

CASE NO: A-20-824004-C
Department 15

1 **COMP**
2 JOHN W. MUIJE & ASSOCIATES
3 JOHN W. MUIJE, ESQ.
4 Nevada Bar No: 2419
5 1840 E. Sahara Ave #106
6 Las Vegas, Nevada 89104
7 Telephone No: (702) 386-7002
8 Facsimile No: (702) 386-9135
9 Email: Jmuije@muijelawoffice.com
10 *Attorneys for Plaintiffs*

DISTRICT COURT

CLARK COUNTY, NEVADA

11 CELESTE LATHIGEE and MICHAEL
12 LATHIGEE, husband and wife,

CASE NO:

DEPT. NO:

Plaintiffs,

vs.

14 BRITISH COLUMBIA SECURITIES
15 COMMISSION; DAVID HUFF; GREEN
16 VALLEY LOCK & SAFE, INC; DOES I
17 through III inclusive, ROES I through III,
18 inclusive,

Defendants.

COMPLAINT

19
20
21 COME NOW, CELESTE LATHIGEE and MICHAEL LATHIGEE, Plaintiffs, and for
22 causes of action for and against the British Columbia Securities Commission, state, aver and
23 allege as follows:

FACTUAL AND PROCEDURAL BACKGROUND

24
25
26 1. Celeste Lathigee (hereinafter "Celeste") is an individual who at all relevant times
27 resided in Clark County, Nevada.

28 2. Michael Lathigee (hereinafter "Michael") is an individual who at all relevant times
resided in Clark County, Nevada.

JOHN W. MUIJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: Jmuije@muijelawoffice.com

JOHN W. MUTJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: jmutje@mujjelawoffice.com

1 3. The British Columbia Securities Commission is a foreign governmental entity that
2 willfully chose to interject itself into the State of Nevada for purposes of pursuing its putative
3 business and legal interests.

4 4. Green Valley Lock & Safe, Inc. is a Nevada corporation doing business in Clark
5 County, Nevada.

6 5. David Huff, on information and Belief, is an individual who at all relevant times
7 resided in Clark County, Nevada

8 6. On information and belief, Defendant David Huff was employed by and acting on
9 behalf of Defendant Green Valley Lock & Safe, Inc, at all relevant times.

10 7. The Plaintiffs do not at present know the true names and identities of those
11 Defendants, both corporate and individual, herein joined by fictitious names, but is informed and
12 believes and therefore alleges that said Defendants, are agents, employees, servants and
13 representatives of the named Defendant, or persons and entities acting in concert with the named
14 Defendants with respect to the premises herein plead, who are liable to the Plaintiff by reason
15 thereof, and the Plaintiff prays leave to amend this Complaint to insert their true names and
16 identities with appropriate allegations when the same become known.

17 8. Celeste and Michael Lathigee were married on January 22, 2010, and have
18 continuously resided as husband and wife at the residence known as 9404 Empire Rock Street,
19 Las Vegas, Nevada 89143, more specifically referred to as Assessor's Parcel No. 125-05-411-
20 018, since their marriage.

21
22
23
24
25
26
27
28

1 9. In approximately March, 2012, more than three years after Michael had first
2 acquired the subject property, the British Columbia Securities Commission initiated
3 administrative proceedings against Michael P. Lathigee, which ultimately resulted in a Canadian
4 judgment of the British Columbia Supreme Court, on or about April 15, 2015, under Registry File
5 No. L-150117.
6

7 10. The British Columbia Securities Commission (hereinafter "BCSC") subsequently
8 sought to domesticate that judgment in Clark County, Nevada, under Case No. A-18-771407-C.
9

10 11. On or about May 14, 2019, BCSC obtained a ruling from the Eighth Judicial
11 District Court recognizing and acknowledging the efficacy of the aforesaid British Columbia
12 judgment.
13

14 12. The decision by the Eighth Judicial District Court authorizing and allowing the
15 registration of the Canadian judgment has been appealed to the Nevada Supreme Court, and a
16 decision is expected in the near future.
17

18 13. BCSC, after obtaining a ruling by the Eighth Judicial District Court as to the
19 registration of its British Columbia judgment, immediately proceeded to undertake post-
20 Judgment remedies in an effort to enforce their Judgment against Michael
21

22 14. The monies which allowed Michael to acquire the Empire Rock property were in
23 no way tainted, colored, or capable of characterization as anything other than legitimately
24 acquired funds, used for a legitimate purpose, with no taint or hint of misconduct, wrongdoing,
25 fraud, or misconduct by Michael P. Lathigee.
26

27 15. Contrary to various negative aspersions, veiled innuendos, and negative press,
28 generated, on information and belief, by the BCSC, Michael P. Lathigee never used funds derived
from Canadian investors to acquire the Empire Rock property.

