## IN THE SUPREME COURT OF THE STATE OF NEVADA

## Case No.: 72371

Electronically Filed Dec 01 2017 03:54 p.m. Elizabeth A. Brown Clerk of Supreme Court

# PARDEE HOMES OF NEVADA

Appellant,

v.

JAMES WOLFRAM and WALT WILKES

Respondents.

Appeal Regarding Judgment and Post-Judgment Orders Eighth Judicial District Court District Court Case No.: A-10-632338-C

### NOTICE OF FILING TRANSCRIPT REQUEST FORMS

McDONALD CARANO LLP Pat Lundvall (NSBN 3761) Rory T. Kay (NSBN 12416) 2300 W. Sahara Avenue, Suite 1200 Las Vegas, Nevada 89102 Telephone: (702) 873-4100 Facsimile: (702) 873-9966 Email: <u>lundvall@mcdonaldcarano.com</u> rkay@mcdonaldcarano.com

Attorneys for Appellant

Please take notice that Appellant Pardee Homes of Nevada filed two additional Requests for Transcripts of Proceedings ("Requests") with the Clark County District Court pursuant to Nevada Rule of Appellate Procedure 9(a)(3). File-stamped copies of the Requests are attached as Exhibit A.

Dated this 1<sup>st</sup> day of December, 2017.

#### McDONALD CARANO LLP

By: /s/ Rory T. Kay Pat Lundvall (NSBN 3761) Rory T. Kay (NSBN 12416) 2300 W. Sahara Ave., 12th Floor Las Vegas, Nevada 89102 Telephone: (702) 873-4100 Facsimile: (702) 873-9966 Email: lundvall@mcdonaldcarano.com rkay@mcdonaldcarano.com

Attorneys for Appellant

# **CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of McDonald Carano LLP, and on the 1<sup>st</sup> day of December, 2017, a true and correct copy of the foregoing document was e-filed and e-served on all registered parties to the Supreme Court's electronic filing system:

/s/ CaraMia Gerard An Employee of McDonald Carano LLP

4816-7600-6743, v. 1

**Electronically Filed** 12/1/2017 1:25 PM Steven D. Grierson CLERK OF THE COURT REQT 1 PAT LUNDVALL (NSBN 3761) 2 RORY T. KAY (NSBN 12416) McDONALD CARANO LLP 2300 West Sahara Avenue, Suite 1200 3 Las Vegas, Nevada 89102 4 (702) 873-4100 (702) 873-9966 Facsimile 5 lundvall@mcdonaldcarano.com rkay@mcdonaldcarano.com Attorneys for Defendant 6 Pardee Homes of Nevada 7 DISTRICT COURT 8 CLARK COUNTY, NEVADA 9 JAMES WOLFRAM, CASE NO.: A-10-632338-C 10 DEPT NO.: IV WALT WILKES 11 Plaintiffs, REQUEST FOR TRANSCRIPTS OF 12 VS. PROCEEDINGS 13 PARDEE HOMES OF NEVADA, 14 Defendant. 15 16 17 TO: Angela Campagna - Court Reporter ancampagna@yahoo.com 18 Appellant Pardee Homes of Nevada ("Pardee") requests preparation of transcripts 19 of the proceedings before the district court, as follows: 20Judge or officer hearing the proceeding: The Honorable Judge Kerry Earley. 21 Specific individual dates of proceedings for which transcripts are being requested 22 (a range of dates is not acceptable): 23 24 Discovery Conference – October 25, 2011; Hearing transcript – August 27, 2012; 25 Status Check - December 6, 2012; 26 27 Hearing transcript – April 26, 2013; 28 5. Hearing transcript – July 9, 2013;

Case Number: A-10-632338-C

McDONALD W CARANO 2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102 PHONE 702,873,4100 • FAX 702,873,9966

MCDONALD (U) CARANO	2300 WEST SAHARA AVENUE , SUITE 1200 • LAS VEGAS, NEVADA 89102 PHONE 702.873.4100 • FAX 702.873.9966
βC	2300 WEST SA

