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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA
11 *ex rel.* PEGGY THORNTON, Relator,

12 and

13 PEGGY THORNTON,

14 Plaintiff,

15 v.

16
17 PORTOLA DEL SOL OPERATOR, LLC, a
foreign limited-liability company; TMIF II
18 PORTOLA, LLC, a foreign limited-liability
company; APARTMENT MANAGEMENT
19 CONSULTANTS, LLC, a foreign limited
liability company, and RENE
20 RICHARDSON, as AGENT of PORTOLA
21 DEL SOL OPERATOR, LLC.

22 Defendants.
23

No.: 2:21-CV-01123

MOTION TO ENLARGE TIME TO
SERVE SUMMONS
AND COMPLAINT – 4th REQUEST

24
25 COMES NOW, Plaintiff, Peggy Thornton, by and through her attorneys, Elizabeth S.
26 Carmona, Esq., and Kristopher S. Pre, Esq., of Nevada Legal Services, Inc., moves this Court for
27 an Order extending time to serve the Summons and Complaint on the Defendant Rene
28 Richardson.

1 **POINTS AND AUTHORITIES**

2 **I. STATEMENT OF FACTS**

3 On June 14, 2021, Plaintiff filed her qui tam Complaint under seal. This Court previously
4 granted three Motions to Enlarge Time to Serve Summons and Complaint based on an extensive
5 1.5 year-long investigation by the Department of Justice while the Complaint was under seal.
6 Once the Department of Justice concluded its investigation and elected not to intervene, the
7 Court unsealed the Complaint and set a service deadline for March 9, 2023. Plaintiff then,
8 diligently, began service.

9 As of today's date, Plaintiff has successfully served Defendants Portola Del Sol Operator,
10 LLC, TMIF II Portola, LLC and Apartment Management Consultants, LLC; however, Plaintiff
11 has experienced significant challenges surrounding the service of Defendant Rene Richardson.
12 Plaintiff hired Junes Legal Services, Inc., to serve Defendant Rene Richardson on December 27,
13 2022, but the initial attempt was unsuccessful. *See Exhibit 1*. Plaintiff then began conducting
14 significant research regarding the whereabouts of Defendant Rene Richardson, but had to enlist
15 the assistance of Junes to perform a "skip trace" when internal research failed to produce any
16 helpful information. *Id.* The Junes skip trace also proved to be inconclusive based on Plaintiff's
17 limited knowledge of her demographics and the common nature of her name. *Id.* Plaintiff is still
18 working on attempting service on Defendant Rene Richardson and plans to attempt service at
19 three, additional addresses within the next week. *Id.*

20 **II. ARGUMENT**

21 Pursuant to Federal Rule of Civil Procedure 4(m), if a plaintiff shows good cause for the
22 failure to serve a defendant within 90 days, the court must extend the time for service for an
23 appropriate period. Plaintiff has continuously attempted to serve Defendant Rene Richardson,
24 but has been unable to presently do so based on the difficulties described above. Therefore,
25 Plaintiff requests that this Court issue an Order to Enlarge Time to Serve Summons and
26 Complaint on Defendant Rene Richardson in this matter.

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CONCLUSION

Wherefore, based on the above points and authorities and the attached Declaration of Elizabeth S. Carmona, Esq., Plaintiff respectfully requests an Order enlarging time for service in regards to Defendant Rene Richardson.

DATED this 7th day of March, 2023.

Respectfully Submitted,
NEVADA LEGAL SERVICES, INC.



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17 Defendants.

FILED UNDER SEAL
PURSUANT TO 31 U.S.C. § 3730(b)(2)

No.: 2:21-CV-01123

ORDER TO ENLARGE TIME TO SERVE
SUMMONS AND COMPLAINT – 4th
REQUEST

16 Upon consideration of the declaration of Plaintiff and good cause appearing,

17 **IT IS HEREBY ORDERED** that time within which to serve Defendant Rene
18 Richardson with the Summonses and Complaint is extended to May 9, 2023.
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21 DATED: March 8, 2023.
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25 DISTRICT COURT JUDGE
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EXHIBIT 1

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

1. On December 27, 2022, Junes Legal Service, Inc. (“Junes”), attempted service of Defendant Rene Richardson. This attempt was unsuccessful.
2. I then began researching Defendant Rene Richardson’s whereabouts online, but was unable to find out any helpful information that would aid in service.
3. In February 2023, I requested that Junes conduct a “skip trace” on Defendant Rene Richardson.
4. Junes responded to my request and informed me that they experienced “84 hits by the name Rene Richardson in Las Vegas.”
5. We are currently in the process of requesting that Junes attempt service at three, additional addresses.
6. We have been diligent in our efforts to attempt service of Defendant Rene Richardson.

Executed on this 7th day of March, 2023.

A handwritten signature in black ink, appearing to read 'Elizabeth S. Carmona', written in a cursive style.

ELIZABETH S. CARMONA, ESQ.