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: jmuje@mujelawoffice.com

1 16. Indeed, particular attention should be paid to the express statement of the BCSC's
2 own expert witness in the underlying Canadian litigation, Mr. Gordon R. Johnson, who following
3 his review of the records stated:

4
5 “Certainly, I agree the impact of the remedy is significant
6 in that the order in question requires Mr. Lathigee to pay
7 \$21,7000,000 Canadian without proof that Mr. Lathigee
8 personally received that amount.”

1 JAX 132 Emphasis supplied.

9 17. In point of fact, Celeste Lathigee was not married to Michael P. Lathigee at the
10 time the home was originally acquired, but has in fact joined her husband and made that home the
11 family's permanent homestead since the time of the marriage referenced above.

12 18. At all relevant times, BCSC knew or reasonably should have known that Celeste
13 Lathigee had no personal involvement and nothing whatsoever to do with the transactions and
14 conduct which underlay the legal theories and claims asserted by BCSC against Michael P.
15 Lathigee's, leading to the BCSC's judgment.

16 19. Nevertheless, despite knowing that the Judgment ran only against Michael, and
17 despite knowing that Celeste had been married for less than a decade, BCSC nevertheless
18 knowingly, willfully, intentionally, and maliciously issued a highly unusual writ of execution,
19 unilaterally, and without any limitations or boundaries, and without an *ex ante* authorization by
20 the Court, which directed the Laughlin Constable and his deputies to seize, *inter alia*:
21

22 “Any and all personal property located within, or attached to, the unit located at
23 9404 Empire Rock Street, las Vegas, NV 89143”

24 SEE Exhibit “1”
25
26
27
28

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., # 106
Las Vegas, Nevada 89104
Telephone: 702-386-2002
Email: jmuje@mujelawoffice.com

1 20. Notably, while describing every conceivable item or category of personal
2 property, with the sole exception of three designated vehicles, the BCSC writ did NOT
3 specifically identify any particular or specific item of personal property within the residence.

4
5 21. Further, the writ and instructions to Constable (Exhibit "1") contained identically
6 on page 3 of the Writ of Execution and the bottom of page 2 of the Instructions to Constable, two
7 paragraphs which state as follows:

8 Any documents taken are to be delivered to a facility
9 of the Creditor's choosing as soon as practicable after
10 seizure and that facility shall be given a reasonable time
11 to copy and scan such documents based on the quantity
12 thereof, and in no case less than 10 days unless otherwise
13 ordered by the Court. Unless otherwise directed to another
14 facility by the Creditor, the Constable or Sheriff may deliver
15 the documents to NRC Discovery at 2250 South Rancho
16 Drive, Las Vegas, Nevada 89102.

17 Any computers, hard drives, and source of electronic data
18 taken are to be delivered to a facility of the Creditor's
19 choosing as soon as practicable after seizure and that
20 facility shall be given a reasonable time to copy and image
21 such devices based upon the quantity thereof, and in no
22 case less than 10 days unless otherwise ordered by the
23 Court. Unless otherwise directed to another facility by the
24 Creditor, the Constable or Sheriff shall deliver the electronic
25 Data devices to Expert Data Forensics at 5071 N. Rainbow
26 Blvd., Suite 180, Las Vegas, Nevada 89130.

21 *Emphasis supplied.*

22 22. The writ of execution was forcibly executed (resulting in physical damage to the
23 Lathigee residence) by the Laughlin Constable, at the specific behest of the BCSC and its
24 authorized agents, on the early morning of August 15, 2019.

25
26 23. The documentation seized was voluminous. It consisted of three filing cabinets
27 full of papers, four bankers' boxes, and approximately 200 project binders.

28 24. Additionally, the BCSC seizure also procured six separate electronic devices,
including Michael's business computer and personal cell phone.

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: Jmujje@mujjelawoffice.com

1 25. Neither the documentation in question nor the used electronics had any meaningful
2 value that could be realized at a future Constable's sale.

3 26. Even had there been meaningful value, the papers and electronic were maintained
4 primarily in Michael's designated office at the residence, and clearly constituted materials used
5 by Michael to carry on his trade or business, i.e., property clearly and patently exempt from
6 execution under Nevada Law. 21.090(1)(d).

