

Patrick Missud
Attorney at Law
91 San Juan Ave
San Francisco, CA, 94112
415-584-7251 Office
415-845-5540 Cell

OFFICE OF THE ATTORNEY GENERAL
CARSON CITY, NEVADA

FEB 17 2010

BUREAU OF CRIMINAL JUSTICE
SPECIAL PROSECUTION UNIT

January 19, 2010

Supreme Court of Nevada
201 South Carson Street
Carson City, NV 89701

Re: Betsinger case and NRS 42.005
Via: Certified #7009 2820 0004 1808- 3220;
Email- dennis.barghaan@usdoj.gov, greenen@sec.gov, eising@gibsondunn.com

Attention Justices for the Supreme Court of Nevada,

This letter is in follow up to mine dated January 6, 2010, and sent Certified #7009 1410 0000 1337 6642.

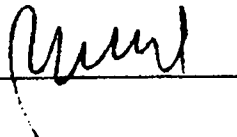
Please consider the enclosed Complaint for RICO, Request for Judicial Notice, and Declaration for case #10-C-00235-SI to be considered in the referenced Betsinger matter.

The exhibits to the Declaration are not enclosed as they consist of about 600 pages. They will be scanned to PACER later this week for viewing. In the meantime, links within the text of all three documents provide web access to about 40% of the relevant information.

Thank you in advance,

/s/ Patrick Missud

Encl.



Cc: Certified: Benitez Certified #7009 2820 0004 1808- 3213





1 PATRICK MISSUD #219614
2 91 San Juan Ave.
3 San Francisco, CA, 94132
4 Attorney and Plaintiff in pro per

OFFICE OF THE ATTORNEY GENERAL
CARSON CITY, NEVADA

FEB 17 2010

BUREAU OF CRIMINAL JUSTICE
SPECIAL PROSECUTION UNIT

ORIGINAL
FILED

JAN 19 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

6 UNITED STATES DISTRICT COURT FOR THE
7 NORTHERN DISTRICT OF CALIFORNIA

8 UNLIMITED CIVIL JURISDICTION
9 CLASS ACTION

SI

12 PATRICK A. MISSUD, Plaintiff on behalf of
13 himself and others similarly situated, VS.

Case No.:
Dept:

C 10 0235

15 D. R. HORTON INC.; DHI MORTGAGE
16 COMPANY, LTD. LP; DONALD HORTON;
17 DONALD TOMNITZ; CURTIS COLTRANE;
18 SUSAN ECKHARDT; DUANE WADDILL;
19 RICHARD PERRY; GREG ABBOTT;
20 SAUNDRA B. ARMSTRONG; ROGER
21 BENITEZ; BERRY EDENFIELD; MARTIN
22 REIDINGER; YAHOO INC.; WENDEL
23 ROSEN BLACK & DEAN LLC.; WOOD,
24 SMITH, HENNING & BERMAN LLC.;
25 LUCE, FORWARD, HAMILTON &
26 SCRIPPS LLP; RYAN & DAWSON;
27 STRAND SYSTEMS ENGINEERING; DOES

COMPLAINT FOR VIOLATIONS OF:
U.S.C. TITLE 18 SECTION 1962
RACKETEERING, CONSPIRACY TO
COMMIT RICO; OFFICIAL
CORRUPTION; U.S.C. TITLE 18
SECTION 1513 THREATENING A
FEDERAL INFORMANT; FIRST
AMENDMENT SPEECH AND
ASSEMBLY; FIFTH AMENDMENT DUE
PROCESS; SEVENTH AMENDMENT
RIGHT TO JURY TRIAL;
FOURTEENTH AMENDMENT DUE
PROCESS AND EQUAL PROTECTIONS
CLAUSES.

Date:
Time:
Dept:
Judge:

DEMAND FOR JURY TRIAL

28 1-200. Defendants.