1	6. Status Check – July 23, 2013;
2	7. Hearing transcript – September 23, 2013;
3	8. Trial transcript – October 23, 2013;
4	9. Trial transcript – October 24, 2013;
5	10.Trial transcript – October 28, 2013;
6	11.Trial transcript – October 29, 2013;
7	12. Trial transcript – October 30, 2013;
8	13. Trial transcript – December 9, 2013;
9	14. Trial transcript – December 9, 2013;
10	15. Trial transcript – December 10, 2013;
11	16. Trial transcript – December 12, 2013;
12	17. Trial transcript – December 13, 2013, Volume 1;
13	18. Trial transcript – December 13, 2013, Volume 2;
14	19. Hearing transcript – July 17, 2014;
15	20. Hearing transcript – July 31, 2014;
16	21.Hearing transcript – July 10, 2015; and
17	22.Hearing transcript – January 15, 2016.
18	Specific portions of the transcript being requested (e.g., suppression hearing, trial,
19	closing argument, etc.): Complete transcripts.
20	Number of copies required: 2.
21	I hereby certify that on the 1 <sup>st</sup> day of December, 2017 <sup>1</sup> , I ordered the transcript(s)
22	listed above from the court reporter named above, and have been in contact with the
23	same regarding payment and deposit amount. The court reporter previously prepared
24	several of the above listed transcripts for Pardee during the pendency of the case.
25	
26	
27	<sup>1</sup> Pardee initially requested the above listed transcripts from the Department 4 Court

 <sup>&</sup>lt;sup>1</sup> Pardee initially requested the above listed transcripts from the Department 4 Court Reporter on November 14, 2017. After discussions with Department 4, Pardee was advised of additional court reporters to contact. Accordingly, Pardee submits this additional Request for Transcripts of Proceedings.

However, it appears that the court reporter did not file the transcripts with the district court. Accordingly, Pardee believes the reporter need only file these previously prepared transcripts rather than preparing new transcripts. DATED this 1st day of December, 2017. McDONALD CARANO LLP /s/ Rory T. Kay PAT LUNDVALL (NBSN #3761) RORY T. KAY (NSB #12416) 2300 West Sahara Avenue, Suite 1200 Las Vegas, Nevada 89102 Attorneys for Pardee Homes of Nevada 

1	CERTIFICATE OF SERVICE
2	I HEREBY CERTIFY that I am an employee of McDonald Carano LLP and that on
3	the 1st day of December, 2017, a true and correct copy of the foregoing <b>REQUEST FOR</b>
4	TRANSCRIPTS OF PROCEEDINGS was electronically served via the Clark County
5	District Court Electronic Filing Program which will provide copies to all counsel of record
6	registered to receive such electronic notification.
7	
8	James J. Jimmerson JIMMERSON LAW FIRM, P.C.
9	415 S. Sixth Street, Suite 100 Las Vegas, Nevada 89101
10	And by U.S. Mail:
11	
12	John W. Muije John W. Muije & Associates
13	1840 E. Sahara Avenue #106 Las Vegas, Nevada 89104
14	Attorney for Plaintiffs
15	
16	
17	<u>/s/ CaraMia Gerard</u> An Employee of McDonald Carano LLP
18	4840-6351-5735, v. 2
19	4040-000 1-07 00, V. Z
20	
21	
22	
23	
24 25	
25 26	
20 27	
27	
20	
	Page 4 of 4
•	•

2300 WEST SAHARA AVENUE, SUITE 1200 - LAS VEGAS, NEVADA 89102 PHONE 702.873.4100 - FAX 702.873.9966 McDONALD CARANO

**Electronically Filed** 12/1/2017 1:28 PM Steven D. Grierson CLERK OF THE COURT REQT 1 PAT LUNDVALL (NSBN 3761) 2 RORY T. KAY (NSBN 12416) McDONALD CARANO LLP 2300 West Sahara Avenue, Suite 1200 3 Las Vegas, Nevada 89102 4 (702) 873-4100 (702) 873-9966 Facsimile 5 lundvall@mcdonaldcarano.com rkay@mcdonaldcarano.com Attorneys for Defendant 6 Pardee Homes of Nevada 7 DISTRICT COURT 8 CLARK COUNTY, NEVADA 9 JAMES WOLFRAM, CASE NO.: A-10-632338-C 10 DEPT NO.: IV WALT WILKES 11 Plaintiffs, REQUEST FOR TRANSCRIPTS OF 12 VS. PROCEEDINGS 13 PARDEE HOMES OF NEVADA, 14 Defendant. 15 16 17 TO: Jennifer Church - Court Reporter bajamill@aol.com 18 Appellant Pardee Homes of Nevada ("Pardee") requests preparation of transcripts 19 of the proceedings before the district court, as follows: 20Judge or officer hearing the proceeding: The Honorable Judge Kerry Earley. 21 Specific individual dates of proceedings for which transcripts are being requested 22 (a range of dates is not acceptable): 23 24 Discovery Conference – October 25, 2011; Hearing transcript – August 27, 2012; 25 Status Check - December 6, 2012; 26 27 Hearing transcript – April 26, 2013; 28 5. Hearing transcript – July 9, 2013;

