

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2
3 HIGH NOON AT ARLINGTON
4 RANCH HOMEOWNERS
5 ASSOCIATION, NEVADA NON-
6 PROFIT CORPORATION,

7 Petitioner,

8 vs.

9 EIGHTH JUDICIAL DISTRICT
10 COURT OF THE STATE OF
11 NEVADA, IN AND FOR THE
12 COUNTY OF CLARK; AND THE
13 HONORABLE SUSAN
14 JOHNSON, DISTRICT JUDGE,

15 Respondent.

16 and

17 D.R. HORTON, INC.,
18 Real-Party-In-Interest.

19 D.R. HORTON, INC., A
20 DELAWARE CORPORATION,

21 Petitioner,

22 and

23 THE EIGHTH JUDICIAL
24 DISTRICT COURT OF THE
25 STATE OF NEVADA, IN AND
26 FOR THE COUNTY OF CLARK:
27 AND THE HONORABLE ALLAN
28 R EARL, DISTRICT JUDGE,

 Respondents,

 and

FIRST LIGHT HOMEOWNERS
ASSOCIATION, A NEVADA
NON-PROFIT CORPORATION,
FOR ITSELF AND FOR ALL
OTHERS SIMILARLY
SITUATED,

 Real-Party in Interest.

SUPREME COURT CASE NO: 65456
Electronically Filed
Jul 29 2015 04:53 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

SUPREME COURT CASE NO: 65993

JOINT RESPONSE TO SUPREME
COURT'S ORDER TO SHOW
CAUSE

**JOINT RESPONSE TO SUPREME COURT'S ORDER TO SHOW
CAUSE**

First Light Homeowner's Association and D.R. Horton, Inc. (collectively the "Parties")
file this Joint Response to the Supreme Court's Order to Show Cause filed on July 22, 2015.

On July 3, 2014, Petitioner D.R. Horton, Inc. filed a Petition for Writ of Prohibition and/or Mandamus (the "Petitioner") in Docket No. 65993.

On December 10, 2014, the Supreme Court issued an Order consolidating this case with Docket No. 65456 (wherein D.R. Horton is the Real-Party-In-Interest) for the purpose of oral argument *only* which was heard on January 7, 2015. The Court has not rendered its decision on the Consolidated Petitions.

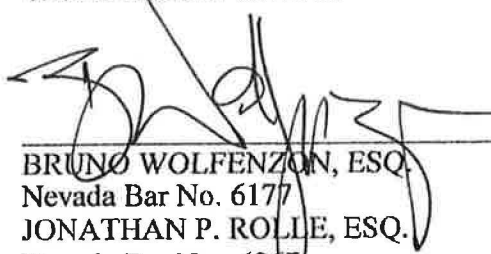
On July 13, 2015, the Parties filed a Joint Notice of Pending Settlement and Motion to Stay Decision in Docket No. 65993 informing the Supreme Court of a tentative settlement (the “Settlement”) reached by the Parties and subcontractors, and requesting the Court stay the issuance of its decision on Docket No. 65993 *only* pending approval of the Settlement by the District Court. Once approved, the Parties intend to file a dismissal of the Petition in Docket No 65993 only. The Settlement and the Request have no impact on Docket 65456 (underlying case *High Noon at Arlington Ranch Homeowner’s Association v. D.R. Horton, Inc.*) and the Supreme Court’s pending decision. D.R. Horton requests this Court move forward with issuance of the decision in that matter.

The Parties agreed upon the terms and language of the Settlement as well as the language and terms of a Joint Motion seeking approval of the Settlement. Both documents are being circulated to the subcontractors for approval and a status hearing is set for July 30, 2015 at which time it is likely a hearing date will be set on the approval of the Settlement. The Parties will notify this Court once the hearing date is set.

Should the District Court not approve the Settlement, the Parties will further notify the Supreme Court and request the Stay be lifted. The Settlement has no impact on Docket No. 65456 which is still being litigated and is set for trial.

DATED this 29 day of July, 2015.


WOLFENZON ROLLE


BRUNO WOLFENZON, ESQ.
Nevada Bar No. 6177
JONATHAN P. ROLLE, ESQ.
Nevada Bar No. 4367
6725 Via Austi Parkway, Suite 260
Las Vegas, Nevada 89119
(702) 836-3138

Attorneys for Petitioner
D.R. HORTON, INC.

DATED this 29th day of July, 2015.

MADDOX ISAACSON CISNEROS, LLP


TROY L. ISAACSON, ESQ.
Nevada Bar No. 6690
3811 West Charleston Boulevard, Suite 110
Las Vegas, Nevada 89102
(702) 366-1999

JAMES R. CHRISTENSEN, ESQ.
Nevada Bar No. 3861
630 South Third Street
Las Vegas, Nevada 89101
(702) 272-0406

Attorneys for Real-Party in Interest

1 **CERTIFICATE OF SERVICE**

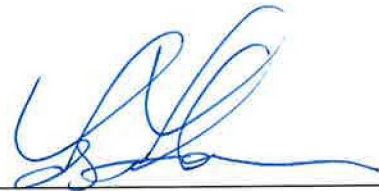
2 I certify that on the 29th day of July, 2015, I submitted for electronic filing
3 and electronic service the foregoing, JOINT RESPONSE TO SUPREME
4 COURT'S ORDER TO SHOW CAUSE, to the following:
5

6 Paul P. Terry - **Docket No. 65456**
7 John J. Stander
8 David Bray
9 ANGIUS& TERRY LLP
10 1120 N. Town Center Dr., Ste. 260
11 Las Vegas, NV 89144

12 ***Attorneys for Petitioner***

13 Joel D. Odou, Esq.
14 WOOD, SMITH, HENNING & BERMAN LLP
15 7674 West Lake Mead Boulevard, Suite 2150
16 Las Vegas, NV 89128-6652

17 ***Attorneys for Real-Party in Interest***

18 

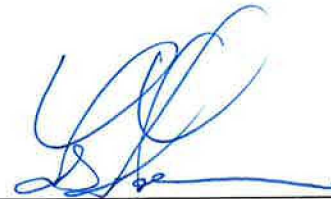
19 Employee of WOLFENZON ROLLE
20
21
22
23
24
25
26
27
28

1 I HEREBY CERTIFY that on the 29th day of July, 2015, a copy of the
2 JOINT RESPONSE TO SUPREME COURT'S ORDER TO SHOW CAUSE,
3
4 was hand-delivered to the following:
5

6 Honorable Judge Jerry A. Wiese II - **Docket 65993**
7 Regional Justice Center, Department XXX
8 Eighth Judicial District Court
9 200 Lewis Avenue
Las Vegas, NV 89101

10 Honorable Judge Susan H. Johnson - **Docket No. 65456**
11 Regional Justice Center, Department XXII
12 Eighth Judicial District Court
13 200 Lewis Avenue
Las Vegas, NV 89101

14 ***Respondents***



15
16 Employee of WOLFENZON ROLLE
17
18
19
20
21
22
23
24
25
26
27
28