

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

**Case No.: 72371**

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Elizabeth A. Brown  
Clerk of Supreme Court

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PARDEE HOMES OF NEVADA

Appellant,

v.

JAMES WOLFRAM and WALT WILKES, et al.

Respondents.

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

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**JOINT APPENDIX – VOLUME 34 OF 88**

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07/15/2014	Reply in Support of Pardee's Motion to Expunge Lis Pendens	48	JA007560- JA007570
08/17/2015	Reply Points and Authorities in Support of Motion for Reconsideration	67	JA010670- JA010678
11/08/2011	Scheduling Order	1	JA000028- JA000030
06/06/2013	Second Amended Complaint	16	JA002670- JA002677
04/17/2013	Second Amended Order Setting Civil Non-Jury Trial	16	JA002501- JA002502
12/15/2011	Stipulated Confidentiality Agreement and Protective Order	1	JA000033- JA000039
08/29/2012	Stipulation and Order to Extend Discovery Deadlines (First Request)	1	JA000051- JA000054
06/30/2015	Supplement to Plaintiffs' Pending Motion for Attorney's Fees and Costs, Motion to Strike Judgment, Motion Pursuant to NRCP 52(b) and NRCP 59 to Amend the Court's Judgment, and Plaintiffs' Opposition to Pardee's Motion for Attorney's Fees and Costs	59	JA009110- JA009206
09/27/2013	Supplemental Brief in Support of Defendant's Motion for Partial Summary Judgment	21	JA003204- JA003209
07/12/2007	Supplemental Order Regarding Plaintiffs' Entitlement to, and Calculation of, Prejudgment Interest	88	JA014106- JA014110

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
03/05/2013	Transcript of Proceedings - March 5, 2013	14	JA002211- JA002350
10/25/2011	Transcript re Discovery Conference	1	JA000024- JA000027
08/27/2012	Transcript re Hearing	1	JA000049- JA000050
04/26/2013	Transcript re Hearing	16	JA002527- JA002626
07/09/2013	Transcript re Hearing	17	JA002688- JA002723
09/23/2013	Transcript re Hearing	18	JA002875- JA002987
07/17/2014	Transcript re Hearing	49	JA007579- JA007629
07/31/2014	Transcript re Hearing	49	JA007630- JA007646
07/10/2015	Transcript re Hearing	62	JA009734- JA009752
01/15/2016	Transcript re Hearing	70	JA010962- JA011167
08/15/2016	Transcript re Hearing - August 15, 2016	86	JA013445- JA013565
12/06/2012	Transcript re Status Check	13	JA002066- JA002080
07/23/2013	Transcript re Status Check	17	JA002809- JA002814
10/23/2013	Transcript re Trial	22	JA003213- JA003403

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
10/24/2013	Transcript re Trial	29-30	JA004463- JA004790
10/28/2013	Transcript re Trial – <b>filed under seal</b>	32-33	JA004848- JA005227
10/29/2013	Transcript re Trial – <b>filed under seal</b>	35	JA005264- JA005493
10/30/2013	Transcript re Trial	37-38	JA005512- JA005815
12/09/2013	Transcript re Trial – <b>filed under seal</b>	40-41	JA005821- JA006192
12/10/2013	Transcript re Trial	42-43	JA006193- JA006530
12/12/2013	Transcript re Trial – <b>filed under seal</b>	44-45	JA006533- JA006878
12/13/2013	Transcript re Trial - Part 1	46	JA006953- JA007107
12/13/2013	Transcript re Trial - Part 2	47-48	JA007108- JA007384
10/23/2013	Trial Exhibit A	23	JA003404- JA003544
10/23/2013	Trial Exhibit B – <b>filed under seal</b>	23	JA003545- JA003625
10/23/2013	Trial Exhibit C	23	JA003626- JA003628
10/23/2013	Trial Exhibit D	23	JA003629- JA003631
10/23/2013	Trial Exhibit E – <b>filed under seal</b>	23	JA003632- JA003634

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
10/23/2013	Trial Exhibit F	23	JA003635- JA003637
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 – <b>filed under seal</b>	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 – <b>filed under seal</b>	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

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
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 – <b>filed under seal</b>	27	JA004320- JA004329
10/23/2013	Trial Exhibit 11 – <b>filed under seal</b>	28	JA004330- JA004340
10/23/2013	Trial Exhibit 12 – <b>filed under seal</b>	28	JA004341- JA004360
10/23/2013	Trial Exhibit 13 – <b>filed under seal</b>	28	JA004361- JA004453
10/28/2013	Trial Exhibit 15	34	JA005228- JA005232
10/28/2013	Trial Exhibit 18	34	JA005233- JA005235

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
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

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
12/12/2013	Trial Exhibit 40	46	JA006949- JA006950
12/12/2013	Trial Exhibit 41	46	JA006951- JA006952
10/23/2013	Trial Exhibit 6 – <b>filed under seal</b>	27	JA004293- JA004307
10/23/2013	Trial Exhibit 7 – <b>filed under seal</b>	27	JA004308- JA004310
10/23/2013	Trial Exhibit 8 – <b>filed under seal</b>	27	JA004311- JA004312
10/23/2013	Trial Exhibit 9 – <b>filed under seal</b>	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

<b>Date</b>	<b>Document Description</b>	<b>Volume</b>	<b>Labeled</b>
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 28<sup>th</sup> 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](mailto:lundvall@mcdonaldcarano.com)  
[rkay@mcdonaldcarano.com](mailto:rkay@mcdonaldcarano.com)

Attorneys for Appellant

## **CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of McDonald Carano LLP, and on the 28<sup>th</sup> 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



10880 Wilshire Blvd., Suite 1900  
Los Angeles, California 90024  
Tel (310) 475-3525  
Fax (310) 446-1295  
jon.lash@pardeehomes.com

Received

NOV 25 2009

Jon E. Lash  
Executive Vice President

Pardee Homes Legal

November 24, 2009

Mr. Jim Wolfram  
D & W Real Estate  
212 Canyon Drive  
Las Vegas, NV 89107

Dear Mr. Wolfram:

This letter follows our recent telephone conversation during which I explained why you have been fully compensated for your professional services in relation to Coyote Springs pursuant to the Real Estate commission letter ("Commission Letter") dated September 1, 2004, which you executed. As we discussed, I agreed to provide this letter in response to your ongoing inquiries and that of your attorney regarding the commission payments.

This letter should satisfy your ongoing requirements, and those of your attorney, for information and documentation relating to all commission payments regarding the Coyote Springs project.

The transaction was amended on March 28, 2005 to reflect an adjusted acquisition price of \$84 Million. Pardee has been purchasing acreage for supporting land uses such as parks, utilities, rights of way and open space at a price per acre significantly below the price per acre Pardee has been paying for residential land. **The adjustment in price per acre, for these non-residential uses, has increased the 1950 acres originally described in the Purchase and Sale Agreement, but has not changed the original purchase price. Your commission is based on a percentage of the total price and not the number of acres.**

Listed below is a narrative description of the land takedowns as-well-as a corresponding color coded map:

- Initial Takedown. Since a separate parcel of land did not exist to match the monthly land payments, Pardee acquired a larger parcel of land at the initial closing with the obligation to deed back to the seller the excess acreage once a parcel map was recorded. This is reflected on the enclosed map as a "cross hatched" area.

