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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 latches.

**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 16<sup>th</sup> 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.  
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epattee@red.nv.gov

**SAGE LEGAL, LLC**

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