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Attorney for Plaintiffs

Electronically Filed
Dec 14 2016 01:36 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

CERBERUS HOLDINGS, LLC, a Nevada
limited liability company; NORTHERN
NEVADA HOMES, LLC, a Nevada limited
liability company,

Plaintiffs,

vs.

GL CONSTRUCTION, INC., a Nevada
corporation; GORDON LEMICH, an
individual; and DOES 1-10, inclusive,

Defendant.

AND RELATED CLAIMS

Case No. CV13-01468

Dept. No. 8

NOTICE OF APPEAL

Notice is hereby given that Counter-defendant Northern Nevada Homes, LLC
appeals to the Nevada Supreme Court from the "Order" awarding attorney's fees and
costs to Counterclaimant GL Construction, Inc. entered on December 1, 2016 (**Exhibit 1**).

**The undersigned does hereby affirm that the preceding document does not
contain the social security number of any person.**

DATED: December 9, 2016.

BY: /s/ Christopher Rusby
Christopher Rusby, Esq.
Attorney for Counter-Defendant

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Rusby Clark and that on this date, I electronically filed through the Court's eflex filing system, a true and correct copy of the within document, of which notice will be electronically served upon the following:

John C. Boyden, Esq.
Brett A. Dieffenbach, Esq.
Erickson, Thorpe & Swainston, Ltd.
P.O. Box 3559
Reno, NV 89505

James Shields Beasley, Esq.
Law Offices of James Shields Beasley
435 Court St.
Reno, NV 89501

DATED: December 9, 2016.

/s/ Christopher Rusby

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EXHIBIT LIST

EXHIBIT #	DESCRIPTION	# OF PAGES
1	Order	8

FILED
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CV13-01468
2016-12-09 04:16:23 PM
Jacqueline Bryant
Clerk of the Court
Transaction # 5846900 J. K. Walker

EXHIBIT 1

EXHIBIT 1

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

CEREBRUS HOLDINGS, LLC, a
Nevada limited liability company;
NORTHERN NEVADA HOMES, LLC,
a Nevada limited liability company,

Case No. CV13-01468

Dept. No. 8

Plaintiffs,

vs.

GL CONSTRUCTION, INC, a Nevada
corporation, GORDON LEMICH, an
individual; and DOES 1-10, inclusive,

Defendants.

GL CONSTRUCTION, INC, a Nevada
corporation,

Counterclaimant,

vs.

NORTHERN NEVADA HOMES, LLC,
a Nevada limited liability company,

Counterdefendant.

ORDER

Currently before the court is Defendant and Counterclaimant GL
Construction's request for attorney's fees. Plaintiff and Counter-Defendant
Northern Nevada Homes has opposed the request. This order follows.

1 *Background*

2 This case involves a number of disputes, which were ultimately resolved by
3 way of two separate settlement agreements and a bench trial.

4 Prior to May 9, 2011, Defendant and Counterclaimant Gordon Lemich was
5 the owner of real property located at 2605 Comstock Drive, Reno, Nevada ("the
6 property"). Lemich is also the principal of GL Construction, a Nevada corporation,
7 and licensed contractor. It appears that the property at issue was occupied by a
8 number of tenants, including GL Construction.

9 At some point in 2012, Lemich discussed the possibility of selling the
10 property to Plaintiff and Counterdefendant Cerebrus Holdings, LLC. However,
11 before any formal negotiations were complete, the property was foreclosed on by
12 Acquired Capital I, LD ("the bank"). After the foreclosure, Lemich continued to
13 discuss the possibility of Cerebrus buying the property, and of becoming their
14 tenant. Lemich represented to Cerebrus that any improvements to the property
15 were properly constructed and permitted. Following this conversation, Cerebrus
16 successfully purchased the property from the bank.

17 Following its acquisition of the property, Cerebrus asserted that it discovered
18 multiple instances of defective workmanship, code violations, and was found the
19 property to be uninhabitable. Cerebrus filed the instant suit on July 3, 2013,
20 alleging claims of negligence, negligent misrepresentation, intentional
21 misrepresentation, intentional damage to property, trespass, and injunctive relief.
22 The complaint also named Northern Nevada Homes, LLC, as a plaintiff, and alleged
23 that GL Construction and Lemich had dumped large quantities of dirt and debris
24 onto the lot adjacent to the property at issue, which was owned by Northern Nevada
25 Homes.¹ Cerebrus filed an amended complaint on February 11, 2014, further
26 alleging a claim for breach of contract, related to GL Construction's failure to pay
27 rent between April and August of 2013.

28

¹Cerebrus and Northern Nevada Homes were both managed by Robert Fitzgerald.

1 In its answer, GL Construction asserted a counterclaim against Northern
2 Nevada Homes, in the amount of \$7,811.00, related to excavation work that GL
3 Construction performed for Northern Nevada Homes at property situated on
4 DeChardin Street of Montreaux Estates during March of 2013. It appears that
5 given the outstanding rent and other damages allegedly owed by GL Construction
6 to Cerebrus and Northern Nevada Homes, manager Robert Fitzgerald withheld
7 payment of the invoice.

8 On October 28, 2013, Lemich and GL Construction served an offer of
9 judgment upon Northern Nevada Homes. The offer provided that Northern Nevada
10 Homes pay \$5,000 with respect to the counterclaim, and that "all those claims
11 asserted by plaintiff Northern Nevada Homes, LLC against defendant GL
12 Construction, Inc., be dismissed with prejudice." Northern Nevada Homes rejected
13 the offer.

14 On February 12, 2014, Lemich, individually, served an offer of judgment
15 upon Cerebrus, in the amount of \$20,000.00. Cerebrus accepted the offer.

16 Eventually, the matter proceeded to a jury trial with respect to Northern
17 Nevada Homes' claims related to the dumping of dirt and debris by GL
18 Construction. At the close of evidence, the court indicated that it was inclined to
19 enter judgment as a matter of law in favor of Northern Nevada Homes with respect
20 to the issue of liability. Shortly thereafter, the parties agreed to settle Northern
21 Nevada Home's claims against GL Construction and Lemich for \$362,500.00.

22 The remaining counterclaim by GL Construction against Northern Nevada
23 Homes proceeded to a bench trial before this court on August 12, 2016. This court
24 found in favor of GL Construction, and awarded damages in the amount of
25 \$7,811.00.

26 GL Construction has filed the instant *Motion for Attorneys Fees*.

27 Discussion

28 Generally, the "compensation of an attorney and counselor for his or her
services is governed by agreement, express or implied, which is not restrained by
law." NRS 18.010(1). In this case, GL Construction argues that it is entitled to fees

1 and costs pursuant to NRCP 68, which relates to offers of judgment, and NRS
2 18.010(2), which allows for an award of fees where a prevailing party has recovered
3 less than \$20,000.00. This court discusses each claim in turn.

4 *Attorney's fees under NRCP 68*

5 In instances where an offer to settle is made prior to trial, NRCP 68 provides:

6 (a) The Offer. At any time more than 10 days before trial, any party
7 may serve an offer in writing to allow judgment to be taken in
8 accordance with its terms and conditions.

9 [. . .]

10 (f) Penalties for Rejection of Offer. If the offeree rejects an offer and
11 fails to obtain a more favorable judgment,

12 (1) the offeree cannot recover any costs or attorney's fees and shall not
13 recover interest for the period after the service of the offer and before
14 the judgment; and

15 (2) the offeree shall pay the offeror's post-offer costs, applicable interest
16 on the judgment from the time of the offer to the time of entry of the
17 judgment and reasonable attorney's fees, if any be allowed, actually
18 incurred by the offeror from the time of the offer. If the offeror's
19 attorney is collecting a contingent fee, the amount of any attorney's
20 fees awarded to the party for whom the offer is made must be deducted
21 from that contingent fee.

22 The decision to grant attorney's fees pursuant to NRCP 68 lies within the discretion
23 of this court. *Beattie v. Thomas*, 99 Nev. 579, 588-89, 668 P.2d 268, 274 (1983).

24 When considering whether an award of fees is warranted, this court must
25 consider (1) whether the claims at issue were brought in good faith; (2) whether the
26 offer was reasonable in timing and amount; (3) whether the decision to reject the
27 offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether
28 the fees sought by the offeror are reasonable and justified in amount. *Id.* In
determining the amount of any fee award pursuant to the fourth factor of this test,
this court must also examine the quality of the attorney at issue, the character of
the work performed, the amount of work actually performed, and the result
achieved. *See Barney v. Mt. Rose Heating & Air Conditioning*, 124 Nev. 821, 192
P.3d 730 (2008) (citing *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455

1 P.2d 31 (1969)). After analyzing the *Beattie* and *Brunzell* factors, the court may
2 award all or some of the fees requested. *Beattie*, 99 Nev. at 589, 668 P.2d at 274.

3 In this case, GL Construction argues that Northern Nevada Homes' rejection
4 of its October 28, 2013 offer of judgment in the amount of \$5,000.00 indicates that it
5 is entitled to an award of fees. This court disagrees. In this, the court notes that in
6 addition to the offer of \$5,000.00 to settle GL Construction's counterclaim, the offer
7 of judgment also stipulated that Northern Nevada Homes would dismiss all of its
8 claims against GL Construction. Given that this court found GL Construction liable
9 for negligent trespass as a matter of law, and that Northern Nevada Homes and GL
10 Construction agreed to settle its claims for \$362,500.00, it was absolutely
11 reasonable for Northern Nevada Homes to reject the October 28, 2013, offer of
12 judgment. Therefore, the court declines to award attorney's fees on this basis.

13 *Attorney's fees and costs pursuant to NRS 18.010(2) and NRS 18.020*

14 NRS 18.010(2) allows for an award of attorney's fees "[w]hen the prevailing
15 party has not recovered more than \$20,000.00." NRS 18.020 similarly mandates an
16 award of costs to the prevailing party. In this case, the parties dispute whether GL
17 Construction is a prevailing party. Generally, with respect to fee and cost awards, a
18 party can "prevail" in litigation "if it succeeds on any significant issue in litigation
19 which achieves some of the benefits it sought in bringing suit." *Valley Electric*
Ass'n v. Overfield, 121 Nev. 7, 10, 106 P.3d 1198, 1200 (2005).

20 Nonetheless, Northern Nevada Homes notes that Nevada has determined
21 that in actions involving multiple parties and counterclaims, "prevailing party"
22 status is determined based on the net judgments obtained by the parties. *See*
23 *Parodi v. Budetti*, 115 Nev. 236, 241, 984 P.2d 172, 175 (1999). Specifically, in
24 *Parodi*, the Nevada Supreme Court determined that "in cases where separate and
25 distinct suits have been consolidated into one action, the trial court must offset all
26 awards of monetary damages to determine which side is the prevailing party . . ."
27 *Id.*

28 Thus, because Cerebrus and Northern Nevada Homes settled their claims
against GL Construction and Lemich for \$20,000.00 and \$362,500.00 respectively,

1 while GL Construction recovered only \$7,811.00, Northern Nevada Homes argues
2 that GL Construction is not a prevailing party under the net monetary recovery
3 rule.

4 In response, GL Construction argues that the Supreme Court decisions
5 addressing this issue, including *Parodi* relate only to judgments. In this case, GL
6 Construction argues the \$362,500.00 and \$20,000.00 recoveries were the result of
7 settlement negotiations, rather than judgments. The only judgment actually
8 entered by this court was in favor of GL Construction, against Northern Nevada
9 Homes.

10 Having reviewed the pleadings, the court determines, that for the purposes of
11 attorney's fees, GL Construction was a prevailing party with respect to its
12 counterclaim. In this, the court notes that the facts underlying the counterclaim
13 were largely unrelated to the claims asserted by Cerebrus and Northern Nevada
14 Homes. Thus, under NRCF 13, GL Construction would have been free to bring this
15 claim in an unrelated action. Further, had GL Construction chosen to litigate its
16 claim separately, it would have clearly been a prevailing party entitled to fees under
17 NRS 18.010(2). Therefore, the court finds an award of fees and costs to be
18 warranted.

19 However, the court notes that any fees awarded must be reasonable.
20 Specifically, as discussed above, the court must examine the quality of the attorney
21 at issue, the character of the work performed, the amount of work actually
22 performed, and the result achieved. *See Barney v. Mt. Rose Heating & Air*
23 *Conditioning*, 124 Nev. 821, 192 P.3d 730 (2008) (citing *Brunzell v. Golden Gate*
24 *National Bank*, 85 Nev. 345, 455 P.2d 31 (1969)).

25 GL Construction has requested fees in the amount of \$67,595.00. The court
26 notes that GL Construction's counterclaim was a straightforward claim for breach
27 of an oral contract. Essentially, Northern Nevada Homes did not dispute that it
28 had failed to pay several invoices issued by GL Construction. Reviewing the record,

1 very little, if any, substantive motion practice occurred with respect to the
2 counterclaim.² The counterclaim itself was resolved in a half day bench trial.

3 Accordingly, while acknowledging the skill of GL Construction's counsel, and
4 the fact that GL Construction recovered the full amount sought, this court cannot
5 conclude that the fees sought by GL Construction are reasonable. Rather,
6 considering the character of the counterclaim, and the work actually performed in
7 relation to the counterclaim, the court finds attorney's fees in the amount of
8 \$10,000.00 to be reasonable.

9 With respect to costs, GL Construction has requested \$2,497.33. This
10 includes a \$200.00 filing fee for a motion for summary judgment, \$1,906.60 in
11 deposition fees for Mr. Fitzgerald and Mr. Wolf, and \$390.73 in copy costs related to
12 the bench trial. Having reviewed the requested costs, the court finds that the
13 motion for summary judgment was unrelated to GL Construction's counterclaim.
14 Similarly, it appears that the depositions of Mr. Fitzgerald and Mr. Wolf related
15 almost completely to the claims by Northern Nevada Homes, rather than the
16 counterclaim. Therefore, the court declines to award these requested costs.

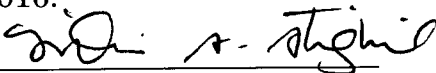
17 Beyond its argument that GL Construction is not a prevailing party,
18 Northern Nevada Homes does not dispute the remaining copying costs. Therefore,
19 the court awards GL Construction costs in the amount of \$390.73.

20 *Conclusion*

21 Based on the foregoing, the court ORDERS GL Construction's *Motion for*
22 *Attorney's Fees* GRANTED. The court AWARDS GL Construction attorney's fees in
23 the amount of \$10,000.00 and costs in the amount of \$390.73.

24 IT IS SO ORDERED.

25 DATED this 1st day of December, 2016.

26 
LIDIA S. STIGLICH
District Judge

27
28 ²The court acknowledges that a jurisdictional dispute regarding the counterclaim arose shortly
before the bench trial.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 18 day of December, 2016, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

James Shields Beasley, Esq.

John Boyden, Esq.

Christopher Rusby, Esq.

I deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:


CHRISTINE KUHL
Judicial Assistant

1310
Christopher Rusby, Esq. NSB #11452
RUSBY LAW, PLLC
36 Stewart Street
Reno, Nevada 89501
(775) 409-4037

*Attorney for Counter-Defendant
Northern Nevada Homes, LLC*

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

CERBERUS HOLDINGS, LLC, a Nevada
limited liability company; NORTHERN
NEVADA HOMES, LLC, a Nevada limited
liability company,

Plaintiffs,

vs.

GL CONSTRUCTION, INC., a Nevada
corporation; GORDON LEMICH, an
individual; and DOES 1-10, inclusive,

Defendant.

AND RELATED CLAIMS

Case No. CV13-01468

Dept. No. 8

CASE APPEAL STATEMENT

Pursuant to NRAP 3(f), Appellant/Counter-Defendant NORTHERN NEVADA HOMES,
LLC hereby submits the following case appeal statement:

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///

1 A. District court case number and caption, showing names of all parties to the
2 proceedings (without using *et al.*):

3 The full case numbers and captions, showing names of all parties, are as follows:

4 CERBERUS HOLDINGS, LLC, a Nevada
5 limited liability company; NORTHERN
6 NEVADA HOMES, LLC, a Nevada limited
7 liability company,

8 Plaintiffs,

9 vs.

10 GL CONSTRUCTION, INC., a Nevada
11 corporation; GORDON LEMICH, an
12 individual; and DOES 1-10, inclusive,

13 Defendant.

Case No. CV13-01468

Dept. No. 8

14
15 GL CONSTRUCTION, INC., a Nevada
16 corporation,

17 Counterclaimant,

18 vs.

19
20 NORTHERN NEVADA HOMES, LLC, a
21 Nevada limited liability company,

22 Counterdefendant.
23

24
25 B. Name of judge who entered order or judgment being appealed:

26 Honorable Lidia S. Stiglich.
27
28

1 C. Name of each appellant, and name and address of counsel for each
2 appellant:

3 NORTHERN NEVADA HOMES, LLC

4 Christopher Rusby, Esq.
5 RUSBY LAW, PLLC
6 36 Stewart Street
7 Reno, Nevada 89501
8 Telephone: (775) 409-4037
9 Facsimile: (775) 299-5326

10 D. Name of each respondent, and name and address of each respondent's
11 appellate counsel, if known:

12 GL CONSTRUCTION, INC.

13 James Shields Beasley, Esq.
14 Law Offices of James Shields Beasley
15 435 Court St.
16 Reno, NV 89501
17 Telephone: (775) 329-6852
18 Facsimile: (775) 329-2174

19 E. Whether attorneys identified in subparagraph D are not licensed to practice
20 law in Nevada; and if so, whether the district court granted permission to
21 appear under SCR 42 (include copy of district court order granting
22 permission):

23 The attorneys identified in subparagraph D are all licensed in Nevada.

24 F. Whether appellant was represented by appointed counsel in the district
25 court or on appeal:

26 No appointed counsel; retained counsel only.

27 G. Whether any appellant was granted leave to proceed *in forma pauperis*:

28 No.

H. Date proceedings were commenced in district court:

July 3, 2013.

1 I. Brief description of nature of the action and result in district court, including
2 type of judgment or order being appealed and relief granted by district court:

3 The case overall involved several sets of claims and parties.
4 Plaintiff/counterdefendant Northern Nevada Homes, LLC prevailed on its claims against
5 defendant/counterclaimant GL Construction, Inc, after a four day jury trial by way of a
6 \$362,500 settlement before closing arguments were scheduled to begin. A separate one-
7 half day bench trial was held regarding GL Construction's counterclaims against Northern
8 Nevada Homes, wherein GL Construction was awarded \$7,811.00. GL Construction moved
9 for attorney's fees and costs, which was granted in the amount of \$10,390.73. Northern
10 Nevada Homes appeals the order awarding attorney's fees and costs, on the basis that GL
11 Construction was not the prevailing party pursuant to the Nevada Supreme Court's
12 adoption of the "net recovery rule" and, therefore, any award of attorney's fees and costs
13 was in error.

14 J. Whether case was previously subject of appeal or writ proceeding in Nevada
15 Supreme Court, and if so, caption and docket number of prior proceeding:

16 No.

17 K. Whether appeal involves child custody or visitation:

18 No.

19 L. Whether appeal involves possibility of settlement:

20 Yes.

21 **The undersigned does hereby affirm that the preceding document does not**
22 **contain the social security number of any person.**

23 DATED: December 9, 2016.

24 RUSBY LAW, PLLC
25 36 Stewart Street
26 Reno, Nevada 89501

27 BY: /s/ Christopher Rusby
28 Christopher Rusby, Esq.
Attorney for Petitioner

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Rusby Law and that on this date, I electronically filed through the Court’s eflex filing system, a true and correct copy of the within document, of which notice will be electronically served upon the following:

John C. Boyden, Esq.
Brett A. Dieffenbach, Esq.
Erickson, Thorpe & Swainston, Ltd.
P.O. Box 3559
Reno, NV 89505

James Shields Beasley, Esq.
Law Offices of James Shields Beasley
435 Court St.
Reno, NV 89501

DATED: December 9, 2016.

 /s/ Christopher Rusby

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV13-01468****Case Description: CERBERUS HOLINGS ET AL VS GL CONSTRUCTION ET AL D8****Case Number: CV13-01468 Case Type: OTHER NEGLIGENCE - Initially Filed On: 7/3/2013****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - LIDIA STIGLICH - D8	Active
JUDG - JANET J. BERRY - D1	Party ended on: 9/6/2013 12:00:00AM
PLTF - NORTHERN NEVADA HOMES, LLC - @1208078	Active
PLTF - CERBERUS HOLDINGS LLC - @1243860	Active
PLTF - SUREBREC HOLDINGS LLC - @1271006	Active
DEFT - GORDON LEMICH - @1243861	Active
DEFT - G. & L. CONSTRUCTION, INC. - @97654	Active
ATTY - Thomas Edward Drendel, Esq. - 655	Active
ATTY - Patrick R. Levery, Esq. - 8840	Party ended on: 9/10/2015 12:00:00AM
ATTY - John C. Boyden, Esq. - 3917	Active
ATTY - Adam Hosmer-Henner, Esq. - 12779	Active
ATTY - Cristi K. Barker, Esq. - 7593	Party ended on: 9/16/2015 12:00:00AM
ATTY - Brett A. Dieffenbach, Esq. - 11370	Active
ATTY - James Shields Beasley, Esq. - 1733	Active
ATTY - Todd R. Alexander, Esq. - 10846	Party ended on: 10/9/2013 12:00:00AM
ATTY - Christopher M. Rusby, Esq - 11452	Active
ATTY - Jenny Foley, Esq. - 9017	Party ended on: 9/15/2015 12:00:00AM
ATTY - Leslie Bryan Hart, Esq. - 4932	Party ended on: 4/27/2015 12:00:00AM
ATTY - William R. Ginn, Esq. - 6989	Party ended on: 9/10/2015 12:00:00AM
ATTY - Douglas R. Brown, Esq. - 7620	Party ended on: 10/9/2013 12:00:00AM
ATTY - Paul J. Georgeson, Esq. - 5322	Active
ATTY - Andrea K. Pressler, Esq. - 8620	Active
ATTY - Jess Patrick Rinehart, Esq. - 11697	Party ended on: 9/10/2015 12:00:00AM
ATTY - Vernon E. Levery, Esq. - 1266	Party ended on: 9/10/2015 12:00:00AM
INTV - TRUCKEE MEADOWS WATER AUTHORITY - @110362	Active

Disposed Hearings

- Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 10/17/2013 at 10:00:00
Extra Event Text: PLAINTIFFS' EX PARTE MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT TRIAL DATE 6/16/14
Event Disposition: S200 - 12/13/2013
- Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 10/21/2013 at 08:30:00
Extra Event Text: MOTION FOR LEAVE TO FILE AMENDED ANSWER AND COUNTERCLAIM
Event Disposition: S200 - 10/23/2013
- Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 12/13/2013 at 15:40:00
Extra Event Text: MOTION FOR ORDER DIRECTING ISSUANCE OF PREJUDGMENT WRIT OF ATTACHMENT WITHOUT NOTICE
Event Disposition: S200 - 1/15/2014

- 4 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 6/16/2014 at 10:00:00
Extra Event Text: 5 DAYS
Event Disposition: D870 - 4/2/2014
- 5 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 12/1/2014 at 16:21:00
Extra Event Text: REQUEST FOR STATUS CONFERENCE (NO PAPER ORDER PROVIDED) -
Event Disposition: S200 - 12/2/2014
- 6 Department: D8 -- Event: STATUS HEARING -- Scheduled Date & Time: 12/8/2014 at 13:30:00
Extra Event Text: 1 hour
Event Disposition: D845 - 12/4/2014
- 7 Department: D8 -- Event: STATUS CONFERENCE -- Scheduled Date & Time: 12/16/2014 at 13:30:00
Extra Event Text: 1 hour
Event Disposition: D845 - 12/15/2014
- 8 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 1/13/2015 at 15:50:00
Extra Event Text: MOTION FOR SUMMARY JUDGMENT AS TO CERBERUS HOLDING (NO TRIAL SET)
Event Disposition: S200 - 3/6/2015
- 9 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 10/13/2015 at 11:27:00
Extra Event Text: MOTION FOR ORDER TO CHARGE JUDGMENT DEBTOR'S STOCKHOLDER INTERESTS (UNOPPOSED)
Event Disposition: S200 - 10/15/2015
- 10 Department: D8 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 10/14/2015 at 13:00:00
Extra Event Text: Mr. Boyden's claim rep will appear telephonically. Counsel to make a record/stipulate that clients have agreed to D8 conducting a settlement confer
Event Disposition: D480 - 10/14/2015
- 11 Department: D8 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 10/15/2015 at 09:00:00
Extra Event Text: THIS OR OCT 14 DATE
Event Disposition: D845 - 9/18/2015
- 12 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 10/19/2015 at 10:00:00
Extra Event Text: WEEK 1 OF 2
Event Disposition: D844 - 9/16/2015
- 13 Department: D8 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 10/26/2015 at 10:00:00
Extra Event Text: WEEK 2 OF 2
Event Disposition: D844 - 9/16/2015
- 14 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 11/9/2015 at 14:49:00
Extra Event Text: GL CONSTRUCTION, INC.'S MOTION TO CONTINUE TRIAL (UNOPPOSED)
Event Disposition: S200 - 11/17/2015
- 15 Department: D8 -- Event: CONFERENCE CALL -- Scheduled Date & Time: 11/17/2015 at 15:00:00