7 27. As noted above, the BCSC's avowed purpose in seizing the papers and electronics
8 was to illegally and without proper due process procedures invade Michael's privacy and engage
9 in unauthorized and illegal discovery efforts.

10 28. At the time of the seizure, the Court had already Ordered Michael to compile and
11 provide significant discovery data and documents, an impossible task once the improper seizure
12 went down.

13 29. The BCSC also directed the Constable, through its authorized agents, to seize all
14 of Celeste's jewelry and personal effects, despite contemporaneous protest that many specific
15 items were acquired prior to marriage and therefore were NOT legally subject to execution.

16 30. To this day, more than a year later, the BCSC had failed and refused to return the
17 vast bulk of the items seized, including Celeste's sole and separate property, and community
18 property which the Lathigees have claimed as exempt.

19 31. The Court subsequently Ordered the papers returned, but not until it was, as a
20 practical matter, too late for Michael to comply with various legal requirements, including but not
21 limited to the preparation and filing of tax returns as required by law.

22 32. Having still not returned the electronic items seized, including but not limited to
23 the hard disk drive of Michael's computer, the BCSC's conduct has prevented Michael from
24 seeking federal financial assistance during the COVID-19 crisis, and further prevented Michael
25

1 from interacting, reporting to, and dealing with his long-time business associates, to his extreme
2 personal and financial detriment.

3
4 33. On information and belief, the BCSC and its authorized agents had an ulterior
5 purpose in drafting and executing Exhibit "1", i.e. to improperly and without due process obtain
6 access to data and information in total contravention of proper litigation and procedure, and in
7 total derogation of the Lathigees' statutory, constitutional and due process rights.

8
9 34. On information and belief, the BCSC illegally and improperly inspected,
10 examined and used data derived from Michael's papers and electronics, and meticulously
11 inventoried everything seized, to the plaintiffs' extreme detriment.

12 35. Nevada law (NRS 21.080) provides that a putative judgment creditor, such as the
13 BCSC, may execute on "All goods, chattels, money and other property real and personal, of the
14 judgment debtor . . . NOT EXEMPT BY LAW". Emphasis Added.

15
16 36. The BCSC knew or reasonably should have known that much of the property it
17 specifically told the Constable to seize did in fact qualify for the Lathigees' statutory and
18 constitutional exemption rights.

19
20 37. Further evidence of the BCSC's intentional misconduct, ulterior purpose, and
21 callous, arbitrary and capricious attitude is demonstrated by how its agents handled the seizure of
22 Michael's personal cell phone.

23
24 38. Specifically, Michael's mother had died and was being buried that very morning in
25 Canada.

26
27 39. When Michael asked the Constable to be allowed to keep his cell phone (insofar as
28 it had been pre-arranged that he give the eulogy via Skype), or to allow him to temporarily use
the same, on information and belief the Constable or Deputy contacted BCSC's counsel and was
told that under no circumstances were any of the electronics to be returned to the debtor.

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., # 106
Las Vegas, Nevada 89104
Telephone: 702.386-7002
Email: Jmujuje@mujjelawoffice.com

1 40. Knowing that a cell phone has minimal resale value, and further knowing that the
2 judgment debtor was scheduled to provide a eulogy via Skype over his cell phone, the BCSC's
3 authorized agent nevertheless summarily ordered the Constable to distraint and hold the subject
4 phone, which the BCSC should have known was reasonably exempt from execution.
5

6 41. Further, the BCSC, in a cold and heartless fashion, refused to allow Michael to
7 even use his own personal cell phone (seized moments before), despite being advised that the
8 Eulogy was scheduled and that Michael could and would have given the same during the many
9 hours that the Constable and his deputies continued their work carrying out the illegal and
10 wrongful seizure ordered by the BCSC and its authorized agents.
11

12 42. The execution and seizure was in fact drafted, organized, and coordinated by the
13 BCSC, acting through its Nevada authorized agents.
14

15 43. Part of the BCSC's express instructions and organization of the illegal execution
16 and seizure was a direction to the Constable to engage a licensed locksmith to illegally and
17 improperly break through and crack the various locks and privacy protections maintained by the
18 Lathigees.
19

20 44. On information and belief, the Laughlin Constable, acting at a specific behest and
21 request of the BCSC and its authorized agents, engaged Green Valley Lock & Safe, Inc., to
22 illegally and improperly gain access to locked and secure safes and cabinets where the Lathigees
23 maintained valuable property and important documents.
24

25 45. Defendant Green Valley Lock & Safe, Inc. dispatched and made available for the
26 BCSC's use its locksmith employee, Defendant, David Huff.
27

28 46. Defendant David Huff created a commotion and disturbance, screaming at
Michael: "I thought you said there was no munitions on the site", shortly after gaining access to
Michael's safe.

