	IN THE SUPREME COURT (OF THE STATE OF NEVADA
	CLUB VISTA FINANCIAL SERVICES,	
	L.L.C., a Nevada limited liability company, THARALDSON MOTELS II, INC., a North	Case No.: 57641
	Dakota corporation; and GARY D. THARALDSON,	Electronically Filed
	Petitioners, vs.	Jun 27 2011 01:32 p.m. Tracie K. Lindeman
	THE EIGHTH JUDICIAL DISTRICT	Clerk of Supreme Court
	COURT FOR THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK,	APPELLENTS' NOTICE OF INTENT TO FILE OPPOSITION TO
	AND THE HONORABLE MARK R. DENTON, DISTRICT JUDGE,	MOTION FOR LEAVE TO FILE SUPPLEMENT TO ANSWER
	Respondents.	
1	and	
1	SCOTT FINANCIAL CORPORATION, A North Dakota corporation; BRADLEY J.	
	SCOTT; BANK ÔF OKLAHOMA, N.A., a	
100-700 1	DEVELOPMENT WEST, INC., a Nevada	
ac (70/)	CORPORATION, dba APCO	
¥ 1	CONSTRUCTION, a Nevada Corporation	
-		
110-76	Real Parties in Interest.	
1110-200((70/)	5	Morrill & Aronson, P.L.C.
1 110-700 (700) 1	Marquis Aurbach Coffing TERRY A. COFFING, ESQ.	K. LAYNE MORRILL, ESQ.
-	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ.
1	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ.
1 1	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340
1 1 1	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012
1 1 1 2	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ.
1 1 1 2 2 2	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ.
1 1 1 2 2 2 2 2	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 Reno, Nevada 89519 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ. Nevada Bar No. 9634 3930 Howard Hughes Parkway, Suite 200
1 1 1 2 2 2 2 2 2 2	 Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 Reno, Nevada 89519 	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ. Nevada Bar No. 9634 3930 Howard Hughes Parkway, Suite 200 Las Vegas, Nevada 89169
1 1 1 2 2 2 2 2 2 2 2 2 2	Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 Reno, Nevada 89519 Attorneys for	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ. Nevada Bar No. 9634 3930 Howard Hughes Parkway, Suite 200 Las Vegas, Nevada 89169
1 1 1 2 2 2 2 2 2 2 2	Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 Reno, Nevada 89519 Attorneys for	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ. Nevada Bar No. 9634 3930 Howard Hughes Parkway, Suite 200 Las Vegas, Nevada 89169 <i>Petitioners</i>
0-785 (701) 1 1 1 1 2 2 2 2 2 2 2 2	Marquis Aurbach Coffing TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 Lemons, Grundy & Eisenberg ROBERT L. EISENBERG, ESQ. Nevada Bar No. 950 6005 Plumas Street, Suite 300 Reno, Nevada 89519 Attorneys for	K. LAYNE MORRILL, ESQ. Arizona Bar No. 4591 (Pro Hac Vice) MARTIN A. ARONSON, ESQ. Arizona Bar No. 9005 (Pro Hac Vice) JOHN T. MOSHIER, ESQ. Arizona Bar No. 7460 (Pro Hac Vice) One E. Camelback Road, Suite 340 Phoenix, Arizona 85012 Cooksey, Toolen, Gage, Duffy & Woog GRIFFITH H. HAYES, ESQ. Nevada Bar No. 7374 MARTIN A. MUCKLEROY, ESQ. Nevada Bar No. 9634 3930 Howard Hughes Parkway, Suite 200 Las Vegas, Nevada 89169 <i>Petitioners</i>

MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 (702) 382-0711 FAX: (702) 382-5816

<u>APPELLANTS' NOTICE OF INTENT TO FILE OPPOSITION TO MOTION</u> <u>FOR LEAVE TO FILE SUPPLEMENT TO ANSWER</u>

Petitioners, Club Vista Financial Services, Inc., Tharaldson Motels II, Inc, and Gary D. Tharaldson (collectively "Petitioners"), received Scott Financial Corporation and Bradley J. Scott's motion for leave to file supplement to answer on June 21, 2011 and is currently in the process of preparing an opposition to the motion for leave to file supplement to answer and intends to file an opposition by the deadline set by NRAP 27(a)(3) and NRAP 26 (a)..