Event Disposition: D425 - 11/17/2015
- 16 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 12/15/2015 at 11:57:00
Extra Event Text: PLAINTIFF'S CROSS MOTION FOR SUMMARY JUDGMENT (HEARING REQUESTED)
Event Disposition: S200 - 1/13/2016
- 17 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 12/22/2015 at 15:08:00
Extra Event Text: GL CONSTRUCTION, INC. AND GORDON LEMICH'S MOTION FOR CONTINUANCE OF PLAINTIFF'S CROSS MOTION FOR SUMMARY JUDG
Event Disposition: S200 - 1/13/2016

- 18 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 12/29/2015 at 08:28:00
Extra Event Text: EX-PARTE APPLICATION FOR ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 12/29/2015
- 19 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 1/11/2016 at 10:00:00

Event Disposition: D844 - 11/17/2015
- 20 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 2/22/2016 at 10:00:00
Extra Event Text: 5 DAYS
Event Disposition: D844 - 11/20/2015
- 21 Department: D8 -- Event: ORAL ARGUMENTS -- Scheduled Date & Time: 2/25/2016 at 10:00:00
Extra Event Text: ON MOTIONS: (1) SUMMARY JUDGMENT; (2) CROSS-MOTION FOR SUMMARY JUDGMENT; (3) AND (3) MOTION FOR CONTINUANCE
Event Disposition: D840 - 2/25/2016
- 22 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 2/25/2016 at 11:00:00
Extra Event Text: MOTIONS TAKEN UNDER SUBMISSION FOLLOWING ORAL ARGUMENT: (1) SUMMARY JUDGMENT; (2) CROSS-MOTION FOR SUMMARY
Event Disposition: S200 - 5/2/2016
- 23 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 3/14/2016 at 10:00:00
Extra Event Text: 5 DAYS
Event Disposition: D844 - 1/20/2016
- 24 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 5/26/2016 at 08:56:00
Extra Event Text: MOTION TO JOIN NECESSARY PARTY
Event Disposition: S200 - 6/20/2016
- 25 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 5/26/2016 at 15:09:00
Extra Event Text: MOTION FOR LEAVE TO FILE AN AMENDED ANSWER TO SET FORTH ADDITIONAL AFFIRMATIVE DEFENSES
Event Disposition: S200 - 7/18/2016
- 26 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 6/6/2016 at 08:19:00
Extra Event Text: MOTION TO COMPEL INSPECTION ON ORDER SHORTENING TIME
Event Disposition: S200 - 6/8/2016
- 27 Department: B -- Event: MOTION FOR DISCOVERY -- Scheduled Date & Time: 6/7/2016 at 10:30:00
Extra Event Text: MOTION TO COMPEL INSPECTION
Event Disposition: D435 - 6/7/2016
- 28 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 6/13/2016 at 16:52:00
Extra Event Text: MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE MOTION FOR LEAVE FOR RECONSIDERATION
Event Disposition: S200 - 7/18/2016
- 29 Department: D8 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 6/15/2016 at 11:00:00
Extra Event Text: NOTE: COUNSEL HAS REQUESTED JUDGE AND JURY COMPLETE SITE VIEW OF PROPERTY
Event Disposition: D845 - 6/14/2016
- 30 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 6/20/2016 at 09:24:00
Extra Event Text: PLTF'S MOTION TO STRIKE DEFENDANT/COUNTERCLAIMANT GL CONSTRUCTION, INC.'S THIRD SUPPLEMENTAL DISCLOSURE OF EX
Event Disposition: S200 - 8/4/2016
- 31 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2016 at 15:41:00
Extra Event Text: PLTF'S MOTION FOR PARTIAL SUMMARY JUDGMENT
Event Disposition: S200 - 8/4/2016

- 32 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/7/2016 at 15:40:00
Extra Event Text: PLTF'S MOTION FOR JUDICIAL NOTICE AS TO THE AUTHENTICITY AND RELIABILITY OF GOOGLE EARTH SATELLITE IMAGES
Event Disposition: S200 - 8/4/2016
- 33 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/8/2016 at 13:50:00
Extra Event Text: DEFT'S MOTION IN LIMINE TO LIMIT PLTF NORTHERN NEVADA HOMES' ALLOWABLE DAMAGES TO THE FAIR MARKT VALUE OF THE SI
Event Disposition: S200 - 8/4/2016
- 34 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/12/2016 at 14:58:00
Extra Event Text: DEFTS' MOTION FOR SUMMARY JUDGMENT ON DAMAGES (ORAL ARGUMENT REQUESTED)
Event Disposition: S200 - 8/4/2016
- 35 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/14/2016 at 14:31:00
Extra Event Text: PLTF'S MOTIONS IN LIMINE 2 THROUGH 9
Event Disposition: S200 - 8/4/2016
- 36 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/15/2016 at 16:24:00
Extra Event Text: PLTF'S MOTION IN LIMINE 1
Event Disposition: S200 - 8/4/2016
- 37 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/18/2016 at 16:30:00
Extra Event Text: DEFT'S MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES AT TRIAL
Event Disposition: S200 - 8/4/2016
- 38 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/20/2016 at 10:48:00
Extra Event Text: DEFT GL CONST AND GORDON LEMICH'S MOTIONS IN LIMINE 3-5
Event Disposition: S200 - 8/4/2016
- 39 Department: D8 -- Event: STATUS HEARING -- Scheduled Date & Time: 7/27/2016 at 15:00:00

Event Disposition: D435 - 7/27/2016
- 40 Department: D8 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 8/4/2016 at 15:00:00

Event Disposition: D596 - 8/4/2016
- 41 Department: D8 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 8/5/2016 at 16:30:00
Extra Event Text: PRE-TRIAL HEARING ORGANIZED VIA E-MAIL ON AUGUST 4, 2016.
Event Disposition: D450 - 8/5/2016
- 42 Department: D8 -- Event: TRIAL - JURY -- Scheduled Date & Time: 8/8/2016 at 11:15:00
Extra Event Text: WEEK 1 OF 2
Event Disposition: D832 - 8/8/2016
- 43 Department: D8 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 8/8/2016 at 08:30:00
Extra Event Text: (CONTINUED FROM 8/5/16)
Event Disposition: D435 - 8/8/2016
- 44 Department: D8 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/9/2016 at 10:15:00
Extra Event Text: DAY 2
Event Disposition: D832 - 8/9/2016
- 45 Department: D8 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/10/2016 at 09:30:00
Extra Event Text: DAY 3
Event Disposition: D832 - 8/10/2016

- 46 Department: D8 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/11/2016 at 10:00:00
Extra Event Text: DAY 4
Event Disposition: D803 - 8/11/2016
- 47 Department: D8 -- Event: STATUS HEARING -- Scheduled Date & Time: 8/11/2016 at 09:30:00
Extra Event Text: IF NEEDED
Event Disposition: D435 - 8/11/2016
- 48 Department: D8 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 8/12/2016 at 11:00:00
Extra Event Text: IF NEEDED PENDING OUTCOME OF 9:00 A.M. HEARING
Event Disposition: D840 - 8/12/2016
- 49 Department: D8 -- Event: HEARING... -- Scheduled Date & Time: 8/12/2016 at 09:00:00
Extra Event Text: ON MOTION TO DISMISS; BENCH TRIAL TO FOLLOW AT 11:00 A.M. IF NEEDED
Event Disposition: D435 - 8/12/2016
- 50 Department: D8 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/15/2016 at 10:00:00
Extra Event Text: WEEK 2 OF 2
Event Disposition: D845 - 8/12/2016
- 51 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 11/28/2016 at 09:31:00
Extra Event Text: G.L. CONSTRUCTION, INC.'S MOTION FOR FEES
Event Disposition: S200 - 12/2/2016

Actions

- | | <u>Filing Date</u> | <u>-</u> | <u>Docket Code & Description</u> |
|---|--------------------|----------|---|
| 1 | 7/3/2013 | - | COV - **Civil Cover Sheet
<i>No additional text exists for this entry.</i> |
| 2 | 7/3/2013 | - | \$1425 - \$Complaint - Civil
<i>No additional text exists for this entry.</i> |
| 3 | 7/3/2013 | - | \$PLTF - \$Addl Plaintiff/Complaint
<i>No additional text exists for this entry.</i> |
| 4 | 7/3/2013 | - | 4090 - ** Summons Issued
Additional Text: X2 |
| 5 | 7/3/2013 | - | PAYRC - **Payment Receipted
Additional Text: A Payment of -\$290.00 was made on receipt DCDC414519. |
| 6 | 7/16/2013 | - | 1067 - Affidavit of Service
Additional Text: GL CONSTRUCTION, INC. SERVED ON 12-JUL-2013 - Transaction 3857405 - Approved By: ACROGHAN : 07-16-2013:13:46:28 |
| 7 | 7/16/2013 | - | 1067 - Affidavit of Service
Additional Text: GORDON LEMICH SERVED ON 11-JUL-2013 - Transaction 3857405 - Approved By: ACROGHAN : 07-16-2013:13:46:28 |
| 8 | 7/16/2013 | - | NEF - Proof of Electronic Service
Additional Text: Transaction 3858078 - Approved By: NOREVIEW : 07-16-2013:13:55:42 |
| 9 | 8/2/2013 | - | 2610 - Notice ...
Additional Text: NOTICE OF INTENT TO TAKE DEFAULT - Transaction 3898700 - Approved By: AEATON : 08-02-2013:15:32:41 |

- 10 8/2/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3898915 - Approved By: NOREVIEW : 08-02-2013:15:34:29
- 11 8/8/2013 - \$1560 - \$Def 1st Appearance - CV
Additional Text: GORDON LEMICH
- 12 8/8/2013 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: GL CONSTRUCTION, INC.
- 13 8/8/2013 - 1130 - Answer ...
Additional Text: GL CONSTRUCTION INC AND GORDON LEMICH
- 14 8/8/2013 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$243.00 was made on receipt DCDC418906.
- 15 9/3/2013 - A120 - Exemption from Arbitration
Additional Text: Transaction 3966623 - Approved By: AZION : 09-03-2013:09:36:00
- 16 9/3/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3966772 - Approved By: NOREVIEW : 09-03-2013:09:40:37
- 17 9/5/2013 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT - Transaction 3973490 - Approved By: MFERNAND : 09-05-2013:10:15:35
- 18 9/5/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3973721 - Approved By: NOREVIEW : 09-05-2013:10:19:18
- 19 9/6/2013 - \$3375 - \$Peremptory Challenge
Additional Text: DEFTS: GL CONSRUCTION, INC AND GORDON LEMICH
- 20 9/6/2013 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$450.00 was made on receipt DCDC422567.
- 21 9/9/2013 - 1312 - Case Assignment Notification
Additional Text: PEREMPTORY CHALLENGE - RANDOMLY REASSIGNED TO DEPARTEMENT 8, FROM DEPARTMENT 1 - Transaction 3981461 - Approved By: NOREVIEW : 09-09-2013:14:45:27
- 22 9/9/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 3981479 - Approved By: NOREVIEW : 09-09-2013:14:49:47
- 23 9/10/2013 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$450.00 on Check Number 25815
- 24 9/17/2013 - 2490 - Motion ...
Additional Text: MOTION FOR LEAVE TO FILE AMENDED ANSWER AND COUNTERCLAIM
- 25 9/18/2013 - 2529 - Notice of Early Case Conferenc
Additional Text: Transaction 4005385 - Approved By: NOREVIEW : 09-18-2013:15:03:43
- 26 9/18/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4005415 - Approved By: NOREVIEW : 09-18-2013:15:08:06
- 27 9/19/2013 - 2665 - Ord Accepting Reassignment
Additional Text: Transaction 4007220 - Approved By: NOREVIEW : 09-19-2013:10:31:22

- 28 9/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4007231 - Approved By: NOREVIEW : 09-19-2013:10:34:38
- 29 9/19/2013 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO EX PARTE MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT - Transaction 4007679 - Approved By: ACROGHAN : 09-19-2013:11:47:11
- 30 9/19/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4007736 - Approved By: NOREVIEW : 09-19-2013:11:53:30
- 31 9/20/2013 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANT G.L. CONSTRUCTION, INC'S OPPOSITION TO EX PARTE MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT
- 32 10/9/2013 - 4075 - Substitution of Counsel
No additional text exists for this entry.
- 33 10/15/2013 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT - Transaction 4066856 - Approved By: TWHITE : 10-15-2013:13:46:54
- 34 10/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4067596 - Approved By: NOREVIEW : 10-15-2013:13:50:14
- 35 10/16/2013 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: PLAINTIFFS' EX PARTE MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT (ORDER NOT PROVIDED) - Transaction 4070985 - Approved By: TWHITE : 10-17-2013:09:01:02
PARTY SUBMITTING: LESLIE B. HART, ESQ.
DATE SUBMITTED: OCT. 17, 2013
SUBMITTED BY: TWHITE
DATE RECEIVED JUDGE OFFICE:
- 36 10/17/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4072097 - Approved By: NOREVIEW : 10-17-2013:09:02:49
- 37 10/18/2013 - 3860 - Request for Submission
Additional Text: DOCUMENT TITLE: MOTION FOR LEAVE TO FILE AMENDED ANSWER AND COUNTERCLAIM
PARTY SUBMITTING: JAMES BEASLEY ESQ
DATE SUBMITTED: 10-18-13
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:
- 38 10/23/2013 - 3060 - Ord Granting Mtn ...
Additional Text: Transaction 4087672 - Approved By: NOREVIEW : 10-23-2013:11:37:56
- 39 10/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4088011 - Approved By: NOREVIEW : 10-23-2013:11:45:52
- 40 10/23/2013 - S200 - Request for Submission Complet
Additional Text: ORDER GRANTING MOTION
- 41 10/28/2013 - 1085 - Amended Answer
Additional Text: AMENDED ANSWER AND COUNTERCLAIM
- 42 11/15/2013 - 3795 - Reply...
Additional Text: NORTHERN NEVADA HOMES, LLC'S REPLY TO COUNTERCLAIM - Transaction 4137681 - Approved By: PDBROWN : 11-15-2013:15:15:34

- 43 11/15/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4137815 - Approved By: NOREVIEW : 11-15-2013:15:17:25
- 44 11/25/2013 - 1067 - Affidavit of Service
Additional Text: Transaction 4159270 - Approved By: AAKOPYAN : 11-25-2013:16:00:10
- 45 11/25/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4159793 - Approved By: NOREVIEW : 11-25-2013:16:11:37
- 46 12/10/2013 - 1250 - Application for Setting
Additional Text: Transaction 4188266 - Approved By: AAKOPYAN : 12-10-2013:16:05:38
- 47 12/10/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4188546 - Approved By: NOREVIEW : 12-10-2013:16:09:26
- 48 12/11/2013 - 1250 - Application for Setting
Additional Text: TRIAL - 06-16-14 AT 9:00 A.M. - Transaction 4190274 - Approved By: PDBROWN : 12-11-2013:12:04:25
- 49 12/11/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4190343 - Approved By: NOREVIEW : 12-11-2013:12:06:17
- 50 12/13/2013 - S200 - Request for Submission Complet
Additional Text: COUNSEL PURSUING SETTLEMENT RESET S1 FROM 12/13/13
- 51 12/20/2013 - 1835 - Joint Case Conference Report
Additional Text: Transaction 4212298 - Approved By: AAKOPYAN : 12-20-2013:11:23:26
- 52 12/20/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4212644 - Approved By: NOREVIEW : 12-20-2013:11:26:21
- 53 1/14/2014 - 2610 - Notice ...
Additional Text: NOTICE OF WITHDRAWAL OF MOTION FOR PREJUDGMENT WRIT OF ATTACHMENT - Transaction 4257180 -
Approved By: MELWOOD : 01-14-2014:16:29:16
- 54 1/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4257283 - Approved By: NOREVIEW : 01-14-2014:16:36:42
- 55 1/15/2014 - S200 - Request for Submission Complet
Additional Text: NOTICE FILED WITHDRAWING MOTION
- 56 2/10/2014 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER TO FILE AMENDED COMPLAINT - Transaction 4298800 - Approved By: NOREVIEW :
02-10-2014:16:34:15
- 57 2/10/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4298817 - Approved By: NOREVIEW : 02-10-2014:16:35:57
- 58 2/11/2014 - 1090 - Amended Complaint
Additional Text: FIRST AMENDED COMPLAINT - Transaction 4299525 - Approved By: MCHOLICO : 02-11-2014:12:38:36
- 59 2/11/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4300350 - Approved By: NOREVIEW : 02-11-2014:12:39:33
- 60 2/27/2014 - 1000 - Acceptance Offer of Judgment
Additional Text: ACCEPTANCE OF OFFER OF JUDGMENT - Transaction 4321803 - Approved By: PDBROWN : 02-27-2014:13:30:24

- 61 2/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4322495 - Approved By: NOREVIEW : 02-27-2014:13:31:36
- 62 3/4/2014 - 1140 - Answer to Amended Complaint
Additional Text: ANSWER TO FIRST AMENDED COMPLAINT (GL CONSTRUCTION, INC. & GORDON LEMICH)
- 63 3/5/2014 - 3870 - Request
Additional Text: REQUEST FOR ENTRY OF JUDGMENT - Transaction 4331154 - Approved By: MCHOLICO : 03-06-2014:09:07:17
- 64 3/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4331523 - Approved By: NOREVIEW : 03-06-2014:09:08:50
- 65 4/2/2014 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER TO STAY DISCOVERY AND VACATE TRIAL DATE - Transaction 4370777 - Approved By: NOREVIEW : 04-02-2014:15:46:41
- 66 4/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4370784 - Approved By: NOREVIEW : 04-02-2014:15:47:44
- 67 4/29/2014 - 1880 - Judgment
Additional Text: Transaction 4408197 - Approved By: NOREVIEW : 04-29-2014:15:10:32
- 68 4/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4408202 - Approved By: NOREVIEW : 04-29-2014:15:11:29
- 69 4/29/2014 - 2535 - Notice of Entry of Judgment
Additional Text: Transaction 4408639 - Approved By: NOREVIEW : 04-29-2014:16:36:43
- 70 4/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4408646 - Approved By: NOREVIEW : 04-29-2014:16:37:48
- 71 5/21/2014 - 1290 - Association of Counsel
Additional Text: JAMES SHIELDS BEASLEY ESQ - Transaction 4442570 - Approved By: YLLOYD : 05-21-2014:14:49:59
- 72 5/21/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4442815 - Approved By: NOREVIEW : 05-21-2014:14:51:02
- 73 7/9/2014 - \$2200 - \$Mtn for Summary Judgment
No additional text exists for this entry.
- 74 7/9/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$200.00 was made on receipt DCDC461556.
- 75 7/16/2014 - \$1690 - \$**Execution Issued
No additional text exists for this entry.
- 76 7/16/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$10.00 was made on receipt DCDC462482.
- 77 8/1/2014 - 1685 - Execution Filed
No additional text exists for this entry.
- 78 8/14/2014 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANT G.L. CONSTRUCTION , INC.'S MOTION FOR SUMMARY JUDGMENT AS TO CEBERUS HOLDINGS , LLC'S COMPLAINT

- 79 8/14/2014 - PAYRC - **Payment Received
Additional Text: A Payment of -\$200.00 was made on receipt DCDC466087.
- 80 8/14/2014 - \$1690 - \$**Execution Issued
No additional text exists for this entry.
- 81 8/14/2014 - PAYRC - **Payment Received
Additional Text: A Payment of -\$10.00 was made on receipt DCDC466130.
- 82 8/22/2014 - 1685 - Execution Filed
No additional text exists for this entry.
- 83 11/4/2014 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENAS DUCES TECUM - Transaction 4679859 - Approved By: YLLOYD : 11-04-2014:09:59:58
- 84 11/4/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4680050 - Approved By: NOREVIEW : 11-04-2014:10:00:53
- 85 11/14/2014 - 3870 - Request
Additional Text: REQUEST TO CONTINUE SETTLEMENT CONFERENCE - Transaction 4696065 - Approved By: MELWOOD : 11-14-2014:12:55:25
- 86 11/14/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4696586 - Approved By: NOREVIEW : 11-14-2014:12:56:25
- 87 11/24/2014 - 1290 - Association of Counsel
Additional Text: JENNY FOLEY, PH.D., ESQ. & CRISTI BARKER, ESQ. / GL CONSTRUCTION, INC. - Transaction 4708905 - Approved By: MCHOLICO : 11-24-2014:14:22:57
- 88 11/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4709259 - Approved By: NOREVIEW : 11-24-2014:14:23:52
- 89 11/25/2014 - 3870 - Request
Additional Text: REQUEST FOR STATUS CONFERENCE - Transaction 4710684 - Approved By: YLLOYD : 11-25-2014:11:32:27
- 90 11/25/2014 - 3880 - Response...
Additional Text: PLAINTIFFS/COUNTERDEFENDANT'S RESPONSE TO DEFENDANTS/COUNTERCLAIMANT'S REQUEST TO CONTINUE SETTLEMENT CONFERENCE SET FOR DECEMBER 2, 2014 - Transaction 4710874 - Approved By: YLLOYD : 11-25-2014:11:39:13
- 91 11/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4710887 - Approved By: NOREVIEW : 11-25-2014:11:33:25
- 92 11/25/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4710919 - Approved By: NOREVIEW : 11-25-2014:11:40:21
- 93 12/1/2014 - 3880 - Response...
Additional Text: PLTF/CNTR DEFT RESPONSE TO DEFT/CNTRCLMNT'S REQUEST FOR STATUS CONFERENCE - Transaction 4714509 - Approved By: MELWOOD : 12-01-2014:09:45:09
- 94 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4714572 - Approved By: NOREVIEW : 12-01-2014:09:45:54
- 95 12/1/2014 - 1650 - Errata...
Additional Text: ERRATA TO PLAINTIFFS/COUNTERDEFENDANT'S RESPONSE TO DEFENDANTS/COUNTERCLAIMANT'S REQUEST FOR STATUS CONFERENCE - Transaction 4715006 - Approved By: MCHOLICO : 12-01-2014:12:46:44

