

1 **NOAS**  
2 STEVEN B. WOLFSON  
3 District Attorney  
4 **CIVIL DIVISION**  
5 State Bar No. 1565  
6 By: **LESLIE A. NIELSEN**  
7 Deputy District Attorney  
8 State Bar No. 2764  
9 500 South Grand Central Pkwy.  
10 P. O. Box 552215  
11 Las Vegas, Nevada 89155-2215  
12 (702) 455-4761  
13 Fax (702) 382-5178  
14 E-Mail: [Leslie.Nielsen@ClarkCountyDA.com](mailto:Leslie.Nielsen@ClarkCountyDA.com)  
15 Attorneys for Defendant **Clark County**

  
CLERK OF THE COURT

Electronically Filed  
Dec 12 2016 03:51 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

12 NEVADA POWER COMPANY, a Nevada  
13 corporation d/b/a NV ENERGY,

14 Plaintiff,

Case No.: A-13-681632-C  
Dept. No.: 28

15 vs.

16 HQ METRO, LLC, an Arizona Limited  
17 liability company; CLARK COUNTY, a  
18 political subdivision of the State of Nevada;  
19 et al.,

20 Defendants.

21 **DEFENDANT CLARK COUNTY'S NOTICE OF APPEAL**

22  
23 PLEASE TAKE NOTICE that Defendant, CLARK COUNTY, by and through its attorney,  
24 STEVEN B. WOLFSON, District Attorney, by LESLIE A. NIELSEN, Deputy District Attorney,  
25 hereby appeals to the Supreme Court of Nevada from the District Court's Order Regarding  
26 Defendant HQ Metro, LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and

27 ///

28 ///

February 25, 2016 Court Order entered on November 9, 2016.

DATED this 29<sup>th</sup> day of November, 2016.

STEVEN B. WOLFSON  
DISTRICT ATTORNEY

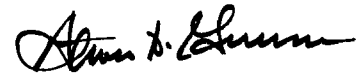
By: Leslie A. Nielsen  
LESLIE A. NIELSEN  
District Attorney  
Nevada Bar No. 2764  
500 South Grand Central Pkwy, 5<sup>th</sup> Flr.  
P. O. Box 552215  
Las Vegas, Nevada 89155-2215  
Attorneys for Defendant Clark County

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this 29<sup>th</sup> day of November, 2016, I served a true and correct copy of the foregoing **DEFENDANT CLARK COUNTY'S NOTICE OF APPEAL** as follows:

ATTORNEYS OF RECORD	PARTIES REPRESENTED	SERVICE METHOD
Brian C. Padgett, Esq. Amy L. Sugden, Esq. Law Offices of Brian C. Padgett 611 South Sixth Street Las Vegas, NV 89101	<i>Defendant HQ Metro, LLC</i> <i>Project Alta, LLC</i> <i>Project Alta II, LLC</i> <i>Project Alta III, LLC</i> <i>Project Alta Liquidating Trust</i> <i>U/A/D 12/31/09</i>	<input checked="" type="checkbox"/> Wiznet <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Personal Service (ROC)

Leslie A. Nielsen  
An Employee of the Clark County District  
Attorney's Office -- Civil Division



CLERK OF THE COURT

1 **ASTA**  
2 STEVEN B. WOLFSON  
3 District Attorney  
4 **CIVIL DIVISION**  
5 State Bar No. 1565  
6 By: **LESLIE A. NIELSEN**  
7 Deputy District Attorney  
8 State Bar No. 2764  
9 500 South Grand Central Pkwy.  
10 P. O. Box 552215  
11 Las Vegas, Nevada 89155-2215  
12 (702) 455-4761  
13 Fax (702) 382-5178  
14 E-Mail: [Leslie.Nielsen@ClarkCountyDA.com](mailto:Leslie.Nielsen@ClarkCountyDA.com)  
15 Attorneys for Defendant **Clark County**

10 DISTRICT COURT

11 CLARK COUNTY, NEVADA

12  
13 NEVADA POWER COMPANY, a Nevada  
14 corporation d/b/a NV ENERGY,

15 Plaintiff,

16 vs.

Case No.: A-13-681632-C  
Dept. No.:28

**DEFENDANT CLARK COUNTY'S**  
**CASE APPEAL STATEMENT**

17 HQ METRO, LLC, an Arizona limited liability  
18 company; LAS VEGAS METROPOLITAN  
19 POLICE DEPARTMENT, a metropolitan police  
20 department; PROJECT ALTA, LLC, a Nevada  
21 limited liability company; PROJECT ALTA II,  
22 LLC, a Nevada limited liability company;  
23 PROJECT ALTA III, LLC, a Nevada limited  
24 liability company; PROJECT ALTA  
25 LIQUIDATING TRUST U/A/D 12/31/09, by  
26 and through MARK L. FINE & ASSOCIATES,  
27 a Nevada corporation, individually and as  
28 Trustee; WELLS FARGO BANK, NATIONAL  
ASSOCIATION, a Delaware corporation;  
NEVADA TITLE COMPANY, a Nevada  
corporation; CENTRAL TELEPHONE  
COMPANY, a Delaware corporation; COX  
COMMUNICATIONS LAS VEGAS, INC., a  
Delaware corporation; LAS VEGAS VALLEY  
WATER DISTRICT, a quasi-municipal  
corporation; CITY OF LAS VEGAS, a  
municipal corporation; CLARK COUNTY, a  
political subdivision of the State of Nevada; all  
other persons unknown claiming any right, title,  
estate, lien or interest in the real property  
described in the Complaint; DOES I through X;

1 and ROE CORPORATIONS XI through XX,  
2 inclusive,

3 Defendants.

4  
5 Pursuant to NRAP 3(f), Defendant, CLARK COUNTY, by and through its attorney, STEVEN  
6 B. WOLFSON, District Attorney, by LESLIE A. NIELSEN, Deputy District Attorney, submits this  
7 Case Appeal Statement.

8 1. The district court case number is A-13-681632-C and the caption above shows the  
9 names of all parties to the proceedings in the district court.

10 2. The name of the judge who entered the order being appealed is The Hon. Ronald  
11 J. Israel.

12 3. The Appellant and its counsel are:

13 CLARK COUNTY

14 Leslie A. Nielsen, Deputy District Attorney  
15 Clark County District Attorney's Office -- Civil Division  
16 500 South Grand Central Pkwy.  
P. O. Box 552215  
Las Vegas, Nevada 89155-2215

17 4. The Respondents and their appellate counsel are:

18 HQ METRO, LLC  
19 PROJECT ALTA, LLC  
PROJECT ALTA II, LLC  
20 PROJECT ALTA III, LLC  
PROJECT ALTA LIQUIDATING TRUST U/A/D 12/31/09

21 Law Offices of Brian C. Padgett  
22 Brian C. Padgett, Esq.  
23 Amy L. Sugden, Esq.  
24 611 South Sixth Street  
Las Vegas, Nevada 89101

25 5. All attorneys identified in paragraph 4 above are licensed to practice law in Nevada.

26 6. Appellant was not represented by appointed counsel in the district court nor on appeal.

27 7. The district court did not grant Appellant leave to proceed *in forma pauperis*.

28 8. The proceedings commenced in the district court on May 10, 2013.

1           9.       This is an eminent domain action filed by Nevada Power Company ("NV Energy") to  
2       acquire easements needed for an electrical transmission line project crossing the property located at  
3       400 S. Martin Luther King Boulevard, Las Vegas, Nevada, used as the headquarters of the Las Vegas  
4       Metropolitan Police Department ("Property"). By stipulation of all parties, the district court entered  
5       a Judgment and Final Order of Condemnation on September 20, 2016 ("Final Order"), condemning  
6       the easements sought to NV Energy and requiring NV Energy to deposit with the Clerk of the Court  
7       an additional \$569,000, in addition to the \$281,000 previously deposited, representing total just  
8       compensation due of \$850,000. The Final Order required the Clerk to pay \$75,000 of the \$850,000  
9       deposited to Defendant Las Vegas Metropolitan Police Department, as the tenant/occupant of the  
10      Property. The Final Order deferred decision, pursuant to NRS 37.115, as to apportionment of the  
11      remaining \$775,000 on deposit with the Clerk as between Appellant, as the owner of the Property  
12      since October 28, 2014, and Respondents, as the owners of the Property prior to October 28, 2014.  
13      The district court thereafter apportioned the \$775,000 to Respondents in the order being appealed.

14           10.     This case has not previously been the subject of an appeal or writ proceeding.

15           11.     This case does not involve child custody or visitation.

16           12.     The appeal involves the possibility of settlement.