- Takedowns #1 and #2. In one increment in 2006 and a second in 2007, Pardee took title to an 822.87-acre parcel; this parcel's boundary was adjusted, reducing its size to 810.05-acres. This amount is reflected in the attached exhibits as Takedowns #1 and #2 in the "gold" color. However, when this land is adjusted for the required transfer of lands (golf parcels) back to Coyote Springs, Pardee nets 618.74-acres.
- Takedown #3. Takedown #3 in 2008 required two deed transfers due to release issues with Wells Fargo Bank, seller's lender. These parcels are shown in "red" on the exhibits. They amount to 859.93-acres acquired by Pardee.
- Takedown #4. Takedown #4 was a single deed transfer and is shown in "green" on the attached exhibits. This amounts to 393.45-acres acquired by Pardee.
- Takedown #5. Takedown #5, shown in "blue" on the exhibits, was documented by two deeds which were recorded on the same date. It also included some "clean up" adjustments within the purchase price to allow for trail connectivity from other Pardee-owned lands. Takedown #5 accounts for 240.75-acres acquired by Pardee.

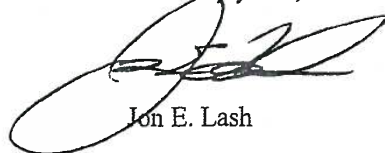
The attached exhibits reflect that Pardee still has over \$116,000 on account from the \$84 Million Option Agreement deposits and has acquired 2,112.87 acres.

Listed below is a chronological summary of the land takedowns to date at Coyote Springs:

<u>Date of Closing</u>	<u>Takedown #</u>	<u>Purchase Price</u>
10/20/2006	1	combined with #2
5/7/2007	2	\$23,287,822.91
8/8/2008	3	see below for #3
12/22/2008	3	\$34,507,622.64
2/11/2009	4	\$16,651,376.92
8/18/2009	5	\$959,300.00
8/18/2009	5	\$243,169.21
8/18/2009	5	\$8,233,722.91

In conclusion, I reiterate Pardee's appreciation for your services, and I trust that you agree that full payment has been made in accordance with the schedules set forth in the Commission Letter. Naturally, Pardee reserves all rights and remedies with respect to any claim you may assert to the contrary.

Sincerely yours,



Jon E. Lash

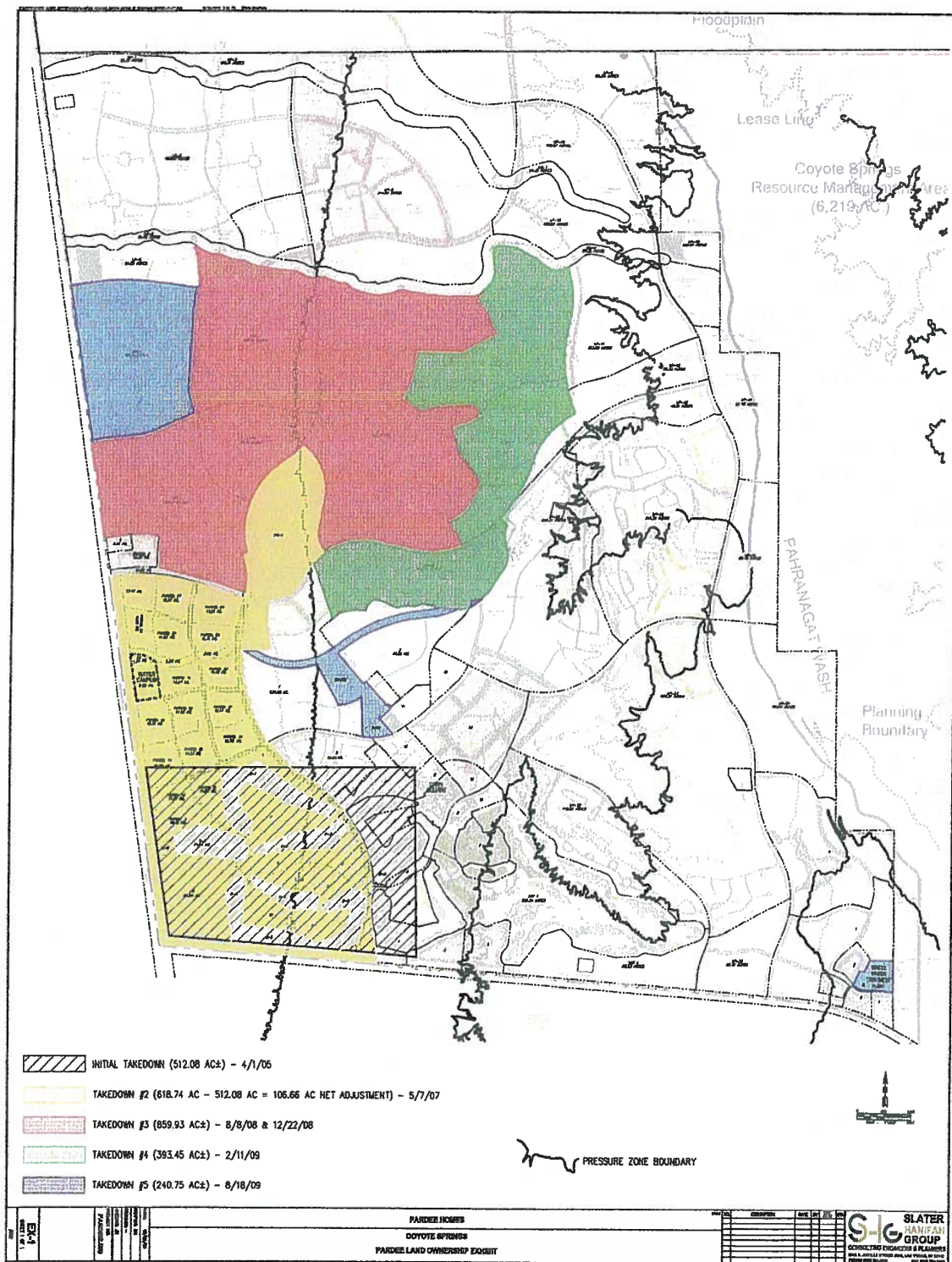
JEL/cr

Enclosures:

bcc: Chris Hallman  
Chuck Curtis







Trial Ex 015-003

JA005231





James J. Jimmerson \*  
Lynn M. Hansen \*  
Mario P. Lavato \*  
Michele L. Roberts  
Saraya M. Velga  
Shawn M. Goldstein  
\*ALSO ADMITTED IN CALIFORNIA

Mr. Charles E. Curtis  
Legal Counsel  
Pardee Homes  
10880 Wilshire Blvd., Suite 1900  
Los Angeles, CA 90024

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

Dear Mr. Curtis:

I am in receipt of your letter of July 10, 2009.

