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NEVADA COMMISSION FOR
COMMON INTEREST COMMUNITIES
AND CONDOMINIUM HOTELS

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8 *Attorneys for Respondents Turnberry Towers East*
9 *Unit-Owners' Association, James Orr, Lawrence (Larry) Karp,*
10 *and Manu Sethi*

11 **BEFORE THE COMMISSION FOR COMMON-INTEREST COMMUNITIES AND**
12 **CONDOMINIUM HOTELS**

13 **STATE OF NEVADA**

14 SHARATH CHANDRA, Administrator,
15 REAL ESTATE DIVISION,
16 DEPARTMENT OF BUSINESS &
17 INDUSTRY, STATE OF NEVADA,
18 Petitioner,

CASE NO.: 2023-309

19 **TURNBERRY TOWERS EAST UNIT-**
20 **OWNERS ASSOCIATION'S ANSWER TO**
21 **COMPLAINT FOR ACTION AND**
22 **NOTICE OF HEARING**

23 TURNBERRY TOWERS EAST UNIT-
24 OWNERS' ASSOCIATION, TONY
25 RECTOR, JAMES ORR, LAWRENCE
26 (LARRY) KARP; MANU SETHI, and
27 TAMRA TRAINER,

28 Respondents.

19 TURNBERRY TOWERS EAST UNIT-OWNERS ASSOCIATION ("TTE") by and
20 through its counsel of record, the law firm of Brownstein Hyatt Farber Schreck, LLP, hereby
21 submits its Answer to Complaint for Disciplinary Action and Notice of Hearing as follows:

22 **FACTUAL ALLEGATIONS**

- 23 1. Answering Paragraph 1 of the Complaint, TTE admits the allegations contained in
24 Paragraph 1.
25 2. Answering Paragraph 1 of the Complaint, TTE admits the allegations contained in
26 Paragraph 2.
27 3. Answering Paragraph 3 of the Complaint, TTE, denies the allegation in Paragraph
28 3 that Tony Rector was a member of the TTE Board of Directors as of the date of the Complaint's

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1 filing. TTE further denies that either Tony Rector or Tamra Trainer are now members of the TTE
2 Board of Directors.

3 4. Answering Paragraph 4 of the Complaint, the document referred to therein speaks
4 for itself and therefore no response is required. To the extent a response is required, TTE denies the
5 allegations in Paragraph 4.

6 5. Answering Paragraph 5 of the Complaint, the document referred to therein speaks
7 for itself and therefore no response is required. To the extent a response is required, TTE denies the
8 allegations in Paragraph 5.

9 6. Answering Paragraph 6 of the Complaint, the document referred to therein speaks
10 for itself and therefore no response is required. To the extent a response is required, TTE denies the
11 allegations in Paragraph 6.

12 7. Answering Paragraph 7 of the Complaint, the document referred to therein speaks
13 for itself and therefore no response is required. To the extent a response is required, TTE denies
14 the allegations in Paragraph 7.

15 8. Answering Paragraph 8 of the Complaint, the document referred to therein speaks
16 for itself and therefore no response is required. To the extent a response is required, TTE denies the
17 allegations in Paragraph 8.

18 9. Answering Paragraph 9 of the Complaint, the document referred to therein speaks
19 for itself and therefore no response is required. To the extent a response is required, TTE denies the
20 allegations in Paragraph 9.

21 10. Answering Paragraph 10 of the Complaint, the document referred to therein speaks
22 for itself and therefore no response is required. To the extent a response is required, TTE denies the
23 allegations in Paragraph 10.

24 11. Answering Paragraph 11 of the Complaint, the document referred to therein speaks
25 for itself and therefore no response is required. To the extent a response is required, TTE denies the
26 allegations in Paragraph 11.

27 12. Answering Paragraph 12 of the Complaint, TTE admits that Christina Pitch
28 transmitted a Request for Information dated January 11, 2024. With regard to the remaining

1 allegations in Paragraph 12, TTE responds that the document referred to speaks for itself and
2 therefore no response is required. To the extent a response is required, TTE denies the remaining
3 allegations in Paragraph 12.

4 13. Answering Paragraph 13 of the Complaint, TTE admits that CAM Stevenson
5 provided a response to Christina Pitch dated February 2, 2024. With regard to the remaining
6 allegations in Paragraph 13, TTE responds that the document referred to speaks for itself and
7 therefore no response is required. To the extent a response is required, TTE denies the remaining
8 allegations in Paragraph 13.