RECEIVED

JAN 21 2010

TRACIE M. LINDENMAN
CLERK OF SUPERIOR COURT

RICO and Conspiracy to commit RICO Complaint- 1



SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
TRACIE K. LINDEMAN, CLERK
201 SOUTH CARSON STREET, SUITE 201
CARSON CITY, NEVADA 89701-4708

Telephone
(775) 684-1600

ABEYANCE

February 12, 2010

Nevada Attorney General Catherine Cortez Masto
100 N. Carson Street
Carson City, NV 89701-4717

CRIMINAL DIVISION
OFFICE OF THE ATTORNEY GENERAL
CARSON CITY, NEVADA

FEB 17 2010

BUREAU OF CRIMINAL JUSTICE
SPECIAL PROSECUTION UNIT

Re: California attorney Patrick Missud

Dear Attorney General Cortez Masto:

This is to advise you that the Nevada Supreme Court received correspondence from California attorney Patrick Missud dated January 19, 2010, requesting that this court take judicial notice, in an appeal pending before this court, of documents from an action filed in a California federal court against one of the litigants to the appeal pending before this court. Our chief assistant clerk wrote Mr. Missud back, explaining that the Nevada Supreme Court cannot consider matters outside the record in deciding an appeal.

On January 27, 2010, Mr. Missud responded, asking the Nevada Supreme Court to reconsider. On February 8, 2010, Mr. Missud wrote another letter, again requesting that the Nevada Supreme Court take judicial notice of evidence he states he has submitted in the federal action in California.

Of concern is that Mr. Missud's correspondence appears to suggest that this court's failure to honor his request somehow furthers a nationwide RICO conspiracy he has apparently alleged in the federal court action. Additionally, Mr. Missud included copies of e-mail correspondence to federal agents in which he accuses one of the litigants of using "federal courts like jihadists would use a dirty bomb" and queries whether "jihadists also have federal judges on their payrolls."

The court has asked that I bring this matter to your attention. Copies of the above-referenced correspondence are enclosed for your consideration.

Sincerely,

Tracie K. Lindeman

Tracie K. Lindeman, Esq.
Clerk of Court

encl.

RECEIVED MAR 04 2010



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

CATHERINE CORTEZ MASTO
Attorney General

KEITH G. MUNRO
Assistant Attorney General

JIM SPENCER
Chief of Staff

February 25, 2010

State Bar of Nevada
600 E. Charleston Blvd
Las Vegas, NV 89104

RE: Patrick Missud

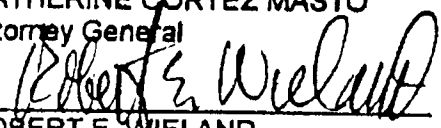
To Whom It May Concern:

Enclosed please find a copy of a letter from the Clerk of the Nevada Supreme Court and materials she sent to this office regarding Patrick Missud because the Court asked that she bring this to our attention. This material is being sent to you because it appears that Mr. Missud, a California lawyer, who, according to a letter from Harriet Cummings, Chief Assistant Clerk of the Court has endeavored on two occasions to file material in an appeal before the Nevada Supreme Court, *Betsinger v. D.R. Horton*, Nevada Supreme Court Case No. 50510. Notably, Mr. Missud is neither counsel nor a party in the case. Furthermore, Mr. Missud is not a Nevada attorney nor has he been granted leave to file documents in the case. The Nevada Supreme Court has rebuffed him both times. See Letter to Mr. Missud from Harriet Cummings, Chief Assistant Clerk of the Court, to Mr. Missud dated January 21, 2010, and letter to Mr. Missud from Tracie K. Lindeman, Clerk of the Court, dated February 18, 2010. You may wish to consider whether he is practicing law in this state without a license, or has committed some other violation warranting discipline.

Please review the material and take whatever action you deem appropriate.