Respectfully, your letter ignores my clients' request for written documentation that was promised to be delivered to us by Mr. Stringer, Esq., as a result of our conversation and our letter of April 23, 2009, delivered to him. To date, we have yet to receive the promised documentation. As contained in our correspondence of April 23, 2009, we specifically request that Pardee Homes deliver to my clients the documents requested within the next fifteen (15) days. Specifically, the requested documents are restated herein as set forth in our April 23, 2009 correspondence, to wit:

"I will note that pursuant to the agreement reached between Award/General Realty and Pardee Homes in 2004, it was the obligation of Pardee Homes to set up a system to show to Award Realty and Mr. Wolfram what properties were being purchased by Pardee Homes, where they were located within the CSI Holdings, what the purchase price was, and to demonstrate to Award Realty and Mr. Wolfram what commissions were owed to them as a result of their agreement. General Realty and Award Realty believe that Pardee Inc. has done a poor job in this regard and has not met their contractual obligations. When you and I spoke, you told me that you knew of no other way for Mr. Wolfram and Mr. Wilkes to follow whether or not his company and himself have received the proper commissions except for 'following the dollar,' or to use your words, 'track the dollars' that have been paid by Pardee Homes, Inc. to CSI. Of course there is no way for my client to be able to do that without obtaining records that would be in Pardee Home Inc's possession regarding how much money has been spent by Pardee Homes Inc. to CSI and to ascertain whether or not the percentage commission otherwise that would be due pursuant to the agreement reached between



Mr. Charles E. Curtis

Legal Counsel

Pardee Homes

Re: Coyote Springs Real Estate Commissions

Our Clients: Jim Wolfram Award Realty Group and

Walt Wilkes General Realty

August 26, 2009

Page 2

Pardee Homes Inc., General Realty and Award Realty have in fact been paid. In this regard, I would ask you to provide to Mr. Wolfram a copy of all documents that would evidence the total property purchased and the amount of money that has been paid by Pardee Homes Inc. to CSI, broken down parcel by parcel and close of escrow by close of escrow, and a total from all those transactions, so as to allow Mr. Wolfram and Mr. Wilkes to ascertain whether or not their companies had in fact received the monies that he is entitled to. You mentioned in my telephone conversation that Mr. Wolfram would have seen that the closings total 84 million dollars and that Mr. Wolfram has been paid a commission based upon that figure. I am in receipt of a copy of your letter dated April 6, 2009 to Mr. Wolfram. As I prepare this letter to you, I am not certain I understand what exactly you are communicating to me here, since just the 776 acre purchase in August of 2008 would be approximately 30 million dollars by itself for which Mr. Wolfram states he did not receive a commission at the time of close of escrow or afterwards.

The information needed by Mr. Wolfram and to Mr. Wilkes to track the land purchases by Pardee Homes from CSI includes, but is not limited to, the following: the name of the seller, the buyer, the parcel numbers, amount of acres, purchase price, the commission payment schedule and amount, Title company contact information, Escrow number(s), copy of the close of escrow documents to see the terms and document date, document number and page number and order to pay commission. Would you please forward all of this information for every purchase by Pardee Homes of property from CSI from the time that Pardee purchased its initial real estate from Coyote Springs Inc. As part of this request, respectfully, is the request that this information provided relative to Pardee Home Inc's operations include the 91 acres in approximately January, 2008, and the 776 acres that Pardee Homes Inc. purchased from CSI in August of 2008, about which we spoke during our telephone conversation."

I do not feel it necessary to reiterate, again, Pardee Inc.'s obligation to provide the documents referenced herein as part of their contractual obligation to produce the requested information to our clients. My clients are hopeful that Pardee, Inc. will voluntarily

PH 000100

Trial Ex 018-002

JA005234

Mr. Charles E. Curtis

Legal Counsel

Pardee Homes

Re: Coyote Springs Real Estate Commissions

Our Clients: Jim Wolfram Award Realty Group and

Walt Wilkes General Realty

August 26, 2009

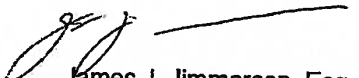
Page 3

produce, as has been promised, to voluntarily produce these documents at this time. Pardee's failure to do so would clearly establish a breach of contract by it, and such improper action would constitute intentional tortious behavior towards my client. My clients simply wish to be paid what they are owed and to possess all the documentation demonstrating the same.

Please forward these requested documents to us within the next fifteen (15) days.

Sincerely,

JIMMERSON HANSEN, P.C.



James J. Jimmerson, Esq.

JJJ:ak

cc: Mr. Jim Wolfram

Wolfram/8-28-09 ltr to Charles Curtis sk

PH 000101

Trial Ex 018-003

JA005235

P. 2/3



James J. Smithson •  
 Lyell M. Harrison •  
 Mario A. Lavale •  
 Michael L. Roberts •  
 Jerome M. Velgo •  
 Brown M. Goldstein •  
 ALSO ADAPTED BY CHRISTOPHER

May 19, 2009

**VIA FACSIMILE & U.S. MAIL**

**Jim Stringer, Esq.**  
**Pardee Homes Inc.**  
**10880 Wilshire Boulevard**  
**Suite 1900**  
**Los Angeles, California 90024-4101**

Re: Jim Wolfram Award Realty Group and Walt Wilkes General Realty -  
Pardee Homes

Dear Mr. Stringer:

Reference is made to my letter of April 23, 2009.

To date, you have not responded to our request for documentation that you had told me by telephone would be available to me so that my clients could attempt to understand whether or not they have been paid appropriate commissions for the purchase transactions by Pardee from Coyote Springs Investment, LLC

Despite the passage of nearly a month, we have not had the favor of your reply.

Pursuant to the terms of the contract between Pardee and my clients, there is an obligation to account for all purchases and sales and commissions. My clients are of the belief that they have not been paid for all of the sales which they are due, and Pardee's failure to comply with its contract constitutes a material breach of this contract for which my clients will be obliged to seek appropriate legal redress for the harm your company has, and is, causing them.

My clients would like to avoid that and would like to receive the information and accounting that they are entitled to and need. If they have been paid all that they are entitled to, which is what your position was in our last telephone call, it is important for Pardee to demonstrate the same as Pardee is obliged to produce this information. If not, my clients must be paid in full forthwith.

MAY-19-2009 14:48 FROM: JIMMERSON HANSEN

7823871167

TO: 310 446 1212

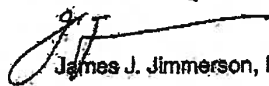
P.3/3

Jim Stringer, Esq.  
Pardee Homes Inc.  
May 19, 2009  
Page 2

May I hear from you within the next week.

Sincerely,

JIMMERSON HANSEN, P.C.

  
James J. Jimmerson, Esq.

JJJ:ak

cc: Jim Wolfram  
Walt Wilkes

EWI\PCDATA\Wolfram\5-19-09\to Stringer - c:\temp

PH 000106

Trial Ex 019-002

JA005237



James J. Jimmerson \*  
Lynn M. Hansen \*  
Mario P. Lovato \*  
Michele L. Roberts  
Shawn M. Goldstein  
\*ALSO ADMITTED IN CALIFORNIA

May 17, 2010

Mr. Jon E. Lash  
10880 Wilshire Blvd.,  
Suite 1900  
Los Angeles, CA 90024

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

Dear Mr. Lash:

Reference is made to your correspondence of November 24, 2009, as well as subsequent conversations that you may have had with Mr. Wolfram. I also left a message for you last week with your secretary, Carol. Pursuant to the parties written agreement, Pardee was obligated to provide to Mr. Walt Wilkes now of Rubicon Realty Group, and Mr. Jim Wolfram of D&W Real Estate LLC., Realty Group the following:

Pardee shall notify you, and each of you, at the time of its exercise of all options, of the number of acres being closed upon, the date of closing, and all pertinent information as it relates to your entitlement to a brokerage commission, and shall provide a copy to you of the written exercise of option(s) concurrently with Pardee's notifying Seller of its intent to exercise the option (s) as set forth within the Option Agreement, and particularly paragraphs 1 and 2, at pages 2 through 7, respectively.