17      DATED this 29<sup>th</sup> day of November, 2016.

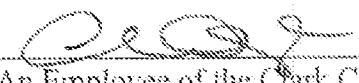
18                   STEVEN B. WOLFSON  
19                   DISTRICT ATTORNEY

20           By: Leslie A. Nielsen  
21                   LESLIE A. NIELSEN  
22                   District Attorney  
23                   Nevada Bar No. 2764  
24                   500 South Grand Central Pkwy. 5<sup>th</sup> Flr.  
25                   P. O. Box 552215  
26                   Las Vegas, Nevada 89155-2215  
27                   Attorneys for Defendant Clark County  
28

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this 21<sup>st</sup> day of November, 2016, I served a true and correct copy of the foregoing **DEFENDANT CLARK COUNTY'S CASE APPEAL STATEMENT** as follows:

ATTORNEYS OF RECORD	PARTIES REPRESENTED	SERVICE METHOD
Brian C. Padgett, Esq. Amy L. Sugden, Esq. Law Offices of Brian C. Padgett 611 South Sixth Street Las Vegas, NV 89101	<i>Defendants HQ Metro, LLC</i> <i>Project Alta, LLC</i> <i>Project Alta II, LLC</i> <i>Project Alta III, LLC</i> <i>Project Alta Liquidating Trust</i> <i>U/A/D 12/31/09</i>	<input checked="" type="checkbox"/> Wiznet <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Personal Service (ROC)

  
An Employee of the Clark County District  
Attorney's Office – Civil Division

DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

§  
§  
§  
§  
§

Location: **Department 28**  
Judicial Officer: **Israel, Ronald J.**  
Filed on: **05/10/2013**  
Case Number History:  
Cross-Reference Case Number: **A681632**

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**CASE INFORMATION**

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**Statistical Closures**

09/20/2016      Stipulated Judgment

Case Type: **Condemnation/Eminent Domain**

Case Flags: **Appealed to Supreme Court  
Jury Demand Filed  
Automatically Exempt from Arbitration**

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**DATE**

**CASE ASSIGNMENT**

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**Current Case Assignment**

Case Number	A-13-681632-C
Court	Department 28
Date Assigned	06/07/2013
Judicial Officer	Israel, Ronald J.

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**PARTY INFORMATION**

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<b>Plaintiff</b>	<b>Nevada Power Company</b>	<i>Lead Attorneys</i> <b>Gruchow Jr, Kirby C.</b> <i>Retained</i> 7025389074(W)
<b>Defendant</b>	<b>Central Telephone Company</b>	<b>Addison, Matthew C.</b> <i>Retained</i> 7023220635(W)
	<b>Clark County</b>	<b>Nielsen, Leslie A.</b> <i>Retained</i> 7024554120(W)
	<b>Cox Communications Las Vegas Inc</b>	
	<b>HQ Metro, LLC</b>	<b>Padgett, Brian C.</b> <i>Retained</i> 7026148623(W)
	<b>Las Vegas City Of</b>	<b>Jerbic, Bradford R.</b> <i>Retained</i> 7022296201(W)
	<b>Las Vegas Metropolitan Police Department</b>	<b>Rawlins, Michael D</b> <i>Retained</i> 702-870-6060(W)
	<b>Las Vegas Valley Water District</b>	
	<b>Nevada Title Company</b>	
	<b>Project Alta II LLC</b>	<b>Padgett, Brian C.</b> <i>Retained</i> 7026148623(W)
	<b>Project Alta III LLC</b>	<b>Padgett, Brian C.</b> <i>Retained</i>

DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

7026148623(W)

**Project Alta Liquidating Trust**

**Padgett, Brian C.**  
*Retained*  
7026148623(W)

**Project Alta LLC**

**Padgett, Brian C.**  
*Retained*  
7026148623(W)















**Wells Fargo Bank National Association**

**Padgett, Brian C.**  
*Retained*  
7026148623(W)













DATE	EVENTS & ORDERS OF THE COURT	INDEX
05/10/2013	 Complaint Filed By: Plaintiff Nevada Power Company <i>Plaintiff's Verified Complaint in Eminent Domain</i>	
05/10/2013	Case Opened	
05/20/2013	 Notice of Lis Pendens Filed by: Plaintiff Nevada Power Company <i>Notice of Lis Pendens</i>	
05/20/2013	 Ex Parte Motion Filed By: Plaintiff Nevada Power Company <i>Ex Parte Motion for Service of Complaint by Publication</i>	
05/20/2013	 Motion for Immediate Occupancy Filed By: Plaintiff Nevada Power Company <i>Plaintiff's Motion for Immediate Occupancy</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>	



DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>
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06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>
06/06/2013	 Summons Filed by: Plaintiff Nevada Power Company <i>Summons - Civil</i>
06/07/2013	 Peremptory Challenge Filed by: Plaintiff Nevada Power Company <i>Peremptory Challenge of Judge</i>
06/07/2013	 Notice of Department Reassignment
06/10/2013	 Notice of Hearing Filed By: Plaintiff Nevada Power Company <i>Notice of Hearing Date and Time With Respect to Plaintiff's Motion for Immediate Occupancy</i>
06/13/2013	 Order for Service by Publication Filed By: Plaintiff Nevada Power Company <i>Order for Service by Publication</i>
06/13/2013	 Answer to Complaint Filed by: Defendant Central Telephone Company <i>Central Telephone Company's Answer to Complaint</i>
06/13/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Central Telephone Company <i>Initial Appearance Fee Disclosure</i>











DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

06/13/2013	 Disclaimer of Interest Filed By: Plaintiff Nevada Power Company <i>Disclaimer of Interest of Defendant Cox Communications Las Vegas, Inc.</i>
06/13/2013	 Disclaimer of Interest Filed By: Plaintiff Nevada Power Company <i>Disclaimer of Interest of Defendant Nevada Title Company</i>
06/24/2013	 Stipulation and Order Filed by: Plaintiff Nevada Power Company <i>Stipulation and Order to Continue June 25, 2013, Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
06/26/2013	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order to Continue June 25, 2013, Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
07/03/2013	 Disclaimer of Interest Filed By: Defendant Las Vegas Valley Water District <i>Disclaimer of Interest</i>
07/08/2013	 Answer to Complaint Filed by: Defendant Las Vegas City Of <i>City of Las Vegas' Answer to Complaint in Eminent Domain</i>
07/08/2013	 Answer Filed By: Defendant Clark County <i>Defendant Clark County's Answer to Complaint</i>
07/09/2013	 Answer Filed By: Defendant Las Vegas Metropolitan Police Department <i>Answer of Las Vegas Metropolitan Police Department</i>
07/09/2013	 Answer and Counterclaim Filed By: Defendant Wells Fargo Bank National Association; Defendant Project Alta LLC; Defendant HQ Metro, LLC; Defendant Project Alta II LLC; Defendant Project Alta III LLC; Defendant Project Alta Liquidating Trust <i>Defendants HQ Metro, LLC, Project Alta, LLC, Project Alta II, LLC, Project Alta III, LLC, Project Alta Liquidating Trust U/A/D 12/31/09 by and Thru Mark L. Fine &amp; Associates, and Wells Fargo Bank, National Association, as Trustee's Answer to Plaintiff's Verified Complaint in Eminent Domain; Defendant HQ Metro, LLC's Counterclaims</i>
07/11/2013	 Stipulation and Order Filed by: Plaintiff Nevada Power Company <i>Stipulation and Order to Continue July 11, 2013 Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
07/12/2013	 Notice of Entry of Stipulation and Order Filed By: Defendant Las Vegas Metropolitan Police Department <i>Notice of Entry of Stipulation and Order</i>
08/01/2013	 <b>Motion for Immediate Occupancy (9:00 AM)</b> (Judicial Officer: Israel, Ronald J.) <b>08/01/2013, 09/12/2013, 11/25/2013</b>

DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

	Events: 05/20/2013 Motion for Immediate Occupancy <i>Plaintiff's Motion for Immediate Occupancy</i>
08/05/2013	 Notice of Entry of Stipulation and Order Filed By: Defendant Las Vegas Metropolitan Police Department <i>Notice of Entry of Stipulation and Order</i>
08/05/2013	 Stipulation and Order Filed by: Defendant Las Vegas Metropolitan Police Department <i>Stipulation and Order to Continue August 1, 2013 Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
08/13/2013	 Proof of Service Filed by: Plaintiff Nevada Power Company <i>Proof of Service of Complaint by Publication</i>
08/26/2013	 Demand for Jury Trial Filed By: Plaintiff Nevada Power Company <i>Plaintiff's Demand for Jury Trial</i>
09/23/2013	 Stipulation and Order Filed by: Plaintiff Nevada Power Company <i>Stipulation and Order to Continue September 12, 2013, Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
10/02/2013	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order to Continue September 12, 2013, Hearing With Respect to Plaintiff's Motion for Immediate Occupancy</i>
10/08/2013	 Joint Case Conference Report Filed By: Plaintiff Nevada Power Company <i>Joint Case Conference Report</i>
10/14/2013	 Scheduling Order <i>Scheduling Order</i>
10/15/2013	 Stipulation and Order Filed by: Plaintiff Nevada Power Company <i>Stipulation and Order for Immediate Occupancy</i>
10/15/2013	 Order Filed By: Plaintiff Nevada Power Company <i>Order Granting Immediate Occupancy Pending Entry of Judgment</i>
10/17/2013	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order for Immediate Occupancy</i>
10/17/2013	 Notice of Entry of Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Order Granting Immediate Occupancy Pending Entry of Judgment</i>
10/17/2013	 Certificate









DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

	Filed By: Plaintiff Nevada Power Company <i>Certificate of Cash Deposit</i>
11/06/2013	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial</i>
04/29/2014	 Motion to Extend Discovery Filed By: Defendant HQ Metro, LLC <i>Defendant Landowners' Motion to Extend Discovery Deadlines (First Request)</i>
04/30/2014	 Initial Appearance Fee Disclosure Filed By: Defendant Project Alta III LLC <i>Amended Initial Appearance Fee Disclosure</i>
04/30/2014	 Notice of Hearing Filed By: Defendant HQ Metro, LLC <i>Notice of Hearing on Defendant Landowners' Motion to Extend Discovery Deadlines (First Request)</i>
05/13/2014	 Notice of Non Opposition Filed By: Defendant Clark County <i>Defendant Clark County's Notice of Nonopposition to Motion to Extend Discovery Deadlines</i>
05/19/2014	 Non Opposition Filed By: Plaintiff Nevada Power Company <i>Plaintiff's Limited Non-Opposition to Defendant Landowners' Motion to Extend Discovery Deadlines (First Request)</i>
05/30/2014	 <b>Motion to Extend Discovery</b> (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>COURT CALL - Deft Landowners' Motion to Extend Discovery Deadlines (First Request)</i>
06/12/2014	<b>CANCELED Status Check</b> (9:45 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i> <b>STATUS CHECK: TRIAL READINESS // REFERRAL TO A SETTLEMENT CONFERENCE</b> <i>(10/13/14 Trial Stack)</i>
06/13/2014	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
06/27/2014	<b>CANCELED Status Check: Compliance</b> (11:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Commissioner</i>
07/23/2014	 Discovery Commissioners Report and Recommendations Filed By: Defendant HQ Metro, LLC <i>Discovery Commissioner's Report and Recommendations</i>
09/18/2014	<b>CANCELED Pre Trial Conference</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Commissioner</i>
10/07/2014	<b>CANCELED Calendar Call</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Commissioner</i>
10/13/2014	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Commissioner</i>
11/20/2014	 Supplemental












# CASE SUMMARY

## CASE NO. A-13-681632-C

Filed by: Plaintiff Nevada Power Company  
*Defendant s HQ Metro, LLC, Project Alta, LLC, Project Alta II, LLC, Project Alta III, LLC, Project Alta Liquidating Trust U/A/D/ 12/31/09 by and Through Mark L. Fine & Associates and Wells Fargo Bank, National Association, as Trustee s First Supplement to Initial Production of Documents and List of Witnesses Pursuant to NRCP 16.1 and 26(e)*

12/01/2014	 Disclaimer of Interest Filed By: Defendant Central Telephone Company <i>Disclaimer of Interest of Defendant Central Telephone Company</i>
12/23/2014	 Stipulation to Extend Discovery Party: Plaintiff Nevada Power Company <i>Stipulation and Order to Extend Discovery Deadlines [First Request] and Continue June 29, 2015, Jury Trial Setting [First Request]</i>
12/30/2014	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
01/06/2015	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order to Extend Discovery Deadlines [First Request] and Continue June 29, 2015, Jury Trial Setting [First Request]</i>
03/26/2015	<b>CANCELED Status Check</b> (9:45 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
06/03/2015	 Stipulation to Extend Discovery Party: Plaintiff Nevada Power Company <i>Stipulation and Order to Extend Discovery Deadlines [Second Request] and Continue September 8, 2015, Jury Trial Setting [Second Request]</i>
06/04/2015	<b>CANCELED Status Check</b> (9:45 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i> <i>Status Check: Referral to Settlement Conference // Trial Readiness ( 09/08/15-Trial Stack)</i>
06/05/2015	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order to Extend Discovery Deadlines [Second Request] and Continue September 8, 2015, Jury Trial Setting [second Request]</i>
06/09/2015	<b>CANCELED Pre Trial Conference</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
06/16/2015	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
06/23/2015	<b>CANCELED Calendar Call</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
06/29/2015	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i>
08/17/2015	 Order Setting Settlement Conference <i>Order Setting Settlement Conference</i>
08/18/2015	<b>CANCELED Pre Trial Conference</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>

DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

09/01/2015	<i>CANCELED Calendar Call</i> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
09/08/2015	<i>CANCELED Jury Trial</i> (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i>
10/20/2015	 <b>Settlement Conference</b> (10:30 AM) (Judicial Officer: Denton, Mark R.)
12/04/2015	 Motion for Declaratory Relief Filed By: Defendant HQ Metro, LLC <i>Defendant Landowner's Motion for Declaratory Relief as to the terms of the Lease Between the Landowner's and the Las Metropolitan Police Department on Order Shoertening Time</i>
12/08/2015	 Stipulation to Extend Discovery Party: Defendant HQ Metro, LLC <i>Stipulation and Order to Extend Discovery Deadlines (Third Request)</i>
12/09/2015	 Notice of Entry of Stipulation and Order Filed By: Defendant HQ Metro, LLC <i>Notice of Entry Stipulation and Order to Extend Discovery Deadlines (Third Request)</i>
12/09/2015	 Opposition to Motion Filed By: Defendant Las Vegas Metropolitan Police Department <i>Las Vegas Metropolitan Police Department's Opposition to Defendant Landowners' Motion for Declaratory Relief as to the Terms of the Lease Between the Landowners and the Las Vegas Metropolitan Police Department on Order Shortening Time</i>
12/10/2015	 <b>Motion for Declaratory Relief</b> (9:00 AM) (Judicial Officer: Israel, Ronald J.) <b>12/10/2015, 01/14/2016, 02/16/2016, 02/24/2016</b> <i>Defendant Landowner's Motion for Declaratory Relief as to the terms of the Lease Between the Landowner's and the Las Vegas Metropolitan Police Department on Order Shoertening Time (Summary Judgment)</i>
12/30/2015	 Motion for Summary Judgment Filed By: Defendant HQ Metro, LLC <i>Defendant Landowner's Motion for Summary Judgment</i>
01/07/2016	 <b>Status Check</b> (9:00 AM) (Judicial Officer: Denton, Mark R.) <b>01/07/2016, 02/11/2016, 03/10/2016</b> <i>Status Check Re: Resumption of Settlement Conference</i>
01/08/2016	 Countermotion For Summary Judgment Filed By: Defendant Las Vegas Metropolitan Police Department <i>Las Vegas Metropolitan Police Department's Opposition to Landowners' Motion for Summary Judgment and Countermotion for Partial Summary Judgment and Application for Distribution of Funds Allocable to Temporary Construction Easement</i>
01/12/2016	<i>CANCELED Status Check</i> (9:45 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
01/13/2016	 Stipulation and Order to Amend Filed By: Plaintiff Nevada Power Company <i>Stipulation and Order to Amend Plaintiff's Verified Complaint in Eminent Domain</i>
01/13/2016	 Countermotion For Summary Judgment

DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

	Filed By: Defendant Clark County <i>Defendant Clark County's Opposition to Defendant Landowners' Motion for Summary Judgment and Countermotion for Partial Summary Judgment and Application for Withdrawal of Funds Deposited for the Permanent Easement</i>
01/15/2016	 Amended Complaint Filed By: Plaintiff Nevada Power Company <i>Plaintiff's First Amended Verified Complaint in Eminent Domain</i>
01/15/2016	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulation and Order to Amend Plaintiff's Verified Complaint in Eminent Domain</i>
02/01/2016	 Opposition Filed By: Defendant HQ Metro, LLC <i>Defendant Landowners' Opposition to Clark County's Countermotion for Partial Summary Judgment &amp; Application for Withdrawal of Funds Deposited for the Permanent Easement</i>
02/01/2016	 Opposition Filed By: Defendant HQ Metro, LLC <i>Opposition to LVMPD Countermotion for Partial Summary Judgment and Application for Distribution of Funds Allocable</i>
02/02/2016	 Opposition to Motion Filed By: Plaintiff Nevada Power Company <i>Plaintiff Nevada Power Company d/b/a NV Energy's Limited Opposition(s) to: (1) Defendant Las Vegas Metropolitan Police Department's Counter-Motion for Partial Summary Judgment and Application for Distribution of Funds Allocable to Temporary Construction Easement; and (2) Defendant Clark County's Counter-Motion for Partial Summary Judgment and Application for Withdrawal of Funds Deposited for the Permanent Easement</i>
02/02/2016	 Stipulation and Order Filed by: Defendant HQ Metro, LLC <i>Stipulation and Order to Continue Hearing on Pending Motions</i>
02/04/2016	 Answer to Amended Complaint Filed By: Defendant Las Vegas City Of <i>City of Las Vegas' Answer to First Amended Complaint in Eminent Domain</i>
02/04/2016	 Errata Filed By: Defendant HQ Metro, LLC <i>Errata to Defendant Landowners Opposition to Clark County's Countermotion for Partial Summary Judgment and Application for Withdrawal of Funds Deposited for the Permanent Easement</i>
02/08/2016	 Answer to Amended Complaint Filed By: Defendant Clark County <i>Defendant Clark County's Answer to First Amended Complaint in Eminent Domain</i>
02/08/2016	 Answer to Amended Complaint Filed By: Defendant Las Vegas Metropolitan Police Department <i>Las Vegas Metropolitan Police Department's Answer to First Amended Complaint</i>
02/09/2016	 Reply Points and Authorities Filed by: Defendant Las Vegas Metropolitan Police Department

# CASE SUMMARY

## CASE NO. A-13-681632-C

*Reply Points and Authorities in Support of LVMPD's Countermotion for Partial Summary Judgment and Application for Distribution of Funds Allocable to Temporary Construction Easement*

02/11/2016



Supplement to Opposition

Filed By: Plaintiff Nevada Power Company  
*Plaintiff Nevada Power Company d/b/ NV Energy's Supplement to Limited Opposition to Defendant Las Vegas Metropolitan Police Department's Counter-Motion for Partial Summary Judgment and Application for Distribution of Funds Allocable to Temporary Construction Easement*

02/11/2016



Reply Points and Authorities

Filed by: Defendant Clark County  
*Reply Points and Authorities in Support of Clark County's Countermotion for Partial Summary Judgment and Application for Withdrawal of Funds Deposited for the Permanent Easement*

02/11/2016



Reply to Motion

Filed By: Defendant HQ Metro, LLC  
*Defendant Landowners' Reply to Motion for Summary Judgment and Reply to Motion for Declaratory Relief as to the Terms of the Lease Between The Landowners and The Las Vegas Metropolitan Police Department on Order Shortening Time*

02/16/2016



Stipulation and Order

Filed by: Defendant Wells Fargo Bank National Association  
*Stipulation and Order to Extend Discovery Deadlines(4th Request) and Continue April 18, 2016 Jury Trial Setting*

02/16/2016

**Motion for Summary Judgment (9:00 AM)** (Judicial Officer: Israel, Ronald J.)  
**02/16/2016, 02/24/2016**

Events: 12/30/2015 Motion for Summary Judgment  
*Defendant Landowner's Motion for Summary Judgment*

02/16/2016

**Opposition and Countermotion (9:00 AM)** (Judicial Officer: Israel, Ronald J.)  
**02/16/2016, 02/24/2016**

Events: 01/08/2016 Countermotion For Summary Judgment  
*Las Vegas Metropolitan Police Department's Opposition to Landowners' Motion for Summary Judgment and COUNTERMOTION for Partial Summary Judgment and Application for Distribution of Funds Allocable to Temporary Construction Easement*

02/16/2016

**Opposition and Countermotion (9:00 AM)** (Judicial Officer: Israel, Ronald J.)  
**02/16/2016, 02/24/2016**

Events: 01/13/2016 Countermotion For Summary Judgment  
*Defendant Clark County's Opposition to Defendant Landowner's Motion for Summary Judgment and COUNTERMOTION for Partial Summary Judgment and Application for Withdrawal of Funds Deposited for the Permanent Easement*

02/16/2016



**All Pending Motions (9:45 AM)** (Judicial Officer: Israel, Ronald J.)

*All Pending Motions (02/16/16)*

02/23/2016



Order Setting Civil Jury Trial

*Order Re-Setting Civil Jury Trial*

02/24/2016



**All Pending Motions (3:00 AM)** (Judicial Officer: Israel, Ronald J.)

*All Pending Motions (02/24/16)*

02/25/2016










Order

Filed By: Plaintiff Nevada Power Company  
*Order*












DEPARTMENT 28  
**CASE SUMMARY**  
**CASE NO. A-13-681632-C**

03/21/2016	 Transcript of Proceedings <i>Transcript of Proceedings All Pending Motions February 16, 2016</i>
03/24/2016	<b>CANCELED Pre Trial Conference</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
04/12/2016	<b>CANCELED Calendar Call</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
04/18/2016	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i>
06/23/2016	 Disclaimer of Interest Filed By: Plaintiff Nevada Power Company <i>Disclaimer of Interest of Defendant Wells Fargo Bank, National Association, "As Trustee"</i>
07/11/2016	 Answer to Amended Complaint Filed By: Defendant HQ Metro, LLC <i>Defendants HQ Metro, LLC, Project Alta, LLC, Project Alta II, LLC, Project Alta III, LLC, Project Alta Liquidating Trust U/A/D 12/31/09 by and thru Mark L. Fine &amp; Associates' Answer to Plaintiff's First Amended Verified Complaint in Eminent Domain; Defendant HQ Metro, LLC's Counterclaims</i>
09/15/2016	<b>CANCELED Pre Trial Conference</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
09/20/2016	 Motion Filed By: Defendant HQ Metro, LLC <i>Defendant HQ Metro LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</i>
09/20/2016	 Certificate Filed By: Plaintiff Nevada Power Company <i>Certificate of Deposit of Additional Payment Pursuant to Stipulated Judgment and Order</i>
09/20/2016	 Judgment Filed By: Plaintiff Nevada Power Company <i>Stipulated Judgment and Order</i>
09/20/2016	 Judgment in Condemnation Filed By: Plaintiff Nevada Power Company <i>Judgment and Final Order of Condemnation</i>
09/20/2016	<b>Judgment of Condemnation</b> (Judicial Officer: Israel, Ronald J.) Debtors: Nevada Power Company (Plaintiff) Creditors: Las Vegas City Of (Defendant), Las Vegas Valley Water District (Defendant), Clark County (Defendant), Wells Fargo Bank National Association (Defendant), Nevada Title Company (Defendant), Project Alta LLC (Defendant), Central Telephone Company (Defendant), HQ Metro, LLC (Defendant), Las Vegas Metropolitan Police Department (Defendant), Project Alta II LLC (Defendant), Project Alta III LLC (Defendant), Project Alta Liquidating Trust (Defendant), Cox Communications Las Vegas Inc (Defendant) Judgment: 09/20/2016, Docketed: 09/27/2016 Total Judgment: 850,000.00
09/20/2016	<b>Final Order of Condemnation</b> (Judicial Officer: Israel, Ronald J.) Debtors: Las Vegas City Of (Defendant), Las Vegas Valley Water District (Defendant), Clark County (Defendant), Wells Fargo Bank National Association (Defendant), Nevada Title Company

# CASE SUMMARY

## CASE NO. A-13-681632-C

(Defendant), Project Alta LLC (Defendant), Central Telephone Company (Defendant), HQ Metro, LLC (Defendant), Las Vegas Metropolitan Police Department (Defendant), Project Alta II LLC (Defendant), Project Alta III LLC (Defendant), Project Alta Liquidating Trust (Defendant), Cox Communications Las Vegas Inc (Defendant)  
 Creditors: Nevada Power Company (Plaintiff)  
 Judgment: 09/20/2016, Docketed: 09/27/2016

09/23/2016	 Notice of Entry of Judgment Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Stipulated Judgment and Order</i>
09/23/2016	 Notice of Entry of Judgment Filed By: Plaintiff Nevada Power Company <i>Notice of Entry of Judgment and Final Order of Condemnation</i>
10/04/2016	 Opposition to Motion Filed By: Defendant Clark County <i>Defendant Clark County's Opposition to HQ Metro, LLC's Motion for Apportionment of Funds</i>
10/06/2016	<b>CANCELED Calendar Call</b> (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated</i>
10/10/2016	<b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i>
10/19/2016	 Reply to Motion Filed By: Defendant HQ Metro, LLC <i>Defendant HQ Metro, LLC's Reply to Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</i>
10/25/2016	 <b>Motion</b> (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>Defendant HQ Metro LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</i>
11/09/2016	 Notice of Entry of Order Filed By: Defendant HQ Metro, LLC <i>Notice of Entry of Order RE Defendant HQ Metro LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</i>
11/09/2016	 Order Granting Motion Filed By: Defendant HQ Metro, LLC <i>Order RE: Defendant HQ Metro LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</i>
11/29/2016	 Notice of Appeal Filed By: Defendant Clark County <i>Defendant Clark County's Notice of Appeal</i>
11/29/2016	 Case Appeal Statement Filed By: Defendant Clark County <i>Defendant Clark County's Case Appeal Statement</i>

