

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

**Case No. 72371**

Electronically Filed  
~~Jan 24 2019~~ 03:24 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

---

PARDEE HOMES OF NEVADA, INC.

Appellant,

v.

JAMES WOLFRAM; ANGELA L. LIMBOCKER-WILKES, AS TRUSTEE OF  
THE WALTER D. WILKES AND ANGELA L. LIMBOCKER-WILKES  
LIVING TRUST, A NEVADA TRUST; AND WALTER D. WILKES AND  
ANGELA L. LIMBOCKER-WILKES LIVING TRUST, A NEVADA TRUST

Respondents.

---

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

---

**APPELLANT'S NOTICE OF SUPPLEMENTAL AUTHORITIES AND  
CLARIFICATION OF RECORD AT ORAL ARGUMENT**

---

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

Attorneys for Appellant

Pursuant to NRAP 28(e)(1) and 31(e), and in compliance with NRPC 3.3(a)(1), Appellant Pardee Homes of Nevada Inc. (“Pardee”) provides notice and clarifies the record concerning a response to a question posed by a Justice at oral argument held January 23, 2019. In response to Justice Hardesty’s inquiry asking whether Pardee sought from the district court apportionment of attorney’s fees between successful/unsuccessful claims, the undersigned responded “no.” That was error. In the district court, Pardee did seek apportionment in its motion for attorney’s fees. 72 JA 011596 (“By this Motion, Pardee does not seek to recover all of its attorney’s fees and costs incurred in defending against plaintiff’s claims. Instead, Pardee only seeks to recover its attorney’s fees and costs incurred in defending against the lost commissions’ portion of plaintiff’s breach of contract claim, which was the most significant and bitterly contested portion of the case.”); JA 011590-012114.

## **AFFIRMATION**

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 24<sup>th</sup> day of January, 2019.

McDONALD CARANO LLP

By: /s/ Pat Lundvall  
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 24<sup>th</sup> day of January, 2019, 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