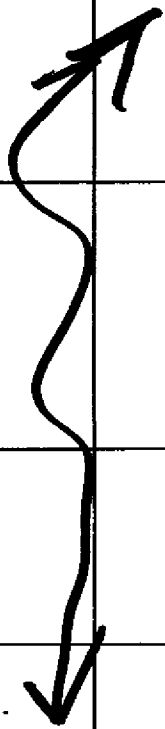


775	Nevada Power Company, White Cap Industries, HD Supply Waterworks Certified Mail Receipts - RMI000883				
776	WRG Design, Arch Aluminum & Glass, Dave Peterson Framing Certified Mail Receipts - RMI000884				
777	Zitting Brothers Construction, Atlas Construction Supply, Gale Building Products Certified Mail Receipts- RMI000885				
778	Northstar Concrete, Nedco Supply, Executive Plastering Certified Mail Receipts - RMI000886				
779	SelectBuild of Nevada, Eastridge Personnel, Tower Equipment Certified Mail Receipts - RMI000887				

NOT USED



NOT USED

PEEL BRIMLEY LIEN CLAIMANTS'

EXHIBIT LIST – A571228

March 1, 2013 Evidentiary Hearing – Dept 29, Judge Scann

		Offered	Objection	Admitted
Exhibit 1:	Executed Purchase and Sale Agreement	3/1/13	NO	3/1/12
Exhibit 2:	First Amendment to Purchase and Sale Agreement			
Exhibit 3:	Second Amendment to Purchase and Sale Agreement			
Exhibit 4:	Emails dated August 23, 2012			
Exhibit 5:	Emails dated September 7, 2012			
Exhibit 6:	Emails dated September 10, 2012			
Exhibit 7:	Emails dated September 14, 2012			
Exhibit 8:	Emails dated September 25, 2012			
Exhibit 9:	Emails dated October 8, 2012			
Exhibit 10:	Emails dated October 11, 2012			
Exhibit 11:	Emails dated October 12, 2012			
Exhibit 12:	Emails dated October 15, 2012			
Exhibit 13:	Emails dated October 22, 2012			
Exhibit 14:	Emails dated November 9, 2012			
Exhibit 15:	Emails dated December 6, 2012			
Exhibit 16:	Emails dated December 11, 2012			
Exhibit 17:	Emails dated December 12, 2012			
Exhibit 18:	Emails dated December 13, 2012			
Exhibit 19:	Hearing Transcript dated July 18, 2012			
Exhibit 20:	Hearing Transcript dated July 31, 2012			
Exhibit 21:	Hearing Transcript dated August 16, 2012			
Exhibit 22:	Hearing Transcript dated August 21, 2012			
Exhibit 23:	Hearing Transcript dated September 26, 2012			
Exhibit 24:	Hearing Transcript dated October 9, 2012			
Exhibit 25:	Hearing Transcript dated October 16, 2012			
Exhibit 26:	Hearing Transcript dated October 23, 2012			
Exhibit 27:	Hearing Transcript dated December 6, 2012	3/1/12	NO	3/1/12
EXHIBIT 28:	COPY OF E-MAIL AND PROPOSED ORDER	3/7/13	NO	3/7/13

Grubb & Ellis

Non-Party

VAULT EXHIBIT FORM

CASE NO: 8A571228	HEARING DATE: 3/1/13
DEPT. NO. 29	JUDGE: Susan Scann
	CLERK: YING PAN
	REPORTER: Angie Calvillo
PLAINTIFF Apco Construction	JURY FEES:
	COUNSEL FOR PLAINTIFF: Wade Frochnauer
DEFENDANT: Gemstone Development	
West	COUNSEL FOR DEFENDANT: Matthew Carter
	et. al.

Date Offered Objection Date Admitted

• A. Purchase & Sale Agreement	3/1/13	NO	3/1/13
• B. First Amendment to Purchase & Sale Agreement			
• C. Second Amendment to Purchase & Sale Agreement			
• D. Transcript of Hearing 8/16/12			
• E. Transcript of Hearing 8/21/12			
• F. Transcript of Hearing 9/26/12			
• G. Transcript of Hearing 10/9/12			
• H. Transcript of Hearing 10/16/12			
• I. Transcript of Hearing 11/16/12			
• J. Transcript of Hearing 12/6/12			
• K. Affidavit of Brad Scott			
• L. Grubb & Ellis Agreement	3/1/13	NO	3/1/13

Scott

EXHIBITS

OFFERED	ADMITTED
DATE	OBJ DATE

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 17, 2018

[CONSOLIDATED WITH A574391; A574792; A577623;
A583289; A587168; A58088L; A584730; A589195;
A595552; A597089; A592826; A589677; A596924;
A584960; A608717; A608718; AND A590319]

DEPT. NO.: XIII

JUDGE: MARK R. DENTON
COURT CLERK: MARWANDA KNIGHT
REPORTER: JENNIFER GEROLD

Plaintiff: APCO Construction

vs.

Defendant: Gemstone Development West, Inc., et al.

Counsel: Cody S. Mounter;
J. Randall Jeffries

Counsel: Unrepresented.

Related Cases:

Plaintiff-in-Intervention: National Wood Products, Inc.

vs.