Sincerely,

CATHERINE CORTEZ MASTO
Attorney General

By: 
ROBERT E. WIELAND
Senior Deputy Attorney General
(775) 850-4115

cc: Keith Munro, Assistant Attorney General
John Kelleher, Chief Deputy Attorney General

Enclosure(s)
REW:ks

5

STATE BAR OF NEVADA

 COPY



March 9, 2010

SENT VIA REGULAR & CERTIFIED MAIL: 7008 1140 0003 8363 2978

Patrick Missud, Esq.
91 San Juan Avenue
San Francisco, CA 94112

RE: Grievance / Robert Wieland, Esq.
Reference No. 23476

600 East Charleston Blvd.
Las Vegas, NV 89104-1563
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

www.nvbar.org

Dear Mr. Missud:

The Office of Bar Counsel has received the enclosed correspondence which asks that the State Bar investigate this matter. The only information that we have is enclosed for your review.


Please provide your written input to the specific issues raised. A grievance file has not been opened at this time. However, should a file be opened, you will be notified and given a full opportunity to respond.

I direct your attention to Nevada Supreme Court Rule (NSCR) 99(1) (Jurisdiction) which states:

*Every attorney admitted to practice law in Nevada or specially admitted by a court of this state for a particular proceeding, **or practicing law here, whether specially admitted or not, is subject to the exclusive disciplinary jurisdiction of the supreme court and the disciplinary boards and hearing panels created by these rules.** [Emphasis added in bold.]*

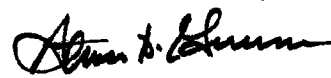
Please give this matter your earliest attention. Your response shall be calendared for fourteen (14) days from the date of this letter.

Sincerely,


Phillip J. Pattee
Assistant Bar Counsel

PJP/lc

Enclosure


CLERK OF THE COURT

1 **RAR**
Joel D. Odou, Esq.
2 Nevada Bar No. 7468
jodou@wshblaw.com
3 Patricia J. Peterson
Nevada Bar No. 7865
4 ppeterson@wshblaw.com
Nadin J. Cutter, Esq.
5 Nevada Bar No. 11548
ncutter@wshblaw.com
6 **WOOD, SMITH, HENNING & BERMAN LLP**
7 7670 West Lake Mead Boulevard, Suite 250
Las Vegas, Nevada 89128-6652
8 Telephone: (702) 222-0625
Facsimile: (702) 253-6225

9 Attorneys for Defendants, D.R. HORTON, INC. AND DHI MORTGAGE
10 COMPANY, LTD, LP

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 PATRICK A. MISSUD and JULIE
14 MISSUD, husband and wife,

CASE NO. A551662
DEPT. XI

15 Plaintiff,

16 v.

17 D.R. HORTON, INC.; DHI
MORTGAGE COMPANY, LTD, LP;
and ROE CORPORATIONS I - X

18 Defendants.
19

20
21 **DISCOVERY COMMISSIONER'S**
22 **REPORT AND RECOMMENDATIONS**

23 Hearing Date: March 5, 2010
24 Hearing Time: 9:00 a.m.

25 Attorney for Plaintiffs: David L. Thomas, Esq.
G. Dallas Horton & Associates

26
27 Attorney for Defendants: Joel O. Odou, Esq.
Patricia J. Peterson, Esq.
28 Wood, Smith, Henning & Berman, LLP

WOOD, SMITH, HENNING & BERMAN LLP
Attorneys at Law
7670 WEST LAKE MEAD BOULEVARD, SUITE 250
LAS VEGAS, NEVADA 89128-6652
TELEPHONE 702.222.0625 + FAX 702.253.6225

WOOD, SMITH, HENNING & BERMAN LLP
Attorneys at Law
7670 WEST LAKE MEAD BOULEVARD, SUITE 250
LAS VEGAS, NEVADA 89128-6652
TELEPHONE 702 222 0625 * FAX 702 253 6225

1 Assistant Bar Counsel: Phil Pattee, Esquire
2 Court Reporter: Dana Tavaslonie

3 I.

4 FINDINGS

5 1. Defendants brought a Motion for a Protective Order due to Plaintiffs
6 misuse of discovery and the discovery process to which Plaintiffs filed Counter-
7 motions to make the Protective Order mutual and to continue all Discovery and
8 Trial Dates.