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: jmuji@mujielawoffice.com

1 47. Defendant David Huff's declaration distracted the Constable and all of his
2 deputies and turned their attention away from monitoring breaking into the safe, while they
3 sorted out the possibility of dangerous weapons and possible ammunition on the premises (which
4 the Lathigees had an absolute right to own and possess and maintain in the privacy of their
5 residential premises).
6

7 48. During the time of said distraction, Defendant David Huff surreptitiously left the
8 residence and returned to his work van, reappearing at the location of the safe approximately five
9 minutes later.
10

11 49. In the locked safe maintained at the Lathigee residence, Michael had 56 one-ounce
12 gold coins, some belonging to himself personally, and some deposited as collateral by business
13 clients for purposes of procuring investments in certain specifically identified business entities.
14

15 50. On information and belief, Defendants Green Valley Lock and Safe, Inc. and their
16 employee, David Huff utilized the commotion and the distraction to surreptitiously pocket the
17 subject 56 gold coins and remove them from the premises.

18 51. The subject gold coins were never inventoried by the constable's office nor
19 otherwise recorded, despite Michael promptly notifying the constable that the 56 one-ounce gold
20 coins contained in the safe were no longer there, and his request that to the Constable to identify
21 and verify that they had taken possession of such coins.
22

23 52. On information and belief, Green Valley Lock & Safe, Inc., and it's employee,
24 David Huff, knowingly and intentionally and willfully created the subject commotion and
25 removed the 56 one-ounce gold coin's (with an approximate \$100,000 of value) for their own
26 nefarious use and benefit, assuming that no one would believe the judgment debtor's claim that
27 they had been stolen.
28

1 53. On information and belief, David Huff and/or Green Valley Lock and Safe, Inc.
2 absconded from the premises with the 56 one-ounce gold coins, knowing and suspecting that their
3 theft and conversion would be difficult to prove.

4
5 54. On information and David Huff and/or Green Valley Lock and Safe, Inc.
6 intentionally stole and took the subject gold coins for the express purpose of lining their own
7 pockets, in total derogation of the Lathigees' legal and property rights.

8 55. The Nevada Supreme Court in a similar case has expressly declared that the
9 involuntary entry into a private residence in contemplation of the attachment and seizure of all
10 (non-Specifically Identified) personal property at such residence to be illegal and improper, and
11 against all tenants of Nevada law. *Luciano vs. Marshall*, 95 Nev. 276, 593 2d 751 (1979).

12
13 56. Other actions of the BCSC taken against Michael P. Lathigee, and also impacting
14 Celeste Lathigee, included the wrongful seizure of Celeste Lathigee premarital sole and separate
15 jewelry (documented by numerous pre-marital purchase receipts), and said seizure has in fact had
16 a severe negative impact on the family's domestic harmony and ability to earn money.

17
18 57. The Lathigees have now been forced to retain counsel in an effort to cure and
19 resolve the affirmative misconduct undertaken by the BCSC and it agents.

20 58. The fees and costs that the Lathigees have incurred and will incur in their attempts
21 to recover their wrongfully seized property and also recover damages proximately caused by the
22 intentional misconduct of the BCSC, constitute special damages which were reasonably
23 foreseeable.

24
25 59. The BCSC knew or reasonably should have known that in addition to such special
26 damages (fees and costs already incurred and which will necessarily accrue in this litigation) this
27 litigation will necessarily entail delay, aggravation, emotional distress, and various other elements
28

JOHN W. MUIJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: jmuije@mujelawoffice.com

1 66. The BCSC's conduct in undertaking such illegal activity was done in the context
2 of intentionally using legal process (i.e. an execution seizure) normally appropriate under Nevada
3 law for an ulterior purpose.

