

IN THE SUPREME COURT OF THE STATE OF NEVADA

Case No.: 72371

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Elizabeth A. Brown
Clerk of Supreme Court

PARDEE HOMES OF NEVADA

Appellant,

v.

JAMES WOLFRAM and WALT WILKES, et al.

Respondents.

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

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10/23/2013	Trial Exhibit G	23	JA003638
10/23/2013	Trial Exhibit H	23	JA003639- JA003640
10/23/2013	Trial Exhibit I	23	JA003641- JA003643
10/23/2013	Trial Exhibit J – filed under seal	24	JA003644- JA003669
10/23/2013	Trial Exhibit K	24	JA003670- JA003674
10/23/2013	Trial Exhibit L	24	JA003675- JA003678
10/23/2013	Trial Exhibit M	24	JA003679- JA003680
10/23/2013	Trial Exhibit N	24	JA003681- JA003683
10/23/2013	Trial Exhibit O – filed under seal	25-26	JA003684- JA004083
10/23/2013	Trial Exhibit P	27	JA004084
10/23/2013	Trial Exhibit Q	27	JA004085
10/23/2013	Trial Exhibit R	27	JA004086- JA004089
10/23/2013	Trial Exhibit S	27	JA004090

Date	Document Description	Volume	Labeled
10/23/2013	Trial Exhibit T	27	JA004091- JA004092
10/23/2013	Trial Exhibit U	27	JA004093
10/23/2013	Trial Exhibit V	27	JA004094
10/23/2013	Trial Exhibit W	27	JA004095- JA004096
10/23/2013	Trial Exhibit X	27	JA004097
10/23/2013	Trial Exhibit Y	27	JA004098
10/23/2013	Trial Exhibit Z	27	JA004099- JA004100
10/23/2013	Trial Exhibit 1	27	JA004289- JA004292
10/23/2013	Trial Exhibit 10 – filed under seal	27	JA004320- JA004329
10/23/2013	Trial Exhibit 11 – filed under seal	28	JA004330- JA004340
10/23/2013	Trial Exhibit 12 – filed under seal	28	JA004341- JA004360
10/23/2013	Trial Exhibit 13 – filed under seal	28	JA004361- JA004453
10/28/2013	Trial Exhibit 15	34	JA005228- JA005232
10/28/2013	Trial Exhibit 18	34	JA005233- JA005235

Date	Document Description	Volume	Labeled
10/28/2013	Trial Exhibit 19	34	JA005236- JA005237
10/28/2013	Trial Exhibit 20	34	JA005238- JA005254
10/23/2013	Trial Exhibit 21	28	JA004454
10/28/2013	Trial Exhibit 23	34	JA005255- JA005260
10/30/2013	Trial Exhibit 23a	39	JA005816- JA005817
10/28/2013	Trial Exhibit 24	34	JA005261- JA005263
10/23/2013	Trial Exhibit 25	28	JA004455- JA004462
10/24/2013	Trial Exhibit 26	31	JA004792- JA004804
10/30/2013	Trial Exhibit 27	39	JA005818- JA005820
10/29/2013	Trial Exhibit 28	36	JA005494- JA005497
10/29/2013	Trial Exhibit 29	36	JA005498- JA005511
10/24/2013	Trial Exhibit 30	31	JA004805- JA004811
12/13/2013	Trial Exhibit 31a	48	JA007385- JA007410
12/12/2013	Trial Exhibit 39	46	JA006936- JA006948

Date	Document Description	Volume	Labeled
12/12/2013	Trial Exhibit 40	46	JA006949- JA006950
12/12/2013	Trial Exhibit 41	46	JA006951- JA006952
10/23/2013	Trial Exhibit 6 – filed under seal	27	JA004293- JA004307
10/23/2013	Trial Exhibit 7 – filed under seal	27	JA004308- JA004310
10/23/2013	Trial Exhibit 8 – filed under seal	27	JA004311- JA004312
10/23/2013	Trial Exhibit 9 – filed under seal	27	JA004313- JA004319
10/23/2013	Trial Exhibit AA	27	JA004101- JA004102
10/23/2013	Trial Exhibit BB	27	JA004103
10/23/2013	Trial Exhibit CC	27	JA004104
10/23/2013	Trial Exhibit DD	27	JA004105
10/23/2013	Trial Exhibit EE	27	JA004106- JA004113
10/23/2013	Trial Exhibit FF	27	JA004114- JA004118
10/23/2013	Trial Exhibit GG	27	JA004119- JA004122
10/23/2013	Trial Exhibit HH	27	JA004123