Defendant-in-Intervention: APCO Construction

Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

Counsel: Richard L. Tobler; John B. Taylor;
S. Judy Hirahara

Counsel: Cody Mounter; J. Randall Jeffries

Counsel: Steven L. Morris

Counter Claimant: Camco Pacific Construction
Company, Inc.

vs.

Counter Defendant: National Wood Products, Inc.

TRIAL BEFORE COURT

PLAINTIFF APCO CONSTRUCTION'S EXHIBITS¹

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
		APCO GENERAL				
1	04/17/07	Grading Agreement between Gemstone and Apco	APCO033494- APCO033515	01.17.18	No	01.17.18 WA

¹ APCO reserves the right to use any exhibits it lists against any party, regardless of the party headings in the document.

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
2	09/06/07	Apco/Gemstone General Construction	ZBCI002099-002141	01.17.18	No	01.17.18	WA
3	10/15/07	Nevada/Gemstone Cost Plus/GMP Contract Disbursement Agreement	APCO033539-APCO033553	"	"	"	WA
4	06/30/08	Apco Pay Application No. 9 Submitted to Gemstone	APCO034867-APCO034954	"	"	"	WA
5	07/18/08	Letter from J. Barker to A. Edelstein re: Apco's Notice of Intent to Stop Work	ZBCI001151-ZBCI001154	"	"	"	WA
6	07/28/08	Letter from J. Barker to A. Edelstein re: Apco's Notice of Intent to Terminate Contract	SIERRA000128-SIERRA000129	01/17/18	No	01/17/18	WA
7	07/30/08	Letter from Scott Financial to Apco re: loan status	CAMCO-MW00042	01/18/18	Stip	01/18/18	WA
8	07/31/08	Apco Pay Application No. 10 as submitted to Owner	APCO035144-APCO035179	"	"	"	WA
9	07/31/08	Apco Pay Application No. 10 – NCS/Owner Approved with NCS Report for bank	04215-04313	01/18/18	Stip	01/18/18	WA
10	08/11/08	Letter from J. Barker to A. Edelstein re: Notice of Intent to Stop Work	NVPE000241-NVPE000246	01/17/18	No	01/17/18	WA
11	08/11/08	Email from a. Bergman to J. Olivares, et al. re: Pay Application No. 9 – NCS-Owner Approved with NCS Report for Bank	04333-04423	01/18/18	Stip	01/18/18	WA
12	08/12/08	Email from C. Colligan to subcontractors re: Gemstone's financing	NVPE000247-NVPE000248	"	"	"	WA
13	08/15/08	Letter from A. Edelstein to R. Nickerl re: Termination for Cause	12418-12431	01/17/18	No	01/17/18	WA
14	08/15/08	Letter from W. Gochnour to Sean Thueson re: response to Termination for Cause	APCO106381-APCO106388	"	"	"	WA
15	08/19/08	Letter from R. Nickerl to A. Edelstein re: 48 hour notice	APCO106389-APCO106391	"	"	"	WA
16	08/19/08	Email from J. Horning to A. Berman and J. Olivares re: joint cheks	12342	01/17/18	No	01/17/18	WA
17	08/20/08	Video – Roof Top/Common Corridor/Unit 455 (3:40-7:08 clip) -Drywall not complete (not even put on walls – shows bare framing and insulation) -Still needs clean up from framing sub	APCO0104410	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
18	08/20/08	Video – Unit 462 (2:36 minutes) -Drywall not complete (taping of drywall not complete) -Lighting trim & fixtures not installed	APCO104416	01/18/18	Stip	01/18/18	WA
19	08/20/08	Video – 2 nd Floor/Common Corridor (2:56 minutes) -Drywall not complete (not even put on walls – shows bare framing and insulation exposed)	APCO104468				WA
20	08/20/08	Video – Unit 165 (2:44 minutes) -Drywall not complete -Lighting trim & fixtures not installed -No cabinets installed (APCO was billed and paid for installation of this unit)	APCO104471				WA
21	08/20/08	Video – Unit 161 (2:12 minutes) -Drywall not complete -Lighting trim & fixtures not installed -No cabinets installed (APCO billed and paid for installation of this unit)	APCO104478				WA
22	08/20/08	Video – Common Corridor (3:00) -Drywall not complete (not even put on walls-shows bare framing and insulation exposed)	APCO104490	01/18/18	Stip	01/18/18	WA
23	08/21/08	Apco Subcontractor Notice of Stopping Work and Letter from J. Barker to A. Edelstein re: Notice of Stopping Work & Notice of Intent to Terminate Contract	APCO106287-102288	01/17/18	No	01/17/18	WA
24	08/22/08	Letter from R. Nickerl to Clark County re: notification of APCO's withdrawal as General Contractor of Record	03932-03938	"	"	"	WA
25	08/25/08	Amended and Restated General Construction Agreement between Gemstone and Camco	CAMCO-MW01320-CAMCO-MW01361	01/18/18	Stip	01/18/18	WA
26	08/28/08	Email from J. Gisondo to subcontractors re: June checks	NVPE000254	01/17/18	No	01/17/18	WA
27	08/28/08	Letter from A. Edelstein to R. Nickerl re: June progress payment	12357-12412	01/17/18	No	01/17/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
28	09/05/08	Letter from J. Barker to A. Edelstein re: Termination of Agreement for GMP	NVPE000255	01/17/18	No	01/17/18	WA
29	09/05/08	Email from J. Robbins to Subcontractors re: billing cut-off for August billing	NVPE000256	01/18/18	Stip	01/18/18	WA
30	10/20/08	Camco Pay Application No. 11 NCS-Owner Approved with NCS Draw Request	00372-00396	"	"	"	WA
31	10/30/08	Transmission of Apco's Pay Application No. 11 as Submitted to Owner	APCO035436-APCO035473	01/17/18	No	01/17/18	WA
32	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixture installed	APCO0102299	01/18/18	Stip	01/18/18	WA
33	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed	APCO0102300				WA
34	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed	APCO0102321				WA
35	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed	APCO0102328				WA
36	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed	APCO0102341				WA
37	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed	APCO0102345				WA
38	11/20/08	Photo re: Building 8 & 9, Interior - Showing drywall still not completed and no electrical trim or fixtures installed	APCO0102346				WA
39	12/15/08	Email from K. Costen to Subcontractors informing that Manhattan West Project no longer open	ZBCI001117				WA
40	12/22/08	Letter from D. Parry to Subcontractors re: funding withdrawn	APCO106398				WA
		*HELIX					
41		Demonstrative: Billing and Payments Status Summary	NONE				WA
42		Demonstrative: Materials Stored Billing Status Summary Sheet	NONE	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
43		Demonstrative: Payments and Releases through August 2008 (Pay Applications No. 1-12)	VARIOUS	01/18/18	Stip	01/18/18	WA
44		Demonstrative: Helix Billing/Payment Chart for APCO for Manhattan West Phase 1 with Helix Correction	HELIX00400	"	"	"	WA
45	04/17/07	Subcontract Agreement between Apco and Helix	APCO039520-APCO039547	01/17/18	NO	01/17/18	WA
46	05/31/08	Helix Pay Application No. 16713-008R1 with Proof of Payment	APCO039611-APCO039624	01/18/18	Stip	01/18/18	WA
47	06/30/08	Helix Pay Application No. 16713-009R1 with Proof of Payment	VARIOUS				WA
48	07/29/08	Email from R. Nickler to B. Johnson re: Work Suspension Directive	HELIX00588				WA
49	07/31/08	Helix Pay Application No. 16713-010R2 with Proof of Payment	HELIX00339-HELIX00343				WA
50	07/31/08	Unconditional Waiver and Release re: Pay Application No. 8 w/copy of payment	HELIX00232-00233				WA
51	08/20/08	Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%.	APCO0102495				WA
52	08/20/08	Photo re: Building 8 & 9, North – No exterior fixtures installed. Helix billed out at 90%.	APCO0102498				WA
53	08/20/08	Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%.	APCO0102502				WA
54	08/20/08	Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%.	APCO0102504				WA
55	08/20/08	Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%.	APCO0102506				WA
56	08/20/08	Photo re: Building 8 & 9, North – No exterior fixtures installed. Helix billed out at 90%.	APCO0102507				WA
57	08/20/08	Photo re: Building 2 & 3, and 8 & 9, North – No exterior fixtures installed. Helix billed out at 90%	APCO0102508				WA