**ORIGINAL**  
**CIVIL COVER SHEET**  
 Clark County, Nevada

A - 13 - 681632 - C

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

I

**I. Party Information**

Plaintiff(s) (name/address/phone):

NEVADA POWER COMPANY, a Nevada corporation, d/b/a NV ENERGY

Attorney (name/address/phone):

Kirby C. Gruchow, Jr., Esq., Nevada Bar No. 6663; Michael W. McKelleb, Esq., Nevada Bar No. 12040, Leach Johnson Song & Gruchow, 8945 West Russell Road, Suite 330, Las Vegas, Nevada 89148; Phone: (702) 538-9074

Defendant(s) (name/address/phone):

HQ METRO, LLC, an Arizona limited liability company; LAS VEGAS METROPOLITAN POLICE DEPARTMENT, a metropolitan police department; PROJECT ALTA, LLC, a Nevada limited liability company; PROJECT ALTA II, LLC, a Nevada limited liability company; PROJECT ALTA III, LLC, a Nevada limited liability company; PROJECT ALTA LIQUIDATING TRUST U/A/D 12/31/09, by and through MARK L. FINE & ASSOCIATES, a Nevada corporation, individually and as Trustee; WELLS FARGO BANK, NATIONAL ASSOCIATION, a Delaware corporation; NEVADA TITLE COMPANY, a Nevada corporation; CENTRAL TELEPHONE COMPANY, a Delaware corporation; COX COMMUNICATIONS LAS VEGAS, INC., a Delaware corporation; LAS VEGAS VALLEY WATER DISTRICT, a quasi-municipal corporation; CITY OF LAS VEGAS, a municipal corporation; CLARK COUNTY, a political subdivision of the State of Nevada; all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint; DOES I through X; and ROE CORPORATIONS XI through XX, inclusive

**II. Nature of Controversy** (Please check applicable bold category and applicable subcategory, if appropriate)

☐ **Arbitration Requested**

**Civil Cases**

Real Property	Negligence	Torts
<input type="checkbox"/> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> <b>Title to Property</b> <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input checked="" type="checkbox"/> <b>Condemnation/Eminent Domain</b> <input type="checkbox"/> <b>Other Real Property</b> <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> <b>Negligence - Auto</b> <input type="checkbox"/> <b>Negligence - Medical/Dental</b> <input type="checkbox"/> <b>Negligence - Premises Liability</b> (Slip/Fall) <input type="checkbox"/> <b>Negligence - Other</b>	<input type="checkbox"/> <b>Product Liability</b> <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> <b>Intentional Misconduct</b> <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> <b>Employment Torts</b> (Wrongful termination) <input type="checkbox"/> <b>Other Torts</b> <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition

**Probate**

**Other Civil Filing Types**

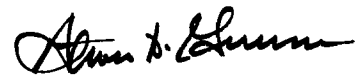
<input type="checkbox"/> <b>Summary Administration</b> <input type="checkbox"/> <b>General Administration</b> <input type="checkbox"/> <b>Special Administration</b> <input type="checkbox"/> <b>Set Aside Estates</b> <input type="checkbox"/> <b>Probate Trust/Conservatorships</b> <input type="checkbox"/> <b>Other Probate</b>	<input type="checkbox"/> <b>Construction Defect</b> <input type="checkbox"/> <b>Breach of Contract</b> <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> <b>Civil Petition for Judicial Review</b> <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Employer's Insurance of Nevada
--	--

**III. Business Court Requested** (Please check applicable category; for Clark or Washoe Counties only.)

5/10/13

Date

Signature of initiating party or representative



CLERK OF THE COURT

**ORDR**

LAW OFFICES OF BRIAN C. PADGETT

Brian C. Padgett, Nevada Bar No. 7474

Amy L. Sugden, Nevada Bar No. 9983

Jeremy B. Duke, Nevada Bar No. 13110

611 South Sixth Street

Las Vegas, Nevada 89101

Telephone: (702) 304-0123

Facsimile: (702) 368-0123

*Attorneys for Defendants HQ Metro, LLC*

*Project Alta, LLC, Project Alta II, LLC,*

*Project Alta III, LLC, Project Alta*

*Liquidating Trust U/A/D 12/31/09*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

\*\*\*\*\*

NEVADA POWER COMPANY, a Nevada corporation)  
d/b/a NV ENERGY,

Plaintiff

vs.

HQ METRO, LLC, an Arizona limited liability company;  
LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a metropolitan police department;  
PROJECT ALTA, LLC, a Nevada limited liability  
company; PROJECT ALTA II, LLC, a Nevada limited  
liability company; PROJECT ALTA III, LLC, a Nevada  
limited liability company; PROJECT ALTA  
LIQUIDATING TRUST U/A/D 12/31/09, by and  
through MARK L. FINE & ASSOCIATES, a Nevada  
corporation, individually and as Trustee; WELLS  
FARGO BANK, NATIONAL ASSOCIATION, a  
Delaware corporation; NEVADA TITLE COMPANY, a  
Nevada corporation; CENTRAL TELEPHONE  
COMPANY, a Delaware corporation; COX  
COMMUNICATIONS LAS VEGAS, INC., a Delaware  
corporation; LAS VEGAS VALLEY WATER  
DISTRICT, a quasi-municipal corporation; CITY OF  
LAS VEGAS, a municipal corporation; CLARK  
COUNTY, a political subdivision of the State of Nevada;  
all other persons unknown claiming any right, title,  
estate, lien or interest in the real property described in the  
Complaint; DOES I through X; and ROE  
CORPORATIONS XI through XX, inclusive

Defendants.

Case No.: A-13-681632-C

Dept. No.: XXVIII

**ORDER REGARDING  
DEFENDANT HQ METRO, LLC'S  
MOTION FOR APPORTIONMENT  
OF FUNDS PURSUANT TO NRS  
37.115 AND FEBRUARY 25, 2016  
COURT ORDER**

LAW OFFICES OF BRIAN C. PADGETT  
611 SOUTH 6TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE (702) 304-0123  
FACSIMILE (702) 368-0123

11/1/16 (28)

**ORDER REGARDING DEFENDANT HQ METRO, LLC'S**  
**MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115**  
**AND FEBRUARY 25, 2016 COURT ORDER**

Defendant, HQ METRO, LLC's ("**HQ Metro**") Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order ("**Motion for Apportionment**") having come before this Court for hearing on October 25, 2016 at 9:00 a.m., and HQ Metro having been represented at said hearing by AMY L SUGDEN, ESQ., of the LAW OFFICES OF BRIAN C. PADGETT, and Defendant, CLARK COUNTY ("**Clark County**") having been represented at said hearing by LESLIE A. NIELSEN, ESQ., of the CLARK COUNTY DISTRICT ATTORNEY'S OFFICE, and the Court having considered the pleadings and papers on file herein, as well as the parties' oral arguments, and good cause appearing:

THE COURT HEREBY FINDS HQ Metro's request to apportion the remaining funds is consistent with this Court's prior February 25, 2016 Court Order.

THE COURT FURTHER FINDS that it will not change its decision regarding partial summary judgment in the February 25, 2016 Court Order and that the decision contained therein STANDS.

IT IS HEREBY ORDERED that HQ Metro's Motion for Apportionment is GRANTED.

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1 IT IS FURTHER ORDERED that the Clerk of the Court shall issue a check, made payable  
2 to the "Law Offices of Brian C. Padgett", not later than five (5) days from the issuance of this  
3 Order for the remaining Seven Hundred Seventy-Five Thousand Dollars (\$775,000.00) on deposit  
4 with the Clerk of the Court, along with any interest accrued while on deposit.  
5

6  
7 IT IS SO ORDERED this 8 day of Nov 2016.

