83”), the Court gave the parties
3 up through August 31, 2018, to file a Stipulation for Dismissal with Prejudice of the action.

4 The issues as between Plaintiff Donald Blackwelder and Defendant Charles Thornton
5 have, for a period of several months, been settled and concluded. As indicated in counsel’s
6 prior status reports to the court (“DOCS 79 and 82”), Mr. Thornton has transferred
7 consideration for the settlement between himself and Plaintiff Donald Blackwelder, provided
8 compliance with other terms of the settlement agreement, and has been awaiting receipt of
9 a Stipulation for Dismissal of the action as to him.

10 Moreover, claims in this action as between Mr. Blackwelder, Mr. Thornton and
11 Co-Defendants AECOS, Limited, and Brian Howells have been settled, contingent only upon
12 approval of the New Jersey Superior Court. A motion to approve the settlement has been
13 filed, but the New Jersey Superior Court has not ruled on the motion. A copy of the motion
14 is attached hereto and incorporated herein as Exhibit “1”.

15 As previously reported to the court, New Jersey counsel understood that the New Jersey
16 Superior Court intended to rule on the pending motion to approve the settlement of the
17 remaining claims against AECOS by August 10, 2018. But as of the date of this status report,
18 no ruling has issued. The New Jersey Superior Court did enter a ruling that denied a motion
19 that counsel for Brian Howells, Leonard Neuhaus, and others, had filed, challenging the
20 proposed settlement. A copy of the August 13, 2018 Ruling is attached hereto and
21 incorporated herein as Exhibit “2”. This ruling certainly makes approval of the settlement more
22 likely. However, we unfortunately cannot give any assurances as to when the New Jersey
23 Superior Court will rule on the proposed settlement. But we do believe that a ruling is
24 imminent.

25 Because dismissal of this action may compromise the impending settlement with
26 Defendant Aecos’s receiver, Plaintiff Donald L. Blackwelder, individually, and derivatively on
27 behalf of Thornton-Termohlen Group Corporation, hereby respectfully requests that the Court

1 modify its order contained within its most recent Order (“DOC 83”), and extend the time within
2 which the parties must file a Stipulation for Dismissal of the action with Prejudice up through
3 and including October 31, 2018, to allow full resolution of all matters pertaining to this case.

4 While Plaintiff hopes that approval from the New Jersey Superior Court will come much
5 sooner, Plaintiff asks for sixty (60) additional days to increase the likelihood that Plaintiff will
6 not have to seek any further extension from the court.

7 Dated: Friday, August 24, 2018.

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LAW OFFICES OF STEVEN J. PARSONS

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/s/ Steven J. Parsons

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STEVEN J. PARSONS
Nevada Bar No. 363

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Attorneys for Plaintiffs

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DONALD L. BLACKWELDER, individually and
derivatively on behalf of **THORNTON-TERMOHLEN**
GROUP CORPORATION, a Nevada corporation

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IT IS ORDERED that the parties shall have until **October 24, 2018** to file a
16 stipulation to dismiss with prejudice.

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Dated: August 27, 2018

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Peggy A. Zeen

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United States Magistrate Judge

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