58	08/31/08	Helix Pay Application No. 16713-011R1 submitted to Owner	APCO035513-APCO035521				WA
59	08/31/08	Helix Pay Application No. 16713-011R1 given to Camco with Proof of Payment	VARIOUS				WA
60	08/31/08	Helix Retention Rolled to Camco	VARIOUS				WA
61	09/03/08	Unconditional Waiver and Release	HELIX00282-	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
		re: all invoices through 06/30/08 w/proof of payment	HELIX00284	01/18/18	Stip	01/18/18	WA
62	09/05/08	Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%.	APCO0102516				WA
63	09/05/08	Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%.	APCO0102517				WA
64	09/05/08	Photo re: Building 2 & 3, West – No exterior fixtures installed. Helix billed out at 90%. Drywall not complete.	APCO102531				WA
65	09/05/08	Photo re: Building 2 & 3, South – No exterior fixtures installed. Helix billed out at 90%. Drywall not complete.	APCO0102532				WA
66	09/29/08	Letter of transmittal from Helix to Apco re: Helix Pay Application No. 16713-011R1	VARIOUS				WA
67	10/01/08	Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%.	APCO0102578				WA
68	10/01/08	Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%.	APCO0102579				WA
69	10/01/08	Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%.	APCO0102594				WA
70	10/01/08	Photo re: Building 8 & 9, South – No exterior fixtures installed. Helix billed out at 90%.	APCO0102625				WA
71	10/10/08	Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%.	APCO102627				WA
72	10/10/08	Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%.	APCO0102642				WA
73	10/17/08	Photo re: Building 8 & 9, West – No exterior fixtures installed. Helix billed out at 90%.	APCO0102655				WA
74	10/17/08	Photo re: Building 2 & 3, East – No exterior fixtures installed. Helix billed out at 90%.	APCO0102671				WA
75	10/27/08	Unconditional Release re: Pay Application No. 16713-011R1 w/proof of payment	HELIX00372- HELIX00377				WA
76	01/29/09	Amended Notice of Lien	APCO0103562- APCO0103576				WA
77	04/14/09	Helix Statement of Facts Constituting Notice of Lien and	NONE	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
		Third-Party Complaint					WA
78	03/24/14	Helix Contract with Martin Harris re: Building 2 & 3	MHC3457-MHC3473	01/18/18	Stip	01/18/18	WA
79	04/16/14	Helix Contract with Martin Harris re: Building 8 & 9	MHC3401-MHC3418				WA
80	04/29/15	Martin Harris Subcontractor Change Order No. 00042	MHC5321				WA
81	08/31/16	Helix Initial Disclosure Statement	NONE				WA
		*ZITTING BROTHERS					
82		Contract Terms re: Retention	APCO044592-044608; APCO044620-044621				WA
83		Change Orders initialed	ZBCI002059-ZBCI002077				WA
84	04/17/07	Subcontract Agreement between Apco and Zitting; and Exhibit "B" to subcontract	APCO044592-APCO044624				WA
85	11/30/07-04/04/08	Lumber Entries	NONE				WA
86	12/12/07-04/11/08	Roy Zitting Daily Reports	VARIOUS				WA
87	03/26/08	Apco Change Order No. 00037	APCO035926				WA
88	04/18/08	Letter from J. Pelan to Zitting re: change order	APCO044771				WA
89	04/29/08	Apco Change Order No. 00001	APCO044588				WA
90	05/12/08	Email from R. Zitting to L. Lynn re: extras and work orders	APCO106337				WA
91	05/21/08	Email from J. Griffith to R. Nickerl, et al. re: structural change order comments and dispositions	APCO106338-APCO106343				WA
92	05/30/08	Zitting Change Order with \$30 hourly rate	APCO106344-APCO106351				WA
93	05/30/08	Zitting Pay Application No. 503	VARIOUS				WA
94	05/31/08	Zitting Supplier Releases	APCO044637-APCO044642				WA
95	06/13/08	Check No. 13956 payable to Zitting (\$156,574.60) - Progress Payment No. 6	APCO044667-APCO044668				WA
96	06/24/08	Unconditional Lien Release re: Zitting	APCO044651				WA
97	06/25/08	Zitting Pay Application with Change Order billing re: Change Order No. 1-4	APCO035128-APCO035136				WA
98	07/01/08-10/11/08	Zitting Job Costing	VARIOUS	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
99	07/01/08-02/28/09	Zitting Job Costing After Billing 100%; and Zitting Change Orders	APCO106352-APCO106355	01/18/18	Stip	01/18/18	WA
100	07/28/08	Check No. 14392 payable to Zitting (\$27,973.80); – Progress Payment No. 7	APCO044643; and APCO044644				WA
101	07/30/08	Email from R. Nickerl to R. Zitting re: change orders	APCO106356-APCO106357				WA
102	08/07/08	Email from L. Lynn to J. Griffith, et al. re: Change Order No. 00011 “pending”	APCO106358-APCO106359				WA
103	08/08/08	Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour	APCO106360				WA
104	08/08/08	Email from R. Zitting to R. Nickerl re: change orders adjusted to \$30 per hour with copies of change orders	APCO106361-APCO106380				WA
105	08/08/08	Ex. C to the Ratification – Zitting Quotes	ZBCI002098				WA
106	08/08/08	Unconditional Lien Release – Zitting (\$27,973.80)	APCO044636				WA
107	08/12/08	Email from C. Colligan to Subcontractors re: subcontractor concerns	NVPE000247-NVPE000248				WA
108	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104410 (01)				WA
109	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104410 (02)				WA
110	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104412				WA
111	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104441				WA
112	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104490 (01)				WA
113	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104490 (02)				WA
114	08/20/08	Photo of Video that contradicts claim for retention language	APCO0104490 (03)				WA
115	08/22/08	Progress Payment No. 9 Remitted to Zitting	APCO106189				WA
116	08/26/08	Ratification and Amendment of Subcontract Agreement between Buchele and Camco	09714-09717				WA
117	08/26/08	Exhibit C to the Ratification	ZBCI002098				WA
118	08/26/08	Q&A from Gemstone to subcontracts	APCO106392-APCO106394				WA
119	08/28/08	Check No. 528388 payable to Apco (\$33,847.55) – Progress Payment No. 8.1 and 8.2	APCO044625-APCO044627	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
120	08/31/08	Tri-City Drywall Pay Application No. 7 to Apco as submitted to Owner. Show percentage complete for Zitting.	APCO035649- APCO035651	01/18/18	Stip	01/18/18	WA
121	09/15/08	Field Change Directive	ZBCI002082- ZBCI002086				WA
122	09/18/08	Conditional Lien Release – Zitting (\$33,847.55)	07930				WA
123	09/22/08	Email from N. Zitting to J. Olivares re: release from Wojan	07905				WA
124	10/09/08	Email from L. Lynn to R. Zitting, et al. re: Final Project Summary Statement	APCO106395- APCO106397				WA
125	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102299				WA
126	11/20/08	Photo of Video that contradicts claim for retention language	ACPO0102300				WA
127	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102301				WA
128	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102321				WA
129	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102329				WA
130	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102341				WA
131	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102345				WA
132	11/20/08	Photo of Video that contradicts claim for retention language	APCO0102346				WA
133	12/15/08	Zitting Change Request Log – Outstanding	ZBCI001178				WA
134	12/22/08	Letter from D. Parry to G. Hall re: project suspension	CAMCO- MW01979- CAMCO- MW01980				WA
135	12/23/08	Notice of Lien filed by Zitting against Apco	ZBCI001965- ZBCI001972				WA
136	01/30/09	Fax from Zitting to Apco re: remaining contract work with change orders	ZBCI002030- ZBCI002041				WA
137	03/09/09	Zitting Accounting Sheet - JC Entries by Job	ZBCI001734				WA
138	04/28/09	Memo from Scott Financial to Nevada State Contractor's Board re: explanation of project payment process	CAMCO- MW00029- CAMCO- MW00037				WA
