

CODE: EXPT
GOLDSMITH & GUYMON, P.C.
Dara J. Goldsmith, Esq.
Nevada Bar No. 4270
dgoldsmith@goldguylaw.com
2055 Village Center Circle
Las Vegas, Nevada 89134
Phone (702) 873-9500
Fax (702) 873-9600
Attorneys for Co-Applicants,
RICHARD HSIEH and ANDREW HSIEH

CASE NO: P-20-105105-E
Department 26

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of)	
)	Case No.
ANTHONY HSIEH)	Department
)	Probate
Deceased.)	
)	

**EX PARTE APPLICATION FOR APPOINTMENT OF
SPECIAL ADMINISTRATOR, FOR ISSUANCE OF
LETTERS OF SPECIAL ADMINISTRATION WITH GENERAL POWERS**

TO: DISTRICT COURT, CLARK COUNTY, NEVADA:

RICHARD HSIEH (Father of the Decedent and Co-Applicant) and
ANDREW HSIEH (Adult Brother of the Decedent and Co-Applicant), by
and through counsel Dara J. Goldsmith, Esq., of the law firm of
GOLDSMITH & GUYMON, P.C., respectfully allege:

1. ANTHONY HSIEH (Decedent) died intestate on November 27, 2020,
in Fairfield County, Connecticut; and, on the date of death,
Decedent was a resident of Clark County, Nevada and had been a
resident for at least the preceding ten (10) years. A redacted
certified copy of ANTHONY HSIEH's Death Certificate issued by
the State of Connecticut, Department of Public Health, is
attached hereto as Exhibit 1.
2. That NRS 140.010 sets forth causes for the appointment of a
special administrator. These causes include "if there is a

1 delay in granting letters testamentary or letters of
2 administration, from any cause." Presently matters before this
3 court are being set for hearing in mid to late January 2021.
4 The Decedent's estate is facing a need for immediate
5 administration in that the Decedent has business obligations
6 and commitments that require funding from assets that are
7 presently frozen. To protect the Decedent's estate from
8 financial loss, special administration is necessary.

9 3. The Co-Applicants are unaware of the existence of a fully
10 executed estate plan and have a good faith belief that the
11 Decedent died intestate. The Co-Applicants seek authority to
12 investigate the existence of an estate plan by accessing safe
13 deposit boxes, speaking with the Decedent's legal counsel and
14 associates, and taking such other reasonable acts to ensure
15 that Decedent's properly executed testamentary directives are
16 implemented.

17 4. In addition to the court's own calendar creating a delay in the
18 issuance of letters of administration or letters testamentary,
19 the Co-Applicants' inability to readily locate a copy of the
20 Decedent's estate plan necessitates the Co-Applicants' need to
21 gain access to the Decedent's personal papers that may be in a
22 safe deposit box or in the possession of legal counsel. The
23 inability to readily locate any such fully executed estate
24 planning documents has created a delay in the ability to file
25 to have letters of administration or letters testamentary
26 issued. As such, the appointment of Co-Special Administrators
27 in accordance with NRS 140.010(1) is proper.

28 . . .

- 1 5. That the Co-Applicants seek general powers, with the exception
2 of the power to file and give notice to creditors.
- 3 6. Co-Applicants are informed and believe that a special
4 administration with general powers is necessary to confer with
5 Decedent's legal counsel (protecting any attorney-client
6 privileges that the Decedent held), to garner and protect the
7 assets of the estate and otherwise manage the Decedent's
8 business and personal affairs, and take the necessary actions
9 to ensure that Decedent's properly executed testamentary
10 directives are implemented and the Decedent's estate be
11 managed and preserved in the meantime.
- 12 7. Co-Applicant, RICHARD HSIEH, is the father of the Decedent and
13 is therefore the person of highest priority pursuant to NRS
14 139.040 to serve as Special Administrator/Administrator along
15 with Judy Hsieh in the event that no valid Last Will and
16 Testament is admitted to probate. Judy Hsieh, Richard's wife
17 and mother of the Decedent, consents to RICHARD HSIEH's service
18 as a Co-Special Administrator. Her written consent is being
19 filed contemporaneously with this Application.
- 20 8. Co-Applicant, RICHARD HSIEH, is qualified in every respect
21 under the provisions of NRS 139.010 to act as a Co-Special
22 Administrator of the Estate of Decedent. He is competent and
23 capable of acting as such, and consents to act as a Co-Special
24 Administrator and Personal Representative of the Estate of
25 Decedent. Co-Applicant, RICHARD HSIEH, has never been convicted
26 of a felony or judicially determined to have committed abuse,
27 neglect, or exploitation of a child, spouse, parent or other
28 person.

