

DISTRICT COURT CIVIL COVER SHEET A-14-708307-C

CLARA County, Nevada
 Case No. _____
 (Assigned by Clerk's Office)

XXXII

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Michael Lathigee c/o Adams Law Group, Ltd 8010 W. Sahara Ave., Suite 260 Las Vegas NV 89117	Defendant(s) (name/address/phone): James Hyland Unknown
Attorney (name/address/phone): James R. Adams, Esq. 8010 W. Sahara Ave., Suite 260 Las Vegas, NV 89117 702-838-7200	Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input checked="" type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

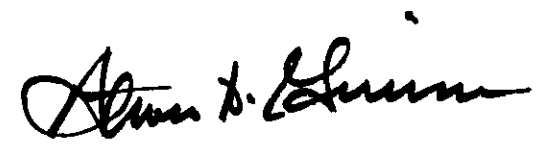
Business Court filings should be filed using the Business Court civil coversheet.

10/8/2014

Date

Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

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ADAMS LAW GROUP, LTD.
JAMES R. ADAMS, ESQ.
Nevada Bar No. 6874
8010 W. Sahara Ave. Suite 260
Las Vegas, Nevada 89117
(702) 838-7200
(702) 838-3636 Fax
james@adamslawnevada.com
Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

<p>MICHAEL LATHIGEE; Plaintiff, vs. JAMES HYLAND, an Individual; DOES I through X, inclusive; and ROE CORPORATIONS I through X, inclusive, Defendants.</p>	<p>CASE NO. A-14-708307-C DEPT. NO. XXXII Arbitration Exempt: Damages in Excess of \$50,000</p>
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COMPLAINT FOR DEFAMATION

Plaintiff, MICHAEL LAGITHEE (hereinafter "Plaintiff") by and through its attorney of record, the law firm of Adams Law Group, Ltd., alleges and complains against Defendant JAMES HYLAND as follows:

1. Plaintiff is and was at all times relevant herein, a resident of Clark County, Nevada.
2. Upon information and belief, Defendant is and was at all times relevant herein, a resident of the State of Ohio.
3. All events as described herein took place in Clark County, State of Nevada.

1 4. On Sunday, October 5th, 2014, at approximately 3pm, Plaintiff attended a
2 public two day real estate seminar for those interested in real estate
3 investments.

4 5. The location of the seminar was at the Hampton Inn on the corner of Tropicana
5 and Dean Martin Way, Las Vegas, NV.

6 6. During the presentation, the presenter, a Mr Gifford (“Gifford”) stated
7 investors could setup their retirement accounts to invest in the purchase of
8 properties acquired through homeowners’ association delinquent assessment
9 auctions.

10 7. Gifford stated that the Supreme Court of Nevada had recently ruled that a super
11 priority lien held by a homeowner association extinguishes a first deed of trust
12 on a property.

13 8. Gifford stated that investors could invest a minimum of \$10,000 and buy
14 properties acquired through homeowners association lien auctions and that his
15 company (through a “Quiet Title Process”) would be able to get clear title on
16 the properties and in the process collect rents on the property for the investor.

17 9. The example Gifford used several times was that with a \$10,000 investment an
18 investor would receive approximately \$1,000 a month in rent. Gifford further
19 stated that his company attended auctions where there were no other bidders
20 and therefore got much better pricing than those watching his presentation
21 could get.

22 10. Gifford further went onto to say that his company would manage the entire
23 process and encouraged any investor in the crowd to setup a 30 minute phone
24 consultation to begin the process.

25 11. At the end of the presentation Plaintiff raised his hand and asked some
26 clarifying questions challenging some of the conclusions and recommendations
27 made by Gifford.

1 12. Defendant Hyland, who began answering questions that Plaintiff had directed
2 to Gifford, then stated (in front of multiple people) that Plaintiff was a
3 convicted felon and not to believe anything he says.

4 13. Plaintiff responded by saying that Defendant's statement was not true and that
5 Plaintiff was not a convicted felon.

6 14. Regardless, Defendant continued to say that Plaintiff was a convicted felon in
7 front of numerous investor seminar attendees at least 10 more times.

8 15. In fact, Plaintiff is not a convicted felon.

9 16. The statements made by Defendant were false, injurious and diminished
10 Plaintiff's reputation in the community and constitute defamation per se.

11 17. Therefore, on Sunday, October 5th, 2014, Defendant made defamatory
12 statements (that Plaintiff is a convicted felon, when in fact he is not) published
13 to third parties (the seminar attendees,) injuring the reputation of Plaintiff.

14 18. Defendant published the defamatory statements with actual knowledge that
15 they were false, or with reckless disregard as to their truth or falsity, or with
16 negligence.

17 19. Defendant's statement referred to Plaintiff by name throughout, was made of
18 and concerning Plaintiff, and was so understood by those who heard the
19 statement that Plaintiff was a convicted felon.

20 20. The entire statement is false as it pertains to Plaintiff.

21 21. The statement is slanderous on its face. It clearly exposes Plaintiff to hatred,
22 contempt, ridicule and obloquy because Plaintiff is not a convicted felon, and
23 his livelihood depends very much upon Plaintiff's good name and standing.

24 22. As a proximate result of the above-described statements, Plaintiff has suffered
25 loss of to his reputation, shame, mortification, and injury to his feelings, all to
26 his damage in excess of \$10,000.00.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant for:

1. Compensatory damages according to proof (in excess of \$10,000);
2. Punitive damages;
3. Interest as allowed by law;
4. Costs of suit; and
5. Such other and further relief as this court may deem just and proper.

Dated this 6th day of October, 2014.

ADAMS LAW GROUP, LTD.

/s/ James Adams
JAMES R. ADAMS, ESQ.
Nevada Bar No. 6874
8010 W. Sahara Ave., Suite 290
Las Vegas, Nevada 89117
Tel: 702-838-7200
Fax: 702-838-3636
james@adamslawnevada.com
Attorney for Plaintiff

1 IAFD
ADAMS LAW GROUP, LTD.
2 JAMES R. ADAMS, ESQ.
Nevada Bar No. 6874
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Las Vegas, Nevada 89117
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6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**

8 MICHAEL LATHIGEE;
9 Plaintiff,
10
11 vs.
12 JAMES HYLAND, an Individual;
13 DOES I through X, inclusive; and
14 ROE CORPORATIONS I through X,
inclusive,

Case No.
Dept. No.

**INITIAL APPEARANCE FEE
DISCLOSURE**

15 Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are
hereby submitted

16 for parties appearing in the above entitled action as follows:

17 MICHAEL LATHIGEE \$270.00
18 **TOTAL \$270.00**

19 Dated this 6th day of October, 2014.

ADAMS LAW GROUP, LTD.

21
22 /s/ James Adams
23 JAMES R. ADAMS, ESQ.
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Las Vegas, Nevada 89117
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Attorneys for Plaintiff