4 67. In point of fact, the entire BCSC effort, while utilizing the remedy of execution
5 and seizure as provided for by law (post-judgment legal process), was illegal and improper under
6 the pronouncements and precedents of the Nevada Supreme Court, and under the U.S. and
7 Nevada Constitutions.
8

9 68. BCSC and its chosen agents knew or should have known that their conduct as
10 undertaken was illegal and improper.
11

12 69. These acts by the BCSC were acts in the use of process which exceeded the
13 bounds of propriety and were not only improper but also illegal.

14 70. The BCSC acted with an ulterior purpose to obtain expedited and extraordinary
15 Discovery in total derogation of all existing and proper discovery rules and Safeguards!

16 71. The BCSC's conduct constitutes the tort of abuse of process.

17 72. The tort of abuse of process occurs when a party, i.e. the BCSC, knowingly
18 undertakes and abuses legal process (otherwise proper in the ordinary course), for an improper or
19 ulterior purpose, with resulting damages.
20

21 73. The BCSC is guilty of the tort of abuse of process against the Lathigees based on
22 its conduct as alleged hereinabove, and they have suffered damages as a direct and proximate
23 consequence thereof.
24

25 74. The actions of BCSC in abusing process were undertaken knowingly, willfully,
26 and maliciously in a conscious effort to oppress and harm the Lathigees.
27
28

1 75. The Lathigees have been damaged by the conduct of the BCSC, directly and
2 proximately, as a result of the Abuse of Process, and they are therefore entitled to recover
3 damages in excess of \$15,000, the precise amount to be proven at time of trial.

4 76. The conduct of the BCSC as aforesaid was knowing, willful, oppressive and
5 malicious, and the Lathigees are therefore entitled to recover appropriate exemplary damages
6 under Nevada law, in an amount in excess of \$15,000.

7 77. As previously alleged, the Abuse of Process by the BCSC is a direct and
8 proximate cause of the Lathigees incurring as special damages the attorneys' fees and costs
9 necessary to address and rectify the willful misconduct of the BCSC, and they are therefore
10 entitled to recover attorneys' fees and costs as special damages.
11

12 **SECOND CLAIM FOR RELIEF**

13 **(Conversion)**

14 78. Plaintiff repeats and realleges by reference Paragraphs 1 through 77 of its
15 Complaint as though fully set forth.
16

17 79. By illegally and improperly accessing the Lathigees' safe, creating a diversion,
18 and absconding with 56 one ounce Gold Coins, Defendants Green Valley Lock & Safe, Inc and
19 David Huff wrongfully exerted dominion over Plaintiffs' property by intentionally
20 misappropriating that property by engaging in the acts outlined above.
21

22 80. The BCSC, by expressly requesting the involvement of Green Valley Lock &
23 Safe, Inc., to illegally break into the Lathigees safe, is jointly and severally liable to the Lathigees
24 for all damages that flowed from such illegal conduct, including the illegal conversion of the
25 Gold Coins found therein.
26

27 81. As a result of Defendant Green Valley Lock & Safe, Inc.'s and David Huff's
28 wrongful acts, Plaintiffs have been damaged in an amount in excess of \$15,000.00.

JOHN W. MUJJE & ASSOCIATES
1840 E. Sahara Ave., #106
Las Vegas, Nevada 89104
Telephone: 702-386-7002
Email: jmuije@muijelawoffice.com

1 90. The conduct of the Defendants as aforesaid was knowing, willful, oppressive and
2 malicious, and the Lathigees are therefore entitled to recover appropriate exemplary damages
3 under Nevada law, in an amount in excess of \$15,000.

4
5 91. Plaintiffs have been forced to retain the services of an attorney to prosecute this
6 claim and are therefore entitled to recover attorney's fees and costs.

7 **WHEREFORE**, Plaintiffs pray for judgment against Defendant British Columbia
8 Securities Commission as follows:

- 9 1. For compensatory damages in an amount in excess of \$15,000, and
10 the precise amount to be proven at trial;
- 11 2. For exemplary damages in an amount in excess of \$15,000, the precise
12 amount to be proven at trial;
- 13 3. For an award of all of her attorneys fees and costs;
- 14 4. For an award of all of her attorneys fees and costs as special
15 damages;
- 16 5. For statutory interest upon all the damages awarded in accordance
17 with Nevada law; and
- 18 6. For such other and further relief as the Court may deem just and
19 proper in the premises.

20 DATED this 30th day of October, 2020.

21 JOHN W. MUJJE & ASSOCIATES

22
23
24 By: 

JOHN W. MUJJE, ESQ.