1 9. Because Co-Applicant, RICHARD HSIEH, is not a Nevada resident,
2 he has consented to serve with a Nevada resident and nominated
3 his Adult Son, Decedent's Adult Brother, ANDREW HSIEH to serve
4 along with him as a Co-Special Administrator in accordance with
5 NRS 139.010(4)(a). ANDREW HSIEH consents to serving, and his
6 mother, Judy Hsieh, also consents to the same. ANDREW HSIEH is
7 qualified in every respect under the provisions of NRS 139.010
8 and is the next person of highest priority pursuant to NRS
9 139.040 to serve as an administrator. Additionally, Co-
10 Applicant, ANDREW HSIEH, has never been convicted of a felony
11 or judicially determined to have committed abuse, neglect, or
12 exploitation of a child, spouse, parent or other person.

13 10. The names, ages, relationships and residence addresses of the
14 devisees, legatees, heirs and next-of-kin of Decedent are set
15 forth at Exhibit 2.

16 11. The names of the persons for whom Letters of Co-Special
17 Administration are prayed are RICHARD HSIEH and ANDREW HSIEH.

18 12. That general powers¹ ought to be granted to the Co-Special
19 Administrators at this time to facilitate the locating of
20 assets, preservation of such assets, and otherwise managing the
21 Decedent's affairs by the Co-Special Administrators. As such,
22 the Co-Special Administrators ought to be given full access to
23 all historical and current financial information for the
24 Decedent, including but not limited to changing the Decedent's
25 frozen accounts to estate accounts enabling the Co-Applicants
26 to pay bills and otherwise transfer funds to meet the
27 obligations of the Decedent's businesses.

28 ¹Not including the power to file and give notice to creditors.

1 13. That the Co-Special Administrators, or either of them, be
2 authorized to close the Decedent's bank and investment accounts
3 and open estate accounts with the funds held by financial
4 institutions where the Decedent banked and held investments,
5 including but not limited to: Morgan Stanley; JPMorgan;
6 JPMorgan Chase; Chase Bank; and Fidelity Investments upon
7 presentation of their Letters of Co-Special Administration.

8 14. That the Co-Special Administrators, or either of them, be
9 authorized to gain access to the Decedent's personal and
10 business contracts, operating agreements, bylaws, partnership
11 agreements, tax returns, K-1s, statements, canceled checks,
12 withdrawal authorizations and other information from banks,
13 financial institutions, investment or mutual fund firms, the
14 United States Social Security Administration and other persons
15 and agencies which have engaged in transactions concerning the
16 financial affairs of the Decedent or any entity in which
17 Decedent held an ownership interest. That such information
18 includes, but is not limited to, information held by the
19 Decedent's attorneys, that is subject to the attorney-client
20 privilege, as the Co-Special Administrators shall step into the
21 shoes of the Decedent and the attorney-client privilege is
22 maintained.

23 15. That the Co-Special Administrators be authorized to gain access
24 to any and all safe deposit box(es) located within this
25 jurisdiction which may bear the name of the Decedent, for the
26 purpose of inventorying the contents thereof, said inventory to
27 take place in the presence of a banking officer, the Co-Special
28 . . .

1 Administrators, or either of them, may thereafter remove such
2 items, and the inventory will be supplied to the Court.

3 16. That the Co-Special Administrators be authorized to request and
4 receive information from any other person or agency which is
5 currently or has previously been obligated to pay money or
6 other benefits to the Decedent.

