

IN THE SUPREME COURT OF THE STATE OF NEVADA

HIGH NOON AT ARLINGTON  
RANCH HOMEOWNERS  
ASSOCIATION, A NEVADA NON-  
PROFIT CORPORATION, FOR  
ITSELF AND FOR ALL OTHERS  
SIMILARLY SITUATED,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF  
NEVADA, IN AND FOR THE  
COUNTY OF CLARK, AND THE  
HONORABLE SUSAN JOHNSON,  
DISTRICT JUDGE,

Respondents,

and

D.R. HORTON, INC.,  
Real Party in Interest.

No. 52798

**FILED**

JUL 14 2009

TRACIE L. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

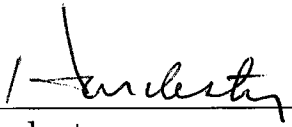
ORDER DENYING MOTION TO STRIKE SUPPLEMENT

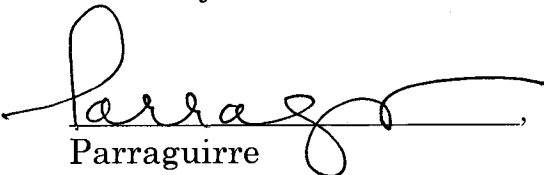
This is an original petition for a writ of mandamus or prohibition, challenging a district court order granting partial summary judgment in a constructional defect action.

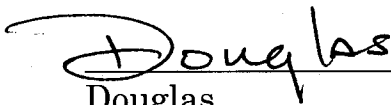
Currently before us is petitioner High Noon at Arlington Ranch Homeowners Association's motion to strike real party in interest D.R. Horton's supplement to its answer. D.R. Horton has opposed the motion. Having reviewed the motion and the opposition, we conclude that

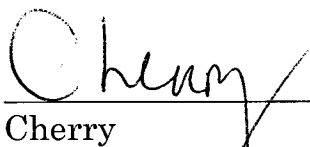
striking D.R. Horton's supplement to its answer is not warranted.  
Accordingly, we deny High Noon's motion.

It is so ORDERED.


  
\_\_\_\_\_, C.J.  
Hardesty


  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

cc: Quon Bruce Christensen Law Firm  
Wood, Smith, Henning & Berman, LLP