8  
9  
10 Ronald J. Israel  
RONALD J. ISRAEL  
DISTRICT COURT JUDGE  
11 A-13-681632-C RB

12 **Prepared and Submitted By:**

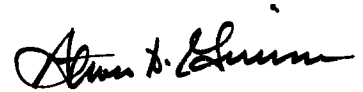
13 LAW OFFICES OF BRIAN C. PADGETT

14  
15 By: Jeremy B. Dahr Esq. 13110  
16 AMY L. SUGDEN, ESQ.  
17 Nevada Bar No. 9983

18  
19 **Form and Content Approved By:**

20 CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

21  
22 By: Leslie A. Nielsen  
23 LESLIE A. NIELSEN, ESQ.  
24 Nevada Bar No. 2764  
25  
26  
27  
28



CLERK OF THE COURT

1 **NOE**  
2 **LAW OFFICES OF BRIAN C. PADGETT**  
3 Brian C. Padgett, Bar No. 7474  
4 Amy L. Sugden, Bar No. 9983  
5 Jeremy B. Duke, Bar No. 13110  
6 611 South Sixth Street  
7 Las Vegas, Nevada 89101  
8 Telephone: (702) 304-0123  
9 Facsimile: (702) 368-0123

10 *Attorneys for Defendants HQ Metro, LLC*  
11 *Project Alta, LLC, Project Alta II, LLC,*  
12 *Project Alta III, LLC, Project Alta*  
13 *Liquidating Trust U/A/D 12/31/09*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 NEVADA POWER COMPANY, a Nevada)  
17 corporation d/b/a NV ENERGY, )

18 Plaintiff )

19 vs. )

20 HQ METRO, LLC, an Arizona limited liability )  
21 company; LAS VEGAS METROPOLITAN POLICE )  
22 DEPARTMENT, a metropolitan police department; )  
23 PROJECT ALTA, LLC, a Nevada limited liability )  
24 company; PROJECT ALTA II, LLC, a Nevada limited )  
25 liability company; PROJECT ALTA III, LLC, a Nevada )  
26 limited liability company; PROJECT ALTA )  
27 LIQUIDATING TRUST U/A/D 12/31/09, by and )  
28 through MARK L. FINE & ASSOCIATES, a Nevada )  
corporation, individually and as Trustee; WELLS )  
FARGO BANK, NATIONAL ASSOCIATION, a )  
Delaware corporation; NEVADA TITLE COMPANY, )  
a Nevada corporation; CENTRAL TELEPHONE )  
COMPANY, a Delaware corporation; COX )  
COMMUNICATIONS LAS VEGAS, INC., a )  
Delaware corporation; LAS VEGAS VALLEY )  
WATER DISTRICT, a quasi-municipal corporation; )  
CITY OF LAS VEGAS, a municipal corporation; )  
CLARK COUNTY, a political subdivision of the State )  
of Nevada; all other persons unknown claiming any )  
right, title, estate, lien or interest in the real property )  
described in the Complaint; DOES I through X; and )  
ROE CORPORATIONS XI through XX, inclusive )

Defendants. )

Case No.: A-13-681632-C

Dept. No.: XXVIII

**NOTICE OF ENTRY OF ORDER  
REGARDING DEFENDANT HQ  
METRO, LLC'S MOTION FOR  
APPORTIONMENT OF FUNDS  
PURSUANT TO NRS 37.115 AND  
FEBRUARY 25, 2016 COURT ORDER**

LAW OFFICES OF BRIAN C. PADGETT  
611 SOUTH 6<sup>TH</sup> STREET  
LAS VEGAS, NEVADA 89101  
PHONE (702) 304-0123  
FACSIMILE (702) 368-0123

**NOTICE OF ENTRY OF ORDER REGARDING DEFENDANT HQ METRO, LLC'S  
MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115 AND  
FEBRUARY 25, 2016 COURT ORDER**

PLEASE TAKE NOTICE that an Order Regarding Defendant HQ Metro, LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order was entered in the above-captioned matter on November 9, 2016. A copy of said Order Regarding Defendant HQ Metro, LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order is attached hereto.

DATED this 9<sup>th</sup> day of November, 2016.

THE LAW OFFICES OF BRIAN C. PADGETT

/s/ Amy L. Sugden  
BRIAN C. PADGETT  
Nevada Bar No. 7474  
AMY L. SUGDEN  
Nevada Bar No. 9983  
JEREMY B. DUKE  
Nevada Bar No. 13110  
611 South Sixth St.  
Las Vegas, NV 89101

*Attorneys for Defendants HQ Metro, LLC  
Project Alta, LLC, Project Alta II, LLC,  
Project Alta III, LLC, Project Alta  
Liquidating Trust U/A/D 12/31/09,  
Wells Fargo Bank, N.A., as trustee*



**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Law Offices of Brian C. Padgett, and that I served the foregoing document(s): **NOTICE OF ENTRY OF ORDER REGARDING DEFENDANT LANDOWNER HQ METRO, LLC'S MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115 AND FEBRUARY 25, 2016 COURT ORDER** on the parties set forth below by:

☐ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing the United States mail, at Las Vegas, Nevada, postage prepaid, following ordinary business practices.

☐ Personal delivery

☐ Facsimile and/or e-mail

☐ Federal Express or other overnight delivery

☒ Odyssey E-File and Serve System

TO: KIRBY C. GRUCHOW, JR., ESQ.  
8945 West Russell Road, Suite 330  
Las Vegas, Nevada 89148  
Attorneys for Plaintiff  
*Nevada Power Company d/b/a NV Energy*

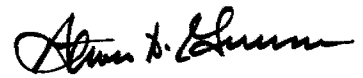
MICHAEL D. RAWLINS, ESQ.  
10785 West Twain Avenue, Suite 200  
Las Vegas, Nevada 89135  
*Attorneys for Defendant LVMPD*

PHILIP R. BYRNES, ESQ.  
495 South Main Street, Sixth Floor  
Las Vegas, Nevada 89101  
*Attorney for Defendant City of Las Vegas*

LESLIE A. NIELSEN, ESQ.  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155  
*Attorney for Defendant Clark County*

Executed this 9<sup>th</sup> day of November, 2016.

/s/ Ruth Ramos-Ayala  
Law Offices of Brian C. Padgett



CLERK OF THE COURT

**ORDER**

LAW OFFICES OF BRIAN C. PADGETT

Brian C. Padgett, Nevada Bar No. 7474

Amy L. Sugden, Nevada Bar No. 9983

Jeremy B. Duke, Nevada Bar No. 13110

611 South Sixth Street

Las Vegas, Nevada 89101

Telephone: (702) 304-0123

Facsimile: (702) 368-0123

*Attorneys for Defendants HQ Metro, LLC*

*Project Alta, LLC, Project Alta II, LLC,*

*Project Alta III, LLC, Project Alta*

*Liquidating Trust U/A/D 12/31/09*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

\*\*\*\*\*

NEVADA POWER COMPANY, a Nevada corporation)  
d/b/a NV ENERGY,

Plaintiff

vs.

HQ METRO, LLC, an Arizona limited liability company;  
LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, a metropolitan police department;  
PROJECT ALTA, LLC, a Nevada limited liability  
company; PROJECT ALTA II, LLC, a Nevada limited  
liability company; PROJECT ALTA III, LLC, a Nevada  
limited liability company; PROJECT ALTA  
LIQUIDATING TRUST U/A/D 12/31/09, by and  
through MARK L. FINE & ASSOCIATES, a Nevada  
corporation, individually and as Trustee; WELLS  
FARGO BANK, NATIONAL ASSOCIATION, a  
Delaware corporation; NEVADA TITLE COMPANY, a  
Nevada corporation; CENTRAL TELEPHONE  
COMPANY, a Delaware corporation; COX  
COMMUNICATIONS LAS VEGAS, INC., a Delaware  
corporation; LAS VEGAS VALLEY WATER  
DISTRICT, a quasi-municipal corporation; CITY OF  
LAS VEGAS, a municipal corporation; CLARK  
COUNTY, a political subdivision of the State of Nevada;  
all other persons unknown claiming any right, title,  
estate, lien or interest in the real property described in the  
Complaint; DOES I through X; and ROE  
CORPORATIONS XI through XX, inclusive

Defendants.