139	04/30/09	Zitting's Complaint re: Foreclosure	NONE				WA
140	04/06/10	Zitting Aging Detail by Contract	ZBCI000120- ZBCI000121	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
141	04/06/10	Statement of Account as of April 6, 2010	ZBCI000117- ZBCI000121	01/18/18	Stip	01/18/18	WA
142	04/07/10	Zitting Amended Notice of Lien	ZBCI001976- ZBCI001986				WA
143	09/01/16	Zitting's Initial Disclosure Statement	NONE				WA
144	02/08/17	Zitting's First Supplemental Disclosure	NONE				WA
145	06/30/17	Zitting's Second Supplemental Disclosure	NONE				WA
146	10/23/17	Apco's Second Amended Notice of Deposition re: PMK for Zitting	NONE				WA
		*NATIONAL WOOD/ CABINETEC					
147		Demonstrative: Payments & Releases	VARIOUS				WA
148		Invoices from CabineTec to Apco	NWP00001- NWP00002				WA
149	04/17/07	Subcontract Agreement between Apco and CabineTec	APCO036976- APCO036992				WA
150	08/05/08	CabineTec delivery ticket and invoices (signed by Apco)	NWP00133; NWP00235; NWP00214				WA
151	08/08/08	CabineTec Pay Application to Apco with proof of payment	VARIOUS				WA
152	08/11/08	Terms & Conditions modified by Apco, invoices and check payment	NWP00721- NWP00726				WA
153	08/31/08	Contract Agreement Progress Payment No. 2	APCO104865- 104866				WA
154	09/22/08	Check No. 529407 (\$161,262) from NCS to Apco	APCO104867				WA
155	02/02/09	CabineTec Notice of Lien against Apco and Camco	APCO103366- APCO103368				WA
156	02/06/09	CabineTec' Statement of Facts Constituting Lien Claim and Complaint in Intervention	NONE				WA
157	09/30/16	National Wood's initial disclosure statement	NONE				WA
158	03/03/17	National Wood's first supplemental disclosure	NONE				WA
159	11/13/17	National Wood's second supplemental disclosure	NONE	01.18.18	Stip	01.18.18	WA
160		Documents provided for settlement	VARIOUS	01.18.18	Stip	01.18.18	WA
		*CAMCO					
161		Camco Buildings 8 & 9 Schedule Start Date 08/29/08	APCO104561- APCO104562	01/18/18	Stip	01/18/18	WA
162	08/25/08	Amended and Restated General Construction Agreement between	CAMCO- MW01320-	01/17/18	NO	01/17/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
		Gemstone and Camco	CAMCO-MW01361				
163	09/30/08	Camco Pay Application No. 12 to Gemstone	CAMCO-MW01249- CAMCO-MW01286	01/18/18	Stip	01/18/18	WA
164	12/16/08	Email from B. Scott to J. Olivares re: no further draws being approved	CAMCO-MW00036				WA
165	12/19/08	Letter from D. Parry to A. Edelstein re: Gemstone loosing funding for project	CAMCO-MW02699				WA
166	12/22/08	Letter from D. Parry to G. Hall re: withdrawal of funding	CAMCO-MW01979- CAMCO-MW01980				WA
167	12/31/08	Camco Pay Application No. 15 to Gemston	CAMCO-MW01249- CAMCO-MW01288	01/18/18	Stip	01/18/18	WA
168	04/28/09	Memo from Scott Financial to Nevada State Contractor's Board re: payment process for project	CAMCO-MW02702- CAMCO-MW02704	01/17/18	NO	01/17/18	WA
		**HELIX					
169		Helix Exhibit to Standard Subcontract Agreement with Camco	HELIX00882- HELIX00892	01/18/18	Stip	01/18/18	WA
170	08/26/08	Subcontract Agreement between Helix and Camco (unsigned)	HELIX00837- HELIX00892				WA
171	08/26/08	Work Order No. 100	HELIX00689- HELIX00692				WA
172	09/04/08	Letter from J. Griffith to Victor Fuchs re: Gemstone's intention to continue retention of Helix w/copy of Ratification and Amendment of Subcontract Agreement	HELIX00893- HELIX00903				WA
173	09/30/08	Helix Pay Application No. 16713-012 to Camco with proof of payment	01933-01941; HELIX00657- HELIX00661				WA
174	10/06/08	Helix Change Order Request No. 28	HELIX00761				WA
175	10/29/08	Change Notice No. 41	HELIX00710- HELIX00712				WA
176	10/31/08	Helix Pay Application No. 16713-013 to Camco	01391-01399; HELIX00597- HELIX00606				WA
177	12/04/08	Helix Pay Application No. 16713-014 to Camco	HELIX00631- HELIX00640	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
178	12/15/08	Camco's letter to Helix rejecting Pay Application No. 16713-015 with attached copy of Pay Application	HELIX00643- HELIX00656	01/18/18	Stip	01/18/18	WA
		**ZITTING BROTHERS					
179		Camco Schedule reflecting framing inspection not complete	CAMCO-MW02190- CAMCO-MW02194				WA
180	09/04/08- 10/08/08	Zitting's Change Order Requests and Field Change Directives to Camco	ZBCI002078- ZBCI002097				WA
181	11/18/08	Change Order No. 3 re: options at buildings 8 and 9	ZBCI000046				WA
		**NATIONAL WOOD/ CABINETEC					
182		Invoices from CabineTec to Camco	NWP00003- NWP00030				WA
183	08/26/08	Ratification and Amendment of Subcontract Agreement between CabineTec and Camco	NWP00609- NWP00612				WA
184	08/26/08	Ratification and Amendment of Subcontract Agreement between CabineTec and Camco (fully executed copy)	CAMCO-MW01648- CAMCO-MW01674				WA
185	10/24/08	CabineTec Pay Application No. 1024411-IN to Camco with NCS approved amount	01172-01213				WA
186	11/11/08	Email from A. Edelstein to L. Duckstein, et al. re: payment	NWP00705- NWP00708				WA
187	11/21/08	Email from A. Edelstein to J. Robbins, et al. re: CabineTec comfort letter/difference in billing amounts	NWP00700- NWP00703				WA
188	12/01/08	Email from A. Edelstein to R. Trickett re: December 5 th payment	NWP00699				WA
189	12/01/08	Letter from Scott Financial to L. Duckstein re: October Payment Application	CAMCO-MW00034				WA
190	12/15/08	Email from A. Adelstein to L. Duckstein re: funding cut-off	NWP00692- NWP00696				WA
		*BUCHELE					
191		Buchele Business License	APCO106322				WA
192		Buchele Contractor's License (reflecting out of business, prior to death)	APCO106323				WA
193		Buchele Obituary information	APCO106324	01/18/18	Stip	01/18/18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
194		Payment information from NV Construction Services on behalf of Camco	APCO106325-APCO106336	01/18/18	Stip	01/18/18	WA
195	06/05/08	Subcontract Agreement between Apco and Buchele	APCO036938-APCO036954				WA
196	06/30/08	Buchele Pay Application No. 1 to Apco with proof of payment	VARIOUS				WA
197	08/18/08	Buchele Pay Application No. 2 to Apco with proof of payment	VARIOUS				WA
198	08/26/08	Ratification and Amendment of Subcontract Agreement between Buchele and Camco	09714-09717				WA
199	09/29/08	Camco transmittal cover sheet to Buchele re: contract	CAMCO-MW01559				WA
200	09/30/08	Buchele Payment Request No. 2 to Camco with proof of payment	01682-01683; 01692				WA
201	10/21/08	Buchele Billing Statement No. 3 to Camco	BUCH0084-BUCH0086				WA
202	10/21/08	Buchle Pay Application No. 3 to Camco	01167-01171				WA
203	11/08/17	Buchele Billing Statement No. 4 to Camco	BUCH00104-BUCH00112				WA
204	12/22/08	Letter from D. Parry to T. Buchele re: funding withdrawn	BUCH00117-BUCH00118				WA
205	12/30/08	Buchele Notice of Lien	APCO106401-APCO106402				WA
206	06/01/09	Statement of Facts Constituting Lien on Behalf of Buchele	NONE				WA
207	05/03/10	Declaration of Thomas Buchele	BUCH00141-BUCH00143				WA
208	08/31/16	Buchele Initial Disclosure Statement	NONE				WA
		*GENERAL					
209	05/31/08	InsulPro Progress Payment No. 12	APCO103135-APCO103138				WA
210	06/30/08	Zitting Invoice NO. 73828	APCO104233-APCO				WA
211	06/30/08	Zitting Pay Application No. 509	ZBCI002037-ZBCI002038	01/18/18	Stip	01/18/18	WA
212	07/02/08	Letter from Edelstein to R. Nickert re: NRS 624 Notic	04592-04595	01 17 18	NO	01 17 18	WA
213	07/08/08	Letter from J. Barker to A. Edelstein re: NRS 624 Notice	04596-04599	"	"	"	WA
214	07/31/08	InsulPro Progress Payment No. 3.1	APCO10139-APCO103141	01/18/18	Stip	01/18/18	WA
215	08/15/08	Email from C. Colligan to subcontractors re: 48 hour termination notice	NONE	01 17 18	NO	01 17 18	WA
216	08/18/08	Email from C. Colligan re:	NONE	01.17.18	NO	01.17.18	WA