In my written correspondence to Jim Stringer, Esq., on April 23, 2009 after my conversation with him, together with correspondence sent to Charles Curtis on August 26, 2009, Mr. Wilkes and Mr. Wolfram on behalf of their respective companies had requested of Pardee Homes through yourself, as well as your multiple lawyers, written documentation to satisfy the contractual obligation of Pardee Homes to Mr. Wilkes and Mr. Wolfram. It was promised by Mr. Stringer, Esq., to be forwarded to me. To date, all of these requests have been ignored, and Pardee's willful failure to provide these responses, and the needed documents, certainly constitutes a material breach of the Commission Agreement entered into between the parties. As is referenced in prior correspondences, Mr. Wilkes and Mr. Wolfram have been unable to obtain the following, despite repeated requests:

415 SOUTH SIXTH STREET, SUITE 100 • LAS VEGAS, NV 89101 • (702) 388-7171 • FAX: (702) 380-6422 • EMAIL: [jj@jimmersonhansen.com](mailto:jj@jimmersonhansen.com)

PH 000107

Trial Ex 020-001

JA005238

Mr. Jon E. Lash

Re: Coyote Springs Real estate Commissions

Our Clients: Jim Wolfram Award Realty Group and  
Walt Wilkes General Realty

May 17, 2010

Page Two

"I will note that pursuant to the agreement reached between Award/General Realty and Pardee Homes in 2004, it was the obligation of Pardee Homes to set up a system to show to Award Realty, Mr. Wolfram, General Realty and Mr. Wilkes what properties were being purchased by Pardee Homes, where they were located within the CSI Holdings, what the purchase price was, and to demonstrate to Award Realty, Mr. Wolfram and General Realty and Mr. Wilkes what commissions were owed to them as a result of their agreement. General Realty and Award Realty believe that Pardee Inc., has done a poor job in this regard and has not met their contractual obligations. When you and I spoke, you told me that you knew of no other way for Mr. Wolfram and Mr. Wilkes to follow whether or not their companies and themselves have received the proper commissions except for 'following the dollar,' or to use your words, 'track the dollars' that have been paid by Pardee Homes, Inc. to CSI. Of course there is no way for my client to be able to do that without obtaining records that would be in Pardee Home Inc's possession regarding how much money has been spent by Pardee Homes Inc. to CSI and to ascertain whether or not the percentage commission otherwise that would be due pursuant to the agreement reached between Pardee Homes Inc., General Realty and Award Realty have in fact been paid. In this regard, I would ask you to provide to Mr. Wolfram a copy of all documents that would evidence the total property purchased and the amount of money that has been paid by Pardee Homes Inc. to CSI, broken down parcel by parcel and close of escrow by close of escrow, and a total from all those transactions, so as to allow Mr. Wolfram and Mr. Wilkes to ascertain whether or not their companies had in fact received the monies that they are entitled to. You mentioned in my telephone conversation that Mr. Wolfram would have seen that the closings total 84 million dollars and that Mr. Wolfram has been paid a commission based upon that figure. I am in receipt of a copy of your letter dated April 6, 2009 to Mr. Wolfram. As I prepare this letter to you, I am not certain I understand what exactly you are communicating to me here, since we have found several parcels that were purchased by Pardee and were not addressed by your letter and map dated November 24, 2009. It is obvious that our acreage purchased by Pardee and your explanation of acreage do not agree. We need to solve this problem.

PH 000108

Trial Ex 020-002

JA005239

Mr. Jon E. Lash

Re: Coyote Springs Real estate Commissions

Our Clients: Jim Wolfram Award Realty Group and  
Walt Wilkes General Realty

May 17, 2010

Page Three

The information needed by Mr. Wolfram and to Mr. Wilkes to track the land purchases by Pardee Homes from CSI includes, but is not limited to, the following: the name of the seller, the buyer, the parcel numbers, amount of acres, purchase price, the commission payment schedule and amount, Title company contact information, Escrow number(s), copy of the close of escrow documents to see the terms and documents date, document number and page number and order to pay commission. Would you please forward all of this information for every purchase by Pardee Homes of property from CSI from the time that Pardee purchased its initial real estate from Coyote Springs Inc. See letter from James J. Jimmerson to Jim Stringer, Esq., dated May 19, 2009.

My clients have worked very hard with the Clark County Recorder's Office and the Clark County Assessor's Office to try to understand what take downs of property have been closed by Pardee Homes which are not explained within your letter of November 24, 2009. In fact, it appears as if your letter of November 24, 2009 is materially inaccurate and constitutes misstatements and/or misrepresentations of the actual events regarding Pardee Homes purchases which otherwise entitle our firm's clients to receive appropriate real estate commissions plus late fee penalties.

I further note that you have instructed Francis Butler of Chicago Title not to provide the closing escrow documents regarding the purchase of properties from Coyote Springs, notwithstanding your affirmative contractual obligation to do so.

In addition, your company's affirmative instruction to Francis Butler of Chicago Title not to release the documents that would evidence the purchases by Pardee Homes of properties at Coyote Springs is another material breach of the parties Commission Agreement.

Demand is formally made to provide to Mr. Wilkes and Mr. Wolfram true and correct copies of the escrow instructions for all purchases by Pardee Homes of property at Coyote Springs, handled by any title company, and specifically including those handled by Chicago Title.

PH 000109

Trial Ex 020-003

JA005240

Mr. Jon E. Lash

Re: Coyote Springs Real estate Commissions

Our Clients: Jim Wolfram Award Realty Group and  
Walt Wilkes General Realty

May 17, 2010

Page Four

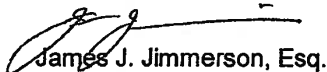
From the information you provided to Mr. Wolfram on November 24, 2009, there is insufficient explanation to understand what is being represented by the gold legend, referenced within your map, a copy of your map and legend is enclosed herewith. Mr. Wolfram has prepared a new map, which is enclosed, that he believes more accurately sets forth the purchases of properties by Pardee Homes based upon his extensive efforts to try to ascertain the information that your company is obligated to provide to him for which your company has willfully refused to do. His maps and notes attached appear to be far more accurate than the explanation you gave on November 24, 2009. Please provide further explanation with regard to the property colored in the gold, which Mr. Wilkes and Mr. Wolfram believe was the original takedown of property but which was later then modified and/or expanded. The purchase of gold-legend property, which is referenced in the map at the bottom left-hand corner and the bottom right-hand portion of the map, has not been accurately described by Pardee Homes within your letter of November 24, 2009. This purchase does bear upon my clients' entitlement to further commission beyond that paid by Pardee Homes.

My clients would appreciate you providing this information, and providing all escrow instructions, and close of escrow documents regarding all purchases of property by Pardee Homes of Coyote Springs property, and your authorization to allow Francis Butler to provide the documents directly to Mr. Wolfram from Chicago Title, within the next three (3) weeks. My clients plead for Pardee Homes to stop its continuing breach of the Commission Agreement and to allow Mr. Wilkes and Mr. Wolfram to verify their entitlement to appropriate brokerage commissions, and the receipt of any funds due to them, for what remains unpaid, if any.

Your assistance in this matter is appreciated.

Sincerely,

JIMMERSON HANSEN, P.C.



James J. Jimmerson, Esq.

JJJ/sy

Enclosures

cc: Mr. Jim Wolfram  
Mr. Walt Wilkes  
Jim Stringer, Esq  
Mr. Charles E. Curtis

PH 000110

Trial Ex 020-004

JA005241





10880 Wilshire Blvd., Suite 1900  
Los Angeles, California 90024  
Tel (310) 475-3525  
Fax (310) 446-1295  
jon.lash@pardeehomes.com

Jon E. Lash  
Executive Vice President

November 24, 2009

Mr. Jim Wolfram  
D & W Real Estate  
212 Canyon Drive  
Las Vegas, NV 89107

Dear Mr. Wolfram:

This letter follows our recent telephone conversation during which I explained why you have been fully compensated for your professional services in relation to Coyote Springs pursuant to the Real Estate commission letter ("Commission Letter") dated September 1, 2004, which you executed. As we discussed, I agreed to provide this letter in response to your ongoing inquiries and that of your attorney regarding the commission payments.