Petitioners file this notice out of an abundance of caution to alert the Court to the forthcoming opposition, and to respectfully request that this Court refrain from deciding the motion for leave to file supplement to answer until it has had the opportunity to consider Petitioners' timely opposition.

Dated this <u>27th</u> day of June, 2011.

MARQUIS AURBACH COFFING

By <u>/s/Terry A. Coffing</u> TERRY A. COFFING, ESQ. Nevada Bar No. 4949 MICAH S. ECHOLS, ESQ. Nevada Bar No. 8437 DAVID T. DUNCAN, ESQ. Nevada Bar No. 9546 10001 Park Run Drive Las Vegas, Nevada 89145 *Attorneys for Petitioners*

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

1	CERTIFICATE OF SERVICE	
2	I hereby certify that the foregoing APPELLANTS' NOTICE OF INTENT TO	
3	FILE OPPOSITION TO MOTION FOR LEAVE TO FILE SUPPLEMENT TO	
4	ANSWER was filed electronically with the Nevada Supreme Court on the 27th day of	
5	June, 2011. Electronic Service of the foregoing document shall be made in accordance	
6	with the Master Service List as follows:	
7		
8	Tami Cowden, Esq. Mark Ferrario, Esq.	
9	Wade Gouchnour, Esq. Matthew Carter, Esq.	
10	Robert Eisenberg, Esq. Gwen Mullins, Esq.	
11	Matthew Carter, Esq. J. Randall Jones, Esq.	
12	Von Heinz, Esq.	
13	I further certify that I served a copy of this document by mailing a true and correct	
14	copy thereof, postage prepaid, addressed to:	
15	The Honorable Mark R. Denton Eighth Judicial District Court, Dept. 13	
16	Regional Justice Center 200 Lewis Avenue	
17	Las Vegas, NV 89155 Respondents	
18	Via Hand Delivery	
19	Griffith H. Hayes, Esq. Martin A. Muckleroy, Esq.	
20	Cooksey, Toolen, Gage, Duffy & Woog 3930 Howard Hughes Parkway, Suite 200	
21	Las Vegas, NV 89169 Attorneys for Petitioners	
22	K. Layne Morrill, Esq.	
23	Martin A. Aronson, Esq. John T. Moshier, Esq.	
24	Morrill & Aronson, P.L.C. One E. Camelback Road, Suite 340	
25	Phoenix, AZ 85012 Attorneys for Petitioners	
26	Page 3 of 4	
	M&A:12019-001 1381559_1 6/27/2011 1:23 PM	

MARQUIS AURBACH COFFING 10001 Park Run Drive Las Vegas, Nevada 89145 (702) 382-0711 FAX: (702) 382-5816

1	Mark M. Jones, Esq.
	Kemp, Jones & Coulthard, LLP
2	3800 Howard Hughes Parkway, Seventeenth Floor
3	Las Vegas, NV 89169
	Attorneys for Scott Financial Corporation and Bradley L. Scott
4	Ann Marie McLoughlin, Esq.
5	Lewis and Roca, LLP, Suite 600
	3993 Howard Hughes Parkway
6	Las Vegas, NV 89169
7	Attorneys for Bank of Oklahoma
8	John D. Clayman, Esq.
Ũ	Piper Turner, Esq.
9	Frederick Dorwart Lawyers
10	Old City Hall
10	124 East Fourth Street
11	Tulsa, OK 74103
11	Attorneys for Bank of Oklahoma
12	Robert L. Rosenthal, Esq.
13	Howard & Howard
10	3800 Howard Hughes Parkway, Suite 1400
14	Las Vegas, NV 89169
1.5	Attorneys for Defendant APCO
15	
16	P. Kyle Smith, Esq.
10	Smith Law Office
17	10161 Park Run Drive
1.0	Las Vegas, NV 89145
18	Attorneys for Gemstone Development West, Inc.
19	
20	
20	/s/ Leah Dell
21	Leah Dell, an employee of
	Marquis Aurbach Coffing
22	
23	
24	
25	
26	

Page 4 of 4