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FILED

SEP 19 2022

REAL ESTATE COMMISSION
BY 

6 *Attorney for Respondent*

7
8 **BEFORE THE REAL ESTATE COMMISSION**
9 **STATE OF NEVADA**

10 SHARATH CHANDRA, Administrator
11 REAL ESTATE DIVISION, DEPARTMENT
12 OF BUSINESS & INDUSTRY,
13 STATE OF NEVADA,

Case No.: 2020-86

13 Petitioner,

14 SHERRY LYNN MATZDORFF,

15 Respondent.

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17 **RESPONDENT'S ANSWER TO COMPLAINT**

18 **COMES NOW**, SHERRY LYNN MATZDORFF, Respondent, by and through her
19 attorney, KENNETH C. TOOP, ESQ of SAGE LEGAL, hereby respectfully present this
20 Respondent's Answer to Complaint, and specifically admit and deny the allegations of the
21 Complaint of Petitioner as follows::

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23 **FACTUAL ALLEGATION**

- 24 1. Answering Paragraphs 1, 2, 5, 6, 12, 14, 16, 18, and 31, Respondent admits.
25 2. Answering Paragraph 3, Respondent admits in part, that Jeff Sommers of Wardley Real
26 Estate has been the broker of record during Respondent's time at Wardley Real Estate.
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FOURTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint is barred by the doctrine of laches.

FIFTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint violates public policy.

SIXTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint is barred due to certain Acts of God beyond the control of Respondent.

SEVENTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint is barred due to the unconstitutionality of NRS 645, and specifically NRS 645.330.

EIGHTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint is barred by the doctrine of Equitable Estoppel.

NINTH AFFIRMATIVE DEFENSE

This answering Respondent is informed and believes and thereon alleges that Petitioner's Complaint is barred by waiver.

TENTH AFFIRMATIVE DEFENSE

This answering Respondent reserves right to amend this Answer, to more specifically assert any defense, and any future asserted defense is herein incorporated by reference for the specific purpose of not waiving any such defense.

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CERTIFICAT OF SERVICE

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I HEREBY CERTIFY that service of the RESPONDENT'S ANSWER TO COMPLAINT was made on the 16th day of September 2022, by **ELECTRONIC SERVICE** by email to the following recipients:

SHAREECE BATES
Administration Section Manager
Nevada Real Estate Division
sbates@red.nv.gov

Michelle D. Briggs, Esq.
Chief Deputy Attorney General
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Evelyn Pettee
Commission Coordinator – Real Estate
epattee@red.nv.gov

SAGE LEGAL, LLC

/s/ Kenneth C. Toop
Kenneth C. Toop, Esq.
Attorney for Respondent