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted	
		meeting with subcontractors					
217	08/21/08	InsulPro Invoice No. 0008927P5	APCO103142- APCO103146	01/18/18	Stip	01/18/18	WA
218	08/31/08	Camco/Owner Pay Application No. 11 w/backup	CAMCO-MW00045-CAMCO-MW	01/17/18	NO	01/17/18	WA
219	09/09/08	APCO Complaint against Gemstone	NONE		Improper use of pleading		
220	09/30/08	Camco/Owner Pay Application No. 12 w/backup	CAMCO-MW00249-CAMCO-MW00552	01/18/18	Stip	01/18/18	WA
221	10/31/08	Camco/Owner Pay Application No. 13 w/backup	CAMCO-MW00553-CAMCO-MW01005	"	"	"	WA
222	11/30/08	Camco/Owner Pay Application No. 14 w/backup	CAMCO-MW01006-CAMCO-MW01248	01/18/18	Stip	01/18/18	WA
223	12/08/08	APCO's First Amended Complaint	NONE	Returned	Improper pleading	to Counsel	
224	12/24/08	MASCO 15 day Notice of Intent to Lien	APCO103147- APCO103150	01/18/18	Stip	01/18/18	WA
225	12/31/08	Camco/Owner Pay Application No. 15	CAMCO-MW01249-CAMCO-MW01288	01/18/18	Stip	01/18/18	WA
226	01/15/09	Gemstone's Answer to APCO Complaint and Counterclaim	NONE	Returned	Improper use of pleading	to Counsel	
227	02/04/09	APCO's Reply to Gemstone's Counterclaim	NONE	"	Improper use of pleading	"	
228	03/16/09	APCO's Answer to Cabinetec's Statement of Facts	NONE	1/19/18	Improper use of pleading	1/19/18	WA
229	06/10/09	APCO's Answer to Zitting's Complaint	NONE	Returned	Improper use of pleading	to Counsel	
230	06/22/09	Gemstone's Answer to APCO's Cross-Claim Contained in its Answer to Steel's Amended Statement of Facts	NONE	"	Improper use of pleading	"	
231	06/24/09	Helix's Amended Statement of Facts	NONE	1/19/18	Improper use of pleading	1/19/18	WA
232	08/05/09	APCO's Answer to Helix's	NONE		Improper		