7 17. That the Co-Special Administrators be authorized to request,
8 receive information, and access all social media, including but
9 not limited to: Facebook, Twitter, LinkedIn, and Instagram.
10 That the Co-Special Administrators be specifically authorized
11 to receive any and all information and/or contracts related to
12 legacy designations on all modes of social media.

13 18. No bond should be required for the faithful execution of the
14 duties of RICHARD HSIEH and ANDREW HSIEH as Co-Special
15 Administrators and Legal Representatives of the Estate of
16 Decedent.

17 WHEREFORE, the Co-Applicants seek the following from this
18 Court:

19 (1) Letters of Special Administration be issued to RICHARD
20 HSIEH and ANDREW HSIEH as Co-Special Administrators and Legal
21 Representatives of the Estate of Decedent on an ex parte basis as
22 time is of the essence to address the Decedent's ongoing business
23 commitments and protect the estate from financial loss;

24 (2) An order be entered allowing the Co-Special
25 Administrators, or either of them, to garner and protect his assets;

26 (3) An order be entered allowing the Co-Special
27 Administrators, or either of them, to take all acts necessary to

28 . . .

1 ensure that Decedent's properly executed testamentary directives are
2 implemented;

3 (4) An order be entered allowing the Co-Special
4 Administrators, or either of them, to access Decedent's personal
5 bank and investment accounts, and to establish such accounts as
6 estate accounts, to allow the Decedent's financial obligations to be
7 reviewed and satisfied by the Co-Special Administrators, or either
8 of them;

9 (5) An order be entered waiving the bonding of RICHARD HSIEH
10 and ANDREW HSIEH to secure their faithful execution of the duties as
11 Co-Special Administrators and Legal Representatives of the Estate of
12 Decedent and that the Co-Special Administrators be given general
13 powers, with the exception of the ability to file and provide legal
14 notice to the Decedent's creditors;

15 (6) That the Co-Special Administrators, or either of them
16 individually, be given full access to all historical and current
17 financial information for the Decedent. Such information shall
18 include, but not be limited to estate planning documents, personal
19 and business contracts, operating agreements, bylaws, partnership
20 agreements, tax returns, K-1s, statements, canceled checks,
21 withdrawal authorizations and other information from banks,
22 financial institutions, investment or mutual fund firms, the United
23 States Social Security Administration and other persons and agencies
24 which have engaged in transactions concerning the financial affairs
25 of the Decedent or any entity in which Decedent held an ownership
26 interest. That such information includes, but is not limited to,
27 information held by the Decedent's attorneys, that is subject to the

28 . . .

1 attorney-client privilege, as the Co-Special Administrators shall
2 step into the shoes of the Decedent and the privilege is maintained;

3 (7) That the Co-Special Administrators, or either of them, be
4 authorized to close the Decedent's bank and investment accounts and
5 open estate accounts with the funds held by financial institutions
6 where the Decedent banked and held investments, including but not
7 limited to: Morgan Stanley; JPMorgan; JPMorgan Chase; Chase Bank;
8 and Fidelity Investments upon presentation of their Letters of Co-
9 Special Administration;

10 (8) That the Co-Special Administrators, or either of them
11 individually, be authorized to gain access to any and all safe
12 deposit box(es) located within this jurisdiction which may bear the
13 names of the Decedent, for the purpose of inventorying the contents
14 thereof, said inventory to take place in the presence of a banking
15 officer, the Co-Special Administrator, or either of them, may
16 thereafter remove such items, and the inventory will be supplied to
17 the Court;

18 (9) That the Co-Special Administrators, or either of them
19 individually, be authorized to request and receive information from
20 any other person or agency which is currently or has previously been
21 obligated to pay money or other benefits to the Decedent;


22 (10) That the Co-Special Administrators, or either of them, be
23 authorized to request, receive information, and access all social
24 media, including but not limited to: Facebook, Twitter, LinkedIn,
25 and Instagram. That the Co-Special Administrators be specifically
26 authorized to receive any and all information and/or contracts
27 related to legacy designations on all modes of social media;

28 . . .

1 (11) An inventory and appraisalment or record of value be made
2 and returned to the Court; and

3 (12) All other necessary and proper orders be made in the
4 premises.

