

IN THE SUPREME COURT OF THE STATE OF NEVADA

**In Re: Manhattan West Mechanic's Lien  
Litigation**

APCO CONSTRUCTION, A NEVADA CORPORATION; ACCURACY GLASS & MIRROR COMPANY, INC.; BUCHELE, INC.; BRUIN PAINTING CORPORATION; CACTUS ROSE CONSTRUCTION; FAST GLASS, INC.; HD SUPPLY WATERWORKS, LP; HEINAMAN CONTRACT GLAZING; HELIX ELECTRIC OF NEVADA, LLC; INTERSTATE PLUMBING & AIR CONDITIONING; SWPPP COMPLIANCE SOLUTIONS, LLC; AND WRG DESIGN, INC.,

Petitioners,

vs.

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

Respondents,

and

SCOTT FINANCIAL CORPORATION, A NORTH DAKOTA CORPORATION; AHERN RENTALS, INC.; ARCH ALUMINUM AND GLASS CO.; ATLAS CONSTRUCTION SUPPLY, INC.; BRADLEY J. SCOTT; CABINETEC, INC.; CELLCRETE FIREPROOFING OF NEVADA, INC.; CAMCO PACIFIC CONSTRUCTION CO., INC.; CLUB VISTA FINANCIAL SERVICES, LLC; CONCRETE VISIONS, INC.; CREATIVE HOME THEATRE, LLC; CUSTOM SELECT BILLING, INC.; DAVE PETERSON FRAMING, INC.; E&E FIRE PROTECTION, LLC; EZA, P.C.; FERGUSON FIRE AND FABRICATION, INC.; GEMSTONE DEVELOPMENT WEST, INC.; GRANITE CONSTRUCTION COMPANY;

No. 61131

Electronically Filed  
Oct 13 2015 10:16 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

HARSCO CORPORATION;  
HYDROPRESSURE CLEANING; INQUIPCO;  
INSULPRO PROJECTS, INC.; JEFF HEIT  
PLUMBING, CO., LLC; JOHN DEERE  
LANDSCAPE, INC.; LAS VEGAS PIPELINE,  
LLC; NEVADA PREFAB ENGINEERS;  
NOORDA SHEET METAL COMPANY;  
NORTHSTAR CONCRETE, INC.; PAPE  
MATERIAL HANDLING; PATENT  
CONSTRUCTION SYSTEMS;  
PROFESSIONAL DOOR AND MILL  
WORKS, LLC; READY MIX, INC.;  
RENAISSANCE POOLS & SPAS, INC.;  
REPUBLIC CRANE SERVICE, LLC; STEEL  
ENGINEERS, INC.; SUPPLY NETWORK,  
INC.; SUNSTATE COMPANIES, INC.;  
THARALDSON MOTELS II, INC.; THE  
PRESSURE GROUT, COMPANY; TRI CITY  
DRYWALL, INC.; UINTAH INVESTMENTS,  
LLC; AND ZITTING BROTHERS  
CONSTRUCTION, INC.,  
Real Parties in Interest.

JOINT MOTION OF (NON-APCO) JOINT LIEN CLAIMANT PETITIONERS TO  
JOIN IN REQUEST BY APCO CONSTRUCTION FOR EXTENSION TO OCTOBER  
19, 2015 TO FILE AND SERVE A PETITION FOR RE-HEARING

The Joint Lien Claimant Petitioners (other than APCO Construction, Inc. (“APCO”)), Accuracy Glass & Mirror Company Inc; Buchele Inc.; Bruin Painting Corporation; Cactus Rose Construction; Fast Glass Inc., HD Supply Waterworks LP; Heinaman Contract Glazing; Helix Electric of Nevada, LLC; Interstate Plumbing & Air Conditioning; SWPPP Compliance Solutions, LLC; WRG Design

Inc. , appearing through their undersigned counsel, hereby move this Court pursuant to NRAP 31(b) for a 5-day extension of time to file their petition for rehearing. This is Petitioners' first request for an extension of time.

Petitioners' petition for rehearing was originally due on October 12, 2015. If this Court grants this request for a 5-day extension, the Joint Lien Claimant Petitioners' petition for rehearing will be due on October 19, 2015. Good cause exists for allowing the Joint Lien Claimant Petitioners to extend the filing deadline until October 19, 2015:

1. The joint petition for writ of mandamus or, in the alternative, prohibition filed in this case was filed by all Joint Lien Claimant Petitioners (including APCO), and briefing throughout this case has been done jointly.

2. On October 1, 2015, counsel for APCO called for a telephonic extension, and this Court granted the extension, making APCO's petition for rehearing currently due on October 19, 2015. The Joint Lien Claimant Petitioners were under the impression that this extension applied to all Joint Lien Claimant Petitioners and not just APCO.

3. Counsel for all Joint Lien Claimant Petitioners, including APCO, have been collectively drafting a joint petition for rehearing and intend to file a single joint petition on October 19, 2015.

4. In order to provide an aligned due date for the joint petition for rehearing, and out of an abundance of caution, Joint Lien Claimant Petitioners (other than APCO) now request an extension of 5 days to October 19, 2015, which is the extended due date already granted by this Court to APCO.

Therefore, Petitioners respectfully request that this Court grant their motion and extend the current October 12, 2015 deadline by 5 days to October 19, 2015. This motion is submitted in good faith and for good cause shown in accordance with NRAP 31(b).

Respectfully Submitted:

PEEL BRIMLEY LLP

By /s/ Michael T. Gebhart

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*Counsel for Lien Claimant Petitioners Other  
Than APCO Construction*

### **CERTIFICATE OF SERVICE**

I hereby certify that on this date, the 12<sup>th</sup> day of October, 2015, I submitted the foregoing **Joint Motion Of (Non-Apco) Joint Lien Claimant Petitioners To Join In Request By Apco Construction For Extension To October 19, 2015 To File And Serve A Petition For Re-Hearing** for filing via the Court's eFlex electronic filing system. According to the system, electronic notification will be sent to the following registered participants:

Glenn Meier  
Wade Gochmour  
David Dachelet  
David Johnson  
Beau Sterling  
Richard Peel  
Martin Little  
Jeffrey Albregts  
R. Reade  
Michael Gebhart  
Jennifer Lloyd  
Brian Berman  
J. Jones  
Gwen Mullins  
Donald Williams  
Keith Gregory  
Eric Dobberstein  
Philip Varricchio  
Steven Morris  
Mark Ferrario

*/s/K.A. Gentile*

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K.A. Gentile