

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

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3 JENNIFER MAE MASON, Executrix of the Estate of
4 ROD E. MASON, Deceased,

SC NO: 49293
DC NO: D-01-273923-D

5 Appellant,

6 vs.

7 MARTINE CUISENAIRE,

8 Respondent.

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13 **STIPULATION TO DISMISS APPEAL**

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15 **BASED UPON SETTLEMENT OF ALL ISSUES**

16 The parties to this appeal stipulate, pursuant to a private settlement arrived at
17 between the parties and NRAP 42(b), that this appeal shall be dismissed. Each party
18 is responsible for their own fees and costs associated with this appeal.

19 The attached *Stipulation and Order* will be entered in the Eighth Judicial
20 District Court Family Division, Department D upon remittitur from this Court.

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1 DATED this _____ day of January, 2010.
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4 **Attorneys for Appellant:**

Attorneys for Respondent:

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10 **DISTRICT COURT**
11 **FAMILY DIVISION**
12 **CLARK COUNTY, NEVADA**

13 JENNIFER MAE MASON,
14 Plaintiff,

15 vs.

16 MARTINE CUISENAIRE,
17 Defendant.

CASE NO: 01-D-273923
DEPT. NO: D
SUPREME 49293
COURT CASE NO.

DATE OF HEARING: N/A
TIME OF HEARING: N/A

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19 **STIPULATION AND ORDER**
20 **RESOLVING ALL ISSUES**

21 IT IS HEREBY STIPULATED AND AGREED by and between Defendant, MARTINE
22 CUISENAIRE, by and through her attorneys, The WILICK LAW GROUP, and Plaintiff, JENNIFER
23 MAE MASON, by and through her attorneys, The FINE LAW GROUP, upon remittitur from the
24 Supreme Court of the State of Nevada upon dismissal of the appeal under Supreme Court Case
25 Number 49293 as follows:

- 26 1. That Jennifer Mae Mason has voluntarily stipulated to dismiss her appeal in the Nevada
27 Supreme Court of this Court's finding that Martine Cuisenaire is the rightful beneficiary of
28 the military Survivor Benefit Plan (SBP);

- 1 2. That Martine Cuisenaire is the rightful beneficiary of Rod Mason's military Survivor Benefit
2 Plan to include all payments due since his death on August 13, 2005;
- 3 3. That the Warrant for the Arrest of Jennifer Mae Mason issued by this Court for contempt on
4 March 16, 2009, shall be dismissed;
- 5 4. That Jennifer Mae Mason will cooperate in any way required to include the execution of
6 documents to allow the Defense Finance and Accounting Service (DFAS) to begin
7 immediate payment of the Survivor Benefit Plan directly to Martine Cuisenaire through her
8 attorneys, The WILICK LAW GROUP;
- 9 5. That no further actions shall be brought by either Jennifer Mae Mason or Martine Cuisenaire
10 concerning the Survivor Benefit Plan proceeds once DFAS begins payment to Martine
11 Cuisenaire;
- 12 6. That Martine Cuisenaire will not seek the interest that has accrued on the SBP money held
13 in constructive trust by Jennifer Mae Mason as long as the total principal is paid to Martine
14 through her attorneys, The WILICK LAW GROUP, by either DFAS directly or by lump sum
15 from Jennifer if not paid by DFAS;¹

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28 ¹ Lump sum payment is due from Jennifer within 120 days of any decision by DFAS that they will not be paying the back payments directly to Martine.

7. That Jennifer Mae Mason will pay, within 30 days of the entry of this order, a lump sum of \$3,000 as and for satisfaction of all attorney's fee awards adjudicated against her in favor of Martine Cuisenaire. Failure to comply with this term will reinstate the total adjudicated awards plus interest that will be collected by all lawful means.

DATED this ____ day of January, 2010.

DISTRICT COURT JUDGE

Respectfully Submitted by:
WILICK LAW GROUP

Approved as to form and content by:
THE FINE LAW GROUP

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