- 96 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4715117 - Approved By: NOREVIEW : 12-01-2014:12:47:31
- 97 12/1/2014 - 3880 - Response...
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF REQUEST FOR STATUS CONFERENCE - Transaction 4715490 - Approved By: MCHOLICO : 12-01-2014:14:27:14
- 98 12/1/2014 - 3860 - Request for Submission
Additional Text: REQUEST FOR STATUS CONFERENCE (NO PAPER ORDER PROVIDED) - Transaction 4715491 - Approved By: MCHOLICO : 12-01-2014:14:27:45
PARTY SUBMITTING: JOHN BOYDEN, ESQ.
DATE SUBMITTED: 12/1/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 99 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4715555 - Approved By: NOREVIEW : 12-01-2014:14:28:08
- 100 12/1/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4715561 - Approved By: NOREVIEW : 12-01-2014:14:28:48
- 101 12/2/2014 - 2610 - Notice ...
Additional Text: NOTICE OF STATUS CONFERENCE - Transaction 4717677 - Approved By: MELWOOD : 12-02-2014:16:33:57
- 102 12/2/2014 - S200 - Request for Submission Complet
Additional Text: STATUS CONF SET FOR 12/8/14
- 103 12/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4718058 - Approved By: NOREVIEW : 12-02-2014:16:35:03
- 104 12/9/2014 - 1250 - Application for Setting
Additional Text: STATUS CONFERENCE 12/16/14 AT 1:30 - Transaction 4728448 - Approved By: YLLOYD : 12-09-2014:16:07:30
- 105 12/9/2014 - 2550 - Notice of Hearing
Additional Text: NOTICE OF STATUS CONFERENCE - 12/16/14 AT 1:30 - Transaction 4728463 - Approved By: YLLOYD : 12-09-2014:16:12:20
- 106 12/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4728875 - Approved By: NOREVIEW : 12-09-2014:16:08:33
- 107 12/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4728906 - Approved By: NOREVIEW : 12-09-2014:16:14:22
- 108 12/16/2014 - 2610 - Notice ...
Additional Text: NOTICE OF VACATING STATUS CONFERENCE - Transaction 4738944 - Approved By: YLLOYD : 12-16-2014:16:18:11
- 109 12/16/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4739338 - Approved By: NOREVIEW : 12-16-2014:16:19:09
- 110 12/23/2014 - 2645 - Opposition to Mtn ...
Additional Text: CERBERUS HOLDINGS, LLC'S OPPOSITION TO GL CONSTRUCTION INC.'S MOTION FOR SUMMARY JUDGMENT, AND COUNTERMOTION TO STAY UNDER RULE 56(f) - Transaction 4748679 - Approved By: MELWOOD : 12-24-2014:08:41:10
- 111 12/24/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4749223 - Approved By: NOREVIEW : 12-24-2014:08:43:11

- 112 1/5/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANT GL CONSTRUCTION, INC.'S MOTION FOR SUMMARY JUDGMENT AS TO CERBERUS HOLDINGS, LLC'S COMPLAINT - Transaction 4759085 - Approved By: MELWOOD : 01-05-2015:12:40:18
- 113 1/5/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4759100 - Approved By: NOREVIEW : 01-05-2015:12:41:11
- 114 1/13/2015 - 3860 - Request for Submission
Additional Text: MOTION FOR SUMMARY JUDGMENT AS TO CERBERUS HOLDING, LLC'S COMPLAINT (NO ORDER PROVIDED) - Transaction 4771675 - Approved By: MELWOOD : 01-13-2015:15:46:48
PARTY SUBMITTING: JOHN BOYDEN, ESQ
DATE SUBMITTED: 1/13/2015
SUBMITTED BY: MELWOOD
DATE RECEIVED JUDGE OFFICE:
- 115 1/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4772013 - Approved By: NOREVIEW : 01-13-2015:15:47:45
- 116 1/13/2015 - 2525 - Notice of Change of Address
Additional Text: NOTICE OF CHANGE OF FIRM NAME, ADDRESS, TELEPHONE NUMBER, FACSIMILE NUMBER AND E-MAIL ADDRESS - Transaction 4772402 - Approved By: MCHOLICO : 01-14-2015:10:09:37
- 117 1/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4772886 - Approved By: NOREVIEW : 01-14-2015:10:10:21
- 118 1/30/2015 - 2610 - Notice ...
Additional Text: NOTICE OF NAME CHANGE OF PARTY - CERBREUS HOLDINGS LLC HAS CHANGED TO SUREBREC HOLDINGS, LLC - Transaction 4796412 - Approved By: YLLOYD : 01-30-2015:11:51:49
- 119 1/30/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4796648 - Approved By: NOREVIEW : 01-30-2015:11:52:50
- 120 1/30/2015 - 1290 - Association of Counsel
Additional Text: VERNON E. LEVERTY, ESQ., PATRICK LEVERTY, ESQ., WILLIAM GINN, ESQ. & JESS RINEHART, ESQ. / NORTHERN NEVADA HOMES AND CERBERUS HOLDINGS, LLC - Transaction 4796711 - Approved By: MCHOLICO : 01-30-2015:14:03:29
- 121 1/30/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4796969 - Approved By: NOREVIEW : 01-30-2015:14:04:27
- 122 3/6/2015 - 3025 - Ord Granting/Denying in Part
Additional Text: Transaction 4848685 - Approved By: NOREVIEW : 03-06-2015:10:13:16
- 123 3/6/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 124 3/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4848689 - Approved By: NOREVIEW : 03-06-2015:10:14:05
- 125 3/9/2015 - 2605 - Notice to Set
Additional Text: MARCH 10, 2015 @ 10:30 AM - Transaction 4850704 - Approved By: MELWOOD : 03-09-2015:12:57:50
- 126 3/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4851313 - Approved By: NOREVIEW : 03-09-2015:12:58:45
- 127 3/10/2015 - 1250E - Application for Setting eFile
Additional Text: Transaction 4853069 - Approved By: NOREVIEW : 03-10-2015:11:07:45

- 128 3/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4853080 - Approved By: NOREVIEW : 03-10-2015:11:08:52
- 129 3/10/2015 - 1580 - Demand for Jury
Additional Text: PLAINTIFFS - Transaction 4853907 - Approved By: MELWOOD : 03-10-2015:14:55:49
- 130 3/10/2015 - JF - **First Day Jury Fees Deposit
Additional Text: Transaction 4853907 - Approved By: MELWOOD : 03-10-2015:14:55:49
- 131 3/10/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC491788.
- 132 3/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4854126 - Approved By: NOREVIEW : 03-10-2015:14:56:45
- 133 3/19/2015 - 2175 - Mtn for Reconsideration
Additional Text: DEFENDANT G.L. CONSTRUCTION, INC'S MOTION FOR RECONSIDERATION FO ORDER DATED MARCH 6, 2015, DENYING MOTION FOR SUMMARY JUDGMENT AS TO CERBERUS HOLDINGS, LLC'S CLAIMS FOR MISREPRESENTATION: JAMES SHIELDS BEASLEY
- 134 3/25/2015 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4877696 - Approved By: MELWOOD : 03-25-2015:14:49:03
- 135 3/25/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4877893 - Approved By: NOREVIEW : 03-25-2015:14:50:13
- 136 4/7/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION FOR RECONSIDERATION - Transaction 4896262 - Approved By: CSULEZIC : 04-07-2015:15:45:57
- 137 4/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4896529 - Approved By: NOREVIEW : 04-07-2015:15:47:02
- 138 4/27/2015 - 3795 - Reply...
Additional Text: DEFT, G.L. CONSTRUCTION INC'S REPLY IN SUPPORT OF MOTION FOR RECONSIDERATION OF ORDER, DATED MARCH 6, 2015, DENYING MOTION FOR SUMMARY JUDGMENT AS TO CERBERUS HOLDINGS, LLC'S CLAIMS FOR MISREPRESENTATION
- 139 4/27/2015 - 4300 - Withdrawal of Counsel
Additional Text: NOTICE OF WITHDRAWAL OF CO-COUNSEL - Transaction 4925174 - Approved By: CSULEZIC : 04-27-2015:16:11:51
- 140 4/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4925737 - Approved By: NOREVIEW : 04-27-2015:16:12:33
- 141 5/14/2015 - 2610 - Notice ...
Additional Text: NOTICE VACATING DEPOSITIONS - Transaction 4953714 - Approved By: MCHOLICO : 05-14-2015:15:22:01
- 142 5/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4954184 - Approved By: NOREVIEW : 05-14-2015:15:22:57
- 143 5/21/2015 - 2582 - Notice of Taking Deposition
Additional Text: FIRST AMENDED NOTICE OF TAKING DEPOSITION - Transaction 4964318 - Approved By: YVILORIA : 05-21-2015:12:46:02
- 144 5/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4964618 - Approved By: NOREVIEW : 05-21-2015:12:46:53

- 145 6/8/2015 - 2582 - Notice of Taking Deposition
Additional Text: SECOND AMENDED NOTICE OF TAKING DEPOSITION - Transaction 4988606 - Approved By: YVILORIA : 06-09-2015:09:27:48
- 146 6/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4989519 - Approved By: NOREVIEW : 06-09-2015:09:28:37
- 147 8/19/2015 - 1610 - Disclosure of Expert Witness
Additional Text: DEFENDANT/COUNTERCLAIMANT GL CONSTRUCTION, INC.'S DISCLOSURE OF EXPERT WITNESS - Transaction 5101722 - Approved By: CSULEZIC : 08-19-2015:15:53:32
- 148 8/19/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5102227 - Approved By: NOREVIEW : 08-19-2015:15:56:15
- 149 8/20/2015 - 4105 - Supplemental ...
Additional Text: DEFENDANT/COUNTERCLAIMANT GL CONSTRUCTION, INC.'S SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESS - Transaction 5103466 - Approved By: MCHOLICO : 08-20-2015:13:02:32
- 150 8/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5103640 - Approved By: NOREVIEW : 08-20-2015:13:05:25
- 151 9/3/2015 - 2245 - Mtn in Limine
Additional Text: Transaction 5127209 - Approved By: MCHOLICO : 09-03-2015:16:21:19
- 152 9/3/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5127416 - Approved By: NOREVIEW : 09-03-2015:16:22:12
- 153 9/4/2015 - 2280 - Mtn to Continue
Additional Text: DEFENDANT GL CONSTRUCTION, INC.'S MOTION TO CONTINUE TRIAL - Transaction 5129107 - Approved By: CSULEZIC : 09-04-2015:16:41:50
- 154 9/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5129363 - Approved By: NOREVIEW : 09-04-2015:16:42:52
- 155 9/10/2015 - 4075 - Substitution of Counsel
Additional Text: CHRISTOPHER RUSBY ESQ IN PLACE OF GENE LEVERTY ESQ & WILLIAM GINN ESQ / PLTFS CERBERUS HOLDINGS, LLC & NORTHERN NEVADA HOMES LLC - Transaction 5135574 - Approved By: YVILORIA : 09-10-2015:14:21:55
- 156 9/10/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5135610 - Approved By: NOREVIEW : 09-10-2015:14:22:55
- 157 9/16/2015 - 2590 - Notice Withdrawal of Attorney
Additional Text: GARY CALL, ESQ. & CRISTI BARKER, ESQ. / GL CONSTRUCTION, INC. - Transaction 5144133 - Approved By: MCHOLICO : 09-16-2015:14:56:45
- 158 9/16/2015 - 4025 - Stip & Ord to Continue
Additional Text: Transaction 5144211 - Approved By: NOREVIEW : 09-16-2015:14:22:30
- 159 9/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5144223 - Approved By: NOREVIEW : 09-16-2015:14:25:36
- 160 9/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5144351 - Approved By: NOREVIEW : 09-16-2015:14:57:39
- 161 9/16/2015 - 1250E - Application for Setting eFile
Additional Text: Transaction 5144431 - Approved By: NOREVIEW : 09-16-2015:15:21:52

- 162 9/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5144433 - Approved By: NOREVIEW : 09-16-2015:15:22:52
- 163 9/21/2015 - \$1690 - \$**Execution Issued
Additional Text: GORDON LEMICH
- 164 9/21/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$10.00 was made on receipt DCDC514978.
- 165 9/21/2015 - 2490 - Motion ...
Additional Text: MOTION FOR ORDER TO CHARGE JUDGMENT DEBTOR'S STOCKHOLDER INTERESTS - Transaction 5151614 -
Approved By: MCHOLICO : 09-22-2015:09:32:29
- 166 9/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5151988 - Approved By: NOREVIEW : 09-22-2015:09:33:14
- 167 10/13/2015 - 3860 - Request for Submission
Additional Text: MOTION FOR ORDER TO CHARGE JUDGMENT DEBTOR'S STOCKHOLDER INTERESTS (PAPER ORDER PROVIDED AS EXHIBIT 1) - Transaction 5185536 - Approved By: TBRITTON : 10-13-2015:10:58:22
PARTY SUBMITTING: CHRISTOPHER M. RUSBY, ESQ.
DATE SUBMITTED: OCTOBER 13, 2015
SUBMITTED BY: TBRITTON
DATE RECEIVED JUDGE OFFICE:
- 168 10/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5185606 - Approved By: NOREVIEW : 10-13-2015:10:59:25
- 169 10/15/2015 - 1835 - Joint Case Conference Report
Additional Text: AMENDED JOINT CASE CONFERENCE REPORT - Transaction 5189978 - Approved By: CSULEZIC :
10-15-2015:09:35:23
- 170 10/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5189994 - Approved By: NOREVIEW : 10-15-2015:09:36:18
- 171 10/15/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 172 10/15/2015 - 3370 - Order ...
Additional Text: CHARGING STOCKHOLDER'S INTERESTS - Transaction 5191014 - Approved By: NOREVIEW : 10-15-2015:14:13:09
- 173 10/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5191025 - Approved By: NOREVIEW : 10-15-2015:14:14:37
- 174 10/19/2015 - 2280 - Mtn to Continue
Additional Text: DEFENDANT/COUNTERCLAIMANT GL CONSTRUCTION, INC.'S MOTION TO CONTINUE TRIAL - Transaction 5194975 -
Approved By: CSULEZIC : 10-19-2015:14:44:22
- 175 10/19/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5195236 - Approved By: NOREVIEW : 10-19-2015:14:45:29
- 176 10/20/2015 - 1685 - Execution Filed
Additional Text: UPON JAMES SHEILDS BEASLEY OBO GL CONSTRUCTION INC. OCTOBER 15, 2015 AT 9:33AM
- 177 10/21/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANT GL CONSTRUCTION, INC.'S MOTION IN LIMINE - Transaction 5200240 - Approved By:
MCHOLICO : 10-21-2015:16:35:30

- 178 10/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5200278 - Approved By: NOREVIEW : 10-21-2015:16:36:23
- 179 10/21/2015 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 5200389 - Approved By: MCHOLICO : 10-22-2015:08:14:18
- 180 10/21/2015 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5200573 - Approved By: NOREVIEW : 10-21-2015:22:46:03
- 181 10/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5200574 - Approved By: NOREVIEW : 10-21-2015:22:47:03
- 182 10/22/2015 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC518933.
- 183 10/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5200609 - Approved By: NOREVIEW : 10-22-2015:08:15:12
- 184 11/6/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION IN LIMINE - Transaction 5225316 - Approved By: CSULEZIC : 11-06-2015:16:49:44
- 185 11/6/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5225413 - Approved By: NOREVIEW : 11-06-2015:16:50:41
- 186 11/9/2015 - 3860 - Request for Submission
Additional Text: GL CONSTRUCTION, INC.'S MOTION TO CONTINUE TRIAL (ORDER ATTACHED AS EXHIBIT) - Transaction 5227012 -
Approved By: MCHOLICO : 11-09-2015:14:42:37
PARTY SUBMITTING: JOHN BOYDEN, ESQ.
DATE SUBMITTED: 11/9/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 187 11/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5227138 - Approved By: NOREVIEW : 11-09-2015:14:43:41
- 188 11/11/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANT G.L. CONSTRUCTION, INC.'S AND GORDON LEMICH'S MOTION FOR SUMMARY JUDGMENT AS TO NORTHERN NEVADA HOMES, LLC'S CLAIMS FOR INTENTIONAL AND NEGLIGENT TRESPASS AND OPPOSITION TO PLAINTIFF NORTHERN NEVADA HOMES, LLC'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT- Transaction 5230476 -
Approved By: MCHOLICO : 11-12-2015:09:56:20
- 189 11/12/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5231082 - Approved By: NOREVIEW : 11-12-2015:09:57:12
- 190 11/12/2015 - 1650 - Errata...
Additional Text: NOTICE OF ERRATA TO GL CONSTRUCTION'S MOTION TO CONTINUE TRIAL - Transaction 5232132 - Approved By: CSULEZIC : 11-12-2015:15:09:55
- 191 11/12/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5232482 - Approved By: NOREVIEW : 11-12-2015:15:10:44
- 192 11/12/2015 - 2490 - Motion ...
Additional Text: GL CONSTRUCTION, INC.'S AND GORDON LEMICH'S MOTION FOR CONTINUANCE PURSUANT TO RULE 56(f) OF THE NEVADA RULES OF CIVIL PROCEDURE - Transaction 5232775 - Approved By: CSULEZIC : 11-13-2015:08:51:31
- 193 11/13/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5233359 - Approved By: NOREVIEW : 11-13-2015:08:52:27

- 194 11/17/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 195 11/17/2015 - 3020 - Ord Granting Continuance
Additional Text: OF TRIAL - Transaction 5239806 - Approved By: NOREVIEW : 11-17-2015:15:38:12
- 196 11/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5239810 - Approved By: NOREVIEW : 11-17-2015:15:39:03
- 197 11/17/2015 - MIN - ***Minutes
Additional Text: 11-17-15 CONFERENCE CALL - Transaction 5239843 - Approved By: NOREVIEW : 11-17-2015:15:49:39
- 198 11/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5239849 - Approved By: NOREVIEW : 11-17-2015:15:50:35
- 199 11/23/2015 - 1250 - Application for Setting
Additional Text: TRIAL ON THE MERITS - 03/14/15 @ 9:00 - Transaction 5248610 - Approved By: CSULEZIC : 11-23-2015:15:25:51
- 200 11/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5248745 - Approved By: NOREVIEW : 11-23-2015:15:26:50
- 201 11/23/2015 - 1075 - Affidavit ...
Additional Text: AFFIDAVIT OF CHRISTOPHER RUSBY, ESQ. PURSUANT TO NRS 31.330 TRAVERSING THE WRIT OF GARNISHMENT INTERROGATORY ANSWERS OF GL CONSTRUCTION, INC. - Transaction 5249017 - Approved By: TBRITTON : 11-23-2015:16:38:47
- 202 11/23/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5249139 - Approved By: NOREVIEW : 11-23-2015:16:39:48
- 203 12/14/2015 - 1120 - Amended ...
Additional Text: SECOND AMENDED JOINT CASE CONFERENCE REPORT - Transaction 5277595 - Approved By: MCHOLICO : 12-14-2015:14:21:23
- 204 12/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5277606 - Approved By: NOREVIEW : 12-14-2015:14:22:17
- 205 12/14/2015 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR A RULE 56(f) CONTINUANCE - Transaction 5278296 - Approved By: YVILORIA : 12-15-2015:09:50:17
- 206 12/14/2015 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF PLAINTIFF'S CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 5278297 - Approved By: YVILORIA : 12-15-2015:09:52:16
- 207 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5278555 - Approved By: NOREVIEW : 12-15-2015:09:51:21
- 208 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5278561 - Approved By: NOREVIEW : 12-15-2015:09:53:09
- 209 12/15/2015 - 3860 - Request for Submission
Additional Text: PLAINTIFF'S CROSS MOTION FOR SUMMARY JUDGMENT (NO PAPER ORDER PROVIDED) - Transaction 5278848 - Approved By: MCHOLICO : 12-15-2015:11:03:27
PARTY SUBMITTING: CHRISTOPHER RUSBY, ESQ.
DATE SUBMITTED: 12/15/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:

- 210 12/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5278905 - Approved By: NOREVIEW : 12-15-2015:11:04:28
- 211 12/21/2015 - 3795 - Reply...
Additional Text: G.L. CONSTRUCTION, INC.'S AND GORDON LEMICH'S REPLY IN SUPPORT OF MOTION FOR CONTINUANCE PURSUANT TO RULE 56(f) OF THE NEVADA RULES OF CIVIL PROCEDURE - Transaction 5289342 - Approved By: MCHOLICO : 12-22-2015:09:28:44
- 212 12/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5289679 - Approved By: NOREVIEW : 12-22-2015:09:29:42
- 213 12/22/2015 - 3845 - Request for Hearing
Additional Text: REQUEST FOR ORAL ARGUMENT ON MOTIONS FOR SUMMARY JUDGMENT - Transaction 5289907 - Approved By: MCHOLICO : 12-22-2015:11:03:29
- 214 12/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5290034 - Approved By: NOREVIEW : 12-22-2015:11:04:34
- 215 12/22/2015 - 3860 - Request for Submission
Additional Text: Transaction 5290776 - Approved By: YVILORIA : 12-22-2015:15:06:58
DOCUMENT TITLE: GL CONSTRUCTION, INC. AND GORDON LEMICH'S MOTION FOR CONTINUANCE PURSUANT TO RULE 56(f)
PARTY SUBMITTING: JOHN C BOYDEN ESQ
DATE SUBMITTED: DECEMBER 22, 2015
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 216 12/22/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5290839 - Approved By: NOREVIEW : 12-22-2015:15:07:53
- 217 12/28/2015 - 1665 - Ex-Parte Application...
Additional Text: EX PARTE APPLICATION FOR ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR - Transaction 5296227 - Approved By: MCHOLICO : 12-29-2015:08:18:29
- 218 12/28/2015 - 3860 - Request for Submission
Additional Text: EX-PARTE APPLICATION FOR ORDER ALLOWING EXAMINATION OF JUDGMENT DEBTOR (NO PAPER ORDER PROVIDED) - Transaction 5296227 - Approved By: MCHOLICO : 12-29-2015:08:18:29
PARTY SUBMITTING: CHRISTOPHER RUSBY, ESQ.
DATE SUBMITTED: 12/28/15
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 219 12/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5296301 - Approved By: NOREVIEW : 12-29-2015:08:19:31
- 220 12/29/2015 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 221 12/31/2015 - 2936 - Ord for Judg Debtor Exam
Additional Text: Transaction 5300964 - Approved By: NOREVIEW : 12-31-2015:12:46:22
- 222 12/31/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5300969 - Approved By: NOREVIEW : 12-31-2015:12:47:22
- 223 1/13/2016 - 3347 - Ord to Set
Additional Text: Transaction 5319627 - Approved By: NOREVIEW : 01-13-2016:16:30:40
- 224 1/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5319633 - Approved By: NOREVIEW : 01-13-2016:16:31:40

- 225 1/13/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 226 1/13/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 227 1/20/2016 - 4025 - Stip & Ord to Continue
Additional Text: TRIAL AND DISCOVERY DEADLINES - Transaction 5328355 - Approved By: NOREVIEW : 01-20-2016:15:03:53
- 228 1/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5328360 - Approved By: NOREVIEW : 01-20-2016:15:04:53
- 229 1/20/2016 - 1250 - Application for Setting
Additional Text: Transaction 5328415 - Approved By: MFERNAND : 01-20-2016:15:46:21
- 230 1/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5328554 - Approved By: NOREVIEW : 01-20-2016:15:47:30
- 231 1/27/2016 - 2520 - Notice of Appearance
Additional Text: ANDREA PRESSLER, ESQ. / GL CONSTRUCTION, INC. and GORDON LEMICH - Transaction 5339759 - Approved By: MCHOLICO : 01-27-2016:13:57:28
- 232 1/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5339806 - Approved By: NOREVIEW : 01-27-2016:13:58:23
- 233 2/8/2016 - 1120 - Amended ...
Additional Text: THIRD AMENDED JOINT CASE CONFERENCE REPORT - Transaction 5358236 - Approved By: CSULEZIC : 02-08-2016:13:35:37
- 234 2/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5358367 - Approved By: NOREVIEW : 02-08-2016:13:36:31
- 235 2/25/2016 - MIN - ***Minutes
Additional Text: 2-25-16 - Transaction 5386614 - Approved By: NOREVIEW : 02-25-2016:10:52:44
- 236 2/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5386618 - Approved By: NOREVIEW : 02-25-2016:10:53:44
- 237 4/27/2016 - 2490 - Motion ...
Additional Text: Motion to Join Necessary Party Pursuant to NRCP 19(a) - Transaction 5487720 - Approved By: MCHOLICO : 04-27-2016:14:36:05
- 238 4/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5487766 - Approved By: NOREVIEW : 04-27-2016:14:36:58
- 239 5/2/2016 - 2840 - Ord Denying ...
Additional Text: (1) GL CONST. MOTION FOR SUMMARY JUDGMENT; (2) N. NV HOME'S CROSS-MOTION FOR SUMMARY JUDGMENT; (3) LEMICH AND GL CONST'S MOTION FOR CONTINUANCE - Transaction 5492969 - Approved By: NOREVIEW : 05-02-2016:09:55:30
- 240 5/2/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 241 5/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5492980 - Approved By: NOREVIEW : 05-02-2016:10:00:38
- 242 5/5/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5500693 - Approved By: NOREVIEW : 05-05-2016:10:55:58

