

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 *Supreme Court Case No. 65456*
3 *District Court Case No. 07-A542616*

4 HIGH NOON AT ARLINGTON RANCH HOMEOWNERS ASSOCIATION,

5 *Petitioner,*

6 v.

7 EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
8 IN AND FOR THE COUNTY OF CLARK;
9 THE HONORABLE SUSAN H. JOHNSON

10 *Respondents,*

11 And

12 D.R. HORTON, INC.N,

13 *Real Party in Interest*

14 **HIGH NOON AT ARLINGTON RANCH HOMEOWNERS**
15 **ASSOCIATION'S NOTICE OF NON-OPPOSITION TO REAL PARTY IN**
16 **INTEREST D.R. HORTON, INC.'S MOTION TO CONSOLIDATE WRIT**
17 **PETITIONS FOR ORAL ARGUMENT**

18
19 ANGIUS & TERRY LLP
20 Paul P. Terry, Jr., SBN 7192
21 Scott P. Kelsey, SBN 7770
22 David M. Bray, SBN 12706
23 1120 N. Town Center Dr., Suite 260
24 Las Vegas, NV 89144
25 Telephone: (702) 990-2017
26 Facsimile: (702) 990-2018
27 Email: pterry@angius-terry.com
28 Email: skelsey@angius-terry.com
Email: dbray@angius-terry.com
Attorneys for Petitioner High Noon
At Arlington Ranch Homeowners Assn.

Electronically Filed
Dec 04 2014 02:18 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 **HIGH NOON AT ARLINGTON RANCH HOMEOWNERS**
2 **ASSOCIATION'S NOTICE OF NON-OPPOSITION TO REAL PARTY IN**
3 **INTEREST D.R. HORTON, INC.'S MOTION TO CONSOLIDATE WRIT**
4 **PETITIONS FOR ORAL ARGUMENT**

5 COMES NOW, Petitioner, HIGH NOON AT ARLINGTON RANCH
6 HOMEOWNERS ASSOCIATION (hereinafter "HIGH NOON"), by and through its
7 attorneys of record, the law firm of Angius & Terry, LLP, and hereby files this
8 Notice of Non-Opposition to Real Party in Interest, D.R. HORTON, INC.'s
9 (hereinafter "DRH") Motion to Consolidate Writ Petitions for Oral Argument.
10

11
12 Consolidation of the Writ Petitions for Oral Argument for the *High Noon at*
13 *Arlington Ranch Homeowners Association v. Eighth Judicial District Court* (Nevada
14 Supreme Court Case No. 65456) and *D.R. Horton v. Eighth Judicial District Court*
15 (Nevada Supreme Court Case No. 56993) is indeed appropriate as common issues
16 of law and fact exist in both cases. Moreover, HIGH NOON agrees with DRH that
17 consolidation will promote judicial economy, avoid unnecessary costs, and
18 ultimately avoid delays in resolutions of the matters.
19
20
21

22 However, HIGH NOON hereby reserves its right to object to the law firm of
23 Wolfenzon Rolle (counsel for DRH in Nevada Supreme Court Case No. 56993)
24 arguing on behalf of DRH at the pending January 7, 2015 hearing, once consolidated,
25 in light of a recently discovered direct and irreconcilable conflict involving the law
26 firm of Wolfenzon Rolle. This conflict was not mentioned in the Affidavit of Bruno
27
28

1 Wolfenzon and was the reason why the parties could not agree to stipulate to
2 consolidate the matters for purposes of oral argument.
3

4 Dated: December 4, 2014

ANGIUS & TERRY LLP

5
6
7 By: 

8 Paul P. Terry, Jr., SBN 7192

9 Scott P. Kelsey, SBN 7770

10 David M. Bray, SBN 12706

11 1120 N. Town Center Dr, Ste 260

12 Las Vegas, NV 89144

13 *Attorneys for Petitioner High Noon at*
14 *Arlington Ranch Homeowners Assn.*
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 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
- 27
- 28

I HEREBY CERTIFY that on the 4th day of December, 2014, a copy of High Noon at Arlington Ranch Homeowners Association's Notice Of Non-Opposition To Real Party In Interest D.R. Horton, Inc.'s Motion To Consolidate Writ Petitions For Oral Argument was hand delivered to the following:

I HEREBY CERTIFY that on the 4th day of December, 2014, a copy of High Noon at Arlington Ranch Homeowners Association's Notice Of Non-Opportunity To Real Party In Interest D.R. Horton, Inc.'s Motion To Consolidate Writ Petitions For Oral Argument was mailed to the following:

///

1 Joel D. Odou, Esq.
2 Victoria Hightower, Esq.
3 Wood, Smith, Henning & Berman, LLP
4 7674 West Lake Mead Boulevard, Ste. 150
5 Las Vegas, NV 89128-6644


Employee of ANGIUS & TERRY, LLP