Date	Document Description	Volume	Labeled
10/23/2013	Trial Exhibit II	27	JA004124
10/23/2013	Trial Exhibit JJ	27	JA004125
10/23/2013	Trial Exhibit KK	27	JA004126- JA004167
10/23/2013	Trial Exhibit LL	27	JA004168
10/23/2013	Trial Exhibit MM	27	JA004169
10/23/2013	Trial Exhibit NN	27	JA004170- JA004174
10/23/2013	Trial Exhibit OO	27	JA004175- JA004183
10/23/2013	Trial Exhibit PP	27	JA004184- JA004240
10/23/2013	Trial Exhibit QQ	27	JA004241- JA004243
10/23/2013	Trial Exhibit RR	27	JA004244- JA004248
10/23/2013	Trial Exhibit SS	27	JA004249- JA004255
10/23/2013	Trial Exhibit TT	27	JA004256- JA004262
10/23/2013	Trial Exhibit UU	27	JA004263- JA004288
10/24/2013	Trial Exhibit VV	31	JA004791

Date	Document Description	Volume	Labeled
12/10/2013	Trial Exhibit WW	43	JA006531- JA006532
12/12/2013	Trial Exhibit XX	46	JA006879- JA006935

Dated this 28th day of February, 2018.

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
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 28th day of February, 2018, 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/ Beau Nelson

An Employee of McDonald Carano LLP

JA004330 – JA004340

FILED UNDERSEAL

JA004341 – JA004360

FILED UNDERSEAL

JA004361 – JA004453

FILED UNDERSEAL



10880 Wilshire Boulevard, Suite 1900
Los Angeles, CA 90024
Tel: (310) 475-3525
Fax: (253) 928-2696

July 10, 2009

James J. Jimmerson, Esq.
Jimmerson Hansen Attorneys at Law
415 South Sixth Street, Suite 100
Las Vegas, NV 89101

Re: Coyote Springs Real Estate Commissions
Your Clients: Jim Wolfram Award Realty Group and
Walt Wilkes General Realty

Dear Mr. Jimmerson:


The Legal Department of Pardee Homes ("Pardee") has reviewed your letters of April 23, 2009 and May 19, 2009 to Jim Stringer, Jr., Pardee Director of Land Acquisition, and we have discussed those letters with those Pardee personnel who negotiated and administered the payment of real estate commissions in connection with Pardee's purchase of certain property at Coyote Springs.

Pardee's obligation to pay any and all such commissions is set forth within the four corners of that letter of September 1, 2004, from Jon Lash of Pardee to General Realty Group, Inc. and Award Realty Group (collectively, the "Brokers"), which the Brokers countersigned (the "2004 Letter Agreement").

As Pardee finds that all commissions payable under the 2004 Letter Agreement have already been paid, we believe that this matter has been fully resolved. If, however, your clients have a specific claim, we invite you to make it on their behalf.

Very truly yours,

PARDEE HOMES

By: 

Charles E. Curtis
Legal Counsel

ccs: Christopher Hallman, Esq.
Jon Lash
Jim Stringer, Jr.

PH 000132

Trial Ex 021-001

JA004454

20000721

C.332

PARCEL MAP

BEING A PORTION OF SECTIONS 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, 21, 22, 23, 24, 25, AND 26
TOWNSHIP 13 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA

LEGEND

- BOUNDARY LINE
- SECTION LINE
- APPROXIMATE SECTION LINE
- BASIS OF BEARINGS
- LOT LINE
- HIGHWAY RIGHT-OF-WAY LINE
- CENTERLINE
- FOUND MONUMENT AS NOTED
- 10 SECTION NUMBER
- R.O.S. RECORD OF SURVEY
- A.P.N. ASSESSOR'S PARCEL NUMBER
- BLM BUREAU OF LAND MANAGEMENT

