

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLUB VISTA FINANCIAL SERVICES,
L.L.C., a Nevada Limited Liability
Company; THARALDON MOTELS II,
INC., a North Dakota corporation; and
GARY D. THARALDSON,

Petitioners,

v.

THE EIGHTH JUDICIAL DISTRICT
COURT, COUNTY OF CLARK, STATE OF
NEVADA, AND THE HONORABLE
MARK R. DENTON, DISTRICT JUDGE,

Respondents

and

SCOTT FINANCIAL CORPORATION, a
North Dakota corporation; BRADLEY J.
SCOTT; BANK OF OKLAHOMA, N.A., a
national bank; GEMSTONE
DEVELOPMENT WEST, INC., a Nevada
corporation; ASPHALT PRODUCTS
CORPORATION D/B/A APCO
CONSTRUCTION, a Nevada corporation,

Real Parties in Interest.

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Aug 17 2011 04:25 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

Case No.: 57641

District Court Case: A579963

**MOTION FOR LEAVE TO FILE SECOND SUPPLEMENT TO ANSWER
TO PETITION FOR WRIT OF MANDAMUS OR PROHIBITION IN
LIGHT OF SUBSTITUTION OF PETITIONERS' TRIAL COUNSEL**

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FINANCIAL CORPORATION and
BRADLEY J. SCOTT*

Real Parties in Interest SCOTT FINANCIAL CORPORATION and
BRADLEY J. SCOTT by and through their counsel of record, KEMP, JONES &
COULTHARD, hereby move this Court for leave to file a Second Supplement to their
Answer to Petition for Writ of Mandamus of Prohibition in light of recent testimony
by Gary Tharaldson regarding the fact that, contrary to the briefing in this matter,
neither Layne Morrill nor Marty Aronson is representing him in any matter, nor is
any other attorney from Morrill and Aronson. See Petitioners' Supplemental Reply in
Support of Petition for Writ of Mandamus or Prohibition at 5:3-8, in which
Petitioners state that both Morrill and Aronson are representing Petitioners in the
Supreme Court proceedings. Given that this sworn testimony directly contradicts the
arguments made to this Court by Petitioners, this Court should have the benefit of this
new information to fully evaluate this issue. The Scott Real Parties also seek to
supplement in order to clarify for this Court that they now only seek to take the
deposition of Layne Morrill, not Marty Aronson, since Morrill was the attorney
actually designated as a witness by Petitioners. Accordingly, the Scott Real Parties in
Interest ask this Court to grant them leave to file their very brief supplement, which
was submitted to this Court on August 17, 2011.

DATED this 17th day of August, 2011.

Respectfully submitted by:

KEMP, JONES & COULTHARD, LLP

/s/ J. Randall Jones
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CERTIFICATE OF SERVICE

I hereby certify that on the 17TH day of August, 2011, the foregoing **MOTION FOR LEAVE TO FILE SECOND SUPPLEMENT TO ANSWER TO PETITION FOR WRIT OF MANDAMUS OR PROHIBITION IN LIGHT OF SUBSTITUTION OF PETITIONERS' TRIAL COUNSEL** was served via this Court's electronic service system and by mailing a copy thereof, first class mail, postage prepaid on the following:

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