Case No.: A-13-681632-C

Dept. No.: XXVIII

**ORDER REGARDING  
DEFENDANT HQ METRO, LLC'S  
MOTION FOR APPORTIONMENT  
OF FUNDS PURSUANT TO NRS  
37.115 AND FEBRUARY 25, 2016  
COURT ORDER**

LAW OFFICES OF BRIAN C. PADGETT  
611 SOUTH 6TH STREET  
LAS VEGAS, NEVADA 89101  
PHONE (702) 304-0123  
FACSIMILE (702) 368-0123

11/1/16 (28)

1                                    **ORDER REGARDING DEFENDANT HQ METRO, LLC'S**  
2                                    **MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115**  
3                                    **AND FEBRUARY 25, 2016 COURT ORDER**

4                    Defendant, HQ METRO, LLC's ("**HQ Metro**") Motion for Apportionment of Funds  
5                    Pursuant to NRS 37.115 and February 25, 2016 Court Order ("**Motion for Apportionment**")  
6                    having come before this Court for hearing on October 25, 2016 at 9:00 a.m., and HQ Metro having  
7                    been represented at said hearing by AMY L SUGDEN, ESQ., of the LAW OFFICES OF BRIAN  
8                    C. PADGETT, and Defendant, CLARK COUNTY ("**Clark County**") having been represented at  
9                    said hearing by LESLIE A. NIELSEN, ESQ., of the CLARK COUNTY DISTRICT  
10                   ATTORNEY'S OFFICE, and the Court having considered the pleadings and papers on file herein,  
11                   as well as the parties' oral arguments, and good cause appearing:

12                   THE COURT HEREBY FINDS HQ Metro's request to apportion the remaining funds is  
13                   consistent with this Court's prior February 25, 2016 Court Order.

14                   THE COURT FURTHER FINDS that it will not change its decision regarding partial  
15                   summary judgment in the February 25, 2016 Court Order and that the decision contained therein  
16                   STANDS.

17                   IT IS HEREBY ORDERED that HQ Metro's Motion for Apportionment is GRANTED.

18  
19                   ////

20                   ////

21                   ////

22                   ////

23                   ////

24                   ////

25                   ////

26                   ////

27                   ////

LAW OFFICES OF BRIAN C. PADGETT  
611 SOUTH 6<sup>TH</sup> STREET  
LAS VEGAS, NEVADA 89101  
PHONE (702) 304-0123  
FACSIMILE (702) 368-0123

1 IT IS FURTHER ORDERED that the Clerk of the Court shall issue a check, made payable  
2 to the "Law Offices of Brian C. Padgett", not later than five (5) days from the issuance of this  
3 Order for the remaining Seven Hundred Seventy-Five Thousand Dollars (\$775,000.00) on deposit  
4 with the Clerk of the Court, along with any interest accrued while on deposit.  
5

6  
7 IT IS SO ORDERED this 8 day of Nov 2016.

8  
9  
10 Ronald J. Israel  
RONALD J. ISRAEL  
DISTRICT COURT JUDGE  
11 A-13-681632-C BB

12 **Prepared and Submitted By:**

13 LAW OFFICES OF BRIAN C. PADGETT

14  
15 By: Jeremy B. Dahr, Esq. 13110  
16 AMY L. SUGDEN, ESQ.  
17 Nevada Bar No. 9983

18  
19 **Form and Content Approved By:**

20 CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

21  
22 By: Leslie A. Nielsen  
23 LESLIE A. NIELSEN, ESQ.  
24 Nevada Bar No. 2764  
25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**August 01, 2013**

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A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

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<b>August 01, 2013</b>	<b>9:00 AM</b>	<b>Motion for Immediate Occupancy</b>	<b>Plaintiff's Motion for Immediate Occupancy</b>
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**HEARD BY:** Becker, Nancy

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Stipulation and Order to CONTINUE matter to 09/12/13, received in chambers. COURT SO ORDERED.

09/12/13 9:00 AM PLAINTIFF'S MOTION FOR IMMEDIATE OCCUPANCY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**September 12, 2013**

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A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

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<b>September 12, 2013</b>	<b>9:00 AM</b>	<b>Motion for Immediate Occupancy</b>	<b>Plaintiff's Motion for Immediate Occupancy</b>
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**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- No parties present. Court noted Court received notification from Counsel, parties will be faxing a stipulation and order to continue this matter. COURT ORDERED, Matter CONTINUED.

10/10/13 9:00 AM PLAINTIFF'S MOTION FOR IMMEDIATE OCCUPANCY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**November 25, 2013**

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A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

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**November 25, 2013      3:00 AM      Motion for Immediate      Plaintiff's Motion for  
Occupancy      Immediate  
Occupancy**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- COURT received and signed an Order/Stipulation GRANTING the Motion for Immediate Occupancy, pursuant to stipulation. Order was filed on 10/15.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**May 30, 2014**

A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

<b>May 30, 2014</b>	<b>9:00 AM</b>	<b>Motion to Extend Discovery</b>	<b>COURT CALL - Deft Landowners' Motion to Extend Discovery Deadlines (First Request)</b>
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**HEARD BY:** Bulla, Bonnie

**COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Richard Kangas

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Byrnes, Jr., Philip R.	Attorney
	Duke, Jeremy B.	Attorney
	McKelleb, Michael W, ESQ	Attorney
	Nielsen, Leslie A.	Attorney

**JOURNAL ENTRIES**

- Commissioner attempted contact with Michael Rawlins by cell phone, but Commissioner was unable to reach him. Court Call operator stated Matthew Addison did not call in.

COMMISSIONER RECOMMENDED, motion is GRANTED within parameters, and parameters are set forth in Plt's Limited Non-Opposition; include the Landowners agreed to waive any pre-Judgment interest. COMMISSIONER RECOMMENDED, 10/13/14 Trial date VACATED; discovery cutoff EXTENDED to 2/20/15; adding parties, amended pleadings, and initial expert disclosures DUE 11/20/14; rebuttal expert disclosures DUE 12/19/14; dispositive motions FILED by 3/20/15; Trial ready on or after 5/4/15.



Mr. Duke include dates in recommendation; counsel approve form and content; submit report within ten (10) days of this hearing, otherwise, counsel will pay a CONTRIBUTION for failure to comply; status check SET; Mr. Duke must appear if report is not timely submitted.

6/27/14    11:00 a.m.    Status Check: Compliance



caucuses back and forth with the respective sides, but the matter has not resolved. The Court considers that both sides have proceeded in good faith to endeavor a resolution, noting the discussions had about various concepts and thoughts. Court stated it would not terminate today's Settlement Conference at this time, and ORDERED, status check SET to determine then whether or not the parties believe that resumption of the settlement conference would be warranted. In the meantime, counsel and the parties are encouraged to continue to talk and perhaps put the case in the posture where resumption of the Settlement Conference would be warranted.

01/07/016 9:00am - STATUS CHECK RE: RESUMPTION OF SETTLEMENT CONFERENCE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**December 10, 2015**

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A-13-681632-C	Nevada Power Company, Plaintiff(s) vs. HQ Metro, LLC, Defendant(s)
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<b>December 10, 2015</b>	<b>9:00 AM</b>	<b>Motion for Declaratory Relief</b>	<b>Defendant Landowner's Motion for Declaratory Relief as to the terms of the Lease Between the Landowner's and the Las Vegas Metropolitan Police Department on Order Shoertening Time</b>
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**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Gruchow Jr, Kirby C.	Attorney
	MILLER, RUTH, ESQ	Attorney
	Rawlins, Michael D	Attorney
	Sugden, Amy L.	Attorney
	Wolfson, Steven B	Attorney

**JOURNAL ENTRIES**

- Colloquy regarding the opposition being delivered. Ms. Sugden noted she could address the timeliness, noting the discovery deadline dates for rebuttal are approaching and further noted the parties could resolve some of the issues. Colloquy regarding the parking spaces and the temporary construction. Mr. Rawlins requested Counsel bring the appropriate motion. Court directed Mr.

Rawlins to submit his opposition within one week and Ms. Sugden, movant, to submit the reply, one week; Further noting the motion is not titled summary judgment, However this motion is a motion for summary judgment motion and will need to be fully briefed. There being a settlement conference already scheduled, COURT ORDERED, Pending status check to refer to a settlement conference 01/12/16, VACATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**January 07, 2016**

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A-13-681632-C	Nevada Power Company, Plaintiff(s) vs. HQ Metro, LLC, Defendant(s)
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**January 07, 2016      9:00 AM      Status Check**

**HEARD BY:** Denton, Mark R.

**COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Marwanda Knight

**RECORDER:** Cynthia Georgilas

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Laura C. Rehfeldt, Esq., appearing on behalf of Defendant, Clark County  
Michael Rawlins, Esq., appearing on behalf of Defendant, Las Vegas Metropolitan Police Department

At Status Check Re: Resumption of Settlement Conference Mr. Rawlins stated he did not believe the settlement conference was ripe for resumption until after the dispositive motions have been resolved noting nothing has changed since the last hearing.

Following representations made by counsel, COURT ORDERED matter CONTINUED to February 11, 2016 at 9:00am.

CONTINUED TO: 02/11/2016 9:00AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**January 14, 2016**

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A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

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<b>January 14, 2016</b>	<b>9:00 AM</b>	<b>Motion for Declaratory Relief</b>	<b>Defendant Landowner's Motion for Declaratory Relief as to the terms of the Lease Between the Landowner's and the Las Vegas Metropolitan Police Department on Order Shoertening Time (Summary Judgment)</b>
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**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- No parties present. COURT ORDERED, Matter CONTINUED, to be heard with the other pending summary judgment motion and countermotion.