REFERENCE MATERIALS

- BLM SURVEY PLAT OF TOWNSHIP 13 SOUTH, RANGE 63 EAST MOUNT DIABLO MERIDIAN, APPROVED NOVEMBER 8, 1981
- BLM FIELD NOTES TOWNSHIP 13 SOUTH, RANGE 63 EAST MOUNT DIABLO MERIDIAN, APPROVED NOVEMBER 8, 1981
- RECORD OF SURVEY: FILE 55, PAGE 41
- RECORD OF SURVEY: FILE 78, PAGE 46
- CORNER RECORD: BOOK 2000310 INSTRUMENT NO. 01511 RECORDED MARCH 10, 2000
- CORNER RECORD: BOOK 2000321 INSTRUMENT NO. 01049 RECORDED MARCH 21, 2000
- NEVADA DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY PLANS: NEV-085185 DATED DECEMBER 7, 1984
- NEVADA DEPARTMENT OF TRANSPORTATION HIGHWAY RIGHT-OF-WAY PLANS: NEV-080728 DATED JULY 3, 1983

COUNTY SURVEYOR'S CERTIFICATE

I, BRETT A. LANE, COUNTY SURVEYOR, CLARK COUNTY, NEVADA, DO HEREBY CERTIFY THAT ON THIS 22ND DAY OF JULY, 2002, I HAVE EXAMINED THIS PARCEL MAP AND THAT IT IS TECHNICALLY CORRECT.

Brett A. Lane
COUNTY SURVEYOR
CLARK COUNTY, NEVADA
NEVADA CERTIFICATE NO. 7841
JAMES A. DORSEY, P.L.S. # 11766

**APPROVALS**

THIS IS TO CERTIFY THAT THE ZONING ADMINISTRATOR, AS DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS, APPROVED THIS MAP ON BEHALF OF CLARK COUNTY ON THIS 21 DAY OF JULY, 2002.

Shane Ammerman
SHANE AMMERMAN - FOR THE ZONING ADMINISTRATOR
PURSUANT TO N.R.S. 278.468, THIS MAP MUST BE RECORDED BY JULY 31, 2002.

THIS IS TO CERTIFY THAT *Robert R. Deack* AS DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS, APPROVED AND ACCEPTED ON BEHALF OF THE PUBLIC. ANY PARCELS OF LAND OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION SHOWN HEREON.

Robert R. Deack
ROBERT R. DEACK
FOR THE DIRECTOR OF PUBLIC WORKS

BASIS OF BEARINGS

SOUTH 87°07'00" EAST, BEING THE BEARING OF A TRANSVERSE LINE AS SHOWN ON THAT RECORD OF SURVEY ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA IN FILE 55 OF SURVEYS, AT PAGE 41, SAID TRANSVERSE LINE BEING MARKED ON THE NORTH BY A 3" ALUMINUM CAP STAMPED RLS 7142 LOOP C-300 LIST AND MARKED ON THE SOUTH BY A 3" ALUMINUM CAP STAMPED RLS 7142 LOOP C-300 LIST.

NOTE: LANDSCAPING AS REQUIRED BY 28.22 OSD SHALL BE PROVIDED WITHIN A LANDSCAPING STRIP OR CUT-OUTS, WHICH IS TO BE MAINTAINED IN PERPETUITY.

SURVEYOR'S CERTIFICATE

I, ALAN R. RIECKI, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, AS AN AGENT FOR VTN NEVADA, CERTIFY THAT:

- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION, AT THE INSTANCE OF COYOTE SPRINGS INVESTMENT LLC, A NEVADA LIMITED LIABILITY COMPANY.
- THE LANDS SURVEYED LIE WITHIN SECTIONS 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, 21, 22, 23, 24, 25, AND 26, TOWNSHIP 13 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON 3/10/02.
- THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

Alan R. Riecki
ALAN R. RIECKI, P.L.S.
NEVADA LICENSE NO. 12468

**OWNER'S CERTIFICATE**

COYOTE SPRINGS INVESTMENT LLC, A NEVADA LIMITED LIABILITY COMPANY HEREBY CERTIFIES THAT BEING THE OWNER OF THE PARCEL OF LAND WHICH IS SHOWN UPON THE ATTACHED MAP, I DO HEREBY OFFER AND DEDICATE TO CLARK COUNTY ALL STREETS, DRAINAGE EASEMENTS AND OTHER RIGHTS-OF-WAY AS INDICATED AND OUTLINED HEREON FOR THE USE OF THE PUBLIC.

