## IN THE SUPREME COURT OF THE STATE OF NEVADA 1 2 D.R. HORTON, INC., a Delaware corporation,) 3 **Electronically Filed** Case No. 58533 Jan 09 2012 09:21 a.m. Petitioner, 4 Clark County Districtracie K. Lindeman 5 Case No. A542616 Clerk of Supreme Court 6 EIGHTH JUDICIAL DISTRICT COURT of the State of Nevada, in and for the COUNTY OF CLARK; and the HONORABLE SUSAN H. JOHNSON, District Judge, 8 9 Respondent. 10 HIGH NOON AT ARLINGTON RANCH HOMEOWNWERS ASSOCIATION, a 11 Nevada non-profit corporation, 12 Real Party in Interest. 13 14 RESPONSE TO ORDER 15 **ANGIUS & TERRY LLP** 16 Paul P. Terry, Jr., Nevada Bar No. 7192 John J. Stander, Nevada Bar No. 9198 17 Melissa Bybee, Nevada Bar No. 8390 Asmara Tarar, Nevada Bar No. 10999 18 1120 N. Town Center Dr., Suite 260 Las Vegas, NV 89144 19 (702) 990-2017 20 Email: jstander@angius-terry.com Email: atarar@angius-terry.com 21 Attorneys for Real Party In Interest High Noon At Arlington Ranch Homeowners 22 Association 23 24 25 26 27

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## MEMORANDUM OF POINTS AND AUTHORITIES

On January 5, 2012, this Court issued an Order stating that Real Party in Interest High Noon At Arlington Ranch Homeowners Association (hereinafter "Association") shall advise this Court whether or not Association's Appendix to Answer to Petition for Writ of Mandamus (hereinafter "Appendix") consists of more than one Volume. This Court's Order also states that the Association shall submit the additional Volumes within 5 days. Association's Appendix consists of Volume I, Volume II, and Volume III. Volumes I through III of Association's Appendix are being filed concurrently with this Response.

Dated this 6 day of January, 2012

ANGIUS & TERRY LLP

By:

Paul P. Terry, Jr., Nevada Bar No. 7192 John J. Stander, Nevada Bar No. 9198 Melissa Bybee, Nevada Bar No. 8390 Asmara Tarar, Nevada Bar No. 10999 ANGIUS & TERRY LLP 1120 N. Town Center Dr., Suite 260

Las Vegas, NV 89144 (702) 990-2017

Attorneys for Real Party in Interest
High Noon At Arlington Ranch
Homeowners Association

1	CERTIFICATE OF SERVICE
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3	I HEREBY CERTIFY that on the 6th day of January, 2012, a copy of RESPONSE TO
4	ORDER and APPENDIX TO ANSWER TO PETITION FOR WRIT OF MANDAMUS,
5	VOLS. I, II & III, was duly deposited in the United States mail, postage prepaid, addressed to
6 7	and served upon the following parties:
7 8 9 10 11 12 13 14 15 16 17	ROBERT C. CARLSON, ESQ. Nevada Bar No. 8015 MEGAN K. DORSEY, ESQ. Nevada Bar No. 6959 IAN P. GILLIAN, ESQ. Nevada Bar No. 9034 KOELLER, NEBEKER, CARLSON & HALUCK, LLP 300 South Fourth Street, Suite 500 Las Vegas, NV 89101 Attorneys for D.R. Horton, Petitioner  JOEL ODOU, ESQ. Nevada Bar No. 7468 WOOD, SMITH, HENNING & BERMAN, LLP 7670 W. Lake Mead Blvd., Suite 250
18	Las Vegas, NV 89128 Attorneys for D.R. Horton, Petitioner
19 20	THE HONORABLE SUSAN JOHNSON
21	DEPARTMENT XXII EIGHTH JUDICIAL DISTRICT COURT OF CLARK COUNTY, NEVADA
22	Regional Justice Center
23	200 Lewis Avenue Las Vegas, NV 89101
24	Respondent
25	DATED this 6th day of January, 2012
26	1.7 De
27	An employee of Angius & Terry LLP