9 14. Answering Paragraph 14 of the Complaint, the document referred to therein speaks
10 for itself and therefore no response is required. To the extent a response is required, TTE denies the
11 allegations in Paragraph 14.

12 15. Answering Paragraph 15 of the Complaint, the document referred to therein speaks
13 for itself and therefore no response is required. To the extent a response is required, TTE denies the
14 allegations in Paragraph 15.

15 16. Answering Paragraph 16 of the Complaint, the document referred to therein speaks
16 for itself and therefore no response is required. To the extent a response is required, TTE denies the
17 allegations in Paragraph 16.

18 17. Answering Paragraph 17 of the Complaint, TTE admits the allegations contained
19 in paragraph 17.

20 18. Answering Paragraph 18 of the Complaint, the document referred to therein speaks
21 for itself and therefore no response is required. To the extent a response is required, TTE denies the
22 allegations in Paragraph 18.

23 19. Answering Paragraph 19 of the Complaint, the document referred to therein speaks
24 for itself and therefore no response is required. To the extent a response is required, TTE denies the
25 allegations in Paragraph 19.

26 20. Answering Paragraph 20 of the Complaint, TTE admits the allegations contained
27 in Paragraph 20.

28 21. Answering Paragraph 21 of the Complaint, TTE admits the allegations contained

1 in Paragraph 21.

2 22. Answering Paragraph 22 of the Complaint, TTE admits that it had to initiate a
3 lawsuit against Tony Rector on November 15, 2023, seeking injunctive and declaratory relief. TTE
4 lacks sufficient knowledge of the remaining allegations contained in Paragraph 22 and therefore
5 denies the same.

6 23. Answering Paragraph 23 of the Complaint, TTE admits the allegations contained
7 in Paragraph 23.

8 **CORROBORATING WITNESS STATEMENTS**

9 24. Answering Paragraph 24 of the Complaint, the document referred to therein speaks
10 for itself and therefore no response is required. To the extent a response is required, TTE denies the
11 allegations in Paragraph 24.

12 25. Answering Paragraph 25 of the Complaint, the document referred to therein speaks
13 for itself and therefore no response is required. To the extent a response is required, TTE denies the
14 allegations in Paragraph 25.

15 26. Answering Paragraph 26 of the Complaint, the documents referred to therein speak
16 for themselves and therefore no response is required. To the extent a response is required, TTE
17 denies the allegations in Paragraph 26.

18 27. Answering Paragraph 27 of the Complaint, the document referred to therein speaks
19 for itself and therefore no response is required. To the extent a response is required, TTE denies the
20 allegations in Paragraph 27.

21 28. Answering Paragraph 28 of the Complaint, the document referred to therein speaks
22 for itself and therefore no response is required. To the extent a response is required, TTE denies the
23 allegations in Paragraph 28.

24 29. Answering Paragraph 29 of the Complaint, the document referred to therein speaks
25 for itself and therefore no response is required. To the extent a response is required, TTE denies the
26 allegations in Paragraph 29.

27 30. Answering Paragraph 30 of the Complaint, the document referred to therein speaks
28 for itself and therefore no response is required. To the extent a response is required, TTE denies the

1 allegations in Paragraph 30.

2 31. Answering Paragraph 31 of the Complaint, the document referred to therein speaks
3 for itself and therefore no response is required. To the extent a response is required, TTE denies the
4 allegations in Paragraph 31.

5 32. Answering Paragraph 32 of the Complaint, the document referred to therein speaks
6 for itself and therefore no response is required. To the extent a response is required, TTE denies the
7 allegations in Paragraph 32.

8 33. Answering Paragraph 33 of the Complaint, the document referred to therein speaks
9 for itself and therefore no response is required. To the extent a response is required, TTE denies the
10 allegations in Paragraph 33.

11 **VIOLATIONS OF LAW**

12 1. Answering Paragraph 1, TTE admits the Division's audit report found that Tony
13 Rector's conduct was willful and knowing. With regard to the rest of the allegations contained in
14 Paragraph 1 of the Violations of Law Section, TTE responds that the Division's audit report speaks
15 for itself.