Robert R. Deack
ROBERT R. DEACK, CSI
DATE 6/1/02

ACKNOWLEDGEMENT

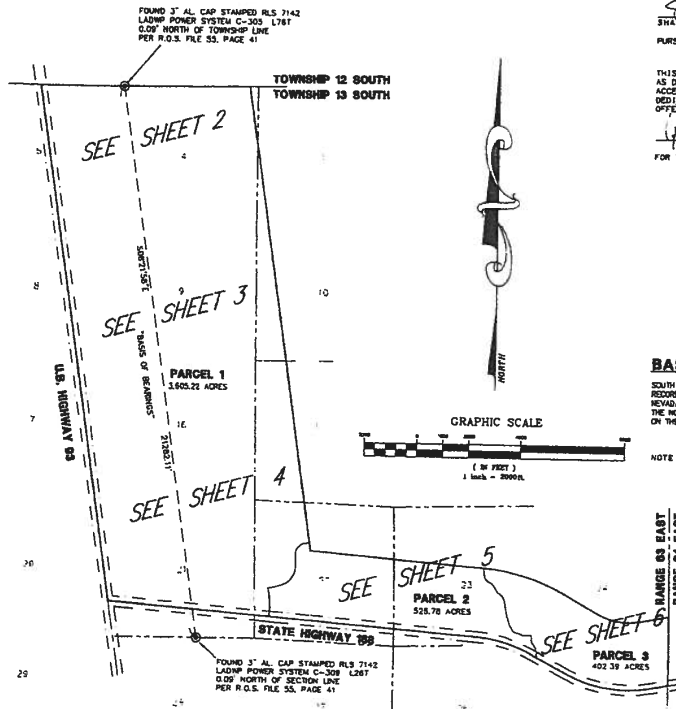
STATE OF NEVADA)
COUNTY OF CLARK)
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 6/1/02 BY *Robert R. Deack* AS *General Manager* OF COYOTE SPRINGS INVESTMENT LLC, A NEVADA LIMITED LIABILITY COMPANY.

Robert R. Deack
ROBERT R. DEACK, P.L.S.
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES

**COUNTY RECORDER'S NOTE**

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX, N.E.S. 278.5895

CONSULTING ENGINEERS & PLANNERS & LAND SURVEYORS VTN 2721 SOUTH MARSH BOULEVARD (702) 434-7600 FAX (702) 434-7601		NPM # 049-00 NO. 01332 FILED AT THE REQUEST OF VTN Nevada DATED 7/24/02 AT 15:12 FILE 078 PAGE 157 OF PARCEL MAPS OPTIONAL RECORDS BOOK NO. 20000721 CLARK COUNTY, NEVADA RECORDS JUDITH A. VANOVER, RECORDER JULY 22, 2002 FEE \$1,100.00 DEPUTY DE	
PARCEL MAP FOR COYOTE SPRINGS INVESTMENT LLC			
LYING WITHIN SECTIONS 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, 21, 22, 23, 24, 25, AND 26, TOWNSHIP 13 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA			
SCALE: 1"=2000'	W.O.B. 5883-1A	DATE: 3/17/02	SHEET OF
FILE 5883BY	OPEN BY: ARA	REV: 5/26/02	1 8
CND BY: T2			