Nevada Bar No: 2419

1840 E. Sahara Ave #106

Las Vegas, Nevada 89104

Telephone No: (702) 386-7002

Facsimile No: (702) 386-9135

Email: jmuije@muijelawoffice.com

Attorneys for Plaintiffs

EXHIBIT "1"

ALVERSON TAYLOR & SANDERS
LAWYERS
6605 GRAND MONTECITO PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89149
(702) 384-7000

1 ALVERSON TAYLOR & SANDERS
2 KURT R. BONDS, ESQ.
3 Nevada Bar #6228
4 MATTHEW M. PRUITT, ESQ.
5 Nevada Bar #12474
6 6605 Grand Montecito Parkway
7 Suite 200
8 Las Vegas, Nevada 89149
9 (702) 384-7000
10 efile@alversontaylor.com
11 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

-*-

19-4952

11 BRITISH COLUMBIA SECURITIES
12 COMMISSION,

CASE NO.: A-18-771407-C
DEPT. NO.: XIV

13 Plaintiffs,

INSTRUCTIONS

14 vs.

15 MICHAEL PATRICK LATHIGEE,

16 Defendant.

17
18 Storage deposit or fees collected \$ _____

19 **INSTRUCTIONS TO THE SHERIFF OR ANY CONSTABLE**
20 **OF THE COUNTY OF CLARK**

21 **YOU ARE HEREBY INSTRUCTED TO LEVY** by virtue of the accompanying

22 Writ, in the above entitled matter, by following the instructions below:

23 Any and all personal property, including specifically vehicles, trailers,
24 cash, chattel paper, electronic storage devices, equipment, monies
25 from sales, inventory or investment property, precious metals,
26 precious gems, firearms, household property, safes, financial records,
27 documents, business documents, stock and/or membership
28 certificates, filing cabinets, notes, commercial paper, boxes,
computers, computer peripherals, hard drives, copy machines,
printers, fax machines, keys, phones, mobile devices, appliances,
items held in collateral, briefcases, bags, artwork, gold, silver,

2/10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

furniture, appliances, kitchenware, decorations, livestock, jewelry, electronics, mechanical equipment, and other valuables belonging to Judgment Debtor MICHAEL PATRICK LATHIGEE, including any and all such community property in possession of his wife, CELISTE LATHIGEE, whether now or hereafter owned or acquired by them, and wherever located including, but not limited to, vehicles, homes, on the person(s), garages, storage units, cash registers, cash boxes, drawers, safes, locked rooms, and/or any other part of any location.

Any and all personal property located within, or attached to, the unit located at 9404 Empire Rock Street, Las Vegas, NV 89143.

2014 Jeep Grand Cherokee – VIN # 1C4RJEGXEC217235

2015 Chevrolet Colorado – VIN # 1GCHSBE37F1150895

2014 BMW 3 Series 320i – VIN # WBA3B1G50ENS80105

Pursuant to NRS 31.920 the constable may take concealed property by force after demand. If the property, or any part thereof, be concealed in a building or enclosure, the constable shall publicly demand its delivery. If it be not delivered, the constable shall cause the building or enclosure to be broken open, and take the property into the constable's possession, and, if necessary, the constable may call to the constable's aid the power of the constable's county.

Liquid assets are being searched for and there exists evidence that such assets are being concealed. Therefore, forensic analysis of the taken property is necessary and approved.

Any documents taken are to be delivered to a facility of the Creditor's choosing as soon as practicable after seizure and that facility shall be given a reasonable time to copy and scan such documents based on the quantity thereof, and in no case less than 10 days unless otherwise ordered by the Court. Unless otherwise directed to another facility by the Creditor, the Constable or Sheriff may deliver the documents to NRC Discovery at 2250 South Rancho Drive, Las Vegas, NV 89102.

Any computers, hard drives, and sources of electronic data taken are to be delivered to a facility of the Creditor's choosing as soon as practicable after seizure and that facility shall be given a reasonable time to copy and image such devices based upon the quantity thereof, and in no case less than 10 days unless otherwise ordered by the Court. Unless otherwise directed to another facility by the Creditor, the Constable or Sheriff shall deliver the electronic data devices to Expert Data Forensics at 5071 N. Rainbow Blvd. Suite 180. Las Vegas, NV 89130.

ALVERSON TAYLOR & SANDERS
LAWYERS
6605 GRAND MONTECITO PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89149
(702) 384-7000

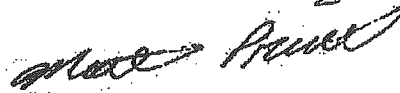
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

See Exhibit A for description of vehicles to be executed on.