16 2. Answering Paragraph 2, TTE denies the allegations in Paragraph 2 of the Violations
17 of Law Section.

18 3. Answering Paragraph 3, TTE admits the Division's audit report found that Tony
19 Rector's conduct was willful and knowing. With regard to the rest of the allegations contained in
20 Paragraph 3 of the Violations of Law Section, TTE responds that the Division's audit report speaks
21 for itself.

22 4. Answering Paragraph 4, TTE denies the allegations contained in Paragraph 4 of the
23 Violations of Law Section.

24 5. Answering Paragraph 5, TTE denies the allegations contained in Paragraph 5 of the
25 Violations of Law Section.

26 6. Answering Paragraph 6, TTE admits the Division's audit report found that Tony
27 Rector's conduct was willful and knowing. With regard to the rest of the allegations contained in
28 Paragraph 6 of the Violations of Law Section, TTE responds that the Division's audit report speaks

1 for itself.

2 7. Answering Paragraph 7, TTE admits the Division's audit report found that Tony
3 Rector's conduct was willful and knowing. With regard to the rest of the allegations contained in
4 Paragraph 7 of the Violations of Law Section, TTE responds that the Division's audit report speaks
5 for itself.

6 8. Answering Paragraph 8, TTE denies the allegations in Paragraph 8 of the Violations
7 of Law Section.

8 **DISCIPLINE AUTHORIZED**

9 1. Answering Paragraph 1, the allegations in Paragraph 1 of the Discipline
10 Authorized Section are legal conclusions to which a response is not required. To the extent a
11 response is required, TTE denies the allegations.

12 2. Answering Paragraph 2, the allegations in Paragraph 2 of the Discipline Authorized
13 Section are legal conclusions to which a response is not required. To the extent a response is
14 required, TTE denies the allegations.

15 3. Answering Paragraph 3, the allegations in Paragraph 3 of the Discipline Authorized
16 Section are legal conclusions to which a response is not required. To the extent a response is
17 required, TTE denies the allegations.

18 4. Answering Paragraph 4, the allegations in Paragraph 4 of the Discipline Authorized
19 Section are legal conclusions to which a response is not required. To the extent a response is
20 required, TTE denies the allegations.

21 **AFFIRMATIVE DEFENSES**

22 1. TTE is not liable or responsible for the conduct of Tony Rector as alleged by the
23 Complaint, under NRS 41.745.

24 2. The Complaint fails to state claims against the Respondents other than Tony Rector
25 because those Respondents enjoy the protection of the business-judgment rule, under NRS
26 116.3103 and NRS 78.138.

27 3. The Division lacks jurisdiction to bring its Complaint against TTE, under NRS
28 116.750(1), because there are no violations alleged in the Complaint that are legally imputable to

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TTE.

4. TTE adopts and incorporates by reference any and all other affirmative defenses asserted, or to be asserted, by any other Respondent to the extent TTE may share in such defense.

Dated this 30th day of September, 2024

BROWNSTEIN HYATT FARBER SCHRECK, LLP



BY: _____

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(Larry) Karp, and Manu Sethi*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and on September 30, 2024, I caused a true and correct copy of the foregoing **TURNBERRY TOWERS EAST UNIT-OWNERS ASSOCIATION'S ANSWER TO COMPLAINT FOR ACTION AND NOTICE OF HEARING** to be served via Certified U.S. Mail with Return Receipt to the address shown below:

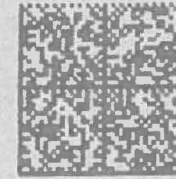
COMMISSION OF COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS Attn: Commission Coordinator 3300 W. Sahara Ave., Suite 350 Las Vegas, NV 89102 mgallo@red.nv.gov	PHIL W. SU, ESQ. Senior Deputy Attorney General 1 State of Nevada Way, Ste. 100 Las Vegas, NV 89119 psu@ag.nv.gov <i>Attorneys for Real Estate Division</i>
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/s/ Dominique Hoskins
an employee of Brownstein Hyatt Farber Schreck, LLP

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Senior Deputy Attorney General
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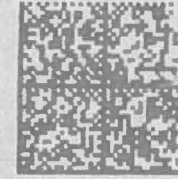
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COMMISSION OF COMMON-INTEREST COMMUNITIES AND
CONDOMINIUM HOTELS

Attn: Commission Coordinator
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