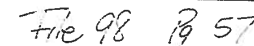


Trial Ex 025-001

File 98 19 57

PLTF10463
JA004455

C 332

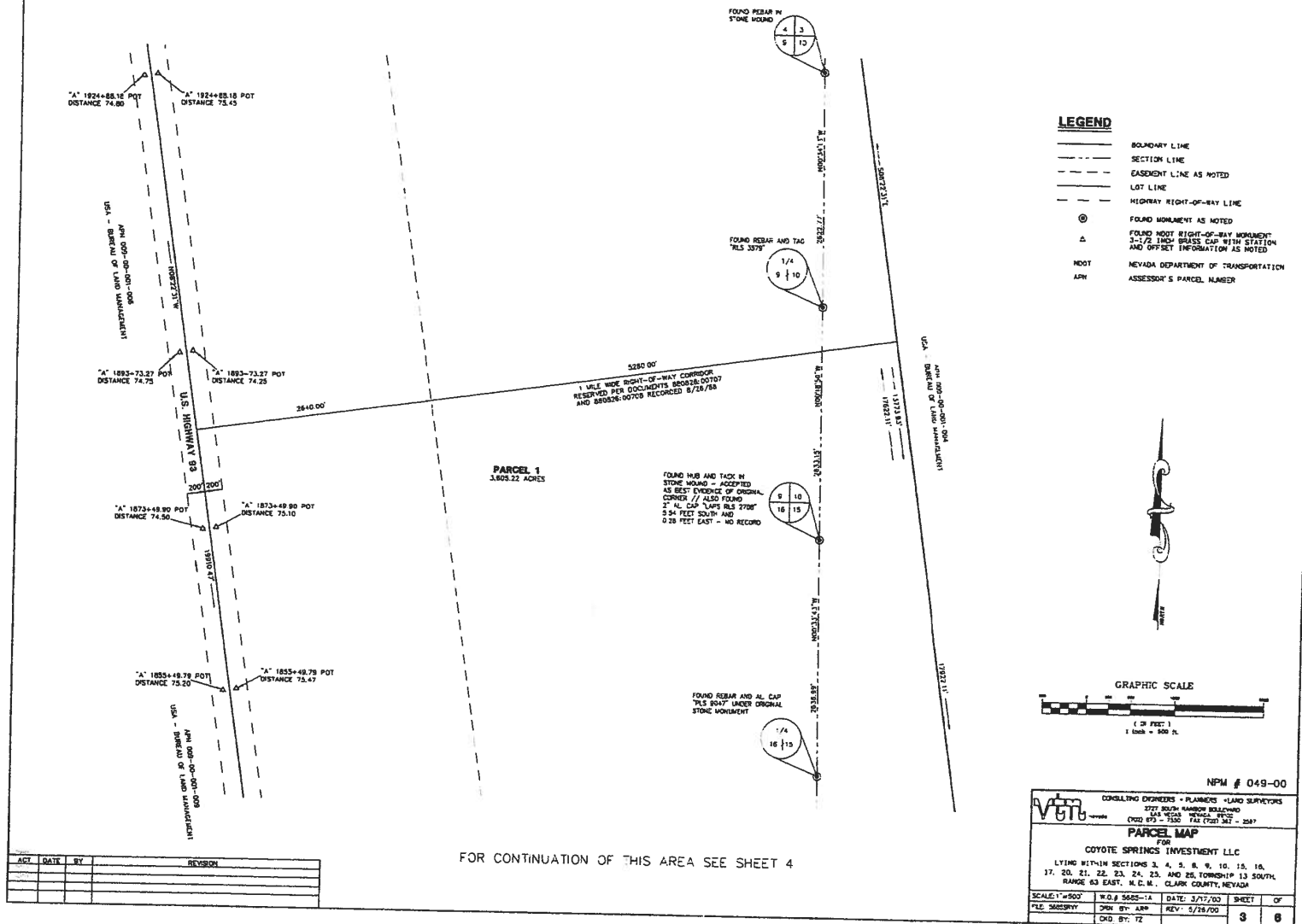


PLTF10464
JA004456

20000721

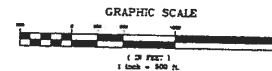
01382

FOR CONTINUATION OF THIS AREA SEE SHEET 2



LEGEND

- BOUNDARY LINE
- - - SECTION LINE
- - - EASEMENT LINE AS NOTED
- - - LOT LINE
- - - HIGHWAY RIGHT-OF-WAY LINE
- ⊙ FOUND MONUMENT AS NOTED
- △ FOUND MONUMENT RIGHT-OF-WAY MONUMENT 3-1/2" INCH BRASS CAP WITH STATION AND OFF-SET INFORMATION AS NOTED
- NOT NEVADA DEPARTMENT OF TRANSPORTATION
- APN ASSESSOR'S PARCEL NUMBER



NPM # 049-00

VOT		CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS	
2777 SOUTH HARBOR BOULEVARD		2777 SOUTH HARBOR BOULEVARD	
CITY OF LAS VEGAS, NEVADA		CITY OF LAS VEGAS, NEVADA	
FOR		FOR	
COYOTE SPRINGS INVESTMENT LLC		COYOTE SPRINGS INVESTMENT LLC	
LYING WITHIN SECTIONS 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, 21, 22, 23, 24, 25, AND 26, TOWNSHIP 13 SOUTH, RANGE 63 EAST, N.E. 1/4, CLARK COUNTY, NEVADA			
SCALE: 1"=500'	W.O.B. 5605-1A	DATE: 3/17/00	SHEET 8 OF 8
FILE: 5605-1A	CHK: BY: APN	REV: 5/18/00	
CHK: BY: TZ			