This letter should satisfy your ongoing requirements, and those of your attorney, for information and documentation relating to all commission payments regarding the Coyote Springs project.

The transaction was amended on March 28, 2005 to reflect an adjusted acquisition price of \$84 Million. Pardee has been purchasing acreage for supporting land uses such as parks, utilities, rights of way and open space at a price per acre significantly below the price per acre Pardee has been paying for residential land. The adjustment in price per acre, for these non-residential uses, has increased the 1950 acres originally described in the Purchase and Sale Agreement, but has not changed the original purchase price. Your commission is based on a percentage of the total price and not the number of acres.

Listed below is a narrative description of the land takedowns as-well-as a corresponding color coded map:

- Initial Takedown. Since a separate parcel of land did not exist to match the monthly land payments, Pardee acquired a larger parcel of land at the initial closing with the obligation to deed back to the seller the excess acreage once a parcel map was recorded. This is reflected on the enclosed map as a "cross hatched" area.

- Takedowns #1 and #2. In one increment in 2006 and a second in 2007, Pardee took title to an 822.87-acre parcel; this parcel's boundary was adjusted, reducing its size to 810.05-acres. This amount is reflected in the attached exhibits as Takedowns #1 and #2 in the "gold" color. However, when this land is adjusted for the required transfer of lands (golf parcels) back to Coyote Springs, Pardee nets 618.74-acres.
- Takedown #3. Takedown #3 in 2008 required two deed transfers due to release issues with Wells Fargo Bank, seller's lender. These parcels are shown in "red" on the exhibits. They amount to 859.93-acres acquired by Pardee.
- Takedown #4. Takedown #4 was a single deed transfer and is shown in "green" on the attached exhibits. This amounts to 393.45-acres acquired by Pardee.
- Takedown #5. Takedown #5, shown in "blue" on the exhibits, was documented by two deeds which were recorded on the same date. It also included some "clean up" adjustments within the purchase price to allow for trail connectivity from other Pardee-owned lands. Takedown #5 accounts for 240.75-acres acquired by Pardee.

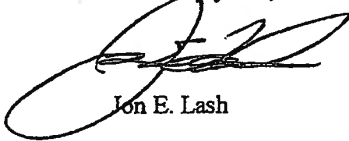
The attached exhibits reflect that Pardee still has over \$116,000 on account from the \$84 Million Option Agreement deposits and has acquired 2,112.87 acres.

Listed below is a chronological summary of the land takedowns to date at Coyote Springs:

<u>Date of Closing</u>	<u>Takedown #</u>	<u>Purchase Price</u>
10/20/2006	1	combined with #2
5/7/2207	2	\$23,287,822.91
8/8/2008	3	see below for #3
12/22/2008	3	\$34,507,622.64
2/11/2009	4	\$16,651,376.92
8/18/2009	5	\$959,300.00
8/18/2009	5	\$243,169.21
8/18/2009	5	\$8,233,722.91

In conclusion, I reiterate Pardee's appreciation for your services, and I trust that you agree that full payment has been made in accordance with the schedules set forth in the Commission Letter. Naturally, Pardee reserves all rights and remedies with respect to any claim you may assert to the contrary.

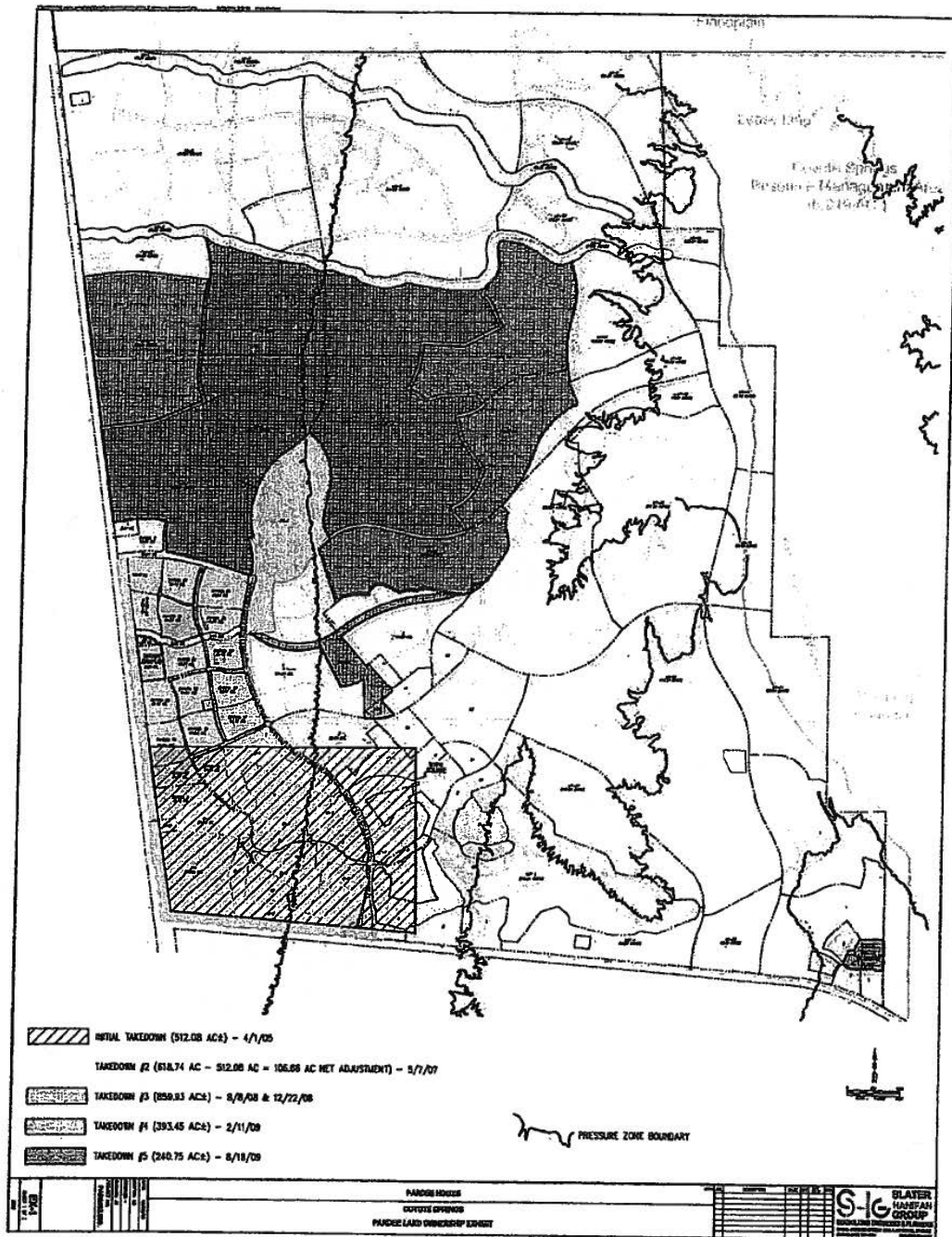
Sincerely yours,



Jon E. Lash

JEL/cr

Enclosures:



PH 000113

Trial Ex 020-007

JA005244

[illegible]