- 243 5/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5500698 - Approved By: NOREVIEW : 05-05-2016:10:56:55
- 244 5/6/2016 - 2520 - Notice of Appearance
Additional Text: PAUL J. GEORGESON & ADAM HOSMER-HENNER FOR TRUCKEE MEADOWS WATER AUTHORITY - Transaction 5504345 - Approved By: SWOLFE : 05-09-2016:08:53:27
- 245 5/6/2016 - 1830 - Joinder...
Additional Text: JOINDER TO MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a), OR IN THE ALTERNATIVE, MOTION TO INTERVENE PURSUANT TO NRCP 24 - Transaction 5504458 - Approved By: YVILORIA : 05-09-2016:08:12:23
- 246 5/6/2016 - \$1560 - \$Def 1st Appearance - CV
Additional Text: INTERVENOR TRUCKEE MEADOWS WATER AUTHORITY - Transaction 5504458 - Approved By: YVILORIA : 05-09-2016:08:12:23
- 247 5/9/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$213.00 was made on receipt DCDC539434.
- 248 5/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5504776 - Approved By: NOREVIEW : 05-09-2016:08:13:24
- 249 5/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5504895 - Approved By: NOREVIEW : 05-09-2016:08:54:28
- 250 5/9/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5505934 - Approved By: NOREVIEW : 05-09-2016:13:42:03
- 251 5/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5505940 - Approved By: NOREVIEW : 05-09-2016:13:43:03
- 252 5/17/2016 - 2035 - Mtn Clarification of Ord
Additional Text: MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE MOTION FOR LEAVE FOR RECONSIDERATION - Transaction 5518152 - Approved By: CSULEZIC : 05-17-2016:11:04:20
- 253 5/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5518391 - Approved By: NOREVIEW : 05-17-2016:11:06:48
- 254 5/17/2016 - 2490 - Motion ...
Additional Text: DEFENDANT GL CONSTRUCTION'S MOTION FOR LEAVE TO FILE AN AMENDED ANSWER TO SET FORTH ADDITIONAL AFFIRMATIVE DEFENSES - Transaction 5518935 - Approved By: YVILORIA : 05-17-2016:14:37:01
- 255 5/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5519140 - Approved By: NOREVIEW : 05-17-2016:14:38:21
- 256 5/18/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a) - Transaction 5519786 - Approved By: CSULEZIC : 05-18-2016:09:23:42
- 257 5/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5520024 - Approved By: NOREVIEW : 05-18-2016:09:24:36
- 258 5/18/2016 - 2475 - Mtn to Strike...
Additional Text: MOTION TO STRIKE "DEFENDANT/ COUNTERCLAIMANT GL CONSTRUCTION, INC'S THIRD SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESSES" AND TO EXCLUDE SUCH WITNESSES FROM TESTIFYING AT TRIAL - Transaction 5522209 - Approved By: RKWATKIN : 05-19-2016:08:46:26
- 259 5/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5522349 - Approved By: NOREVIEW : 05-19-2016:08:47:49

- 260 5/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR LEAVE TO FILE AN AMENDED ANSWER - Transaction 5522782 -
Approved By: RKWATKIN : 05-19-2016:10:44:51
- 261 5/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5522831 - Approved By: NOREVIEW : 05-19-2016:10:46:59
- 262 5/23/2016 - 2520 - Notice of Appearance
Additional Text: THOMAS E. DRENDEL ESQ / PLTF CERBERUS HOLDINGS LLC AND NORTHERN NEVADA HOMES LLC - Transaction 5526793 - Approved By: YVILORIA : 05-23-2016:08:34:54
- 263 5/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5526858 - Approved By: NOREVIEW : 05-23-2016:08:35:57
- 264 5/23/2016 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 5528602 - Approved By: RKWATKIN : 05-23-2016:16:21:20
- 265 5/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5528859 - Approved By: NOREVIEW : 05-23-2016:16:24:17
- 266 5/23/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO TMWA'S MOTION TO INTERVENE PURSUANT TO NRCP 24 - Transaction 5529099 - Approved By: RKWATKIN : 05-24-2016:08:29:00
- 267 5/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5529181 - Approved By: NOREVIEW : 05-24-2016:08:30:23
- 268 5/24/2016 - 2582 - Notice of Taking Deposition
Additional Text: FIRST AMENDED NOTICE OF TAKING DEPOSITIONS - Transaction 5530854 - Approved By: YVILORIA : 05-24-2016:16:19:43
- 269 5/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5531114 - Approved By: NOREVIEW : 05-24-2016:16:20:45
- 270 5/25/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a) (ORAL ARGUMENT REQUESTED) - Transaction 5533442 - Approved By: RKWATKIN : 05-26-2016:08:56:33
- 271 5/25/2016 - 3860 - Request for Submission
Additional Text: DEFENDANTS' REQUEST FOR SUBMISSION OF MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a) (ORAL ARGUMENT REQUESTED) - Transaction 5533442 - Approved By: RKWATKIN : 05-26-2016:08:56:33
DOCUMENT TITLE: MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a) (NO ORDER)
PARTY SUBMITTING: JOHN BOYDEN, ESQ
DATE SUBMITTED: 5/26/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:
- 272 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5533681 - Approved By: NOREVIEW : 05-26-2016:08:57:30
- 273 5/26/2016 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANTS' EX PARTE MOTION FOR ORDER SHORTENING TIME - Transaction 5534141 - Approved By: YVILORIA : 05-26-2016:10:53:43
- 274 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5534221 - Approved By: NOREVIEW : 05-26-2016:10:54:38
- 275 5/26/2016 - 2270 - Mtn to Compel...
Additional Text: DEFENDANTS' MOTION TO COMPEL INSPECTION ON AN ORDER SHORTENING TIME - Transaction 5534226 - Approved By: RKWATKIN : 05-26-2016:11:08:55

- 276 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5534278 - Approved By: NOREVIEW : 05-26-2016:11:09:59
- 277 5/26/2016 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE AN AMENDED ANSWER TO SET FORTH ADDITIONAL AFFIRMATIVE DEFENSES - Transaction 5534415 - Approved By: CSULEZIC : 05-26-2016:13:01:36
- 278 5/26/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR LEAVE TO FILE AN AMENDED ANSWER TO SET FORTH ADDITIONAL AFFIRMATIVE DEFENSES - Transaction 5534417 - Approved By: CSULEZIC : 05-26-2016:13:10:01
PARTY SUBMITTING: JOHN BOYDEN ESQ
DATE SUBMITTED: 5/26/16
SUBMITTED BY: cs
DATE RECEIVED JUDGE OFFICE:
- 279 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5534605 - Approved By: NOREVIEW : 05-26-2016:13:02:45
- 280 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5534619 - Approved By: NOREVIEW : 05-26-2016:13:11:05
- 281 5/26/2016 - 3245 - Ord Shortening Time
Additional Text: Transaction 5535208 - Approved By: NOREVIEW : 05-26-2016:15:20:35
- 282 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5535228 - Approved By: NOREVIEW : 05-26-2016:15:22:00
- 283 5/26/2016 - 1830 - Joinder...
Additional Text: JOINDER TO REPLY IN SUPPORT OF MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(A) - Transaction 5535330 - Approved By: CSULEZIC : 05-26-2016:16:37:33
- 284 5/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5535584 - Approved By: NOREVIEW : 05-26-2016:16:38:42
- 285 5/31/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5539026 - Approved By: NOREVIEW : 05-31-2016:14:22:55
- 286 5/31/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5539038 - Approved By: NOREVIEW : 05-31-2016:14:26:01
- 287 6/1/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANT'S MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE MOTION FOR LEAVE FOR RECONSIDERATION - Transaction 5540361 - Approved By: YVILORIA : 06-01-2016:11:45:23
- 288 6/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5540698 - Approved By: NOREVIEW : 06-01-2016:11:46:23
- 289 6/1/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION TO COMPEL INSPECTION - Transaction 5541215 - Approved By: RKWATKIN : 06-01-2016:14:50:16
- 290 6/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5541484 - Approved By: NOREVIEW : 06-01-2016:14:53:18
- 291 6/2/2016 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF NORTHERN NEVADA HOMES, LLC'S MOTION TO STRIKE DEFENDANT GL CONSTRUCTION, INC.'S THIRD SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESSES AND TO EXCLUDE SUCH WITNESSES FROM TESTIFYING AT TRIAL - Transaction 5544216 - Approved By: YVILORIA : 06-02-2016:16:51:33

- 292 6/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5544881 - Approved By: NOREVIEW : 06-02-2016:16:53:03
- 293 6/3/2016 - 3795 - Reply...
Additional Text: Reply in Support of Joinder to Motion to Join Necessary Party Pursuant to NRCP 19(a), or in the Alternative, Motion to Intervene Pursuant to NRCP 24 - Transaction 5545278 - Approved By: CSULEZIC : 06-03-2016:10:21:48
- 294 6/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5545505 - Approved By: NOREVIEW : 06-03-2016:10:22:41
- 295 6/3/2016 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION TO COMPEL INSPECTION ON AN ORDER SHORTENING TIME - Transaction 5547077 - Approved By: MFERNAND : 06-06-2016:08:50:04
- 296 6/3/2016 - 3860 - Request for Submission
Additional Text: Transaction 5547099 - Approved By: RKWATKIN : 06-06-2016:08:19:42
DOCUMENT TITLE: MOTION TO COMPEL INSPECTION ON ORDER SHORTENING TIME (NO ORDER)
PARTY SUBMITTING: JOHN BOYDEN, ESQ
DATE SUBMITTED: 6/6/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:
- 297 6/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5547238 - Approved By: NOREVIEW : 06-06-2016:08:20:52
- 298 6/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5547339 - Approved By: NOREVIEW : 06-06-2016:08:51:14
- 299 6/6/2016 - 3860 - Request for Submission
Additional Text: MOTION TO JOIN NECESSARY PARTY PURSUANT TO NRCP 19(a), OR IN THE ALTERNATIVE MOTION TO INTERVENE PURSUANT TO NRCP 24 - Transaction 5547809 - Approved By: CSULEZIC : 06-06-2016:11:16:51
- 300 6/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5547824 - Approved By: NOREVIEW : 06-06-2016:11:17:42
- 301 6/7/2016 - 2245 - Mtn in Limine
Additional Text: DEFENDANT'S MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES AT TRIAL (ORAL ARGUMENT REQUESTED) - Transaction 5551114 - Approved By: YVILORIA : 06-08-2016:10:32:35
- 302 6/7/2016 - 2245 - Mtn in Limine
Additional Text: DEFENDANT'S MOTION IN LIMINE TO LIMIT PLAINTIFF NORTHERN NEVADA HOMES, LLC'S ALLOWANCE DAMAGES TO THE FAIR MARKET VALUE OF THE SUBJECT PROPERTY (ORAL ARGUMENT REQUESTED) - Transaction 5551136 - Approved By: YVILORIA : 06-08-2016:11:31:44
- 303 6/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5552216 - Approved By: NOREVIEW : 06-08-2016:10:35:31
- 304 6/8/2016 - 1945 - Master's Recommendation/Ord
Additional Text: 06-08-2016 RECOMMENDATION FOR ORDER - Transaction 5552508 - Approved By: NOREVIEW : 06-08-2016:11:28:04
- 305 6/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5552515 - Approved By: NOREVIEW : 06-08-2016:11:29:04
- 306 6/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5552532 - Approved By: NOREVIEW : 06-08-2016:11:32:42
- 307 6/8/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 308 6/13/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE MOTION FOR LEAVE FOR RECONSIDERATION - Transaction 5559678 - Approved By: CSULEZIC : 06-13-2016:16:17:34
- 309 6/13/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR CLARIFICATION OR IN THE ALTERNATIVE MOTION FOR LEAVE FOR RECONSIDERATION - Transaction 5559678 - Approved By: CSULEZIC : 06-13-2016:16:17:34
PARTY SUBMITTING: JOHN BOYDEN ESQ
DATE SUBMITTED: 6/13/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 310 6/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5560185 - Approved By: NOREVIEW : 06-13-2016:16:18:33
- 311 6/17/2016 - \$2200 - \$Mtn for Summary Judgment
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGEMENT ON DAMAGES (ORAL ARGUMENT REQUESTED) - Transaction 5568365 - Approved By: YVILORIA : 06-20-2016:08:33:04
- 312 6/20/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE "DEFENDANT/ COUNTERCLAIMANT GL CONSTRUCTION, INC'S THIRD SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESSES" AND TO EXCLUDE SUCH WITNESSES FROM TESTIFYING AT TRIAL - Transaction 5568672 - Approved By: RKWATKIN : 06-20-2016:09:24:06
- 313 6/20/2016 - 3860 - Request for Submission
Additional Text: Transaction 5568672 - Approved By: RKWATKIN : 06-20-2016:09:24:06
DOCUMENT TITLE: MOTION TO STRIKE DEFENDANT/COUNTERCLAIMANT GL CONSTRUCTION, INC.'S THIRD SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESSES (NO ORDER)
PARTY SUBMITTING: CHRISTOPHER RUSBY, ESQ
DATE SUBMITTED: 6/20/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:
- 314 6/20/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC543763.
- 315 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5568718 - Approved By: NOREVIEW : 06-20-2016:08:34:02
- 316 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5568947 - Approved By: NOREVIEW : 06-20-2016:09:25:17
- 317 6/20/2016 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: Transaction 5569809 - Approved By: YVILORIA : 06-20-2016:14:22:54
- 318 6/20/2016 - 3105 - Ord Granting ...
Additional Text: TO JOIN NECESSARY PARTY - Transaction 5570129 - Approved By: NOREVIEW : 06-20-2016:14:19:38
- 319 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570142 - Approved By: NOREVIEW : 06-20-2016:14:21:57
- 320 6/20/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 321 6/20/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC543848.
- 322 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570170 - Approved By: NOREVIEW : 06-20-2016:14:24:34

- 323 6/20/2016 - 2690 - Ord Affirming Master Recommend
Additional Text: CONFIRMING ORDER - Transaction 5570236 - Approved By: NOREVIEW : 06-20-2016:14:34:59
- 324 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570240 - Approved By: NOREVIEW : 06-20-2016:14:35:59
- 325 6/20/2016 - 1445 - Complaint in Intervention
Additional Text: Truckee Meadows Water Authority's Complaint in Intervention - Transaction 5570782 - Approved By: YVILORIA : 06-20-2016:16:56:28
- 326 6/20/2016 - 2540 - Notice of Entry of Ord
Additional Text: Granting Defendants' Motion to Join Necessary Party - Transaction 5570794 - Approved By: NOREVIEW : 06-20-2016:16:16:02
- 327 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5570803 - Approved By: NOREVIEW : 06-20-2016:16:17:12
- 328 6/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5571004 - Approved By: NOREVIEW : 06-20-2016:16:57:45
- 329 6/21/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5572613 - Approved By: NOREVIEW : 06-21-2016:14:45:14
- 330 6/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5572617 - Approved By: NOREVIEW : 06-21-2016:14:46:14
- 331 6/21/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5572638 - Approved By: NOREVIEW : 06-21-2016:14:50:16
- 332 6/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5572651 - Approved By: NOREVIEW : 06-21-2016:14:52:00
- 333 6/22/2016 - 1580 - Demand for Jury
Additional Text: Transaction 5573932 - Approved By: RKWATKIN : 06-22-2016:11:43:45
- 334 6/22/2016 - JF - **First Day Jury Fees Deposit
Additional Text: Transaction 5573932 - Approved By: RKWATKIN : 06-22-2016:11:43:45
- 335 6/22/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$320.00 was made on receipt DCDC544058.
- 336 6/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5574292 - Approved By: NOREVIEW : 06-22-2016:11:44:46
- 337 7/1/2016 - 2245 - Mtn in Limine
Additional Text: PLAINTIFFS' MOTION IN LIMINE NO. 1 TO EXCLUDE OPINIONS OF DEFENDANTS' EXPERT DANIEL FLANNIGAN - Transaction 5589792 - Approved By: TBRITTON : 07-01-2016:10:26:55
- 338 7/1/2016 - 2245 - Mtn in Limine
Additional Text: PLAINTIFFS' MOTION IN LIMINE NO. 2 THROUGH 9 - Transaction 5589793 - Approved By: TBRITTON : 07-01-2016:10:27:31
- 339 7/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5590310 - Approved By: NOREVIEW : 07-01-2016:10:28:03
- 340 7/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5590312 - Approved By: NOREVIEW : 07-01-2016:10:28:35

- 341 7/1/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION IN LIMINE TO LIMIT PLAINTIFF'S ALLOWABLE DAMAGES TO THE FAIR MARKET VALUE OF PROPERTY - Transaction 5591507 - Approved By: SWOLFE : 07-01-2016:16:48:46
- 342 7/1/2016 - 2490 - Motion ...
Additional Text: MOTION FOR JUDICIAL NOTICE AS TO AUTHENTICITY AND RELIABILITY OF GOOGLE EARTH SATELLITE IMAGES - Transaction 5591531 - Approved By: SWOLFE : 07-01-2016:16:45:58
- 343 7/1/2016 - 2245 - Mtn in Limine
Additional Text: DEFENDANTS' MOTIONS IN LIMINE 3,4,& 5 - Transaction 5591536 - Approved By: SWOLFE : 07-01-2016:16:42:40
- 344 7/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5591732 - Approved By: NOREVIEW : 07-01-2016:16:43:41
- 345 7/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5591747 - Approved By: NOREVIEW : 07-01-2016:16:46:58
- 346 7/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5591754 - Approved By: NOREVIEW : 07-01-2016:16:51:25
- 347 7/5/2016 - 2650 - Opposition to ...
Additional Text: PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 5593235 - Approved By: SWOLFE : 07-05-2016:16:29:02
- 348 7/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5593476 - Approved By: NOREVIEW : 07-05-2016:16:30:05
- 349 7/5/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES AT TRIAL - Transaction 5593659 - Approved By: RKWATKIN : 07-06-2016:11:08:51
- 350 7/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5594507 - Approved By: NOREVIEW : 07-06-2016:11:10:41
- 351 7/6/2016 - 2501 - Non-Opposition ...
Additional Text: DEFENDANTS' NON-OPPOSITION TO PLAINTIFF'S MOTION FOR JUDICIAL NOTICE AS TO AUTHENTICITY AND RELIABILITY OF GOOGLE EARTH SATELLITE IMAGES - Transaction 5595974 - Approved By: RKWATKIN : 07-06-2016:16:35:37
- 352 7/6/2016 - 2645 - Opposition to Mtn ...
Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 1 TO EXCLUDE OPINIONS OF DEFENDANTS' EXPERT DANIEL FLANNAGAN - Transaction 5595987 - Approved By: RKWATKIN : 07-06-2016:16:42:45
- 353 7/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5596292 - Approved By: NOREVIEW : 07-06-2016:16:37:01
- 354 7/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5596338 - Approved By: NOREVIEW : 07-06-2016:16:45:26
- 355 7/7/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 5597563 - Approved By: CSULEZIC : 07-07-2016:14:39:56
- 356 7/7/2016 - 3860 - Request for Submission
Additional Text: MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 5597563 - Approved By: CSULEZIC : 07-07-2016:14:39:56
PARTY SUBMITTING: CHRISTOPHER RUSBY ESQ
DATE SUBMITTED: 7/07/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

357 7/7/2016 - 3860 - Request for Submission

Additional Text: MOTION FOR JUDICIAL NOTICE AS TO THE AUTHENTICITY AND RELIABILITY OF GOOGLE EARTH SATELLITE IMAGES
FILED ON JULY 1, 2016 - Transaction 5597565 - Approved By: CSULEZIC : 07-07-2016:14:40:49
PARTY SUBMITTING: CHRISTOPHER RUSBY ESQ
DATE SUBMITTED: 7/07/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

358 7/7/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5598113 - Approved By: NOREVIEW : 07-07-2016:14:41:13

359 7/7/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5598120 - Approved By: NOREVIEW : 07-07-2016:14:41:59

360 7/7/2016 - 3795 - Reply...

Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTION IN LIMINE TO LIMIT PLAINTIFF NORTHERN NEVADA HOMES LLC'S
ALLOWABLE DAMAGES TO THE FAIR MARKET VALUE OF THE SUBJECT PROPERTY - Transaction 5598736 - Approved By:
TBRITTON : 07-08-2016:09:12:31

361 7/8/2016 - 2650 - Opposition to ...

Additional Text: DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTIONS IN LIMINE 2 THROUGH 9 - Transaction 5599162 - Approved By:
CSULEZIC : 07-08-2016:09:39:53

362 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5599197 - Approved By: NOREVIEW : 07-08-2016:09:13:27

363 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5599293 - Approved By: NOREVIEW : 07-08-2016:09:40:49

364 7/8/2016 - 2491 - NRCP 16.1 Doc/Designation

Additional Text: PLAINTIFFS' NRCP 16.1(a)(3) PRETRIAL DISCLOSURES - Transaction 5599704 - Approved By: TBRITTON :
07-08-2016:13:28:13

365 7/8/2016 - 3860 - Request for Submission

Additional Text: MOTION IN LIMINE TO LIMIT PLAINTIFF NORTHERN NEVADA HOMES LLC - Transaction 5599725 - Approved By:
CSULEZIC : 07-08-2016:13:25:17
PARTY SUBMITTING: JOHN BOYDEN ESQ
DATE SUBMITTED: 7/08/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

366 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5600017 - Approved By: NOREVIEW : 07-08-2016:13:26:19

367 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5600031 - Approved By: NOREVIEW : 07-08-2016:13:29:10

368 7/8/2016 - 2645 - Opposition to Mtn ...