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
		Amended Statement of Facts			use of pleading	
233	01/26/10	Case Management Order	NONE		Improper use of pleading	
234	03/17/10	APCO's Initial Disclosure Statement	NONE		Improper use of discovery	
235	03/25/10	APCO's First Supplemental Disclosure Statement	NONE		Improper use of discovery	
236	04/12/10	APCO's Response to Zitting's Request for Admissions	NONE		Improper use of discovery	
237	04/29/10	APCO's Response to Zitting's Interrogatories	NONE		Improper use of discovery	
238	07/29/10	APCO's Third Supplemental Disclosure Statement	NONE		Improper use of discovery	
239	07/29/10	InsulPro's Response to APCO's Request for Admissions	NONE		Improper use of discovery	
240	09/27/10	APCO's Fourth Supplemental Disclosure Statement	NONE		Improper use of discovery	
241	12/14/10	Notice of Entry of Order Granting Scott Financial's Motion to Stay	NONE		Improper use of pleading	
242	11/30/12	Notice of Entry of Order Staying Case, Except for the Sale of the Property	NONE		Improper use of pleading	
243	04/23/13	Order Approving Sale of Property	NONE		Improper use of pleading	
244	11/24/15	Order Denying Rehearing	NONE		Improper use of pleading	
245	02/19/16	Order Denying En Banc Reconsideration	NONE		Improper use of pleading	
246	04/14/16	Order Releasing Sale Proceeds	NONE		Improper use of pleading	
247	06/06/16	APCO's Fifth Supplemental Disclosure Statement	NONE		Improper use of discovery	
248	08/08/16	Special Master Report, Recommendation and Order	NONE		Improper use of discovery	