02/02/16 9:00 AM DEFENDANT LANDOWNER'S MOTION FOR DECLARATORY RELIEF AS TO THE TERMS OF THE LEASE BETWEEN THE LANDOWNER'S AND THE LVMPD (SUMMARY JUDGMENT)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**February 11, 2016**

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A-13-681632-C	Nevada Power Company, Plaintiff(s) vs. HQ Metro, LLC, Defendant(s)
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**February 11, 2016      9:00 AM      Status Check**

**HEARD BY:** Denton, Mark R.      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Marwanda Knight

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Leslie Neilsen, Esq., appearing on behalf of Defendant, Clark County

Ms. Neilsen appeared at Status Check Re: Resumption of Settlement Conference to report the status of the case; advised the case was not ripe for resumption of the settlement conference in light of the upcoming dispositive motions and stipulation to continue discovery and the trial.

Following representations made by counsel, COURT ORDERED, matter CONTINUED to March 10, 2016 at 9:00am.

CONTINUED TO: 03/10/2016 9:00AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**February 16, 2016**

A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

**February 16, 2016      9:45 AM      All Pending Motions      All Pending Motions  
(02/16/16)**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Gruchow Jr, Kirby C.	Attorney
	MILLER, RUTH, ESQ	Attorney
	Nielsen, Leslie A.	Attorney
	Rawlins, Michael D	Attorney
	Sugden, Amy L.	Attorney

**JOURNAL ENTRIES**

- DEFENDANT CLARK COUNTY'S OPPOSITION TO DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR WITHDRAWAL OF FUNDS DEPOSITED FOR THE PERMANENT EASEMENT...DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT...LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S OPPOSITION TO LANDOWNERS' MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR DISTRIBUTION OF FUNDS ALLOCABLE TO TEMPORARY CONSTRUCTION EASEMENT: Argument regarding the Motions for Summary Judgment. Ms. Sugden argued the lease governs as the law is clear. Colloquy regarding NRS 16.01 and NRS 116. and cited case Shadow Wood HOA v. N.Y. Cmty. Bancorp., 132 Nev. Adv. Op. 5 (2016), regarding the equity. Ms. Nielsen advised Clark County purchased the property and Metro could state when they occupied it. Further arguments by Counsel. Mr. Gruchow requested the Court not make advanced

trial rulings. Further arguments by Counsel. COURT ORDERED, Matters CONTINUED, to Chambers. Court to re-read Argiers and submit a decision in chambers.

DEFENDANT LANDOWNER'S MOTION FOR DECLARATORY RELIEF AS TO THE TERMS OF THE LEASE BETWEEN THE LANDOWNER'S AND THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT ON ORDER SHORTENING TIME(SUMMARY JUDGMENT): Ms. Sugden noted they were asking for relief from this Court stating the work had been completed and entitled to the money. Colloquy regarding eminent domain, taking of the property and NRS 37. Arguments by Counsel. Ms. Nielsen stated the occupancy constitutes a taking, Nevada Power had the right to build but waited and no additional discovery will be needed. Arguments by Counsel. Colloquy regarding permanent and temporary easements and appraisals. Court noted there is still a dispute on the actual amount. Mr. Rawlins noted there is a bond. Ms. Sugden objected to any money to be withdrawn. Mr. Gruchow noted his client had no problem releasing the money pursuant to Courts decision. COURT ORDERED, Matters CONTINUED, to Chambers. Court to re-read Argiers and submit a decision in chambers.

02/24/16 (CHAMBERS) DEFENDANT CLARK COUNTY'S OPPOSITION TO DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR WITHDRAWAL OF FUNDS DEPOSITED FOR THE PERMANENT EASEMENT...DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT...LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S OPPOSITION TO LANDOWNERS' MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR DISTRIBUTION OF FUNDS ALLOCABLE TO TEMPORARY CONSTRUCTION EASEMENT...DEFENDANT LANDOWNER'S MOTION FOR DECLARATORY RELIEF AS TO THE TERMS OF THE LEASE BETWEEN THE LANDOWNER'S AND THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT ON ORDER SHORTENING TIME(SUMMARY JUDGMENT)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**February 24, 2016**

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A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

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**February 24, 2016      3:00 AM      All Pending Motions      All Pending Motions  
(02/24/16)**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT...LAS VEGAS METROPOLITAN POLICE DEPARTMENT'S OPPOSITION TO LANDOWNER' MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR DISTRIBUTION OF FUNDS ALLOCATED TO TEMPORARY CONSTRUCTION EASEMENT...DEFENDANT CLARK COUNTY'S OPPOSITION TO DEFENDANT LANDOWNER'S MOTION FOR SUMMARY JUDGMENT AND COUNTERMOTION FOR PARTIAL SUMMARY JUDGMENT AND APPLICATION FOR WITHDRAWAL OF FUNDS DEPOSITED FOR THE PERMANENT EASEMENT...DEFENDANT LANDOWNER'S MOTION FOR DECLARATORY RELIEF AS TO THE TERMS OF THE LEASE BETWEEN THE LANDOWNER'S AND THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Please refer to Court's decision filed 02/25/16.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**March 10, 2016**

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A-13-681632-C	Nevada Power Company, Plaintiff(s) vs. HQ Metro, LLC, Defendant(s)
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**March 10, 2016      9:00 AM      Status Check**

**HEARD BY:** Denton, Mark R.      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Marwanda Knight

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Leslie A. Nielsen, Esq., appearing on behalf of Defendant, Clark County  
Amy Sugden, Esq., appearing on behalf of Defendant, Wells Fargo Bank national Association

Following representations made by counsel at the Status Check Re: Resumption of Settlement Conference COURT ORDERED, the Settlement Conference TERMINATED; ADVISED counsel to contact the Department's Judicial Executive Assistant if counsel later decides to resume the Settlement Conference.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Condemnation/Eminent  
Domain**

**COURT MINUTES**

**October 25, 2016**

A-13-681632-C      Nevada Power Company, Plaintiff(s)  
vs.  
HQ Metro, LLC, Defendant(s)

<b>October 25, 2016</b>	<b>9:00 AM</b>	<b>Motion</b>	<b>Defendant HQ Metro LLC's Motion for Apportionment of Funds Pursuant to NRS 37.115 and February 25, 2016 Court Order</b>
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**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Klein

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Nielsen, Leslie A.	Attorney
	Sugden, Amy L.	Attorney

**JOURNAL ENTRIES**

- Colloquy regarding Courts prior order. Arguments by Counsel. Ms. Nielsen noted no discovery would not be necessary, under rule 54(b) a final ruling. Court noted the arguments are a request to rehear this issue and based on that, this Court will not change its decision regarding the partial summary judgment, Decision STANDS. Court stated findings and ORDERED, Motion for Apportionment of Funds, GRANTED. Ms. Sugden to prepare the order and pass it by Counsel Clark County.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

DEFENDANT CLARK COUNTY'S NOTICE OF APPEAL; DEFENDANT CLARK COUNTY'S CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER REGARDING DEFENDANT HQ METRO, LLC'S MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115 AND FEBRUARY 25, 2016 COURT ORDER; NOTICE OF ENTRY OF ORDER REGARDING DEFENDANT HQ METRO, LLC'S MOTION FOR APPORTIONMENT OF FUNDS PURSUANT TO NRS 37.115 AND FEBRUARY 25, 2016 COURT ORDER; DISTRICT COURT MINUTES

NEVADA POWER COMPANY dba NV  
ENERGY,

Plaintiff(s),

vs.

HQ METRO, LLC; LAS VEGAS  
METROPOLITAN POLICE DEPARTMENT;  
PROJECT ALTA, LLC; PROJECT ALTA II,  
LLC; PROJECT ALTA III, LLC; PROJECT  
ALTA LIQUIDATING TRUST U.A.D  
12/31/09, by and through MARK L. FINE &  
ASSOCIATES; WELLS FARGO BANK,  
NATIONAL ASSOCIATION; NEVADA  
TITLE COMPANY; CENTRAL TELEPHONE  
COMPANY; COX COMMUNICATIONS LAS  
VEGAS, INC.; LAS VEGAS VALLEY  
WATER DISTRICT; CITY OF LAS VEGAS;  
CLARK COUNTY, a political subdivision of the  
STATE OF NEVADA,

Defendant(s),

Case No: A-13-681632-C

Dept No: XXVIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 2 day of December 2016.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read "Heather Ungermann", is written over a faint circular court seal. The seal contains the text "UNITED STATES DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT CLATSOP COUNTY OREGON".

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Heather Ungermann, Deputy Clerk