Additional Text: OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON DAMAGES - Transaction 5600140 - Approved
By: RKWATKIN : 07-08-2016:15:43:15

369 7/8/2016 - 2491 - NRCP 16.1 Doc/Designation

Additional Text: DEFENDANTS. GL CONSTRUCTION AND GORDON LEMICH'S PRETRIAL DISCLOSURES - Transaction 5600331 -
Approved By: CSULEZIC : 07-08-2016:15:31:26

370 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5600460 - Approved By: NOREVIEW : 07-08-2016:15:32:26

371 7/8/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5600493 - Approved By: NOREVIEW : 07-08-2016:15:44:27

- 372 7/8/2016 - 2592 - Notice of Witnesses
Additional Text: COUNTERCLAIMANT G.L. CONSTRUCTION, INC.'S PRETRIAL DISCLOSURES - Transaction 5600812 - Approved By: RKWATKIN : 07-11-2016:09:34:08
- 373 7/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5601163 - Approved By: NOREVIEW : 07-11-2016:09:34:54
- 374 7/11/2016 - 1130 - Answer ...
Additional Text: ANSWER TO COMPLAINT IN INTERVENTION - Transaction 5602397 - Approved By: SWOLFE : 07-12-2016:09:36:53
- 375 7/12/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON DAMAGES (ORAL ARGUMENT REQUESTED) - Transaction 5603326 - Approved By: CSULEZIC : 07-12-2016:12:27:58
- 376 7/12/2016 - 3860 - Request for Submission
Additional Text: DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON DAMAGES (ORAL ARGUMENT REQUESTED) - Transaction 5603326 - Approved By: CSULEZIC : 07-12-2016:12:27:58
PARTY SUBMITTING: JOHN BOYDEN ESQ
DATE SUBMITTED: 7/12/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 377 7/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5603321 - Approved By: NOREVIEW : 07-12-2016:09:38:16
- 378 7/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5603959 - Approved By: NOREVIEW : 07-12-2016:12:30:58
- 379 7/13/2016 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 5606753 - Approved By: CSULEZIC : 07-13-2016:16:37:22
- 380 7/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5607540 - Approved By: NOREVIEW : 07-13-2016:16:38:36
- 381 7/14/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS REPLY TO DEFENDANTS OPPOSITION TO MOTIONS IN LIMINE 2 TO 9 - Transaction 5607852 - Approved By: RKWATKIN : 07-14-2016:09:53:39
- 382 7/14/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY TO DEFENDANTS' OPPOSITION TO MOTIONS IN LIMINE 2 TO 9 - Transaction 5607859 - Approved By: RKWATKIN : 07-14-2016:09:55:45
- 383 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5608022 - Approved By: NOREVIEW : 07-14-2016:09:54:38
- 384 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5608029 - Approved By: NOREVIEW : 07-14-2016:09:56:47
- 385 7/14/2016 - 3860 - Request for Submission
Additional Text: PLAINTIFF'S MOTION IN LIMINE 2 THROUGH 9 (PAPER ORDER NOT PROVIDED) - Transaction 5608458 - Approved By: TBRIITON : 07-14-2016:13:01:41
PARTY SUBMITTING: THOMAS E. DRENDEL, ESQ.
DATE SUBMITTED: JULY 14, 2016
SUBMITTED BY: TBRIITON
DATE RECEIVED JUDGE OFFICE:
- 386 7/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5608732 - Approved By: NOREVIEW : 07-14-2016:13:02:49

- 387 7/15/2016 - 3795 - Reply...
Additional Text: PLAINTIFFS' REPLY TO DEFENDANTS' OPPOSITION TO MOTIONS IN LIMINE 1 TO EXCLUDE OPINIONS OF DEFENDANTS' EXPERT DANIEL FLANNAGAN - Transaction 5611550 - Approved By: CSULEZIC : 07-15-2016:16:35:38
- 388 7/15/2016 - 3860 - Request for Submission
Additional Text: Transaction 5611580 - Approved By: RKWATKIN : 07-15-2016:16:23:55
DOCUMENT TITLE: MOTION IN LIMINE 1 (NO ORDER)
PARTY SUBMITTING: CHRISTOPHER RUSBY, ESQ
DATE SUBMITTED: 7/15/16
SUBMITTED BY: RKWATKIN
DATE RECEIVED JUDGE OFFICE:
- 389 7/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5611913 - Approved By: NOREVIEW : 07-15-2016:16:25:01
- 390 7/15/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5611983 - Approved By: NOREVIEW : 07-15-2016:16:38:30
- 391 7/18/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 392 7/18/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 393 7/18/2016 - 2840 - Ord Denying ...
Additional Text: MOTION TO AMEND AND MOTION FOR CLARIFICATION - Transaction 5612530 - Approved By: NOREVIEW : 07-18-2016:10:07:54
- 394 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5612540 - Approved By: NOREVIEW : 07-18-2016:10:08:52
- 395 7/18/2016 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF DEFENDANTS' MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES AT TRIAL - Transaction 5613501 - Approved By: CSULEZIC : 07-18-2016:15:56:47
- 396 7/18/2016 - 3860 - Request for Submission
Additional Text: MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF PLAINTIFF'S EXPERT WITNESSES AT TRIAL - Transaction 5613501 - Approved By: CSULEZIC : 07-18-2016:15:56:47
PARTY SUBMITTING: JOHN BOYDEN ESQ
DATE SUBMITTED: 7/18/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 397 7/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5613987 - Approved By: NOREVIEW : 07-18-2016:15:58:08
- 398 7/19/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTIONS IN LIMINE 3, 4 AND 5 - Transaction 5614321 - Approved By: YVILORIA : 07-19-2016:09:04:18
- 399 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5614491 - Approved By: NOREVIEW : 07-19-2016:09:05:15
- 400 7/20/2016 - 2490 - Motion ...
Additional Text: DEFENDANT'S MOTION TO EXCLUDE EVIDENCE OF SETTLEMENT - Transaction 5616935 - Approved By: YVILORIA : 07-20-2016:10:24:45
- 401 7/20/2016 - 2630 - Objection to ...
Additional Text: DEFENDANT'S LIST OF OBJECTIONS TO PLAINTIFF'S PRETRIAL DISCLOSURES - Transaction 5616937 - Approved By: YVILORIA : 07-20-2016:10:25:05

- 402 7/20/2016 - 3790 - Reply to/in Opposition
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTIONS IN LIMINE 3, 4, & 5 - Transaction 5616945 - Approved By: YVILORIA : 07-20-2016:10:45:48
- 403 7/20/2016 - 3860 - Request for Submission
Additional Text: Transaction 5616946 - Approved By: YVILORIA : 07-20-2016:10:46:16
DOCUMENT TITLE: GL CONSSTRUCTION, INC. AND GORDON LEMICH'S MOTIONS IN LIMINE 3-5
PARTY SUBMITTING: JOHN C BOYDEN ESQ
DATE SUBMITTED: JULY 20, 2016
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 404 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617082 - Approved By: NOREVIEW : 07-20-2016:10:25:44
- 405 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617083 - Approved By: NOREVIEW : 07-20-2016:10:26:05
- 406 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617137 - Approved By: NOREVIEW : 07-20-2016:10:46:44
- 407 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617140 - Approved By: NOREVIEW : 07-20-2016:10:47:16
- 408 7/20/2016 - 3870 - Request
Additional Text: REQUEST FOR STATUS CONFERENCE - Transaction 5617279 - Approved By: TBRITTON : 07-20-2016:12:45:04
- 409 7/20/2016 - 1130 - Answer ...
Additional Text: ANSWER TO TRUCKEE MEADOWS WATER AUTHORITY'S COMPLAINT IN INTERVENTION - Transaction 5617442 - Approved By: CSULEZIC : 07-20-2016:14:10:56
- 410 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617591 - Approved By: NOREVIEW : 07-20-2016:12:46:11
- 411 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5617916 - Approved By: NOREVIEW : 07-20-2016:14:12:08
- 412 7/20/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5618725 - Approved By: NOREVIEW : 07-20-2016:21:46:48
- 413 7/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5618726 - Approved By: NOREVIEW : 07-20-2016:21:47:48
- 414 7/25/2016 - 2630 - Objection to ...
Additional Text: PLAINTIFFS' OBJECTIONS TO DEFENDANTS'/COUNTERCLAIMANTS' NRCP 16.1(a)(3) PRETRIAL DISCLOSURES - Transaction 5625168 - Approved By: TBRITTON : 07-25-2016:16:43:40
- 415 7/25/2016 - 2610 - Notice ...
Additional Text: NOTICE TO VACATE DEPOSITION - JULY 27, 2016 AT 10:00 AM - Transaction 5625347 - Approved By: YVILORIA : 07-25-2016:16:57:56
- 416 7/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5625653 - Approved By: NOREVIEW : 07-25-2016:16:44:51
- 417 7/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5625731 - Approved By: NOREVIEW : 07-25-2016:16:58:58

- 418 7/25/2016 - 2280 - Mtn to Continue
Additional Text: MOTION TO CONTINUE TRIAL DATE (ORDER SHORTENING TIME) - Transaction 5625789 - Approved By: YVILORIA : 07-26-2016:09:24:55
- 419 7/25/2016 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME - Transaction 5625792 - Approved By: YVILORIA : 07-26-2016:09:25:48
- 420 7/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5626136 - Approved By: NOREVIEW : 07-26-2016:09:26:01
- 421 7/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5626143 - Approved By: NOREVIEW : 07-26-2016:09:26:52
- 422 7/26/2016 - 1830 - Joinder...
Additional Text: JOINDER TO MOTION TO CONTINUE TRIAL DATE - Transaction 5627119 - Approved By: YVILORIA : 07-26-2016:14:09:09
- 423 7/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5627432 - Approved By: NOREVIEW : 07-26-2016:14:10:50
- 424 7/26/2016 - 3245 - Ord Shortening Time
Additional Text: Transaction 5628242 - Approved By: NOREVIEW : 07-26-2016:16:15:58
- 425 7/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5628248 - Approved By: NOREVIEW : 07-26-2016:16:16:56
- 426 7/27/2016 - 2265 - Mtn to Bifurcate
Additional Text: MOTION TO BIFURCATE OR SEVER TMWA'S CLAIMS - Transaction 5629973 - Approved By: TBRITTON : 07-27-2016:15:40:32
- 427 7/27/2016 - 2140 - Mtn Ord Shortening Time
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME - Transaction 5629973 - Approved By: TBRITTON : 07-27-2016:15:40:32
- 428 7/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5630525 - Approved By: NOREVIEW : 07-27-2016:15:41:40
- 429 7/27/2016 - 3245 - Ord Shortening Time
Additional Text: ON MOTION TO BIFURCATE OR SEVER TMWA's CLAIMS - Transaction 5630607 - Approved By: NOREVIEW : 07-27-2016:15:54:21
- 430 7/27/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5630609 - Approved By: NOREVIEW : 07-27-2016:15:55:21
- 431 7/28/2016 - MIN - ***Minutes
Additional Text: 7/27/16 STATUS HEARING - Transaction 5631995 - Approved By: NOREVIEW : 07-28-2016:12:12:22
- 432 7/28/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5632002 - Approved By: NOREVIEW : 07-28-2016:12:13:11
- 433 8/2/2016 - 4205 - Trial Statement...
Additional Text: COUNTERCLAIMANT G.L. CONSTRUCTION, INC.'S TRIAL STATEMENT - Transaction 5637583 - Approved By: RKWATKIN : 08-02-2016:12:04:14
- 434 8/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5637943 - Approved By: NOREVIEW : 08-02-2016:12:05:25

- 435 8/2/2016 - 4220 - Trial Statement - Plaintiff
Additional Text: PLAINTIFF'S TRIAL STATEMENT - Transaction 5639033 - Approved By: TBRITTON : 08-03-2016:08:56:28
- 436 8/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5639391 - Approved By: NOREVIEW : 08-03-2016:08:57:42
- 437 8/3/2016 - 4050 - Stipulation ...
Additional Text: Stipulation for Dismissal with Prejudice of TMWA's Complaint in Intervention - Transaction 5640875 - Approved By: CSULEZIC : 08-03-2016:16:51:26
- 438 8/3/2016 - 4210 - Trial Statement - Defendant
Additional Text: Transaction 5640973 - Approved By: RKWATKIN : 08-03-2016:16:51:02
- 439 8/3/2016 - 3370 - Order ...
Additional Text: [RULING RE NUMEROUS MTNS - ks] - Transaction 5641325 - Approved By: NOREVIEW : 08-03-2016:16:39:50
- 440 8/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5641334 - Approved By: NOREVIEW : 08-03-2016:16:40:50
- 441 8/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5641387 - Approved By: NOREVIEW : 08-03-2016:16:52:05
- 442 8/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5641389 - Approved By: NOREVIEW : 08-03-2016:16:52:31
- 443 8/4/2016 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO PLAINTIFFS TRIAL STATEMENT - Transaction 5641539 - Approved By: CSULEZIC : 08-04-2016:13:48:17
- 444 8/4/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5641540 - Approved By: NOREVIEW : 08-04-2016:01:19:39
- 445 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5641541 - Approved By: NOREVIEW : 08-04-2016:01:20:29
- 446 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 447 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 448 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 449 8/4/2016 - S200 - Request for Submission Complet
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- 450 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 451 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 452 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 453 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 454 8/4/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 455 8/4/2016 - 1650 - Errata...
Additional Text: DEFENDANTS' NOTICE OF ERRATA TO DEFENDANTS' TRIAL STATEMENT - Transaction 5641834 - Approved By: RKWATKIN : 08-04-2016:11:20:13
- 456 8/4/2016 - 2911 - Ord Dismissal w/Prejudice
Additional Text: OF TMWA'S COMPLAINT IN INTERVENTION - Transaction 5642464 - Approved By: NOREVIEW : 08-04-2016:11:16:02
- 457 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5642468 - Approved By: NOREVIEW : 08-04-2016:11:16:57
- 458 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5642500 - Approved By: NOREVIEW : 08-04-2016:11:21:07
- 459 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5642952 - Approved By: NOREVIEW : 08-04-2016:13:49:28
- 460 8/4/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5643331 - Approved By: NOREVIEW : 08-04-2016:15:02:15
- 461 8/4/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5643333 - Approved By: NOREVIEW : 08-04-2016:15:03:10
- 462 8/5/2016 - 2630 - Objection to ...
Additional Text: Defendants' Objection to Plaintiff's Supplemental Trial Statement - Transaction 5645493 - Approved By: MPURDY : 08-05-2016:16:12:06
- 463 8/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5645737 - Approved By: NOREVIEW : 08-05-2016:16:14:39
- 464 8/5/2016 - 4050 - Stipulation ...
Additional Text: STIPULATION AND ORDER TO BIFURCATE COUNTERCLAIM AT TRIAL - Transaction 5645982 - Approved By: CSULEZIC : 08-08-2016:09:09:00
- 465 8/5/2016 - 3370 - Order ...
Additional Text: Transaction 5645983 - Approved By: NOREVIEW : 08-05-2016:17:50:40
- 466 8/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5645984 - Approved By: NOREVIEW : 08-05-2016:17:51:40
- 467 8/5/2016 - 3980 - Stip and Order...
Additional Text: STIPULATION AND ORDER TO DISMISS CERTAIN CAUSE OF ACTION - Transaction 5645985 - Approved By: NOREVIEW : 08-05-2016:17:52:11
- 468 8/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5645986 - Approved By: NOREVIEW : 08-05-2016:17:53:09
- 469 8/6/2016 - 4205 - Trial Statement...
Additional Text: COUNTER-DEFENDANT'S TRIAL STATEMENT - Transaction 5646047 - Approved By: RKWATKIN : 08-08-2016:09:33:20
- 470 8/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5646222 - Approved By: NOREVIEW : 08-08-2016:09:10:58

- 471 8/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5646332 - Approved By: NOREVIEW : 08-08-2016:09:34:18
- 472 8/10/2016 - MIN - ***Minutes
Additional Text: 8/5/16 PRE-TRIAL CONFERENCE - Transaction 5652509 - Approved By: NOREVIEW : 08-10-2016:15:41:44
- 473 8/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5652513 - Approved By: NOREVIEW : 08-10-2016:15:42:36
- 474 8/11/2016 - 2315 - Mtn to Dismiss ...
Additional Text: Transaction 5654320 - Approved By: RKWATKIN : 08-11-2016:14:37:10
- 475 8/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5654648 - Approved By: NOREVIEW : 08-11-2016:14:38:21
- 476 8/11/2016 - 1892 - Jury Question, No Response
Additional Text: Transaction 5655258 - Approved By: NOREVIEW : 08-11-2016:16:14:49
- 477 8/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5655265 - Approved By: NOREVIEW : 08-11-2016:16:15:49
- 478 8/11/2016 - 2645 - Opposition to Mtn ...
Additional Text: Counterclaimant G.L. Construction, Inc.'s Opposition to Motion to Dismiss - Transaction 5655522 - Approved By: ADEGAYNE : 08-12-2016:08:19:39
- 479 8/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5655578 - Approved By: NOREVIEW : 08-12-2016:08:21:04
- 480 8/18/2016 - COC - Evidence Chain of Custody Form
No additional text exists for this entry.
- 481 8/24/2016 - JPAY - **Jury Fees for Payroll
Additional Text: Bond ID: JPAY-16-00008; Total Bond Amount: \$800.00.

Bond Code, JPAY, Receipted for: SITE DEFINED TRUST DEPOSIT, on 24-AUG-2016 in the amount of \$800.00 on case ID CV13-01468.
- 482 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32159
- 483 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32160
- 484 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32164
- 485 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32169
- 486 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32170
- 487 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32171
- 488 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32175

489 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32176

490 8/30/2016 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$160.00 on Check Number 32177

491 9/2/2016 - MIN - ***Minutes
Additional Text: 8/8/16 JURY TRIAL - Transaction 5691752 - Approved By: NOREVIEW : 09-02-2016:14:49:19

492 9/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5691755 - Approved By: NOREVIEW : 09-02-2016:14:50:08

493 9/7/2016 - MIN - ***Minutes
Additional Text: 8/11/16 - 8/12/16 BIFURCATED CLAIM - BENCH TRIAL MINS - Transaction 5696193 - Approved By: NOREVIEW : 09-07-2016:14:54:24

494 9/7/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5696205 - Approved By: NOREVIEW : 09-07-2016:14:55:43

495 9/16/2016 - 3985 - Stip & Ord for Dismissal
Additional Text: Transaction 5711388 - Approved By: NOREVIEW : 09-16-2016:10:26:37

496 9/16/2016 - F120 - Stipulated Dismissal
No additional text exists for this entry.

497 9/16/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5711394 - Approved By: NOREVIEW : 09-16-2016:10:27:36

498 9/20/2016 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 5716594 - Approved By: NOREVIEW : 09-20-2016:14:11:45

499 9/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5716627 - Approved By: NOREVIEW : 09-20-2016:14:14:13

500 10/17/2016 - 3370 - Order ...
Additional Text: AFTER TRIAL - Transaction 5759581 - Approved By: NOREVIEW : 10-17-2016:09:06:23

501 10/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5759596 - Approved By: NOREVIEW : 10-17-2016:09:07:40

502 10/17/2016 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER AFTER TRIAL - Transaction 5760374 - Approved By: NOREVIEW : 10-17-2016:11:53:38

503 10/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5760376 - Approved By: NOREVIEW : 10-17-2016:11:55:02

504 10/31/2016 - 1880 - Judgment
Additional Text: ON COUNTERCLAIM - Transaction 5781722 - Approved By: NOREVIEW : 10-31-2016:09:40:46

505 10/31/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5781730 - Approved By: NOREVIEW : 10-31-2016:09:41:44

506 10/31/2016 - 2535 - Notice of Entry of Judgment
Additional Text: NOTICE OF ENTRY OF JUDGMENT ON COUNTERCLAIM - Transaction 5782505 - Approved By: NOREVIEW : 10-31-2016:13:04:54

- 507 10/31/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5782507 - Approved By: NOREVIEW : 10-31-2016:13:05:42
- 508 11/2/2016 - 2010 - Mtn for Attorney's Fee
Additional Text: G.L. CONSTRUCTION, INC.'S MOTION FOR FEES - Transaction 5787610 - Approved By: CSULEZIC : 11-03-2016:09:19:39
- 509 11/2/2016 - 1950 - Memorandum of Costs
Additional Text: MEMORANDUM OF COSTS AND DISBURSEMENT - Transaction 5788253 - Approved By: TBKITTON : 11-03-2016:10:11:13
- 510 11/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5788557 - Approved By: NOREVIEW : 11-03-2016:09:21:05
- 511 11/3/2016 - 2635 - Offer of Judgment
Additional Text: FILING OF OFFER OF JUDGMENT - Transaction 5788637 - Approved By: CSULEZIC : 11-03-2016:11:09:38
- 512 11/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5788799 - Approved By: NOREVIEW : 11-03-2016:10:15:06
- 513 11/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5789080 - Approved By: NOREVIEW : 11-03-2016:11:10:43
- 514 11/21/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO GL CONSTRUCTION'S MOTION FOR ATTORNEY'S FEES AND COSTS - Transaction 5817046 - Approved By: YVILORIA : 11-22-2016:08:27:24
- 515 11/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5817701 - Approved By: NOREVIEW : 11-22-2016:08:28:27
- 516 11/26/2016 - 3795 - Reply...
Additional Text: REPLY POINTS AND AUTHORITIES IN SUPPORT OF G.L. CONSTRUCTION, INC.'S MOTION FOR FEES - Transaction 5822632 - Approved By: PMSEWELL : 11-28-2016:09:25:02
- 517 11/26/2016 - 3860 - Request for Submission
Additional Text: - Transaction 5822633 - Approved By: PMSEWELL : 11-28-2016:09:25:52
DOCUMENT TITLE: G.L. CONSTRUCTION, INC.'S MOTION FOR FEES (NO ORDER PROVIDED)
PARTY SUBMITTING: JAMES BEASLEY, ESQ.
DATE SUBMITTED: NOVEMBER 26, 2016
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 518 11/28/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5822897 - Approved By: NOREVIEW : 11-28-2016:09:26:15
- 519 11/28/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5822905 - Approved By: NOREVIEW : 11-28-2016:09:27:02
- 520 12/1/2016 - 2777 - Ord Approving ...
Additional Text: ATTORNEY'S FEES - Transaction 5831980 - Approved By: NOREVIEW : 12-01-2016:14:21:58
- 521 12/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5831989 - Approved By: NOREVIEW : 12-01-2016:14:22:59
- 522 12/2/2016 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER FOR FEES AND COSTS - Transaction 5833230 - Approved By: NOREVIEW : 12-02-2016:09:38:25

- 523 12/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5833234 - Approved By: NOREVIEW : 12-02-2016:09:39:15
- 524 12/2/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 525 12/9/2016 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: Transaction 5846900 - Approved By: RKWATKIN : 12-09-2016:16:45:18
- 526 12/9/2016 - 1310 - Case Appeal Statement
Additional Text: Transaction 5846900 - Approved By: RKWATKIN : 12-09-2016:16:45:18
- 527 12/9/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC560509.
- 528 12/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5847056 - Approved By: NOREVIEW : 12-09-2016:16:46:24
- 529 12/12/2016 - SAB - **Supreme Court Appeal Bond
Additional Text: NORTHERN NEVADA HOMES, LLC - Transaction 5847815 - Approved By: PMSEWELL : 12-12-2016:09:59:50
- 530 12/12/2016 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC560537.
- 531 12/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5847886 - Approved By: NOREVIEW : 12-12-2016:10:01:03
- 532 12/12/2016 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 5849028 - Approved By: NOREVIEW : 12-12-2016:14:50:51
- 533 12/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5849039 - Approved By: NOREVIEW : 12-12-2016:14:51:59

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

CEREBRUS HOLDINGS, LLC, a
Nevada limited liability company;
NORTHERN NEVADA HOMES, LLC,
a Nevada limited liability company,

Case No. CV13-01468

Dept. No. 8

Plaintiffs,

vs.

GL CONSTRUCTION, INC, a Nevada
corporation, GORDON LEMICH, an
individual; and DOES 1-10, inclusive,

Defendants.

GL CONSTRUCTION, INC, a Nevada
corporation,

Counterclaimant,

vs.

NORTHERN NEVADA HOMES, LLC,
a Nevada limited liability company,

Counterdefendant.

ORDER

Currently before the court is Defendant and Counterclaimant GL
Construction's request for attorney's fees. Plaintiff and Counter-Defendant
Northern Nevada Homes has opposed the request. This order follows.

1 *Background*

2 This case involves a number of disputes, which were ultimately resolved by
3 way of two separate settlement agreements and a bench trial.

4 Prior to May 9, 2011, Defendant and Counterclaimant Gordon Lemich was
5 the owner of real property located at 2605 Comstock Drive, Reno, Nevada ("the
6 property"). Lemich is also the principal of GL Construction, a Nevada corporation,
7 and licensed contractor. It appears that the property at issue was occupied by a
8 number of tenants, including GL Construction.

9 At some point in 2012, Lemich discussed the possibility of selling the
10 property to Plaintiff and Counterdefendant Cerebrus Holdings, LLC. However,
11 before any formal negotiations were complete, the property was foreclosed on by
12 Acquired Capital I, LD ("the bank"). After the foreclosure, Lemich continued to
13 discuss the possibility of Cerebrus buying the property, and of becoming their
14 tenant. Lemich represented to Cerebrus that any improvements to the property
15 were properly constructed and permitted. Following this conversation, Cerebrus
16 successfully purchased the property from the bank.

17 Following its acquisition of the property, Cerebrus asserted that it discovered
18 multiple instances of defective workmanship, code violations, and was found the
19 property to be uninhabitable. Cerebrus filed the instant suit on July 3, 2013,
20 alleging claims of negligence, negligent misrepresentation, intentional
21 misrepresentation, intentional damage to property, trespass, and injunctive relief.
22 The complaint also named Northern Nevada Homes, LLC, as a plaintiff, and alleged
23 that GL Construction and Lemich had dumped large quantities of dirt and debris
24 onto the lot adjacent to the property at issue, which was owned by Northern Nevada
25 Homes.¹ Cerebrus filed an amended complaint on February 11, 2014, further
26 alleging a claim for breach of contract, related to GL Construction's failure to pay
27 rent between April and August of 2013.

28

¹Cerebrus and Northern Nevada Homes were both managed by Robert Fitzgerald.

1 In its answer, GL Construction asserted a counterclaim against Northern
2 Nevada Homes, in the amount of \$7,811.00, related to excavation work that GL
3 Construction performed for Northern Nevada Homes at property situated on
4 DeChardin Street of Montreaux Estates during March of 2013. It appears that
5 given the outstanding rent and other damages allegedly owed by GL Construction
6 to Cerebrus and Northern Nevada Homes, manager Robert Fitzgerald withheld
7 payment of the invoice.