9 2. Defendants also brought a Motion for Terminating Sanctions and
10 Costs and Fees due to continued discovery abuses and Plaintiffs' personal threats
11 against Defense Counsel to which Plaintiffs filed an Opposition.

12 3. The Commissioner is concerned about what has occurred in this
13 case. The Commissioner reminded counsel regarding the Rules of Professional
14 Conduct and Rule 3.6(a) regarding pretrial publicity and Rule 8.4 regarding
15 misconduct.

16 II.

17 RECOMMENDATIONS

18 IT IS HEREBY RECOMMENDED that the Motion for Protective
19 Order be **GRANTED**. The agreed upon Protective Order between the parties will

20 be submitted to Judge Gonzales and effective immediately upon her
21 approval; in the interim, a protective order remains in place as discussed
22 IT IS FURTHER RECOMMENDED that neither attorneys nor their clients at the
23 will place information about this case on the Internet. Any information on websites
24 that disparage counsel, Judges, or the witnesses or the parties to this case must
25 be removed.

26 IT IS FURTHER RECOMMENDED that the Protective Order will remain in
27 place during litigation and after litigation concludes. These documents will remain
28 protected and in the custody of their counsel until they are discarded pursuant to
Nevada law. The correspondence, discovery, deposition transcripts whether

1 **NOTC**
2 G. DALLAS HORTON & ASSOCIATES
3 G. DALLAS HORTON, ESQ.
4 Nevada Bar No. 5996
5 DAVID L. THOMAS, ESQ.
6 Nevada Bar No. 3172
7 MONTE HALL, ESQ.
8 Nevada Bar No. 239
9 CHRISTIAN Z. SMITH, ESQ.
10 Nevada Bar No. 8266
11 4435 South Eastern Avenue
12 Las Vegas, Nevada 89119
13 (702) 380-3100
14 Attorneys for Plaintiffs


DISTRICT COURT
CLARK COUNTY, NEVADA

12	PATRICK A. MISSUD and JULIE)	CASE NO. A551662
13	MISSUD, husband and wife,)	DEPT NO. XI
14	Plaintiffs,)	
15	vs.)	NOTICE OF ENTRY OF ORDER
16	D.R. HORTON, INC.; DHI MORTGAGE)	GRANTING G. DALLAS HORTON &
17	COMPANY, LTD, LP; DOES I through X)	ASSOCIATES MOTION TO
18	and ROE CORPORATIONS I through X,)	WITHDRAW AS COUNSEL OF
19	Defendants.)	RECORD

20 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an Order was entered
21 in the above-entitled matter on the 28th day of May, 2010, a copy of which is attached hereto.

22 DATED this 28 day of June, 2010.

G. DALLAS HORTON & ASSOCIATES



DAVID L. THOMAS, ESQ.
Nevada Bar No. 3172

Alan J. Linn
CLERK OF THE COURT

1 **ORDR**
 2 Joel D. Odou, Esq.
 3 Nevada Bar No. 7468
 4 jodou@wshblaw.com
 5 Patricia J. Peterson
 6 Nevada Bar No. 7865
 7 ppeterson@wshblaw.com
 8 Nadin J. Cutter, Esq.
 9 Nevada Bar No. 11548
 10 ncutter@wshblaw.com
 11 **WOOD, SMITH, HENNING & BERMAN LLP**
 12 7670 West Lake Mead Boulevard, Suite 250
 13 Las Vegas, Nevada 89128-6652
 14 Telephone: (702) 222-0625
 15 Facsimile: (702) 253-6225
 16
 17 Attorneys for Defendants, D.R. HORTON, INC. AND DHI MORTGAGE
 18 COMPANY, LTD, LP
 19

11 **DISTRICT COURT**
 12 **CLARK COUNTY, NEVADA**

13 PATRICK A. MISSUD and JULIE
 14 MISSUD, husband and wife,

15 Plaintiff,

16 v.