# SALES

1. ~~0202~~ - PARDEE - 71.14 ACRES - 0090911001 - \$7,233,722.49
2. ~~0202~~ - PARDEE - 197.48 ACRES - 0090911001 - \$3,434,594.61  
~~112.81 ACRES - 0090911001~~  
~~84.67 ACRES - 0090911001~~  
~~776.16~~
3. ~~0202~~ - PARDEE - 53.72 ACRES - 0090911001 - \$3,605,553.55
4. ~~0202~~ - PARDEE - 166.48 ACRES - 00910301001 - \$10,685,838.46  
~~113.34 ACRES - 00910301001~~  
~~100.71 ACRES - 00910301001~~  
~~412.13~~
5. YELLOW - PARDEE - 11.7 ACRES - 00923810005 - \$243,101.31
6. ~~0202~~ - PARDEE - 107.51 ACRES - 00916601001 -
7. ~~0202~~ - PARDEE - 134.06 ACRES - 00916601001 - \$1,005,000.00  
~~156.92~~
8. ~~0202~~ - PARDEE - 91 ACRES - 00916601001 - \$1,000,000.00
9. ~~0202~~ - PARDEE - 16.63 ACRES - 00922101007
10. ~~0202~~ - PARDEE - 5.78 ACRES - 00922101003
11. ~~0202~~ - PARDEE - 21.6 ACRES - 00922211001

PH 000116

Trial Ex 020-010

JA005247



James J. Jimmerson \*  
Lynn M. Hansen \*  
Mario P. Lovato \*  
Michele L. Roberts  
\*ALSO ADMITTED IN CALIFORNIA

April 23, 2009

**VIA FACSIMILE & U.S. MAIL**

Jim Stringer, Esq.  
Pardee Homes Inc.  
10880 Wilshire Boulevard  
Suite 1900  
Los Angeles, California 90024-4101

Re: Wolfram Award Realty Group vs. Pardee Homes

Dear Jim:

Thank you for speaking with me on Wednesday April 1, 2009, with regard to Award Realty Inc. and Jim Wolfram's concern that their sales of real estate acreage from Coyote Springs Inc. to Pardee Homes for which Award Realty and Mr. Wolfram would be entitled to commissions they have not been paid.

Pursuant to our telephone call, I would like to thank you for your willingness to send to my office copies of the escrow documents, purchase agreement, settlement statement and all documents supplied in escrow with regard to the sale by CSI to Pardee Homes of the 91 acres in approximately January, 2008, and the 776 acres which also closed escrow in approximately August, 2008 about which we spoke.

I also would like to ask for you to provide all information that you have to demonstrate, as your client alleges, that there is "no entitlement" by Award Realty or Mr. Wolfram to any commission and that there simply was a "true-up" as you used the term to have property transferred from seller Coyote Springs Inc. to Pardee Homes, Inc. as a result of Pardee having prepaid monies to CSI for which they have not received acreage at which was "trued-up" through these two sales that went through escrow. You can appreciate Mr. Wolfram's and Mr. Wilkes' skepticism.

I will note that pursuant to the agreement reached between Award/General Realty and Pardee Homes in 2004, it was the obligation of Pardee Homes to set up a system to show to Award Realty and Mr. Wolfram what properties were being purchased by Pardee Homes, where they were located within the CSI Holdings, what the purchase price was, and to demonstrate to Award Realty and Mr. Wolfram what commissions were owed to them as a result of their agreement. General Realty and Award Realty believe that Pardee Inc. has done a poor job

I:\WP\DATA\W\Wolfram\Correspondence to Jim Stringer 04-02-2009.wpd sa

415 SOUTH SIXTH STREET, SUITE 100 • LAS VEGAS, NV 89101 • (702) 388-7171 • FAX: (702) 380-6422 • EMAIL: [jh@jimmersonhansen.com](mailto:jh@jimmersonhansen.com)

PH 000117

Trial Ex 020-011

JA005248

Jim Stringer, Esq.  
Pardee Homes Inc.  
April 23, 2009  
Page 2

in this regard and has not met their contractual obligations. When you and I spoke, you told me that you knew of no other way for Mr. Wolfram and Mr. Wilkes to follow whether or not his company and himself have received the proper commissions except for "following the dollar," or to use your words, "track the dollars" that have been paid by Pardee Homes, Inc. to CSI. Of course there is no way for my client to be able to do that without obtaining records that would be in Pardee Home Inc's possession regarding how much money has been spent by Pardee Homes Inc. to CSI and to ascertain whether or not the percentage commission otherwise that would be due pursuant to the agreement reached between Pardee Homes Inc., General Realty and Award Realty have in fact been paid. In this regard, I would ask you to provide to Mr. Wolfram a copy of all documents that would evidence the total property purchased and the amount of money that has been paid by Pardee Homes Inc. to CSI, broken down parcel by parcel and close of escrow by close of escrow, and a total from all those transactions, so as to allow Mr. Wolfram and Mr. Wilkes to ascertain whether or not their companies had in fact received the monies that he is entitled to. You mentioned in my telephone conversation that Mr. Wolfram would have seen that the closings total 84 million dollars and that Mr. Wolfram has been paid a commission based upon that figure. I am in receipt of a copy of your letter dated April 6, 2009 to Mr. Wolfram. As I prepare this letter to you, I am not certain I understand what exactly you are communicating to me here, since just the 776 acre purchase in August of 2008 would be approximately 30 million dollars by itself for which Mr. Wolfram states he did not receive a commission at the time of close of escrow or afterwards.

The information needed by Mr. Wolfram and to Mr. Wilkes to track the land purchases by Pardee Homes from CSI includes, but is not limited to, the following: the name of the seller, the buyer, the parcel numbers, amount of acres, purchase price, the commission payment schedule and amount, Title company contact information, Escrow number(s), copy of the close of escrow documents to see the terms and document date, document number and page number and order to pay commission. Would you please forward all of this information for every purchase by Pardee Homes of property from CSI from the time that Pardee purchased its initial real estate from Coyote Springs Inc. As part of this request, respectfully, is the request that this information provided relative to Pardee Home Inc's operations include the 91 acres in approximately January, 2008, and the 776 acres that Pardee Homes Inc. purchased from CSI in August of 2008, about which we spoke during our telephone conversation.

We would appreciate receiving these documents within a reasonable period of time. We certainly would like to see the close of escrow documents with regard to these two latest closes of escrow transactions and you had indicated you would provide the requested documents perhaps by April 8, 2009, but they have not yet been provided by you to me. We would expect to receive the balance of the documents that we requested herein within the next twenty one (21) days.

I:\WP\DATA\W\Wolfram\Correspondence to Jim Stringer 04-02-2009.wpd sa

PH 000118

Trial Ex 020-012

JA005249

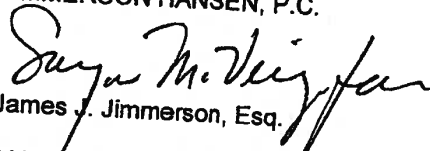


Jim Stringer, Esq.  
Pardee Homes Inc.  
April 23, 2009  
Page 3

There is a real concern by Mr. Wilkes and Mr. Wolfram that they have not been paid commissions that they are due pursuant to the agreement with Pardee Homes Inc. Your cooperation is appreciated.

Sincerely,

JIMMERSON HANSEN, P.C.

  
James J. Jimmerson, Esq.

JJJ:sa

cc: Jim Wolfram  
Walt Wilkes

I:\WP\DATA\WW\Wolfram\Correspondence to Jim Stringer 04-02-2009.wpd sa

PH 000119

Trial Ex 020-013

JA005250

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO	0788	
CONNECTION TEL		13104481293
CONNECTION ID		
ST. TIME	04/23 17:01	
USAGE T	01'01	
PGS. SENT	4	
RESULT	OK	

**JIMMERSON HANSEN  
ATTORNEYS AT LAW**

**415 SOUTH SIXTH STREET • SUITE 100 • LAS VEGAS, NEVADA 89101  
TELEPHONE: (702) 388-7171 • FACSIMILE: (702) 387-1167**

Date: April 23, 2009

No. of Pages: (including cover sheet): 4

Deliver To: Jim Stringer, Esq.  
Pardee Homes Inc

Fax No. (310) 446-1293

Re: Wolfram Award Realty Group vs. Pardee Homes

From: James J. Jimmerson/Suzanne Allison

- ( ) Original will NOT Follow
- (xx) Original will Follow By: U.S. Mail
- ( ) Please Call Upon Receipt
- ( ) Response Needed By:
- ( ) For Your Approval/Suggestions/Information
- ( ) Service by Facsimile pursuant to EDCR 7.26

MESSAGE: Please see correspondence dated April 23, 2009.