8 On October 28, 2013, Lemich and GL Construction served an offer of
9 judgment upon Northern Nevada Homes. The offer provided that Northern Nevada
10 Homes pay \$5,000 with respect to the counterclaim, and that "all those claims
11 asserted by plaintiff Northern Nevada Homes, LLC against defendant GL
12 Construction, Inc., be dismissed with prejudice." Northern Nevada Homes rejected
13 the offer.

14 On February 12, 2014, Lemich, individually, served an offer of judgment
15 upon Cerebrus, in the amount of \$20,000.00. Cerebrus accepted the offer.

16 Eventually, the matter proceeded to a jury trial with respect to Northern
17 Nevada Homes' claims related to the dumping of dirt and debris by GL
18 Construction. At the close of evidence, the court indicated that it was inclined to
19 enter judgment as a matter of law in favor of Northern Nevada Homes with respect
20 to the issue of liability. Shortly thereafter, the parties agreed to settle Northern
21 Nevada Home's claims against GL Construction and Lemich for \$362,500.00.

22 The remaining counterclaim by GL Construction against Northern Nevada
23 Homes proceeded to a bench trial before this court on August 12, 2016. This court
24 found in favor of GL Construction, and awarded damages in the amount of
25 \$7,811.00.

26 GL Construction has filed the instant *Motion for Attorneys Fees*.

27 Discussion

28 Generally, the "compensation of an attorney and counselor for his or her
services is governed by agreement, express or implied, which is not restrained by
law." NRS 18.010(1). In this case, GL Construction argues that it is entitled to fees

1 and costs pursuant to NRCP 68, which relates to offers of judgment, and NRS
2 18.010(2), which allows for an award of fees where a prevailing party has recovered
3 less than \$20,000.00. This court discusses each claim in turn.

4 *Attorney's fees under NRCP 68*

5 In instances where an offer to settle is made prior to trial, NRCP 68 provides:

6 (a) The Offer. At any time more than 10 days before trial, any party
7 may serve an offer in writing to allow judgment to be taken in
8 accordance with its terms and conditions.

9 [. . .]

10 (f) Penalties for Rejection of Offer. If the offeree rejects an offer and
11 fails to obtain a more favorable judgment,

12 (1) the offeree cannot recover any costs or attorney's fees and shall not
13 recover interest for the period after the service of the offer and before
14 the judgment; and

15 (2) the offeree shall pay the offeror's post-offer costs, applicable interest
16 on the judgment from the time of the offer to the time of entry of the
17 judgment and reasonable attorney's fees, if any be allowed, actually
18 incurred by the offeror from the time of the offer. If the offeror's
19 attorney is collecting a contingent fee, the amount of any attorney's
20 fees awarded to the party for whom the offer is made must be deducted
21 from that contingent fee.

22 The decision to grant attorney's fees pursuant to NRCP 68 lies within the discretion
23 of this court. *Beattie v. Thomas*, 99 Nev. 579, 588-89, 668 P.2d 268, 274 (1983).

24 When considering whether an award of fees is warranted, this court must
25 consider (1) whether the claims at issue were brought in good faith; (2) whether the
26 offer was reasonable in timing and amount; (3) whether the decision to reject the
27 offer and proceed to trial was grossly unreasonable or in bad faith; and (4) whether
28 the fees sought by the offeror are reasonable and justified in amount. *Id.* In
determining the amount of any fee award pursuant to the fourth factor of this test,
this court must also examine the quality of the attorney at issue, the character of
the work performed, the amount of work actually performed, and the result
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P.3d 730 (2008) (citing *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455

1 P.2d 31 (1969)). After analyzing the *Beattie* and *Brunzell* factors, the court may
2 award all or some of the fees requested. *Beattie*, 99 Nev. at 589, 668 P.2d at 274.

3 In this case, GL Construction argues that Northern Nevada Homes' rejection
4 of its October 28, 2013 offer of judgment in the amount of \$5,000.00 indicates that it
5 is entitled to an award of fees. This court disagrees. In this, the court notes that in
6 addition to the offer of \$5,000.00 to settle GL Construction's counterclaim, the offer
7 of judgment also stipulated that Northern Nevada Homes would dismiss all of its
8 claims against GL Construction. Given that this court found GL Construction liable
9 for negligent trespass as a matter of law, and that Northern Nevada Homes and GL
10 Construction agreed to settle its claims for \$362,500.00, it was absolutely
11 reasonable for Northern Nevada Homes to reject the October 28, 2013, offer of
12 judgment. Therefore, the court declines to award attorney's fees on this basis.

13 *Attorney's fees and costs pursuant to NRS 18.010(2) and NRS 18.020*

14 NRS 18.010(2) allows for an award of attorney's fees "[w]hen the prevailing
15 party has not recovered more than \$20,000.00." NRS 18.020 similarly mandates an
16 award of costs to the prevailing party. In this case, the parties dispute whether GL
17 Construction is a prevailing party. Generally, with respect to fee and cost awards, a
18 party can "prevail" in litigation "if it succeeds on any significant issue in litigation
19 which achieves some of the benefits it sought in bringing suit." *Valley Electric*
Ass'n v. Overfield, 121 Nev. 7, 10, 106 P.3d 1198, 1200 (2005).

20 Nonetheless, Northern Nevada Homes notes that Nevada has determined
21 that in actions involving multiple parties and counterclaims, "prevailing party"
22 status is determined based on the net judgments obtained by the parties. *See*
23 *Parodi v. Budetti*, 115 Nev. 236, 241, 984 P.2d 172, 175 (1999). Specifically, in
24 *Parodi*, the Nevada Supreme Court determined that "in cases where separate and
25 distinct suits have been consolidated into one action, the trial court must offset all
26 awards of monetary damages to determine which side is the prevailing party . . ."
27 *Id.*

28 Thus, because Cerebrus and Northern Nevada Homes settled their claims
against GL Construction and Lemich for \$20,000.00 and \$362,500.00 respectively,

1 while GL Construction recovered only \$7,811.00, Northern Nevada Homes argues
2 that GL Construction is not a prevailing party under the net monetary recovery
3 rule.

4 In response, GL Construction argues that the Supreme Court decisions
5 addressing this issue, including *Parodi* relate only to judgments. In this case, GL
6 Construction argues the \$362,500.00 and \$20,000.00 recoveries were the result of
7 settlement negotiations, rather than judgments. The only judgment actually
8 entered by this court was in favor of GL Construction, against Northern Nevada
9 Homes.

10 Having reviewed the pleadings, the court determines, that for the purposes of
11 attorney's fees, GL Construction was a prevailing party with respect to its
12 counterclaim. In this, the court notes that the facts underlying the counterclaim
13 were largely unrelated to the claims asserted by Cerebrus and Northern Nevada
14 Homes. Thus, under NRCF 13, GL Construction would have been free to bring this
15 claim in an unrelated action. Further, had GL Construction chosen to litigate its
16 claim separately, it would have clearly been a prevailing party entitled to fees under
17 NRS 18.010(2). Therefore, the court finds an award of fees and costs to be
18 warranted.

19 However, the court notes that any fees awarded must be reasonable.
20 Specifically, as discussed above, the court must examine the quality of the attorney
21 at issue, the character of the work performed, the amount of work actually
22 performed, and the result achieved. *See Barney v. Mt. Rose Heating & Air*
23 *Conditioning*, 124 Nev. 821, 192 P.3d 730 (2008) (citing *Brunzell v. Golden Gate*
24 *National Bank*, 85 Nev. 345, 455 P.2d 31 (1969)).

25 GL Construction has requested fees in the amount of \$67,595.00. The court
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27 of an oral contract. Essentially, Northern Nevada Homes did not dispute that it
28 had failed to pay several invoices issued by GL Construction. Reviewing the record,

1 very little, if any, substantive motion practice occurred with respect to the
2 counterclaim.² The counterclaim itself was resolved in a half day bench trial.

3 Accordingly, while acknowledging the skill of GL Construction's counsel, and
4 the fact that GL Construction recovered the full amount sought, this court cannot
5 conclude that the fees sought by GL Construction are reasonable. Rather,
6 considering the character of the counterclaim, and the work actually performed in
7 relation to the counterclaim, the court finds attorney's fees in the amount of
8 \$10,000.00 to be reasonable.

9 With respect to costs, GL Construction has requested \$2,497.33. This
10 includes a \$200.00 filing fee for a motion for summary judgment, \$1,906.60 in
11 deposition fees for Mr. Fitzgerald and Mr. Wolf, and \$390.73 in copy costs related to
12 the bench trial. Having reviewed the requested costs, the court finds that the
13 motion for summary judgment was unrelated to GL Construction's counterclaim.
14 Similarly, it appears that the depositions of Mr. Fitzgerald and Mr. Wolf related
15 almost completely to the claims by Northern Nevada Homes, rather than the
16 counterclaim. Therefore, the court declines to award these requested costs.

17 Beyond its argument that GL Construction is not a prevailing party,
18 Northern Nevada Homes does not dispute the remaining copying costs. Therefore,
19 the court awards GL Construction costs in the amount of \$390.73.

20 *Conclusion*

21 Based on the foregoing, the court ORDERS GL Construction's *Motion for*
22 *Attorney's Fees* GRANTED. The court AWARDS GL Construction attorney's fees in
23 the amount of \$10,000.00 and costs in the amount of \$390.73.

24 IT IS SO ORDERED.

25 DATED this 1st day of December, 2016.

26 
LIDIA S. STIGLICH
District Judge

27
28 ²The court acknowledges that a jurisdictional dispute regarding the counterclaim arose shortly before the bench trial.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 18 day of December, 2016, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

James Shields Beasley, Esq.

John Boyden, Esq.

Christopher Rusby, Esq.

I deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:


CHRISTINE KUHL
Judicial Assistant

Code:

James Shields Beasley, Nev. Bar No. 1733
LAW OFFICE OF JAMES SHIELDS BEASLEY
435 Court Street
P.O. Box 2936
Reno, Nevada 89505
Telephone No.: (775) 329-6852

Attorney for Counterclaimant G.L. Construction, Inc.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

CERBERUS HOLDINGS, LLC, a Nevada
limited liability company; NORTHERN
NEVADA HOMES, LLC, a Nevada
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Dept. No. 8

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GL CONSTRUCTION, INC., a Nevada
corporation; GORDON LEMICH, an
individual; and DOES 1 through 10
inclusive,

Defendants.

G.L. CONSTRUCTION, INC., a Nevada
corporation,

Counterclaimant,

vs.

NEVADA HOMES, LLC, a Nevada
limited liability company,

Counterdefendant.

NOTICE OF ENTRY OF ORDER FOR FEES AND COSTS

To: Counterdefendant Nevada Homes, LLC, and to its attorneys of record,
Christopher M. Rusby of Rusby Law, 36 Stewart Street, Reno, Nevada 89501:

PLEASE TAKE NOTICE that on December 1, 2016, the above-entitled Court entered

1 its Order awarding counterclaimant G.L. Construction, Inc., attorney fees in the sum of
2 \$10,000.00, and costs in the sum of \$390.73. A true and correct copy of said Order is
3 attached hereto as Exhibit 1.

4 **Affirmation Pursuant to NRS 239B.030**

5 The undersigned does hereby affirm that the preceding document, filed in Case No.
6 CV13-01468, does not contain the social security number of any person.

7 DATED this 2nd day of December, 2016.

8 LAW OFFICE OF JAMES SHIELDS BEASLEY
9 Attorney for Counterclaimant G.L. Construction, Inc.
435 Court Street
10 Post Office Box 2936
Reno, Nevada 89505

11
12 By 
13 JAMES SHIELDS BEASLEY

14 **CERTIFICATE OF SERVICE**

15 Pursuant to NRCP 5(b), I certify that I am an employee of the Law Office of James
16 Shields Beasley, and that on this 2nd day of December, 2016, I transmitted a true and correct
17 copy of the foregoing document by the methods noted below:

18 ☐ **Personal delivery to the following: [NONE]**

19 ☒ **Electronically filed with the Clerk of the Court, using the eFlex system which**
20 **constitutes effective service for all eFiled documents pursuant to the eFile User**
Agreement

21 ☒ **Caused a true copy of the foregoing document to be deposited in the United**
22 **States mail at Reno, Nevada, by first-class mail, addressed to:**

23 Christopher Rusby
24 RUSBY CLARK, PLLC
36 Stewart Street
Reno, Nevada 89501

25 DATED this 2nd day of December, 2016.

26 
27 CHARLES BEASLEY
28

EXHIBIT LIST

<u>Ex. No.</u>	<u>Description</u>	<u>No. of Pages</u>
1.	Order, filed 21/01/2016	8

Exhibit 1

Exhibit 1

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6 property"). Lemich is also the principal of GL Construction, a Nevada corporation,
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8 number of tenants, including GL Construction.

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15 were properly constructed and permitted. Following this conversation, Cerebrus
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9 judgment upon Northern Nevada Homes. The offer provided that Northern Nevada
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13 the offer.

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18 Construction. At the close of evidence, the court indicated that it was inclined to
19 enter judgment as a matter of law in favor of Northern Nevada Homes with respect
20 to the issue of liability. Shortly thereafter, the parties agreed to settle Northern
21 Nevada Home's claims against GL Construction and Lemich for \$362,500.00.

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23 Homes proceeded to a bench trial before this court on August 12, 2016. This court
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1 and costs pursuant to NRCP 68, which relates to offers of judgment, and NRS
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7 may serve an offer in writing to allow judgment to be taken in
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11 fails to obtain a more favorable judgment,

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18 incurred by the offeror from the time of the offer. If the offeror's
19 attorney is collecting a contingent fee, the amount of any attorney's
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21 from that contingent fee.

22 The decision to grant attorney's fees pursuant to NRCP 68 lies within the discretion
23 of this court. *Beattie v. Thomas*, 99 Nev. 579, 588-89, 668 P.2d 268, 274 (1983).

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25 consider (1) whether the claims at issue were brought in good faith; (2) whether the
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8 claims against GL Construction. Given that this court found GL Construction liable
9 for negligent trespass as a matter of law, and that Northern Nevada Homes and GL
10 Construction agreed to settle its claims for \$362,500.00, it was absolutely
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12 judgment. Therefore, the court declines to award attorney's fees on this basis.

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14 NRS 18.010(2) allows for an award of attorney's fees "[w]hen the prevailing
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10 Having reviewed the pleadings, the court determines, that for the purposes of
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12 counterclaim. In this, the court notes that the facts underlying the counterclaim
13 were largely unrelated to the claims asserted by Cerebrus and Northern Nevada
14 Homes. Thus, under NRCP 13, GL Construction would have been free to bring this
15 claim in an unrelated action. Further, had GL Construction chosen to litigate its
16 claim separately, it would have clearly been a prevailing party entitled to fees under
17 NRS 18.010(2). Therefore, the court finds an award of fees and costs to be
18 warranted.

19 However, the court notes that any fees awarded must be reasonable.
20 Specifically, as discussed above, the court must examine the quality of the attorney
21 at issue, the character of the work performed, the amount of work actually
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23 *Conditioning*, 124 Nev. 821, 192 P.3d 730 (2008) (citing *Brunzell v. Golden Gate*
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28 had failed to pay several invoices issued by GL Construction. Reviewing the record,

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2 counterclaim.² The counterclaim itself was resolved in a half day bench trial.

3 Accordingly, while acknowledging the skill of GL Construction's counsel, and
4 the fact that GL Construction recovered the full amount sought, this court cannot
5 conclude that the fees sought by GL Construction are reasonable. Rather,
6 considering the character of the counterclaim, and the work actually performed in
7 relation to the counterclaim, the court finds attorney's fees in the amount of
8 \$10,000.00 to be reasonable.

9 With respect to costs, GL Construction has requested \$2,497.33. This
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11 deposition fees for Mr. Fitzgerald and Mr. Wolf, and \$390.73 in copy costs related to
12 the bench trial. Having reviewed the requested costs, the court finds that the
13 motion for summary judgment was unrelated to GL Construction's counterclaim.
14 Similarly, it appears that the depositions of Mr. Fitzgerald and Mr. Wolf related
15 almost completely to the claims by Northern Nevada Homes, rather than the
16 counterclaim. Therefore, the court declines to award these requested costs.

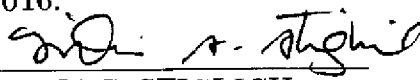
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20 *Conclusion*

21 Based on the foregoing, the court ORDERS GL Construction's *Motion for*
22 *Attorney's Fees* GRANTED. The court AWARDS GL Construction attorney's fees in
23 the amount of \$10,000.00 and costs in the amount of \$390.73.

24 IT IS SO ORDERED.

25 DATED this 1st day of December, 2016.

26 
LIDIA S. STIGLICH
District Judge

27
28 ²The court acknowledges that a jurisdictional dispute regarding the counterclaim arose shortly
before the bench trial.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 18 day of December, 2016, I electronically filed the following with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

James Shields Beasley, Esq.

John Boyden, Esq.

Christopher Rusby, Esq.

I deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:


CHRISTINE KUHLE
Judicial Assistant

CASE NO. CV13-01468

CERBERUS HOLINGS ET AL VS. GL CONSTRUCTION ET AL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

11/17/15

CONFERENCE CALL

HONORABLE

Christopher Rusby, Esq., was present via telephone on behalf of the Plaintiff, who was not present.

02/22/2016

LIDIA

10:00 a.m.

STIGLICH

John Boyden, Esq., was present via telephone on behalf of the Defendant, who was not present.

TRIAL

DEPT. NO. 8

(5 Days)

S. Garcia

3:10 p.m. - Court convened.

(Clerk)

Court noted receipt of Counsel Boyden's Motion for Continuance Pursuant to Rule 56(f) of the Nevada Rules of Civil Procedure.

Counsel Boyden addressed the Court and argued in support of a continuance. Counsel Boyden further argued that Counsel Rusby has disclosed a new expert which brings significant issues.

Counsel Rusby had no objection to a continuance and added they will need to schedule Deposition for the expert witness.

COURT ORDERED: Motion for Continuance –Granted. The trial set for January 11, 2016 is vacated. Counsel conferred with the Judicial Assistant and received a new trial date.

3:15 p.m. - Court stood in recess.

CASE NO. CV13-01468

CERBERUS HOLINGS, ET AL VS. GL CONSTRUCTION, ET AL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

2/25/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

S. Garcia

(Clerk)

I. Zihn

(Reporter)

ORAL ARGUMENTS ON MOTION FOR SUMMARY JUDGMENT
AND CROSS-MOTION FOR SUMMARY JUDGMENT

Christopher Rusby, Esq. was present in Court on behalf of the Plaintiff, who was not present.

Brett A. Dieffenbach, Esq. was present in Court on behalf of the Defendant, who was not present.

10:00 a.m. – Court convened with Counsel present.

Counsel Rusby addressed the Court and argued in support of his Opposition to Summary Judgment and Cross Motion filed October 21, 2015. Counsel Rusby requested the Court take Judicial Notice of Exhibit 2 and 3 (photographs) as attached to his reply.

Counsel Dieffenbach addressed the Court and argued in support of his Motion for Summary Judgment and also provided photographs for the Court's review of the land property in question.

Counsel Rusby responded in support of his Motions. Counsel requested the Court take Judicial Notice of Exhibit 4 and 10 as attached to his reply.

Counsel Dieffenbach presented reply.

Court addressed counsel and questioned authenticity of the google maps.

Counsel Dieffenbach responded and requested the Court and the Jury complete a site view of the property location.

COURT ORDERED: Matter was taken under advisement.

10:41 p.m. Court stood in recess.

CASE NO. CV13-01468

CERBERUS HOLDINGS ET AL VS. GL CONSTRUCTION ET AL

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

7/27/16

HONORABLE
LIDIA STIGLICH
Dept. No. 8
A. Dick
(Clerk)
I. Zihn
(Reporter)

STATUS HEARING

Christopher Rusby, Esq. and Thomas Drendel, Esq. represented plaintiffs, Cerberus Holdings, LLC, Northern Nevada Homes, LLC and Surebrec Holdings, LLC, who were not present. Paul Georgeson, Esq. represented Intervenor, Truckee Meadows Water Authority, who was not present. James Beasley, Esq. represented Defendant and Counter-Claimant, G & L Construction, Inc., who was not present. John Boyden, Esq., Brett Dieffenbach, Esq. and Andrea Pressler, Esq. represented Defendant, Gordon Lemich, who was not present.
3:01 p.m. – Court convened with counsel present.

August 4, 2016
3:00 p.m.

Exhibit Marking with
Court Clerk in D8 Jury
Room

August 8, 2016
10:00 a.m.
Jury Trial (2 weeks)

Counsel Georgeson addressed the Court advised his client is seeking voluntary dismissal of claim(s) against the Defendant(s) and indicated a stipulation and/or Court approval is necessary to do so. Counsel argued in support of motion to bifurcate and/or sever and continue TMWA claim(s).

Counsel Rusby addressed the Court argued in support of bifurcation and trial going forward as currently scheduled.

Counsel Boyden addressed the Court argued in opposition of bifurcation, advised a joinder to motion to continue trial date was filed and a supplemental objecting to opposing counsel's proposal to dismiss claim(s) will likely be filed.

Court Ordered: Order Shortening Time Regarding Motion to Bifurcate GRANTED; Opposition shall be due July 29, 2016, no later than 5:00 p.m. and any Reply shall be due August 1, 2016, no later than 5:00 p.m.

Court directed counsel to met and confer regarding Jury Instructions and provide Department 8 staff with a packet of stipulated instructions and a packet of disputed instructions, with and without authority.

Court Further Ordered: Oral Motion Shortening Time Regarding Motion to Dismiss Claim(s) GRANTED; Motion to Dismiss due Monday, August 1, 2016, no later than 5:00 p.m., any Opposition shall be due Tuesday August 2, 2016, no later than 5:00 p.m. and any Reply shall be due August 3, 2016, no later than 5:00 p.m.

3:21 p.m. – Court stood in recess.

DATE, JUDGE
OFFICERS OF
COURT PRESENTAPPEARANCES-HEARING**PRE-TRIAL CONFERENCE**8/5/16
HONORABLE
LIDIA STIGLICH
DEPT. NO. 8
J. Martin
(Clerk)
Not Reported
(Reporter)

Plaintiff Robert Fitzgerald was present with counsel, Christopher Rusby, Esq. and Thomas Drendel, Esq. John Boyden, Esq. and Brett Dieffenbach, Esq. were present on behalf of the Defendant's GL Construction and Gordon Lemich. James Beasley, Esq. was present representing Counter-Plaintiff GL Construction. Paul Georgeson, Esq. was present in the gallery on behalf of Interested Party, Truckee Meadow Water Authority (TMWA).

4:35 p.m. – Court convened.

Counsel Rusby provided the Plaintiff's Trial Memo to the Court and discussed issues regarding the scope of evidence allowed from TMWA during the Trial in regard to their settlement and the questioning of witnesses related to TMWA. Counsel Rusby argued to allow the questioning of TMWA witnesses and admission of evidence regarding the settlement and reasons for the dirt at the site in question being moved.

Counsel Boyden argued that the Court had previously ruled on this issue and argued against the broad scope of testimony requested by Counsel Rusby.

Counsel Dieffenbach discussed the Supplemental Trial Brief and further argued against the broad scope of testimony requested by Counsel Rusby. Counsel Dieffenbach requested no testimony be allowed regarding public safety or broken water lines.

Counsel Rusby further argued in support of allowing the requested evidence from TMWA.

Further discussion ensued regarding the scope of testimony and evidence from TMWA.

Counsel Boyden indicated the defense would agree to allow testimony that TMWA requested the dirt be moved.

Counsel Rusby argued an explanation as to why the dirt needed to be moved is required as well as the difficulty to access the pipes.

Counsel Boyden agreed to testimony regarding the need to move the dirt for access reasons.

Counsel Rusby further argued in support of the testimony and evidence from TMWA.

COURT indicated the settlement with TMWA would not be allowed as evidence at the Trial.

Counsel Georgeson stated he is present to accurately advise his client regarding Trial testimony.

Counsel Rusby discussed the Defendant's expert witnesses.

Counsel Boyden agreed to allow testimony that the dirt needed to be three to six feet off of the lines.

Counsel Dieffenbach further argued in opposition of allowing the testimony.