Returned to Counsel

Returned to Counsel

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
249	08/31/16	APCO's Sixth Supplemental Disclosure Statement	NONE	<i>Returned</i>	Improper use of discovery	<i>Counsel</i>
250	09/22/16	Utah Special Master Questionnaire	NONE		Improper use of discovery	
251	09/23/16	National Wood's Response to Special Master Questionnaire	NONE		Improper use of discovery	
252	02/14/17	Zitting Verification to Responses to APCO's First Set of Interrogatories	NONE		Improper use of discovery	
253	03/03/17	APCO's Answers to National Wood's Requests for Interrogatories	NONE		Improper use of discovery	
254	03/03/17	APCO's Answers to National Wood's Requests for Admissions	NONE		Improper use of discovery	
255	03/03/17	National Wood's Responses to APCO's First Set of Interrogatories	NONE		Improper use of discovery	
256	03/03/17	National Wood's Responses to APCO's First Set of Request for Production of Documents	NONE	<i>Returned</i>	Improper use of discovery	<i>Counsel</i>
257	03/14/17	Nevada State Contractor's Board Search re: Uintah Investments	NONE	01.18.18	Stip	01.18.18 <i>WA</i>
258	03/14/17	Nevada Secretary of State's Search re: Uintah Investments	NONE	01.18.18	Stip	01.18.18 <i>WA</i>
259	03/29/17	Helix PMK - Notice of Deposition	NONE	<i>Returned</i>	Improper use of discovery	<i>Counsel</i>
260	03/29/17	National Wood PMK - Notice of Deposition	NONE		Improper use of discovery	
261	03/29/17	Zitting PMK Notice of Deposition	NONE		Improper use of discovery	
262	05/08/17	Special Master Report Regarding Discovery Status	NONE		Improper use of discovery	
263	05/11/17	Amended Notice of Deposition re: APCO, and Request for Production of Documents	NONE		Improper use of discovery	
264	05/12/17	APCO's Answer to Zitting's First Requests for Interrogatories	NONE		Improper use of discovery	
265	05/12/17	APCO's Answer to Zitting's First Requests for Admissions	NONE	<i>Returned</i>	Improper use of discovery	<i>Counsel</i>