Please direct all payments of levied monies to ALVERSON TAYLOR & SANDERS at 6605
GRAND MONTECITO PKWY, STE 200, LAS VEGAS, NV 89149.

DATED this 30th day of July, 2019.

ALVERSON TAYLOR & SANDERS



KURT R. BONDS, ESQ.
Nevada Bar #6228
MATTHEW M. PRUITT, ESQ.
Nevada Bar #12474
6605 Grand Montecito Pkwy, Ste 200
Las Vegas, NV 89149
(702) 384-7000
efile@alversontaylor.com
Attorneys for Plaintiff

ALVERSON TAYLOR & SANDERS
LAWYERS
6605 GRAND MONTECITO PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89169
(702) 384-7800

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

VEHICLES

2014 Jeep Grand Cherokee – VIN # 1C4RJEAGXEC217235

2015 Chevrolet Colorado – VIN # 1GCHSBE37F1150895

2014 BMW 3 Series 320I – VIN # WBA3B1G50ENS80105

1 ALVERSON TAYLOR & SANDERS
2 KURT R. BONDS, ESQ.
3 Nevada Bar #6228
4 MATTHEW M. PRUITT, ESQ.
5 Nevada Bar #12474
6 6605 Grand Montecito Parkway
7 Suite 200
8 Las Vegas, Nevada 89149
9 (702) 384-7000
10 efile@alversontaylor.com
11 Attorneys for Plaintiff

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 -*-

15 BRITISH COLUMBIA SECURITIES
16 COMMISSION,

CASE NO.: A-18-771407-C
DEPT. NO.: XIV

17 Plaintiffs,

18 vs.

19 MICHAEL PATRICK LATHIGEE,

20 Defendant.

21 WRIT OF EXECUTION

22 THE STATE OF NEVADA TO THE SHERIFF OR ANY CONSTABLE OF CLARK
23 COUNTY, NEVADA, GREETINGS:

24 WHEREAS, on the 14th day of May, 2019, a Judgment was entered by the District Court of
25 Clark County, Nevada in the above-entitled action in favor of Plaintiff BRITISH COLUMBIA
26 SECURITIES COMMISSION, as judgment creditor and against Defendant MICHAEL PATRICK
27 LATHIGEE as judgment debtor for the principal and total amount of \$21,700,000.00 CAD, or at the
28 option of the debtor the number of United States dollars which will purchase the Canadian Dollar
with interest due at a bank-offered spot rate at or near the close of business on the banking day next

ALVERSON TAYLOR & SANDERS
LAWYERS
6605 GRAND MONTECITO PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89149
(702) 384-7000

ALVERSON TAYLOR & SANDERS
 LAWYERS
 6605 GRAND MONTECITO PARKWAY, SUITE 200
 LAS VEGAS, NEVADA 89169
 (702) 394-7000

1 before the day of payment, plus interest at the statutory rate and costs in the amount of \$1,173.39
 2 USD.

3 WHEREAS, any satisfaction has been credited first against total accrued interest and costs,
 4 leaving the following net balance, which sum bears interest at 7.50% per annum, \$4,458.90 CAD per
 5 day from issuance of this writ to date of levy and to which sum must be added all commissions and
 6 costs of executing this Writ.
 7

<u>JUDGMENT BALANCE</u>		<u>AMOUNTS TO BE COLLECTED BY LEVY</u>		
9	Principal	\$21,700,000.00 CAD	NET BALANCE	<u>17,897,897.63</u>
10	Pre-Judgment Interest	\$1,859,363.01 CAD	Fee for this Writ	\$10.00
	Attorney Fees	\$0.00	Garnishment Fee	0
11	Costs	\$1,173.39 USD	Mileage	<u>76.20</u>
12	JUDGMENT TOTAL	\$23,559,363.01 CAD	Levy Fee	<u>18.00</u>
		- \$1,173.39 USD	Advertising	0
13	Post-Judgment		Interest from Date of Issuance	0
	Interest	\$271,992.90 CAD	SUB-TOTAL	<u>17,897,961.83</u>
14	Accrued Costs	\$0.00	Commission	<u>89,542.31</u>
15	Less Satisfaction	\$862.36 USD	TOTAL LEVY	<u>17,987,504.14</u>
16	NET BALANCE	\$23,831,355.91 CAD		
		+ \$311.03 USD		