COURT discussed excluding the testimony regarding the pipes.

Counsel Rusby provided the Court with a letter from TMWA and discussion ensued regarding the letter at which point Counsel Dieffenbach argued the letter is hearsay.

COURT instructed Counsel Rusby to make his redactions to the letter and the Court would review it prior to Trial.

Counsel Rusby discussed the issue of fair market value of the property and provided the Court with documents regarding the limit on fair market value.

Counsel Boyden argued to introduce evidence of the actual purchase price of the property.

Counsel Rusby indicated he is not planning on introducing fair market value evidence and Defense should have evidence that values in 2010 are reflective of 2016.

COURT discussed the amount of issues needing resolution prior to Trial and discussed how to

DATE, JUDGE OFFICERS OF COURT PRESENT	APPEARANCES-HEARING
8/5/16 HONORABLE LIDIA STIGLICH DEPT. NO. 8 J. Martin (Clerk) Not Reported (Reporter)	proceed. Discussion ensued regarding the schedule of the Trial. Counsel Beasley provided several stipulation to the Clerk for filing. Respective counsel agreed that the Jury Trial should be completed Thursday of next week. COURT the parties shall return on August 8, 2016, at 8:30 a.m. prior to Trial to continue working toward resolution on the various issues remaining. 5:37 p.m. – Court stood in recess; to reconvene August 8, 2016, at 8:30 a.m.

CASE NO. CV13-01468

CERBERUS HOLDINGS, LLC ETAL VS. GL CONSTRUCTION ETAL

Page One

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/08/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner

(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day One

Christopher Rusby, Esq. and Thomas Drendel, Esq. were preset in Court on behalf of Plaintiff, Northern Nevada Homes, LLC, who was also present.

John Boyden, Esq. and Brett Dieffenbach, Esq. were present in Court on behalf of G & L Construction, Inc. and Gordon Lemich, who was also present.

9:30 a.m. – Court convened with Court, Counsel, Plaintiff and Defendant present.

Counsel Rusby addressed and advised the Court of a few pretrial issues to include an objection to any cross examination of Mr. Fitzgerald as to if or when he had knowledge that a trespass had occurred. Counsel Rusby further argued that the evidence submitted on market value has no relevance.

Counsel Dieffenbach addressed the Court and argued the relevance of the evidence to include that the appraisal is only 3 years old.

Counsel Rusby argued that the 2013 appraisal is prejudicial and not competent evidence.

Court inquired as to why the evidence would be prejudicial.

Counsel Rusby responded to the Court's inquiry and advised that Mr. Fitzgerald would have to explain the bankruptcy in 2009, when a sale is not a "full arms length" sale it is not relevant as to market value and the appraisal is not probative of current value.

Counsel Dieffenbach argued in support of the appraisal and advised that there is no reason to bring up the bankruptcy.

Counsel Rusby requested that Mr. Fitzgerald be allowed to talk about the current appraisal.

COURT ORDERED: Mr. Fitzgerald can testify about the recent appraisal as to his knowledge of the value and any reference to the bankruptcy or the \$33k transfer in 2013 is EXCLUDED. Unless Mr. Fitzgerald denies the appraisal happened, no other documents shall come in.

Counsel Rusby argued in support of allowing in the settlement agreement with TMWA.

Counsel Dieffenbach argued in opposition of the TMWA settlement and inquired if Plaintiff will concede that the property has no value with dirt there.

Counsel Rusby advised that if going down the road of diminished value then the TMWA agreement must come in, if not, then it is not necessary.

COURT ORDERED: Will wait to see what the Defense is, if the parties want to bring something in they shall first seek leave of Court.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/08/2016

HONORABLE
LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner
(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day One

Counsel Dieffenbach argued that the elements of trespass are all relevant as to implied consent.

Counsel Rusby advised of the Court's ruling that the statute of limitations is not a defense.

Counsel Boyden advised that consent is an element of trespass.

Counsel Rusby argued for exclusion of cross examination of Mr. Fitzgerald as to whether he should have known prior to when he did know of the trespass in 2013.

Counsel Dieffenbach confirmed that the Defense will not move to amend the answer.

COURT ORDERED: Inquiry in that area is allowed a limiting instruction will be given if needed. Counsel to prepare the redaction for the TMWA letter.

Discussion ensued as to scheduling the bifurcated issue.

Prior to Court, roll taken by Bailiff Natasha Rickey. Forty-Four (44) of Forty-Four (44) prospective jurors were present.

Prior to the commencement of Court, Plaintiff's Exhibits 1-32 and Defendant's Exhibits 33-59 were marked for identification and Proposed Jury Instructions were provided to the Court by Counsel.

11:39 a.m. – Court convened with Court, Counsel and prospective jurors present.

Court addressed the prospective jurors.

Introduction of Court staff, respective counsel, Plaintiff and Defendant were made to the prospective jurors.

Counsel Rusby provided a brief statement of the case to the prospective jurors.

All prospective jurors were sworn to answer questions touching upon their qualifications to serve as trial jurors in this case.

The Court ordered that Nineteen (19) names be drawn, consisting of Eight (8) jurors and One (1) alternate, who were called and seated in the jury box.

At the direction of the Court, the Nineteen (19) prospective jurors introduced themselves.

Court read the list of witnesses expected to be called in the case.

The Court conducted general and specific voir dire examination of the potential jurors in the box.

Potential Juror Krymsen Hernandez was excused by the Court and replaced with potential juror Megan Medeiros.

Sidebar between Court and Counsel.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/08/2016

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(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day One

Potential Juror Glenda Bacon was excused by the Court and replaced with potential juror Ronald Seagraves.

Potential Juror Connie Lowe excused by Court and replaced with potential juror Pisek Praphatanant.

Potential Juror Joseph Metzger advised the Court of inability to serve as a Juror in this case and offered to meet with the Court privately to explain.

Recess to meet with potential Juror Metzger in chambers.

Court met in Chamber and on the record with Court, Counsel and potential Juror Joseph Metzger present.

Potential Juror Joseph Metzger provided explanation to the Court as to the reason he is unable to serve as a Juror in this case.

Respective Counsel stated no objection to potential Juror Joseph Metzger being excused.

Recess.

Court reconvened with Court and Counsel present.

Potential Juror Joseph Metzger excused by Court and replaced with potential Juror Lisa Marotta.

Potential Juror Pizek Praphatanant excused by Court and replaced with potential Juror Terry Hutsell.

12:30 p.m. – Counsel Drendel, on behalf of the Plaintiff, conducted general and specific voir dire of the potential Jurors in the box.

Counsel Drendel passed the panel for cause.

12:50 p.m. – Counsel Boyden, on behalf of the Defendants, conducted general and specific voir dire of the potential Jurors in the box.

Counsel Boyden passed the panel for cause.

The Court admonished the Jury.

12:55 p.m. – Recess to conduct challenges.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

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08/08/2016
HONORABLE
LIDIA
STIGLICH
DEPT. NO. 8
A. DeGayner
(Clerk)
I. Zihn
(Reporter)

JURY TRIAL – Day One

1:08 p.m. – Court reconvened in chambers with Court and Counsel present where preemptory challenges were exercised, Four (4) per side plus One (1) alternate. The following panel was selected and stipulated to:

Linda Carson, Terry Perez, Su Suh, Matthew Gardner, Gerald Sliker, Megan Medeiros, Oscar Correa, Ronald Seagraves and alternate Franklyn Christian.

1:16 p.m. – Court reconvened with Court, Counsel, Prospective Jurors, Plaintiff and Defendant present.

The selected and stipulated jurors were seated in the jury box and sworn. The Court thanked and excused the un-reached and unselected prospective Jurors.

The court addressed the Jury, provided preliminary admonishments and an anticipated trial schedule for the week.

1:25 p.m. – Noon Recess. Jury and Counsel ordered to return to Court at 2:30 p.m.

2:32 p.m. – Court reconvened with Court, Counsel, Plaintiff, Defendant and Jury present. Court provided preliminary instructions to the Jury.

2:41 p.m. – Counsel Drendel, on behalf of the Plaintiff, presented Opening Statement.

3:06 p.m. – Counsel Boyden, on behalf of the Defendants, presented Opening Statement.

Jury admonished and ordered to return to Court on Tuesday, August 9, 2016 at 10:15 a.m.

3:28 p.m. – Court stood in Recess.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

08/09/2016
HONORABLE
LIDIA
STIGLICH
DEPT. NO. 8
A. DeGayner
(Clerk)
I. Zihn
(Reporter)

JURY TRIAL – Day Two

Christopher Rusby, Esq. and Thomas Drendel, Esq. were preset in Court on behalf of Plaintiff, Northern Nevada Homes, LLC, who was also present.

John Boyden, Esq. and Brett Dieffenbach, Esq. were present in Court on behalf of G & L Construction, Inc. and Gordon Lemich, who was also present.

10:26 a.m. – Court convened with Court, Counsel, Plaintiff and Defendant present. Counsel Drendel addressed and advised the Court that parties have stipulated to a number of exhibits and would like to admit them as a matter of housekeeping.

Exhibit 1 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 2 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 3 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 4 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 5 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 6 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 7 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 17 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 18 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 19 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 20 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 23 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 33 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 48 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 54 offered; previously stipulated to by Counsel; ADMITTED.

Exhibit 58 offered; previously stipulated to by Counsel; ADMITTED.

Counsel Rusby advised the Court that he has prepared two redacted letters from TMWA and provided said letters to the Court for review.

10:28 a.m. – Jury escorted into the Courtroom.

Counsel Drendel called **Gordon Lemich** who was sworn and direct examined.

Exhibit 8 offered; objection – overruled; ADMITTED.

Continued direct examination conducted by Counsel Drendel.

Exhibit 9 offered; no objection; ADMITTED.

Continued direct examination conducted by Counsel Drendel.

Exhibit 30 offered; no objection; ADMITTED.

Continued direct examination conducted by Counsel Drendel; cross examination conducted by Counsel Boyden.

Exhibit 60 marked; offered; no objection; ADMITTED.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/09/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner

(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day Two

Continued cross examination conducted by Counsel Boyden.

Exhibit 61 marked.

Continued cross examination conducted by Counsel Boyden.

The Court admonished the Jury, which was presented prior to every recess.

11:55 a.m. – Noon Recess. Jury ordered to return at 1:15 p.m.

1:21 p.m. – Court convened with Court, Counsel, Plaintiff and the Defendant present.

*Outside the presence of the Jury, Counsel Rusby inquired the Court if the redacted TMWA letter could be addressed at this time.**Counsel Dieffenbach argued that everything following “scope of proposed work” on page 2 of the letter be redacted; no objection stated.**Counsel Rusby made additional redactions to the TMWA letter.*

1:29 p.m. – Jury escorted into the Courtroom.

Court instructed the Jury as to questions.

Continued cross examination of **Gordon Lemich** conducted by Counsel Boyden; re-direct examination conducted by Counsel Drendel; witness thanked and excused.Counsel Rusby called **Robert Rice**.

Counsel Boyden addressed the Court and moved for an offer of proof for the Plaintiff's witness Robert Rice.

Sidebar conducted between Court and Counsel.

Plaintiff's witness Robert Rice took the witness stand and was sworn.

Matt Jensen, Esq. addressed the Court from behind the bar and introduced himself as counsel for the Plaintiff's witness Robert Rice and further requested permission of the Court to sit in front of the bar and raise objections if necessary.

COURT ORDERED: Matt Jensen, Esq. may sit in front of the bar but shall leave any objections to Counsel of record in the case.Direct examination of **Robert Rice** conducted by Counsel Rusby; witness thanked and excused.Counsel Rusby called **John Erwin** who was sworn.*Sidebar conducted between Court and Counsel.*Direct examination of **John Erwin** conducted by Counsel Rusby.**Exhibit 16** offered; no objection; ADMITTED.

Continued direct examination conducted by Counsel Rusby.

Sidebar conducted between Court and Counsel.

Continued direct examination conducted by Counsel Rusby; witness thanked and excused.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/09/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner

(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day Two

The Court admonished the Jury, which was presented prior to every recess.

2:59 p.m. – Afternoon Recess.

3:11 p.m. – Court convened with Court, Counsel, Plaintiff and Defendant present.

3:12 p.m. – Jury escorted into the Courtroom.

Counsel Rusby called **Robert Fitzgerald** who was sworn and direct examined.

Exhibit 15 offered; no objection; ADMITTED.

Continued direct examination conducted by Counsel Rusby; cross examination

conducted by Counsel Boyden; re-direct examination conducted by Counsel Rusby;

witness thanked and excused.

Exhibit 42 offered; no objection; ADMITTED.

Exhibit 17 offered; no objection; ADMITTED.

The Court admonished the Jury. Ordered to return on Wednesday, August 10, 2016 at 9:30 a.m.

4:31 p.m. – Jury escorted out.

Outside the presence of the Jury Court reviewed admitted exhibits.

Exhibit 61 offered; no objection; ADMITTED.

Discussion ensued as to scheduling for the remainder of the trial.

4:34 p.m. – Court stood in Recess.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/10/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner

(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day Three

Christopher Rusby, Esq. and Thomas Drendel, Esq. were preset in Court on behalf of Plaintiff, Northern Nevada Homes, LLC, who was also present.

John Boyden, Esq. and Brett Dieffenbach, Esq. were present in Court on behalf of G & L Construction, Inc. and Gordon Lemich, who was also present.

10:02 a.m. – Court convened with Court, Counsel, Plaintiff and Defendant present.

Counsel Drendel called **Raymond Pezonella** who was sworn and direct examined; cross examination conducted by Counsel Dieffenbach.

Exhibit 25 offered; objection – overruled; ADMITTED.

Continued cross examination conducted by Counsel Dieffenbach; re-direct examination conducted.

Exhibit 24 offered; no objection; ADMITTED.

Witness thanked and excused.

Counsel Drendel called **John Munson** who was sworn and direct examined by Counsel Rusby.

Sidebar conducted between Court and Counsel.

Continued direct examination conducted by Counsel Rusby.

Jury Admonished as presented prior to every recess and ordered to return to Court at 12:45 p.m.

11:29 a.m. – Jury escorted out of the Courtroom.

Outside the presence of the Jury Counsel Boyden moved for a mistrial and presented argument in support of his motion.

Counsel Rusby addressed the Court and argued in opposition of the Motion for a Mistrial, Counsel Rusby advised that witness John Munson's testimony is not materially different from his report or deposition.

Counsel Boyden argued that he is entitled to the witness' final opinion at the deposition and he did not get that.

COURT ORDERED: Motion for Mistrial – UNDER SUBMISSION.

11:36 a.m. – Recess.

12:45 p.m. – Court reconvened with Court, Counsel, Plaintiff and Defendant present.

COURT ORDERED: Motion for Mistrial – DENIED. To the extent that the parties feel a jury instruction is appropriate, the Court will consider that at the time instructions are settled.

12:47 p.m. – Jury escorted into the Courtroom.

Plaintiff's witness **John Munson** resumed the witness stand.

Cross examination conducted by Counsel Boyden; witness thanked and excused.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/10/2016

HONORABLE
LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner
(Clerk)

I. Zihn

(Reporter)

JURY TRIAL – Day Three

Counsel Rusby called **Nathan Roach** who was sworn and direct examined by Counsel Drendel.

Page 2 of Exhibit 26 offered; no objection; ADMITTED.

Cross examination conducted by Counsel Dieffenbach; witness thanked and excused.

1:29 p.m. – Counsel Rusby advised the Court that he would not be calling any additional witnesses and rested the Plaintiff's case in chief.

The Court admonished the Jury, which was presented prior to every recess.

1:31 p.m. – Recess.

1:56 p.m. – Court reconvened with Court, Counsel, Plaintiff and Defendant present.

Outside the presence of the Jury, Counsel Dieffenbach moved for a 50 A Motion and presented argument in support of said motion.

Counsel Rusby argued in opposition of the 50A motion.

COURT ORDERED: Defendant's 50A Motion – UNDER SUBMISSION.

1:58 p.m. – Jury escorted into the Courtroom.

Counsel Boyden called **Lorin Mark Chapman** who was sworn and direct examined; cross examination conducted by Counsel Rusby; re-direct examination conducted by Counsel Boyden.

Sidebar conducted between Court and Counsel.

Re-direct examination conducted by Counsel Boyden; witness thanked and excused.

Counsel Boyden re-called **Gordon Lemich** who was previously sworn and advised by the Court that he is still under oath; direct examination conducted; cross examination conducted; witness thanked and excused.

Counsel Boyden, on behalf of the Defendant, advised he would not be calling additional witnesses and rested the Defendant's case.

Jury admonished and ordered to return to Court on Thursday, August 11, 2016 at 10:00 a.m.

Outside the presence of the Jury, Counsel Drendle moved for a Judgment in favor of the Plaintiff on the negligent trespass issue.

Counsel Dieffenbach argued that negligence is for the Jury to decide.

Counsel Boyden argued that the Plaintiff has to bring in proof of ownership.

Court inquired, what fact/issues remain for Jury as to the negligent trespass.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

08/10/2016
HONORABLE
LIDIA
STIGLICH
DEPT. NO. 8
A. DeGayner
(Clerk)
I. Zihn
(Reporter)

JURY TRIAL – Day Three

Counsel Dieffenbach responded to the Court's inquiry and argued that the Defendant did not know where the property line was, he was negligent as to not knowing where the line was, he believed he was dumping on TMWA land which he thought he had permission to do.

Counsel Drendle argued that a trespass by mistake is not an excuse as to negligent trespass. Counsel Drendle further advised that the Plaintiff will dismiss the other 2 causes in the complaint as to intentional trespass as well as the injunction. Counsel Drendle moved for a Judgment under Rule 50 in favor of the Plaintiff.

Counsel Dieffenbach presented further argument in opposition of Plaintiff's Rule 50 Motion.

COURT ORDERED: Plaintiff's Rule 50 Motion – UNDER SUBMISSION.

3:34 p.m. – Court reconvened outside the presence of the Jury with Court, Counsel, Plaintiff and Defendant present.

COURT ORDERED: Defendant's Rule 50A Motion – DENIED. Plaintiff's Rule 50A Motion – GRANTED as to negligent trespass. Jury shall decide damages.

Counsel Drendle moved to dismiss the intentional trespass claim and the injunction; no objection stated; SO ORDERED.

Court advised of a Juror question from Juror #9. Court inclined to tell the Jury to rely upon the state of the evidence unless there is an agreement by counsel otherwise. Discussion ensued as to Jury Instructions.

3:42 p.m. – Court stood in Recess. Counsel to return on Thursday, August 11, 2016 at 9:30 a.m. to settle Jury Instructions.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

08/11/2016
HONORABLE
LIDIA
STIGLICH
DEPT. NO. 8
A. DeGayner
(Clerk)
I. Zihn
(Reporter)

JURY TRIAL – Day Four

Christopher Rusby, Esq. and Thomas Drendel, Esq. were preset in Court on behalf of Plaintiff, Northern Nevada Homes, LLC, who was also present.

John Boyden, Esq. and Brett Dieffenbach, Esq. were present in Court on behalf of G & L Construction, Inc. and Gordon Lemich, who was also present.

9:37 a.m. – Court convened with Court, Counsel, Plaintiff and Defendant present.

Outside the presence of the Jury, Jury Instructions were informally settled. Respective counsel stated applicable objections and had no additional Jury Instructions to proffer. Respective counsel argued as to who maintained the burden of proof on fair market value.

Court advised the parties that the Defendant had been found negligent by the Court, the Jury is to determine damages.

10:12 a.m. – Court stood in Recess.

11:20 a.m. – Court convened with Court, Counsel and Plaintiff present.

Counsel Rubsy addressed and advised the Court that the parties have come to a resolution as to damages in the amount of \$362,500 to include a release of all claims except as to the prior \$20k judgment that Cerberus Holdings has against G.L.

Construction and Gordon Lemich. Counsel Rusby advised that the Counterclaim is not included in the Judgment and they are trying to work out the counterclaim with Counsel Beasley.

Court canvassed Counsel Boyd as to the Defendant's understanding of the agreement. Counsel Drendle advised that if the Counterclaim is not resolved it will be a bench trial with the Court and Counsel Beasley would like that bench trial heard tomorrow, Friday, August 12, 2016 as he is concerned about the timing of the offer of judgment.

Discussion ensued as to trial schedule for the bifurcated claim.

11:37 a.m. – Recess. Counsel shall return to Court at 1:30 p.m. to speak to the Jury.

Counsel shall be prepared to discuss the jurisdiction of the counterclaim.

1:31 p.m. – Court convened with Court, Counsel and Jury present.

Court addressed the Jury and advised that the case has been resolved.

The Jury was thanked by the Court for their service and released.

1:35 p.m. – Recess.

TRIAL EXHIBITS**PLTF: Northern Nevada Homes, LLC****PATY: Thomas Drendel, Esq.
Christopher Rusby, Esq.****DEFT: Gordon Lemich; GL Construction, Inc.****DATY: John Boyden, Esq.
Brett Dieffenbach, Esq.****Case No: CV13-01468****Dept. No: 8****Clerk: A. DeGayner****Date: 8/8/16**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Plaintiff	Picture	08/04/16	Stipulated	08/09/16
2	Plaintiff	Google Earth Photos	08/04/16	Stipulated	08/09/16
3	Plaintiff	Google Earth Photos	08/04/16	Stipulated	08/09/16
4	Plaintiff	Google Earth Photos	08/04/16	Stipulated	08/09/16
5	Plaintiff	Pictures	08/04/16	Stipulated	08/09/16
6	Plaintiff	Pictures	08/04/16	Stipulated	08/09/16
7	Plaintiff	Pictures	08/04/16	Stipulated	08/09/16
8	Plaintiff	Real Property Lease	08/04/16	Objection – Overruled	08/09/16
9	Plaintiff	Lease of Property	08/04/16	No Objection	08/09/16
10	Plaintiff	Land Development Code – Section 18.06.801 – Grading Permits	08/04/16	----	----
11	Plaintiff	City of Reno - Citation	08/04/16	----	----
12	Plaintiff	City of Reno - Citation	08/04/16	----	----
13	Plaintiff	City of Reno - Citation	08/04/16	----	----
14	Plaintiff	Agreement for Grant of Easements	08/04/16	----	----
15	Plaintiff	Easement Maps	08/04/16	No Objection	08/09/16
16	Plaintiff	February 25, 2016 Letter from Michael Pagni, Esq.	08/04/16	No Objection	08/09/16
17	Plaintiff	TMWA Discovery Findings	08/04/16	Stipulated	08/09/16
18	Plaintiff	Bell Land Survey Map	08/04/16	Stipulated	08/09/16
19	Plaintiff	Venture Engineering Contour Maps	08/04/16	Stipulated	08/09/16

TRIAL EXHIBITS**PLTF: Northern Nevada Homes, LLC****PATY: Thomas Drendel, Esq.
Christopher Rusby, Esq.****DEFT: Gordon Lemich; GL Construction, Inc.****DATY: John Boyden, Esq.
Brett Dieffenbach, Esq.****Case No: CV13-01468****Dept. No: 8****Clerk: A. DeGayner****Date: 8/8/16**

Exhibit No.	Party	Description	Marked	Offered	Admitted
20	Plaintiff	Venture Engineering 3:1 slope plan	08/04/16	Stipulated	08/09/16
21	Plaintiff	Venture Engineering Estimate	08/04/16	----	----
22	Plaintiff	John Munson Expert Report	08/04/16	----	----
23	Plaintiff	Cut and Fill Map	08/04/16	Stipulated	08/09/16
24	Plaintiff	Pezionella Associates, Inc. Geotechnical Report	08/04/16	No Objection	08/10/16
25	Plaintiff	Pezionella Associates, Inc. Geotechnical Report	08/04/16	Objection – Overruled	08/10/16
26	Plaintiff	Gradex Cost Estimates Page 2	08/10/16	No Objection	08/10/16
26a	Plaintiff	Gradex Cost Estimates Pages 1-2	08/04/16	----	----
27	Plaintiff	Affidavit of Gordon Lemich (9/19/2013)	08/04/16	----	----
28	Plaintiff	Declaration of Gordon Lemich (7/23/2014)	08/04/16	----	----
29	Plaintiff	GL Construction's Answers to First Set of Interrogatories (11/24/2014)	08/04/16	----	----
30	Plaintiff	Gordon Lemich Diary	08/04/16	No objection	08/09/16
31	Plaintiff	May 7, 2013 Email	08/04/16	----	----
32	Plaintiff	Settlement Agreement with TMWA	08/04/16	----	----
33	Defendants	Google Photos	08/04/16	Stipulated	08/09/16
34	Defendants	Sales Agreement	08/04/16	----	----

TRIAL EXHIBITS

PLTF: Northern Nevada Homes, LLC

**PATY: Thomas Drendel, Esq.
Christopher Rusby, Esq.**

DEFT: Gordon Lemich; GL Construction, Inc.