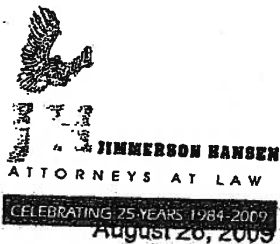
IF YOU DO NOT RECEIVE ALL PAGES PLEASE CONTACT ME IMMEDIATELY AT (702) 498-8475

The information contained in this facsimile is from Suzanne Allison which may be confidential and may also be attorney-privileged. The information is intended for the use of the individual or entity to whom it is addressed and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution, use or copying of the contents of this information is strictly prohibited. If you have received this communication in error, please immediately notify me by telephone (702-388-7171) or by electronic mail (sa@jimmersonhansen.com) immediately and return the original message to us at the address above via the appropriate means of post. Thank you.

PH 000120

Trial Ex 020-014

JA005251



James J. Jimmerson •  
Lynn M. Hansen •  
Mario P. Lavato •  
Michele L. Roberts  
Saraya M. Velga  
Shawn M. Goldstein  
\*ALSO ADMITTED IN CALIFORNIA

Mr. Charles E. Curtis  
Legal Counsel  
Pardee Homes  
10880 Wilshire Blvd., Suite 1900  
Los Angeles, CA 90024

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

Dear Mr. Curtis:

I am in receipt of your letter of July 10, 2009.

Respectfully, your letter ignores my clients' request for written documentation that was promised to be delivered to us by Mr. Stringer, Esq., as a result of our conversation and our letter of April 23, 2009, delivered to him. To date, we have yet to receive the promised documentation. As contained in our correspondence of April 23, 2009, we specifically request that Pardee Homes deliver to my clients the documents requested within the next fifteen (15) days. Specifically, the requested documents are restated herein as set forth in our April 23, 2009 correspondence, to wit:

"I will note that pursuant to the agreement reached between Award/General Realty and Pardee Homes in 2004, it was the obligation of Pardee Homes to set up a system to show to Award Realty and Mr. Wolfram what properties were being purchased by Pardee Homes, where they were located within the CSI Holdings, what the purchase price was, and to demonstrate to Award Realty and Mr. Wolfram what commissions were owed to them as a result of their agreement. General Realty and Award Realty believe that Pardee Inc. has done a poor job in this regard and has not met their contractual obligations. When you and I spoke, you told me that you knew of no other way for Mr. Wolfram and Mr. Wilkes to follow whether or not his company and himself have received the proper commissions except for 'following the dollar,' or to use your words, 'track the dollars' that have been paid by Pardee Homes, Inc. to CSI. Of course there is no way for my client to be able to do that without obtaining records that would be in Pardee Home Inc's possession regarding how much money has been spent by Pardee Homes Inc. to CSI and to ascertain whether or not the percentage commission otherwise that would be due pursuant to the agreement reached between

Mr. Charles E. Curtis

Legal Counsel

Pardee Homes

Re: Coyote Springs Real Estate Commissions

Our Clients: Jim Wolfram Award Realty Group and

Walt Wilkes General Realty

August 26, 2009

Page 2

Pardee Homes Inc., General Realty and Award Realty have in fact been paid. In this regard, I would ask you to provide to Mr. Wolfram a copy of all documents that would evidence the total property purchased and the amount of money that has been paid by Pardee Homes Inc. to CSI, broken down parcel by parcel and close of escrow by close of escrow, and a total from all those transactions, so as to allow Mr. Wolfram and Mr. Wilkes to ascertain whether or not their companies had in fact received the monies that he is entitled to. You mentioned in my telephone conversation that Mr. Wolfram would have seen that the closings total 84 million dollars and that Mr. Wolfram has been paid a commission based upon that figure. I am in receipt of a copy of your letter dated April 6, 2009 to Mr. Wolfram. As I prepare this letter to you, I am not certain I understand what exactly you are communicating to me here, since just the 776 acre purchase in August of 2008 would be approximately 30 million dollars by itself for which Mr. Wolfram states he did not receive a commission at the time of close of escrow or afterwards.

The information needed by Mr. Wolfram and to Mr. Wilkes to track the land purchases by Pardee Homes from CSI includes, but is not limited to, the following: the name of the seller, the buyer, the parcel numbers, amount of acres, purchase price, the commission payment schedule and amount, Title company contact information, Escrow number(s), copy of the close of escrow documents to see the terms and document date, document number and page number and order to pay commission. Would you please forward all of this information for every purchase by Pardee Homes of property from CSI from the time that Pardee purchased its initial real estate from Coyote Springs Inc. As part of this request, respectfully, is the request that this information provided relative to Pardee Home Inc's operations include the 91 acres in approximately January, 2008, and the 776 acres that Pardee Homes Inc. purchased from CSI in August of 2008, about which we spoke during our telephone conversation."

I do not feel it necessary to reiterate, again, Pardee Inc.'s obligation to provide the documents referenced herein as part of their contractual obligation to produce the requested information to our clients. My clients are hopeful that Pardee, Inc. will voluntarily

PH 000122

Trial Ex 020-016

JA005253

Mr. Charles E. Curtis

Legal Counsel

Pardee Homes

Re: Coyote Springs Real Estate Commissions

Our Clients: Jim Wolfram Award Realty Group and

Walt Wilkes General Realty

August 26, 2009

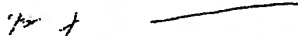
Page 3

produce, as has been promised, to voluntarily produce these documents at this time. Pardee's failure to do so would clearly establish a breach of contract by it, and such improper action would constitute intentional tortious behavior towards my client. My clients simply wish to be paid what they are owed and to possess all the documentation demonstrating the same.

Please forward these requested documents to us within the next fifteen (15) days.

Sincerely,

JIMMERSON HANSEN, P.C.



✓ James J. Jimmerson, Esq.

JJJ:ak

cc: Mr. Jim Wolfram

Wolfram08-26-09 ltr to Charles Curtis at:

PH 000123

Trial Ex 020-017

JA005254

CC: C. Hallman

212 Canyon Drive



Las Vegas, NV 89107

April 21, 2010

Mr. Jon Lash  
Executive Vice President  
Pardee Homes  
10880 Wilshire Blvd, Suite 1900  
Los Angeles, CA 90021

Dear Jon:

As we discussed on the phone, please find enclosed a map of purchases on Coyote Springs. As you can see my map does not agree with your map on acreage purchased by Pardee. My information came from county records. Please study the map as I have your map; then we can discuss the situation.

Once we get the acreage settled, it is imperative we establish a format for future transactions on Coyote Springs. My attorney sent your attorneys a simple format that would take any title company only a few minutes to complete; but we never received a reply. Walt's family, my family and Pardee could understand this document in the event something happened to any of us.