17
 18 NOW, THEREFORE, SHERIFF OR ANY CONSTABLE OF CLARK COUNTY,
 19 NEVADA, you are hereby commanded to satisfy this judgment for the total amount due out of the
 20 following described property:

21 Any and all personal property, including specifically vehicles, trailers,
 22 cash, chattel paper, electronic storage devices, equipment, monies
 23 from sales, inventory or investment property, precious metals,
 24 precious gems, firearms, household property, safes, financial records,
 25 documents, business documents, stock and/or membership
 26 certificates, filing cabinets, notes, commercial paper, boxes,
 27 computers, computer peripherals, hard drives, copy machines,
 28 printers, fax machines, keys, phones, mobile devices, appliances,
 items held in collateral, briefcases, bags, artwork, gold, silver,
 furniture, appliances, kitchenware, decorations, livestock, jewelry,
 electronics, mechanical equipment, and other valuables belonging to
 Judgment Debtor MICHAEL PATRICK LATHIGEE, including any

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

and all such community property in possession of his wife, CELISTE LATHIGEE, whether now or hereafter owned or acquired by them, and wherever located including, but not limited to, vehicles, homes, on the person(s), garages, storage units, cash registers, cash boxes, drawers, safes, locked rooms, and/or any other part of any location.

Any and all personal property located within, or attached to, the unit located at 9404 Empire Rock Street, Las Vegas, NV 89143.

2014 Jeep Grand Cherokee – VIN # 1C4RJEGXEC217235

2015 Chevrolet Colorado – VIN # 1GCHSBE37F1150895

2014 BMW 3 Series 320I – VIN # WBA3B1G50ENS80105

Pursuant to NRS 31.920 the constable may take concealed property by force after demand. If the property, or any part thereof, be concealed in a building or enclosure, the constable shall publicly demand its delivery. If it be not delivered, the constable shall cause the building or enclosure to be broken open, and take the property into the constable's possession, and, if necessary, the constable may call to the constable's aid the power of the constable's county.

Liquid assets are being searched for and there exists evidence that such assets are being concealed. Therefore, forensic analysis of the taken property is necessary and approved.

Any documents taken are to be delivered to a facility of the Creditor's choosing as soon as practicable after seizure and that facility shall be given a reasonable time to copy and scan such documents based on the quantity thereof, and in no case less than 10 days unless otherwise ordered by the Court. Unless otherwise directed to another facility by the Creditor, the Constable or Sheriff may deliver the documents to NRC Discovery at 2250 South Rancho Drive, Las Vegas, NV 89102.

Any computers, hard drives, and sources of electronic data taken are to be delivered to a facility of the Creditor's choosing as soon as practicable after seizure and that facility shall be given a reasonable time to copy and image such devices based upon the quantity thereof, and in no case less than 10 days unless otherwise ordered by the Court. Unless otherwise directed to another facility by the Creditor, the Constable or Sheriff shall deliver the electronic data devices to Expert Data Forensics at 5071 N. Rainbow Blvd. Suite 180. Las Vegas, NV 89130.

///
///

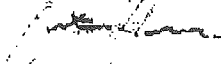
ALVERSON TAYLOR & SANDERS
LAWYERS
6605 GRAND MONTECITO PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89149
(702) 384-7000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

You are required to return this Writ from the date of issuance not less than 10 days or more than 60 days with the results of your levy endorsed thereon.

DATED this ____ day of July, 2019.

STEVEN D. GRIERSON
CLERK OF COURT

By:  8/1/2019
Deputy Clerk Courtnie Hoskin

Submitted by:

RETURN

ALVERSON TAYLOR & SANDERS



KURT R. BONDS, ESQ.
Nevada Bar No. 6228
MATTHEW M. PRUITT, ESQ.
Nevada Bar #12474
6605 Grand Montecito Pkwy, Suite 200
Las Vegas, Nevada 89149

_____	Not satisfied	\$ _____
_____	Satisfied in sum of	\$ _____
_____	Cost retained	\$ _____
_____	Commission retained	\$ _____
_____	Costs incurred	\$ _____
_____	Commission incurred	\$ _____
_____	Costs received	\$ _____
	REMITTED TO JUDGMENT	\$ _____
	CREDITOR	_____

I hereby certify that I have this date returned the foregoing Writ of Execution with the results of the levy endorses thereon.

Jordan Ross, Constable, Laughlin Township
55 Civic Way
Laughlin, NV 89029-1563