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FILED

JUL 31 2015

REAL ESTATE COMMISSION
BY *Robert Hardy*

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

10 JOSEPH R. DECKER, Administrator, REAL
11 ESTATE DIVISION, DEPARTMENT OF
12 BUSINESS & INDUSTRY, STATE OF
13 NEVADA,

Case No.: RES 14-05-76-1056

14 Petitioner,

15 vs.

16 DAUNSHARI WONG-CULOTTA,

17 Respondent.

ANSWER

18 Respondent, DAUNSHARI WONG-CULOTTA, (hereinafter "Respondent") by and
19 through her attorneys of record, the law firm of Marquis Aurbach Coffing, hereby answers
20 Petitioner's Complaint as follows:

- 21 1. In answering Paragraphs 1, 3, 8, 20, 21, 22, 26, 29 of Petitioner's Complaint,
22 Respondent admits the allegations contained therein.
- 23 2. In answering Paragraphs 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24,
24 25, 27, 28, of Petitioner's Complaint, Respondent denies the allegations contained therein.
- 25 3. In answering Paragraphs 2, 4, 29, 30 and 31 of Petitioner's Complaint,
26 Respondent is without knowledge or information sufficient to form a belief as to the truth of the
27 allegations contained therein, and therefore, denies the same.

- 1 9. Respondent is exempt from prosecution in this matter because the provisions of
2 NRS 645 do not apply to her.
- 3 10. Respondent is exempt from prosecution in this matter because the provisions of
4 NRS 645 and the terms "real estate broker" and "real estate salesperson" do not apply to her.
- 5 11. Respondent is exempt from prosecution in this matter because she is a person
6 whom NRS 645 does not apply pursuant to NRS 645.240.
- 7 12. Petitioner's claims are barred because they violate Petitioner's due process rights
8 pursuant to the Fifth and Fourteenth Amendments to the United States Constitution.
- 9 13. Petitioner's claims are barred because they violate Petitioner's due process rights
10 pursuant to the Nevada Constitution.
- 11 14. Petitioner's claims are barred because of inadequate, unreasonable and/or
12 untimely notice.
- 13 15. Petitioner's claims are barred because of the doctrine of selective prosecution.
- 14 16. Petitioner's claims are barred because Respondent's conduct (if any) was
15 justified.
- 16 17. Petitioner's claims are barred because Respondent's conduct (if any) was
17 excused.
- 18 18. Respondent committed no intentional acts.
- 19 19. Petitioner's claims have been waived as a result of the acts and/or omissions of
20 the Petitioner.
- 21 20. At all times, Respondent acted in a legally permissible way.
- 22 21. Petitioner's claims are barred by the applicable Nevada statute of limitations.
- 23 22. Respondent incorporates by this reference as though set forth herein in full all
24 affirmative defenses set forth in NRCP 12.
- 25 23. Pursuant to NRCP 11, as amended, all possible affirmative defenses may not have
26 been alleged herein, in so far as sufficient facts were not available after a reasonable inquiry
27 upon the filing of this Respondent's Answer to Petitioner's Complaint; therefore, this
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Respondent reserves the right to amend its answer to allege additional affirmative defenses if subsequent investigations so warrant.

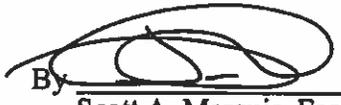
PRAYER FOR RELIEF

WHEREFORE, Respondent prays for judgment against Petitioner as follows:

1. That Petitioner take nothing by way of its Complaint and that the same be dismissed with prejudice; and
2. For any further relief as the Nevada Real Estate Commission deem to be just and proper.

Dated this 31 day of July, 2015.

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