I will contact you in a few days after you have had time to study the maps.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Wolfram', written in a cursive style.  
Jim Wolfram

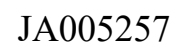
PH 000141

Trial Ex 023-001

JA005255




















# SALES

- 1.  - PARDEE - 11.14 ACRES - 00909110001 - \$1,233,712.47
- 2.  - PARDEE - 177.48 ACRES - 00909110001 - \$3,479,394.61  



$$\frac{177.48 \text{ ACRES} - 00909501001}{776.16}$$
- 3.  - PARDEE - 12.77 ACRES - 00909110001 - \$1,209,553.15
- 4.  - PARDEE - 16.25 ACRES - 00910301001 - \$1,685,832.46  



$$\frac{16.25 \text{ ACRES} - 00910301001}{412.18}$$
- 5.  - PARDEE - 11.72 ACRES - 00903810005 - \$143,107.21
- 6.  - PARDEE - 107.51 ACRES - 00916100002 -
- 7.  - PARDEE - 134.00 ACRES - 00916110001 - \$1,200,000.00  


$$\frac{134.00 \text{ ACRES} - 00916110001}{156.92}$$
- 8.  - PARDEE - 91 ACRES - 00916601001 - \$11,000,000.00
- 9.  - PARDEE - 16.63 ACRES - 00922101007
- 10.  - PARDEE - 5.78 ACRES - 00922201008
- 11.  - PARDEE - 21.6 ACRES - 00922211001





Monday, Jan 25, 2010 02:48 PM

# SALES

1.  - PARDEE - 11.17 ACRES - 00909110001 - \$1,413,745.77
2.  - PARDEE - 177.48 ACRES - 00909110001 - \$1,413,745.77  

$$\frac{998.47}{776.16} \text{ ACRES} - 00909201001$$
3.  - PARDEE - 11.17 ACRES - 00909110001 - \$1,413,745.77
4.  - PARDEE - 11.17 ACRES - 00909110001 - \$1,413,745.77  

$$\frac{16.48}{416.13} \text{ ACRES} - 00910301001$$
5. YELLOW - PARDEE - 11.17 ACRES - 00909110001 - \$1,413,745.77
6.  - PARDEE - 10.17 ACRES - 00909110001 - \$1,413,745.77
7. PINK - PARDEE - 134.00 ACRES - 00909110001 - \$1,413,745.77  

$$\frac{156.92}{156.92} \text{ ACRES} - 00909110001$$
8.  - PARDEE - 91 ACRES - 00916601001 - \$11,000,000.00
9.  - PARDEE - 16.63 ACRES - 00922101007
10.  - PARDEE - 5.78 ACRES - 00922201003
11.  - PARDEE - 21.6 ACRES - 00922211001



James J. Jimmensen \*  
Lynn M. Hansen \*  
Marie E. Lovato \*  
Nichole L. Roberts \*  
\*Also Admitted in California

April 23, 2009

VIA FACSIMILE & U.S. MAIL

Jim Stringer, Esq.  
Pardee Homes Inc.  
10880 Wilshire Boulevard  
Suite 1900  
Los Angeles, California 90024-4101

Re: Wolfram Award Realty Group vs. Pardee Homes

Dear Jim:

Thank you for speaking with me on Wednesday April 1, 2009, with regard to Award Realty Inc. and Jim Wolfram's concern that their sales of real estate acreage from Coyote Springs Inc. to Pardee Homes for which Award Realty and Mr. Wolfram would be entitled to commissions they have not been paid.

Pursuant to our telephone call, I would like to thank you for your willingness to send to my office copies of the escrow documents, purchase agreement, settlement statement and all documents supplied in escrow with regard to the sale by CSI to Pardee Homes of the 91 acres in approximately January, 2008, and the 776 acres which also closed escrow in approximately August, 2008 about which we spoke.

I also would like to ask for you to provide all information that you have to demonstrate, as your client alleges, that there is "no entitlement" by Award Realty or Mr. Wolfram to any commission and that there simply was a "true-up" as you used the term to have property transferred from seller Coyote Springs Inc. to Pardee Homes, Inc. as a result of Pardee having prepaid monies to CSI for which they have not received acreage at which was "true-up" through these two sales that went through escrow. You can appreciate Mr. Wolfram's and Mr. Wilkes' skepticism.

I will note that pursuant to the agreement reached between Award/General Realty and Pardee Homes in 2004, it was the obligation of Pardee Homes to set up a system to show to Award Realty and Mr. Wolfram what properties were being purchased by Pardee Homes, where they were located within the CSI Holdings, what the purchase price was, and to demonstrate to Award Realty and Mr. Wolfram what commissions were owed to them as a result of their agreement. General Realty and Award Realty believe that Pardee Inc. has done a poor job

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Jim Stringer, Esq.  
Pardee Homes Inc.  
April 23, 2009  
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in this regard and has not met their contractual obligations. When you and I spoke, you told me that you knew of no other way for Mr. Wolfram and Mr. Wilkes to follow whether or not his company and himself have received the proper commissions except for "following the dollar," or to use your words, "track the dollars" that have been paid by Pardee Homes, Inc. to CSI. Of course there is no way for my client to be able to do that without obtaining records that would be in Pardee Homes Inc's possession regarding how much money has been spent by Pardee Homes Inc. to CSI and to ascertain whether or not the percentage commission otherwise that would be due pursuant to the agreement reached between Pardee Homes Inc., General Realty and Award Realty have in fact been paid. In this regard, I would ask you to provide to Mr. Wolfram a copy of all documents that would evidence the total property purchased and the amount of money that has been paid by Pardee Homes Inc. to CSI, broken down parcel by parcel and close of escrow by close of escrow, and a total from all those transactions, so as to allow Mr. Wolfram and Mr. Wilkes to ascertain whether or not their companies had in fact received the monies that he is entitled to. You mentioned in my telephone conversation that Mr. Wolfram would have seen that the closings total 84 million dollars and that Mr. Wolfram has been paid a commission based upon that figure. I am in receipt of a copy of your letter dated April 6, 2009 to Mr. Wolfram. As I prepare this letter to you, I am not certain I understand what exactly you are communicating to me here, since just the 776 acre purchase in August of 2008 would be approximately 30 million dollars by itself for which Mr. Wolfram states he did not receive a commission at the time of close of escrow or afterwards.

The information needed by Mr. Wolfram and to Mr. Wilkes to track the land purchases by Pardee Homes from CSI includes, but is not limited to, the following: the name of the seller, the buyer, the parcel numbers, amount of acres, purchase price, the commission payment schedule and amount, Title company contact information, Escrow number(s), copy of the close of escrow documents to see the terms and document date, document number and page number and order to pay commission. Would you please forward all of this information for every purchase by Pardee Homes of property from CSI from the time that Pardee purchased its initial real estate from Coyote Springs Inc. As part of this request, respectfully, is the request that this information provided relative to Pardee Home Inc's operations include the 91 acres in approximately January, 2008, and the 776 acres that Pardee Homes Inc. purchased from CSI in August of 2008, about which we spoke during our telephone conversation.

We would appreciate receiving these documents within a reasonable period of time. We certainly would like to see the close of escrow documents with regard to these two latest closes of escrow transactions and you had indicated you would provide the requested documents perhaps by April 8, 2009, but they have not yet been provided by you to me. We would expect to receive the balance of the documents that we requested herein within the next twenty one (21) days.

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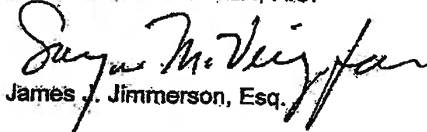
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There is a real concern by Mr. Wilkes and Mr. Wolfram that they have not been paid commissions that they are due pursuant to the agreement with Pardee Homes Inc. Your cooperation is appreciated.

Sincerely,

JIMMERSON HANSEN, P.C.

  
James J. Jimmerson, Esq.

JJJ:sa

cc: Jim Wolfram  
Walt Wilkes