Case Number: A-10-632338-C

McDONALD (CARANO 2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102 PHONE 702,873,4100 • FAX 702,873,9966

MCDONALD (U) CARANO	2300 WEST SAHARA AVENUE , SUITE 1200 • LAS VEGAS, NEVADA 89102 PHONE 702.873.4100 • FAX 702.873.9966
McDC	2300 WEST SAHAF PH

1	6. Status Check – July 23, 2013;
2	7. Hearing transcript – September 23, 2013;
3	8. Trial transcript – October 23, 2013;
4	9. Trial transcript – October 24, 2013;
5	10. Trial transcript – October 28, 2013;
6	11. Trial transcript – October 29, 2013;
7	12.Trial transcript – October 30, 2013;
8	13. Trial transcript – December 9, 2013;
9	14. Trial transcript – December 9, 2013;
10	15. Trial transcript – December 10, 2013;
11	16. Trial transcript – December 12, 2013;
12	17. Trial transcript – December 13, 2013, Volume 1;
13	18. Trial transcript – December 13, 2013, Volume 2;
14	19.Hearing transcript – July 17, 2014;
15	20. Hearing transcript – July 31, 2014;
16	21. Hearing transcript – July 10, 2015; and
17	22.Hearing transcript – January 15, 2016.
18	Specific portions of the transcript being requested (e.g., suppression hearing, trial,
19	closing argument, etc.): Complete transcripts.
20	Number of copies required: 2.
21	I hereby certify that on the 1 <sup>st</sup> day of December, 2017 <sup>1</sup> , I ordered the transcript(s)
22	listed above from the court reporter named above, and have been in contact with the
23	same regarding payment and deposit amount. The court reporter previously prepared
24	several of the above listed transcripts for Pardee during the pendency of the case.
25	
26	
27	<sup>1</sup> Pardee initially requested the above listed transcripts from the Department 4 Court

 <sup>&</sup>lt;sup>1</sup> Pardee initially requested the above listed transcripts from the Department 4 Court Reporter on November 14, 2017. After discussions with Department 4, Pardee was advised of additional court reporters to contact. Accordingly, Pardee submits this additional Request for Transcripts of Proceedings.

However, it appears that the court reporter did not file the transcripts with the district court. Accordingly, Pardee believes the reporter need only file these previously prepared transcripts rather than preparing new transcripts. DATED this 1st day of December, 2017. McDONALD CARANO LLP /s/ Rory T. Kay PAT LUNDVALL (NBSN #3761) RORY T. KAY (NSB #12416) 2300 West Sahara Avenue, Suite 1200 Las Vegas, Nevada 89102 Attorneys for Pardee Homes of Nevada 

1	CERTIFICATE OF SERVICE
2	I HEREBY CERTIFY that I am an employee of McDonald Carano LLP and that on
3	the 1st day of December, 2017, a true and correct copy of the foregoing <b>REQUEST FOR</b>
4	TRANSCRIPTS OF PROCEEDINGS was electronically served via the Clark County
5	District Court Electronic Filing Program which will provide copies to all counsel of record
6	registered to receive such electronic notification.
7 8	James J. Jimmerson JIMMERSON LAW FIRM, P.C.
9	415 S. Sixth Street, Suite 100 Las Vegas, Nevada 89101
10	And by U.S. Mail:
11	John W. Muije
12	John W. Muije & Associates 1840 E. Sahara Avenue #106
13	Las Vegas, Nevada 89104
14 15	Attorney for Plaintiffs
15	
17	/s/ CaraMia Gerard
18	An Employee of McDonald Carano LLP
19	4820-6755-1319, v. 2
20	
21	
22	
23	
24	
25	
26	
27	
28	
	Page 4 of 4

2300 WEST SAHARA AVENUE, SUITE 1200 - LAS VEGAS, NEVADA 89102 PHONE 702.873.4100 - FAX 702.873.9966 McDONALD CARANO