17 D.R. HORTON, INC.; DHI
 18 MORTGAGE COMPANY, LTD, LP;
 19 and ROE CORPORATIONS I - X
 20 Defendants.

CASE NO. A551662
 DEPT. XI

STIPULATED ^(E.A.D.)
 PROTECTIVE ORDER

20 1. Introduction. This Protective Order prohibits the posting of
 21 documents from this case to the internet, as well as posting alleged claims about
 22 the parties, witnesses, attorneys, Governmental Officials, or Judges to any web
 23 site as further set forth below.

24 2. Protection of Documents and Evidence. Pleadings, discovery,
 25 Orders, correspondence, documents, deposition transcripts (written and video),
 26 interrogatory answers, responses to requests for admissions and other written,
 27 recorded or graphic discovery matters produced by or obtained from the parties
 28 herein shall not be posted to the internet or otherwise disclosed outside of this

WOOD, SMITH, HENNING & BERMAN LLP
 Attorneys at Law
 7670 WEST LAKE MEAD BOULEVARD, SUITE 250
 LAS VEGAS, NEVADA 89128-6652
 TELEPHONE 702.222.0625 • FAX 702.253.6225

ORIGINAL

Ann D. Blum

CLERK OF THE COURT

MB/DT

1 0001
 2 Joel D. Odou, Esq.
 3 Nevada Bar No. 7468
 4 iodou@wshblaw.com
 5 Patricia J. Peterson
 6 Nevada Bar No. 7865
 7 ppeterson@wshblaw.com
 8 Nadin J. Cutter, Esq.
 9 Nevada Bar No. 11548
 10 ncutter@wshblaw.com
 11 **WOOD, SMITH, HENNING & BERMAN LLP**
 12 7670 West Lake Mead Boulevard, Suite 250
 13 Las Vegas, Nevada 89128-6652
 14 Telephone: (702) 222-0625
 15 Facsimile: (702) 253-6225

16 Attorneys for Defendants, D.R. HORTON, INC. AND DHI MORTGAGE COMPANY, LTD, LP

17 DISTRICT COURT

18 CLARK COUNTY, NEVADA

19 PATRICK A. MISSUD and JULIE
20 MISSUD, husband and wife,

21 Plaintiff,

22 v.

23 D.R. HORTON, INC.; DHI
24 MORTGAGE COMPANY, LTD, LP;
25 and ROE CORPORATIONS I - X

26 Defendants.

CASE NO. A551662
DEPT. XI

D.R. HORTON, INC. AND DHI
MORTGAGE COMPANY, LTD, LP'S
MOTION TO SEAL COURT
RECORDS

(Sealing and/or Redaction is being sought)

Hearing Date: *6-4-10*
Hearing Time: *In Chambers*

27 COME NOW DEFENDANTS D.R. HORTON, INC. and DHI MORTGAGE
 28 COMPANY, LTD, LP (the "Defendants") and hereby file this request to the Court
 that the Court issue, an Order to Seal the D.R. HORTON, INC. AND DHI
 MORTGAGE COMPANY, LTD, LP'S MOTION REQUESTING THAT THE COURT
 ISSUE AN ORDER TO SHOW CAUSE AS TO WHY THE PLAINTIFFS SHOULD
 NOT BE HELD IN CONTEMPT OF COURT FOR VIOLATING THE COURT'S
 APRIL 19, 2010 STIPULATED PROTECTIVE ORDER AND REQUEST FOR
 EVIDENTIARY AND MONETARY SANCTIONS filed on April 29, 2010. This

WOOD, SMITH, HENNING & BERMAN LLP
 Attorneys at Law
 7670 WEST LAKE MEAD BOULEVARD, SUITE 250
 LAS VEGAS, NEVADA 89128-6652
 TELEPHONE 702 222 0625 • FAX 702 253 6225