5 DATED this 1st day of December 2020.

6
7 
8 RICHARD HSIEH
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF RICHARD HSIEH

RICHARD HSIEH, being first duly sworn on oath, according to law, deposes and says:

I am an Applicant named in the foregoing Declaration; I have read the same and know the contents thereof; and the same are true to the best of my own personal knowledge, except for those statements made upon information and belief; and as to those statements, I believe them to be true.

I declare under penalty of perjury, under the laws of the state of Nevada and the United States (NRS 53.045 and 28 U.S.C. § 1746), that the foregoing is true and correct.


RICHARD HSIEH

1 DATED this 1st day of December 2020.

2 
3 ANDREW HSIEH

4 DECLARATION OF ANDREW HSIEH

5 ANDREW HSIEH, being first duly sworn on oath, according to law,
6 deposes and says:

7 I am an Applicant named in the foregoing Declaration; I have
8 read the same and know the contents thereof; and the same are true
9 to the best of my own personal knowledge, except for those
10 statements made upon information and belief; and as to those
11 statements, I believe them to be true.

12 I declare under penalty of perjury, under the laws of the state
13 of Nevada and the United States (NRS 53.045 and 28 U.S.C. § 1746),
14 that the foregoing is true and correct.

15 
16 ANDREW HSIEH

17
18 Submitted by:

19 GOLDSMITH & GUYMON, P.C.

20 By: /s/ dara j goldsmith
21 Dara J. Goldsmith, Esq.
22 Nevada Bar No. 4270
23 2055 Village Center Circle
24 Las Vegas, Nevada 89134
(702) 873-9500
Attorneys for Co-Applicants,
RICHARD HSIEH and ANDREW HSIEH

25 W:\DJG\PR\3679-3 Hsieh\Hsieh_ex parte app special administration1.wpd
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1
Redacted Copy of Death Certificate



I certify that this is a true copy of the certificate received for record

Attest *Patricia P. Ultraschi*
Assist. Registrar of Vital Records
City of Bridgeport