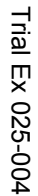
File 98 Pg 51

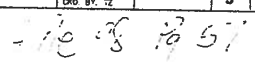
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PLTF10465

JA004457

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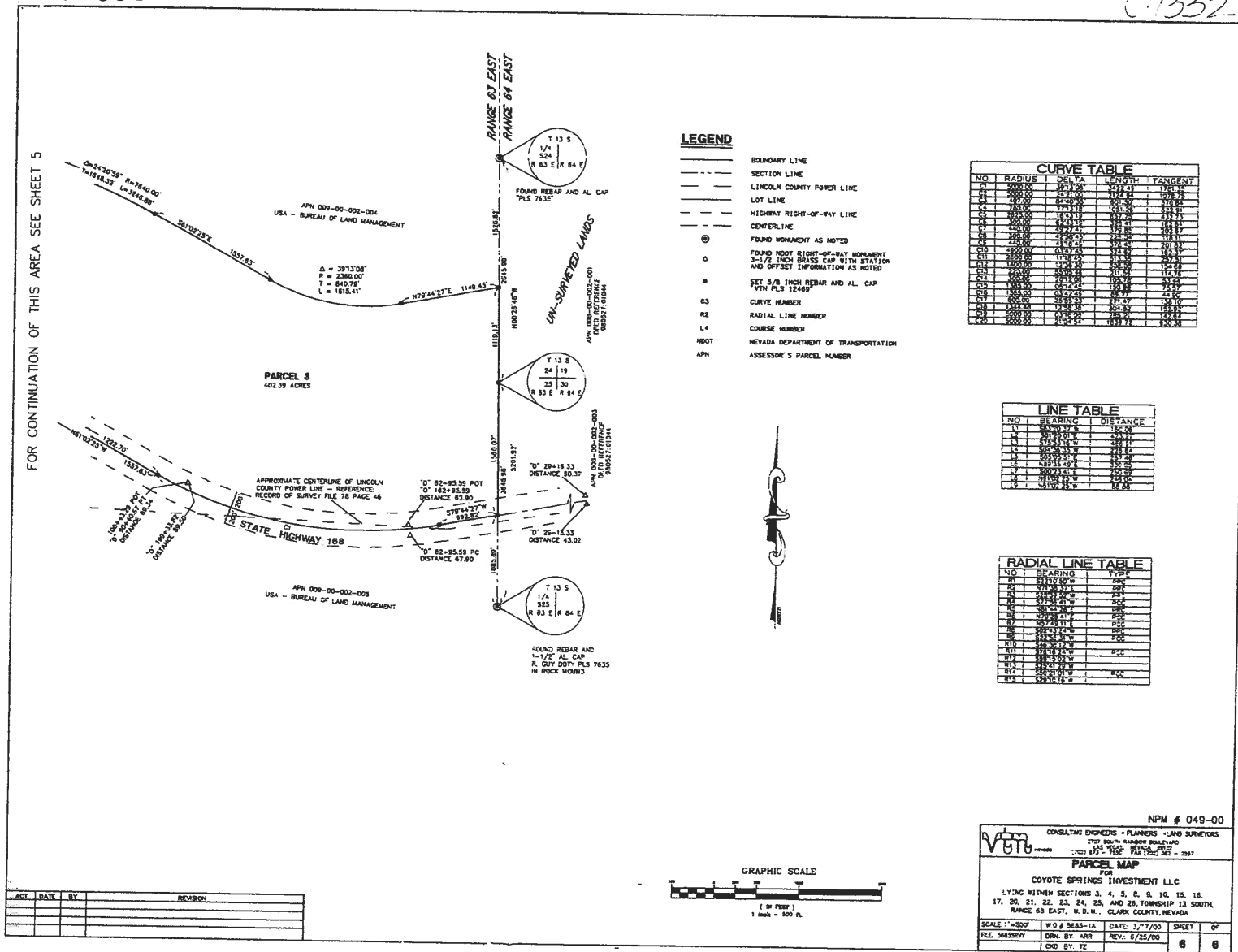