**DATY: John Boyden, Esq.
Brett Dieffenbach, Esq.**

Case No: CV13-01468

Dept. No: 8

Clerk: A. DeGayner

Date: 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
35	Defendants	Deed to High Valley	08/04/16	----	----
36	Defendants	Deed to UVRP	08/04/16	----	----
37	Defendants	Deed to Northern Nevada	08/04/16	----	----
38	Defendants	Deed to Northern Nevada	08/04/16	----	----
39	Defendants	Financial Status Report	08/04/16	----	----
40	Defendants	Order Bankruptcy Court	08/04/16	----	----
41	Defendants	Appraisal Letter	08/04/16	----	----
42	Defendants	TMWA 2005 Letter	08/04/16	No Objection	08/09/16
43	Defendants	TMWA Diagram	08/04/16	----	----
44	Defendants	Adkins Cost	08/04/16	----	----
45	Defendants	R. Fitzgerald Depo Exhibit	08/04/16	----	----
46	Defendants	Washoe County Assessment Property Data	08/04/16	----	----
47	Defendants	Nortech Report	08/04/16	----	----
48	Defendants	Misc. Photo	08/04/16	Stipulated	08/09/16
49	Defendants	TMWA Pothole Exhibit	08/04/16	----	----
50	Defendants	Venture Engineering Final Restoration Plan – Exh C	08/04/16	----	----
51	Defendants	Roadway Easement – Exh D	08/04/16	----	----
52	Defendants	Comstock Fill Pile – Exh 6	08/04/16	----	----
53	Defendants	Comstock Fill Pile – Exh 7	08/04/16	----	----
54	Defendants	Comstock Fill Pile – Exh 8	08/04/16	Stipulated	08/09/16
55	Defendants	Map	08/04/16	----	----
56	Defendants	Pezonella Particle Size Distribution Report	08/04/16	----	----
57	Defendants	Pezonella Report	08/04/16	----	----

TRIAL EXHIBITS**PLTF: Northern Nevada Homes, LLC****PATY: Thomas Drendel, Esq.
Christopher Rusby, Esq.****DEFT: Gordon Lemich; GL Construction, Inc.****DATY: John Boyden, Esq.
Brett Dieffenbach, Esq.****Case No: CV13-01468****Dept. No: 8****Clerk: A. DeGayner****Date: 8/8/16**

Exhibit No.	Party	Description	Marked	Offered	Admitted
58	Defendants	Pezonella Photo	08/04/16	Stipulated	08/09/16
59	Defendants	Pezonella Soil Characteristics	08/04/16	----	----
60	Defendants	TMWA Letter July 19, 2010	08/09/16	No Objection	08/09/16
61	Defendants	TMWA Letter August 25, 2010	08/09/16	No Objection	08/09/16

CASE NO. CV13-01468

GL CONSTRUCTION, INC. VS NORTHERN NEVADA HOMES, LLC.

Page One

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/11/2016

BENCH TRIAL – (pre-trial)

HONORABLE
LIDIA

*Prior to the commencement of Court, Counterclaimant's **Exhibits 1-53** marked for identification with the Court Clerk.*

STIGLICH

James Shields Beasley, Esq. was present in Court on behalf of the Counterclaimant, GL Construction, Inc. and Gordon Lemich, who was not present.

DEPT. NO. 8

Christopher Rusby, Esq. was present in Court on behalf of the Counter-defendant, Northern Nevada Homes, LLC., who not present.

A. DeGayner
(Clerk)

I. Zihn

2:02 p.m. – Court convened with Court, Counsel Rusby and Counsel Beasley present. Counsel Rusby advised the Court that he has filed a motion to dismiss on the basis that the underlying claims have settled.

(Reporter)

Counsel Beasley advised the Court that up until the settlement of the underlying claims today, this Court had jurisdiction of the bifurcated claim and the counterclaimant has incurred attorney's fees and costs. Counsel Beasley further argued that Northern Nevada Homes' is attempting to extinguish the right of GL Construction to seek attorney's fees by making a belated motion. If this case goes to the Reno Justice Court, GL Construction will have lost the right to recover attorney's fees.

2:10 p.m. – Court stood in Recess. Counsel shall return on Friday, August 12, 2016 at 9:00 a.m. Bench Trial scheduled for Friday, August 12, 2016 at 11:00 a.m., if needed. If counsel files any pleadings overnight they shall also be e-mailed directly to the Court.

DATE, JUDGE
OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/12/2016

HONORABLE

LIDIA

STIGLICH

DEPT. NO. 8

A. DeGayner

(Clerk)

I. Zihn

(Reporter)

BENCH TRIAL – Day One

James Shields Beasley, Esq. was present in Court on behalf of the Counterclaimant, GL Construction, Inc. and Gordon Lemich, who was not present.

Christopher Rusby, Esq. was present in Court on behalf of the Counter-defendant, Northern Nevada Homes, LLC., who was present through Robert Fitzgerald.

9:05 a.m. – Court convened with Court, Counsel and Mr. Lemich present.

COURT ORDERED: Counter-defendant's Motion to Dismiss – DENIED. The Court will proceed with the previously scheduled Bench Trial on the Counterclaim. Counsel and parties are ordered to appear today, August 12, 2016 at 11:00 a.m. for Bench Trial.

9:07 a.m. – Court stood in recess.

*Counter-defendant's **Exhibits 54-58** marked for identification.*

11:07 a.m. – Court convened with Court, Counsel, Counterclaimant and Counter-defendant present.

Counsel Beasley called **Gordon Lemich** who was sworn and direct examined.

Exhibit 34 offered; no objection; ADMITTED.

Continued direct examination conducted by Counsel Beasley; cross examination conducted.

Exhibit 58 offered; objection – sustained; Counsel Rusby to lay foundation for page 2.

Exhibit 58 page 1 offered; no objection; ADMITTED.

Continued cross examination conducted by Counsel Rusby.

Exhibit 59 marked.

Continued cross examination conducted by Counsel Rusby.

Exhibit 55 offered; no objection; ADMITTED.

Exhibit 59 offered; no objection; ADMITTED.

Continued cross examination conducted; re-direct examination conducted; witness thanked and excused.

Counsel Rusby called **Robert Fitzgerald** who was sworn and direct examined.

Exhibit 56 offered; no objection; ADMITTED.

Continued direct examination conducted.

Exhibit 58 offered; no objection; ADMITTED.

Continued direct examination conducted.

Exhibit 57 offered; objection – overruled; ADMITTED.

Cross examination conducted; witness thanked and excused.

Counsel Rusby rested the Defendant's case.

Counsel Beasley recalled **Gordon Lemich** who was advised by the Court that he is still under oath and direct examined; witness inquired by the Court; witness thanked and

excused.

CASE NO. CV13-01468

GL CONSTRUCTION, INC. VS NORTHERN NEVADA HOMES, LLC.

Page Three

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

08/12/2016

BENCH TRIAL – Day One

HONORABLE

Counsel Beasley addressed the Court and argued in support of the Counterclaim.

LIDIA

Counsel Rusby addressed and advised the Court that all claims being sought today have been resolved and further argued that there is no basis for the Counterclaim.

STIGLICH

DEPT. NO. 8

COURT ORDERED: GL Construction, Inc.'s Counterclaim – UNDER SUBMISSION.

A. DeGayner

Court stood in Recess.

(Clerk)

I. Zihn

(Reporter)

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

PATY: Christopher Rusby, Esq. and Thomas Drendel, Esq.

INTV: TRUCKEE MEADOWS WATER AUTHORITY

ATTY: Paul Georgson, Esq.

DEFT: G & L CONSTRUCTION, INC. ET AL

DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Counterclaimant G.L. Construction	Lease of Real Property between Sierra Pacific Power Company and Dale R. Landon and Gordon Lemich, dated June 18, 1993	8/4/16	-----	-----
2	Counterclaimant G.L. Construction	Land Lease Agreement, dated _____, 2001, between Sacramento-Valley Limited and Gordon Lemich and Carolyn Cox	8/4/16	-----	-----
3	Counterclaimant G.L. Construction	Real Property Lease between Truckee Meadows Water Authority and Gordon Lemich and Carolyn Cox, dba Comstock Storage, dated May 1, 2004	8/4/16	-----	-----
4	Counterclaimant G.L. Construction	US Bank demand letter to Gordon Lemich and Carolyn Cox, dated 2/26/2010	8/4/16	-----	-----
5	Counterclaimant G.L. Construction	US Bank demand letter to Gordon Lemich and Carolyn Cox, dated 3/15/10	8/4/16	-----	-----
6	Counterclaimant G.L. Construction	US Bank Commercial Loan Invoice to Gordon Lemich and Carolyn Cox, dated 4/05/10	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

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Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
7	Counterclaimant G.L. Construction	US Bank Commercial Loan Invoice to Gordon Lemich and Carolyn Cox, dated 5/05/10	8/4/16	-----	-----
8	Counterclaimant G.L. Construction	US Bank letter to Gordon Lemich and Carolyn Cox, dated June 15, 2010	8/4/16	-----	-----
9	Counterclaimant G.L. Construction	Acquired Capital Notice to Gordon Lemich, dated 7/22/10, with check from Comstock Storage for \$7,533.93	8/4/16	-----	-----
10	Counterclaimant G.L. Construction	Acquired Capital Notice to Gordon Lemich, dated 8/23/2010	8/4/16	-----	-----
11	Counterclaimant G.L. Construction	Assignment of Nevada Deed of Trust by US Bank to Acquired Capital I, LLC, recorded 8/30/2010	8/4/16	-----	-----
12	Counterclaimant G.L. Construction	Acquired Capital Notice to Gordon Lemich, dated 9/21/10, with check from Comstock Storage for \$7,290.90	8/4/16	-----	-----
13	Counterclaimant G.L. Construction	Comstock Storage check # 1019 to Acquired Capital for \$7,290.90, dated 11/05/10	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

PATY: Christopher Rusby, Esq. and Thomas Drendel, Esq.

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DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
14	Counterclaimant G.L. Construction	Comstock Storage check to Acquired Capital for \$7,290.90, dated 12/10/10	8/4/16	-----	-----
15	Counterclaimant G.L. Construction	Phil Frink & Associates' letter to Gordon Lemich, dated December 20, 2010	8/4/16	-----	-----
16	Counterclaimant G.L. Construction	Phil Frink & Associates' letter to Carolyn Cox, dated December 20, 2010	8/4/16	-----	-----
17	Counterclaimant G.L. Construction	Unsigned Lease of Property – 2605 Comstock Drive, Reno, Nevada between Acquired Capital I, L.P., and Gordon Lemich, dated September 20, 2011	8/4/16	-----	-----
18	Counterclaimant G.L. Construction	Lease of Property, dated May 1, 2012, between Union Pacific Railroad Company and Gordon Lemich dba G.L. Excavation	8/4/16	-----	-----
19	Counterclaimant G.L. Construction	Comstock Storage Check, #1151, to Premier Properties, in the sum of \$2,084.81, dated 6/11/12	8/4/16	-----	-----
20	Counterclaimant G.L. Construction	Comstock Storage Check, #1155, to Premier Properties, in the sum of \$2,030.52, dated 7/10/12	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

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ATTY: Paul Georgson, Esq.

DEFT: G & L CONSTRUCTION, INC. ET AL

DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
21	Counterclaimant G.L. Construction	Comstock Storage Check, #1159, to Premier Properties, in the sum of \$2,069.55, dated 8/09/12	8/4/16	-----	-----
22	Counterclaimant G.L. Construction	Comstock Storage Check, #1162, to Premier Properties, in the sum of \$2,048.30, dated 9/07/12	8/4/16	-----	-----
23	Counterclaimant G.L. Construction	Comstock Storage Check, #1166, to Premier Properties, in the sum of \$2,449.40, dated 11/10/12	8/4/16	-----	-----
24	Counterclaimant G.L. Construction	Comstock Storage Check, #1167, to Premier Properties, in the sum of \$2,437.18, dated 12/10/12	8/4/16	-----	-----
25	Counterclaimant G.L. Construction	Comstock Storage Check, #1168, to Premier Properties, in the sum of \$2,538.21, dated 1/10/13	8/4/16	-----	-----
26	Counterclaimant G.L. Construction	Comstock Storage Check, #1169, to Premier Properties, in the sum of \$2,601.39, dated 2/11/13	8/4/16	-----	-----
27	Counterclaimant G.L. Construction	Comstock Storage Check, #1171, to Premier Properties, in the sum of \$2,658.26, dated 3/13/13	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

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Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
28	Counterclaimant G.L. Construction	Commercial/Investment Property Purchase Agreement, dated August 10, 2012	8/4/16	-----	-----
29	Counterclaimant G.L. Construction	Commercial Disclosure/Environmental Form, dated 9/19/12	8/4/16	-----	-----
30	Counterclaimant G.L. Construction	G.L. Construction Sewer Repair Proposal, dated 11/28/12	8/4/16	-----	-----
31	Counterclaimant G.L. Construction	Northshore Construction & Roofing Findings and Proposal, dated 11/26/12	8/4/16	-----	-----
32	Counterclaimant G.L. Construction	Burke Roofing Proposal and Acceptance, dated 11/29/12	8/4/16	-----	-----
33	Counterclaimant G.L. Construction	Final Settlement Statement, dated 12/28/2012	8/4/16	-----	-----
34	Counterclaimant G.L. Construction	G.L. Construction/Billing #5 DeChardin for N.NV. Homes thru March 13, 2013	8/4/16	No Objection	8/12/16
35	Counterclaimant G.L. Construction	Tenant Estoppel Certificate, dated March 21, 2013	8/4/16	-----	-----
36	Counterclaimant G.L. Construction	Complaint, filed July 3, 2013	8/4/16	-----	-----
37	Counterclaimant G.L. Construction	Amended Answer and Counterclaim, filed October 28, 2013	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

PATY: Christopher Rusby, Esq. and Thomas Drendel, Esq.

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DEFT: G & L CONSTRUCTION, INC. ET AL

DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
38	Counterclaimant G.L. Construction	First Amended Complaint, filed 2/11/2014	8/4/16	-----	-----
39	Counterclaimant G.L. Construction	Reply to Counterclaim, filed 11/15/2013	8/4/16	-----	-----
40	Counterclaimant G.L. Construction	Acceptance of Offer of Judgment, filed 2/27/2014	8/4/16	-----	-----
41	Counterclaimant G.L. Construction	Judgment, filed 4/29/2014	8/4/16	-----	-----
42	Counterclaimant G.L. Construction	Writ of Execution, filed August 1, 2014	8/4/16	-----	-----
43	Counterclaimant G.L. Construction	Writ of Execution, filed August 22, 2014	8/4/16	-----	-----
44	Counterclaimant G.L. Construction	Writ of Execution, filed 10/15/2015	8/4/16	-----	-----
45	Counterclaimant G.L. Construction	Order Charging Stockholder's Interests, filed 10/15/2015	8/4/16	-----	-----
46	Counterclaimant G.L. Construction	SilverFlume Portal for High Valley Development	8/4/16	-----	-----
47	Counterclaimant G.L. Construction	SilverFlume Portal for UVRP, LLC	8/4/16	-----	-----
48	Counterclaimant G.L. Construction	SilverFlume Portal for Northern Nevada Homes, LLC	8/4/16	-----	-----
49	Counterclaimant G.L. Construction	Secretary of State Details for NNH Group, LLC	8/4/16	-----	-----

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

PATY: Christopher Rusby, Esq. and Thomas Drendel, Esq.

INTV: TRUCKEE MEADOWS WATER AUTHORITY

ATTY: Paul Georgson, Esq.

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DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
50	Counterclaimant G.L. Construction	Secretary of State Details for Cerberus Holdings, LLC	8/4/16	-----	-----
51	Counterclaimant G.L. Construction	Grant, Bargain, Sale Deed from the Roman Catholic Bishop of Reno to High Valley Development, dated 3/29/2006	8/4/16	-----	-----
52	Counterclaimant G.L. Construction	Grant Deed from High Valley Development to UVRP, LLC, dated 10/03/2008	8/4/16	-----	-----
53	Counterclaimant G.L. Construction	Grant, Bargain, Sale Deed from UVRP, LLC to Northern Nevada Homes, LLC.	8/4/16	-----	-----
54	Counterdefendant Northern Nevada Homes	Defendant GL Construction, Inc.'s Responses	8/12/16	-----	-----
55	Counterdefendant Northern Nevada Homes	Mr. Lemich Diary	8/12/16	No Objection	8/12/16
56	Counterdefendant Northern Nevada Homes	May 7, 2013 E-mail	8/12/16	No Objection	8/12/16
57	Counterdefendant Northern Nevada Homes	Grant, Bargain and Sale Deed	8/12/16	Objection – Overruled	8/12/16

BENCH TRIAL EXHIBITS

PLTF: CERBERUS HOLDING, LLC ET AL

PATY: Christopher Rusby, Esq. and Thomas Drendel, Esq.

INTV: TRUCKEE MEADOWS WATER AUTHORITY

ATTY: Paul Georgson, Esq.

DEFT: G & L CONSTRUCTION, INC. ET AL

DATY: Brett Dieffenbach, Esq., John Boyden, Esq., James Beasley, Esq., Andrea Pressler, Esq.

Case No: CV13-01468 **Dept. No:** 8 **Clerk:** A. Degayner **Date:** 8/8/16

Exhibit No.	Party	Description	Marked	Offered	Admitted
58	Counterdefendant Northern Nevada Homes	May 9, 2013 E-mail	8/12/16	No Objection	8/12/16
59	Counterdefendant Northern Nevada Homes	Conditional Waiver and Release	8/12/16	No Objection	8/12/16

CIVIL COVER SHEET

Washoe County, Nevada

Case No.

CV13 01468

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone): CERBERUS HOLDINGS, LLC,
 DOB: a Nevada limited liability company; NORTHERN NEVADA
 HOMES, LLC, a Nevada limited liability company

Defendant(s) (name/address/phone): GL CONSTRUCTION, INC.,
 DOB: a Nevada corporation; GORDON LEMICH, an individual;
 and DOES 1 through 10, inclusive

Attorney (name/address/phone) Douglas R. Brown/Todd Alexander
 Lemons, Grundy & Eisenberg
 6005 Plumas Street, Suite 300, Reno, NV 89519; (775) 786-6868

Attorney (name/address/phone). Unknown

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)☐ Arbitration Requested**Civil Cases****Real Property**

- ☐ Landlord/Tenant - LT
☐ Unlawful Detainer - UD
Title to Property
☐ Foreclosure - FC
☐ Liens - LE
☐ Quiet Title - QT
☐ Specific Performance - SP
Condemnation/Eminent Domain-CD
Other Real Property - RO
☐ Partition - PT
☐ Planning/Zoning - PZ

Negligence

- ☐ Negligence - Auto - VP
☐ Negligence - Medical/Dental - MD
☐ Negligence - Premises Liability -SF
 (Slip/Fall)
☒ Negligence - Other - NO

Torts

- ☐ Product Liability
☐ Product Liability/Motor Vehicle-VH
☐ Other Torts/Product Liability - PL
☐ Intentional Misconduct
☐ Torts/Defamation(Libel/Slander)-DF
☐ Interfere with Contract Rights - IR
☐ Employment Torts(Wrongful Term)-WT
☐ Other Torts - TO
☐ Anti-trust - AI
☐ Fraud/Misrepresentation - FM
☐ Insurance- IN
☐ Legal Tort- LG
☐ Unfair Competition - UC

Probate

- Summary Administration - SU**
☐ General Administration - FA
☐ Special Administration - SL
☐ Set Aside Estates - SE
☐ Trust/Conservatorships
☐ Individual Trustee - TR
☐ Corporate Trustee - TM
☐ Other Probate - OP

Other Civil Filing Types

- ☐ Construction Defect - CF
☐ Chapter 40
☐ General
☐ Breach of Contract
☐ Building & Construction - BC
☐ Insurance Carrier - BF
☐ Commercial Instrument - CI
☐ Other Contracts/Acct/Judg. - CO
☐ Collection of Actions - CT
☐ Employment Contract - EC
☐ Guarantee - GU
☐ Sale Contract - SC
☐ Uniform Commercial Code - UN
☐ Civil Petition for Judicial Review
☐ Foreclosure Mediation - FO
☐ Other Administrative Law - AO
☐ Department of Motor Vehicles-DM
☐ Worker's Compensation Appeal-SI
☐ Appeal from Lower Court
☐ Transfer from Justice Court - TJ
☐ Justice Court Civil Appeal - CA
☐ Civil Writ
☐ Other Special Proceeding - SS
☐ Other Civil Filing
☐ Compromise of Minor's Claim - CM
☐ Conversion of Property - CN
☐ Damage to Property - DG
☐ Employment Security - ES
☐ Enforcement of Judgment - EJ
☐ Foreign Judgment - Civil - FJ
☐ Other Personal Property - PO
☐ Recovery of Property - RE
☐ Stockholder Suit - ST
☐ Other Civil Matters - GC
☐ Confession of Judgment - CJ
☐ Name Change - Adult - NC
☐ Out of State Commission - OS
☐ Petition to Seal Criminal Records-PS

III. Business Court Requested (If you check a box below, you must check an additional box above to determine case type.)

- ☐ NRS Chapters 78-88
☐ Investments (NRS 104 Art 8)
☐ Commodities (NRS 90)
☐ Deceptive Trade Practices (NRS 598)
☐ Securities (NRS 90)
☐ Trademarks (NRS 600A)
☐ Enhanced Case Mgmt/Business
☐ Other Business Court Matters

June 6, 2013

Date

Signature of initiating party or representative
 Todd R. Alexander

CV-13-01468 DC-9900047212-026
 CERBERUS HOLDINGS ET AL VS GL 1 Page
 District Court 07/03/2013 04:09 PM
 Washoe County
 WFOV

1 **Code 1350**

2
3 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
4 **IN AND FOR THE COUNTY OF WASHOE**

5 **CEREBRUS HOLDINGS, LLC, a Nevada limited**
6 **liability company; NORTHERN NEVADA HOMES,**
7 **LLC, a Nevada limited liability company,**

Case No. CV13-01468

Dept. No. 8

8 **Plaintiffs,**

9 **vs.**

10 **GL CONSTRUCTION, INC. a Nevada corporation,**
11 **GORDON LEMICH, an individual; and DOES 1-10,**
12 **inclusive,**

13 **Defendants.**

14 **GL CONSTRUCTION, INC. a Nevada corporation,**

15 **Counterclaimant,**

16 **vs.**

17 **NORTHERN NEVADA HOMES, LLC, a Nevada limited**
18 **liability company,**

19 **Counterdefendant.**

20
21 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

22 I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
23 County of Washoe; that on the 12th day of December, 2016, I electronically filed the Notice of
24 Appeal in the above entitled matter to the Nevada Supreme Court.

25 I further certify that the transmitted record is a true and correct copy of the original
26 pleadings on file with the Second Judicial District Court.

27 Dated this 12th day of December, 2016

28
Jacqueline Bryant
Clerk of the Court
By /s/ Yvonne Vilorio
Yvonne Vilorio
Deputy Clerk

RUSBY CLARK, PLLC

Attorneys at Law
36 Stewart Street
Reno, NV 89501
(775) 409-4037

Heritage Bank of Nevada

Keystone Branch
1000 W. 7th Street
Reno, NV 89503-2709
94-181/1212

1264

12/11/2016

PAY TO THE
ORDER OF

Nevada Supreme Court

\$ **250.00

Two hundred fifty and 00/100*****

DOLLARS

Nevada Supreme Court

MEMO

Case No.: CV13-01468 - Appeal Filing Fee



AUTHORIZED SIGNATURE

MP

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