Date **NOV 30 2020**

NOT GOOD WITHOUT RAISED SEAL OF CERTIFYING OFFICIAL

VS-4ME 4/04 STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH				CERTIFICATE OF DEATH OFFICE OF THE CHIEF MEDICAL EXAMINER				STATE FILE NUMBER															
1. DECEDENT'S LEGAL NAME (include AKA's if any) (First, Middle, Last) Anthony Chia-Hua Hsieh				2. SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE				3. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YYYY) (Specify month) November 27, 2020				4. ACTUAL OR PRESUMED TIME OF DEATH (M) 5:04 AM											
5. Age at last birthday 46				6. Under 1 Year Mo. Days Hours Min 12/12/1973				7. Date of Birth (MM/DD/YYYY) 12/12/1973				8. BIRTHPLACE (City, State or Foreign Country) Urbana, Illinois											
9. RESIDENCE-STATE Nevada				10. RESIDENCE-COUNTY Clark				11. RESIDENCE-CITY OR TOWN Las Vegas				12. RESIDENCE-STREET AND NO. 3304 Alpine Lily Dr.											
13. APT. NO. **				14. ZIP CODE 89141				15. EVER IN US ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				16. MARRIAGE STATUS AT TIME OF DEATH <input type="checkbox"/> Married <input type="checkbox"/> Married but Separated <input type="checkbox"/> Widowed <input checked="" type="checkbox"/> Divorced <input checked="" type="checkbox"/> Never Married <input type="checkbox"/> Unmarried											
17. SURVIVING SPOUSE'S NAME (if wife, give maiden name) N/A				18. FATHER'S NAME (First, Middle, Last) Richard Hsieh				19. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle, Last) Judy Lee				20. INFORMANT'S NAME Richard Hsieh											
21. IF DEATH OCCURRED IN A HOSPITAL: <input checked="" type="checkbox"/> Inpatient <input type="checkbox"/> Outpatient <input type="checkbox"/> Dead on Arrival				22. MAILING ADDRESS (Street and Number, City, State, Zip Code) 10521 Johnson Ave. Cupertino, CA 95014				23. FACILITY NAME (if not institution, give street & number) Bridgeport Hospital				24. METHOD OF DISPOSITION: <input type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Donation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal from state <input type="checkbox"/> Other (specify)											
25. CITY OR TOWN OF DEATH & ZIP CODE Bridgeport 06610				26. LOCATION (City, State, Zip Code) Bridgeport, CT 06611				27. DATE 11/27/2020				28. WAS BODY EMBALMED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, Name of Embalmer) Ryan Boulterice											
29. DISPOSITION (Name of cemetery, crematory, other place) Lakeview Crematory				30. SIGNATURE OF FUNERAL DIRECTOR OR EMBALMER (In box 34) Judy S. Ultraschi				31. LICENSE NUMBER OF SIGNER IN BOX 34 2320				32. WAS AN AUTOPSY PERFORMED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
33. NE CASE NUMBER 20-26866				34. DATE PRONOUNCED DEAD (MM/DD/YYYY) 11/27/2020				35. TIME PRONOUNCED DEAD 5:04 AM				36. APPROXIMATE INTERVAL UNSET TO DEATH											
37. CAUSE OF DEATH Enter the chain of existing diseases, injuries, or complications that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventilator liberation without showing the etiology. DO NOT abbreviate. Enter only one cause on a line. Add additional lines if necessary. (a) Pending Further Studies (b) (c) (d)												38. DUE TO (or as a consequence of) (a) (b) (c) (d)				39. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> No <input type="checkbox"/> Probably <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unknown							
40. MANNER OF DEATH (Normal, Unnatural, Accidental, Suicide, Indeterminate) Pending												41. PLACE OF INJURY (Specify location, if applicable) 47. TIME OF INJURY (Month/Day/Year)				42. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
43. LOCATION OF INJURY (Street, Apt. #, City or Town, State, Zip Code) 11 Shuttle Road, Farmington, CT 06032-1939												44. IF TRANSPORTATION INJURY, SPECIFY <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (specify)				45. DATE OF CERTIFICATE Nov 28, 2020							
46. MAILING-CERTIFIER Gregory A. Vincent, M.D.												47. EXAMINER Associate Medical Examiner				48. DATE OF CERTIFICATE Nov 28, 2020							
49. THIS CERTIFICATE WAS RECEIVED FOR RECORD ON NOV 30 2020												50. BY Patricia P. Ultraschi				51. REGISTRAR Patricia P. Ultraschi							
52. DECEDENT'S EDUCATION: Check the box that best describes the highest degree or level of school completed as the time of death. <input checked="" type="checkbox"/> 9th grade or less <input type="checkbox"/> 10-12th grade, no diploma <input type="checkbox"/> High School Graduate/GED <input type="checkbox"/> Some college credit, but no degree <input type="checkbox"/> Associate degree <input type="checkbox"/> Bachelor degree <input type="checkbox"/> Master's degree <input type="checkbox"/> Doctorate or Professional degree <input type="checkbox"/> Unknown												53. DECEDENT'S RACE OR ETHNICITY <input checked="" type="checkbox"/> White, not Hispanic/Latino <input type="checkbox"/> White, Hispanic/Latino <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian Indian <input type="checkbox"/> American Indian or Alaska Native (Name of the enrolled or principle tribe) <input checked="" type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Japanese <input type="checkbox"/> Korean <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other Asian (specify) <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Guamanian or Chamorro <input type="checkbox"/> Samoan <input type="checkbox"/> Other Pacific Islander (specify)				54. DECEDENT'S USUAL OCCUPATION Entrepreneur				55. KIND OF BUSINESS/INDUSTRY Urban Development			

EXHIBIT 2
NEXT OF KIN

<u>Name</u>	<u>Relationship</u>	<u>Address</u>
Richard Hsieh	Father (Co-Applicant)	10521 Johnson Ave. Cupertino, CA 95014
Judy Hsieh	Mother	10521 Johnson Ave. Cupertino, CA 95014
Andrew Hsieh	Adult Brother (Co-Applicant)	759 Rise Canyon Dr. Henderson, NV 89052
David Hsieh	Adult Brother	759 Rise Canyon Dr. Henderson, NV 89052