20000721

01332

FOR CONTINUATION OF THIS AREA SEE SHEET 5



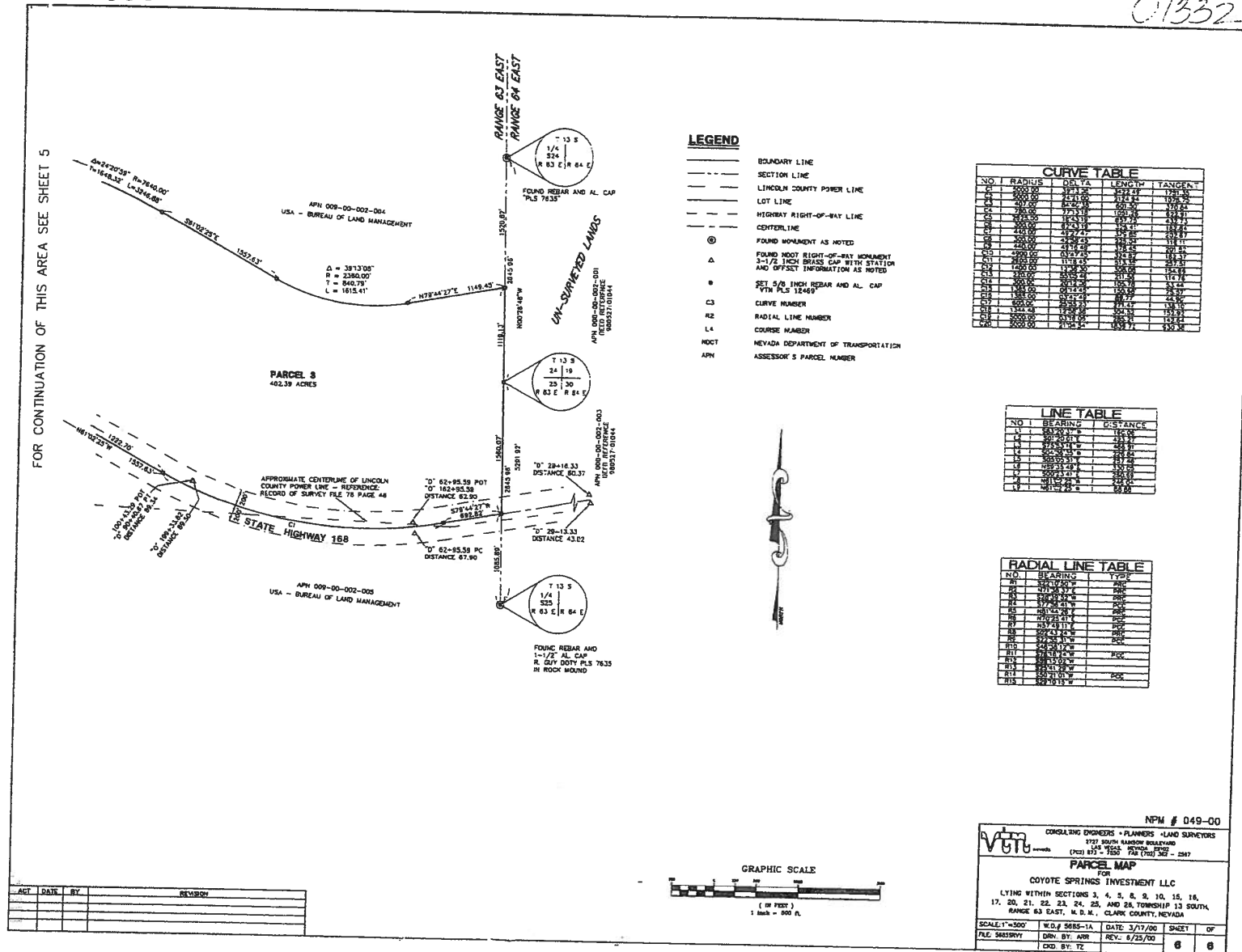
Trial Ex 025-006

PLTF10468

JA004460

01332

ACT	DATE	BY	REVISION



Trial Ex 025-007

777 08 P 5

PLTF10468

JA004461

Trial Ex 025-008

CERTIFIED COPY, THIS
DOCUMENT IS A TRUE AND
CORRECT COPY OF THE
RECORDED DOCUMENT MINUS
ANY REDACTED PORTIONS

JUL. 18. 2013

Debbie Conway
RECORDER

JA004462