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
266	05/15/17	APCO's Answer to Helix's First Requests for Interrogatories	NONE		Improper use of discovery	
267	05/15/17	APCO's Response to Helix's First Set of Requests for Admissions	NONE		Improper use of discovery	
268	05/16/17	Helix PMK - Notice of Deposition	NONE		Improper use of discovery	
269	05/23/17	National Wood PMK - Notice of Deposition	NONE		Improper use of discovery	
270	06/02/17	APCO's Seventh Supplemental Disclosure Statement	NONE		Improper use of discovery	
271	06/05/17	APCO's Eighth Supplemental Disclosure Statement	NONE		Improper use of discovery	
272	06/05/17	APCO's PMK Deposition Transcript	NONE		Improper use of discovery	
273	06/07/17	Helix PMK - Amended Notice of Deposition	NONE		Improper use of discovery	
274	06/26/17	APCO's Motion for Summary Judgment re: NRS 108 Claim	NONE		Improper use of pleading	
275	06/30/17	APCO's Ninth Supplemental Disclosure Statement	NONE		Improper use of discovery	
276	07/17/17	APCO PMK Notice of Deposition	NONE		Improper use of discovery	
277	07/18/17	APCO PMK Deposition Transcript	NONE		Improper use of discovery	
278	07/19/17	APCO PMK Deposition Transcript	NONE		Improper use of discovery	
279	07/20/17	Helix PMK Deposition Transcript	NONE		Improper use of discovery	
280	07/31/17	Zitting Motion for Partial Summary Judgment Against APCO	NONE		Improper use of pleading	
281	08/21/17	APCO's Opposition to Zitting's Motion for Partial Summary Judgment	NONE		Improper use of pleading	
282	08/21/17	Mary Jo Allen Declaration in Support of APCO's Opposition to	NONE		Improper use of pleading	

Returned to Counsel

Returned to Counsel

Exhibit No.	Date	Exhibit Description	Bates No.	Date Offered	Objection	Date Admitted
		Zitting's Motion for Partial Summary Judgment			pleading	
283	08/30/17	APCO's Tenth Supplemental Disclosure Statement	NONE		Improper use of discovery	
284	10/05/17	Transcript of Hearing re: All Pending Motions	NONE		Improper use of pleading	
285	10/16/17	M. Bacon email to E. Zimbelman	NONE	01.18.18	Stip	01.18.18
286	10/17/17	E. Zimbelman email to M. Bacon	NONE	"	"	"
287	10/17/17	M. Bacon email to E. Zimbelman	NONE	01.18.18	Stip	01.18.18
288	10/18/17	National Wood PMK - Amended Notice of Deposition	NONE		Improper use of discovery	
289	10/18/17	Zitting PMK - Amended Notice of Deposition	NONE		Improper use of discovery	
290	10/20/17	National Wood PMK - Second Amended Notice of Deposition	NONE		Improper use of discovery	
291	10/23/17	Zitting PMK - Second Amended Notice of Deposition	NONE		Improper use of discovery	
292	10/26/17	Buchele PMK - Notice of Deposition	NONE		Improper use of discovery	
293	10/26/17	Order Reopening Discovery	NONE		Improper use of pleading	
294	10/27/17	National Wood PMK - Notice of Continued Notice of Deposition	NONE		Improper use of discovery	
295	10/30/17	Notice of Entry of Order re: Peel Brimley's Motion for Partial Summary Judgment	NONE		Improper use of pleading	
296	11/03/17	National Wood PMK - Third Amended Notice of Deposition	NONE		Improper use of discovery	
297	11/06/17	National Wood PMK - Notice of Vacating Notice of Deposition	NONE		Improper use of discovery	
298	11/07/17	APCO's Supplemental Answers to Helix's First Requests for Interrogatories	NONE		Improper use of discovery	
299	11/07/17	APCO's Supplemental Answers to Zitting's First Requests for Admissions	NONE		Improper use of discovery	
300	11/07/17	APCO's Supplemental Answers to	NONE		Improper use of discovery	

EXHIBIT LIST

CASE NO. A571228

TRIAL DATE: JANUARY 9, 2018

[Consolidated with A574391; A574792; A577623;
A583289; A587168; A580881; A584730; A589195;
A595552; A597089; A592826; A589677; A596924;
A584960; A608717; A608718; and A590319]

DEPT. NO.: XIII

JUDGE: MARK R. DENTON
COURT CLERK: MARWANDA KNIGHT
REPORTER: JENNIFER GEROLD

PLAINTIFF: APCO Construction
vs.
DEFENDANT: Gemstone Development West, Inc., et al.

COUNSEL: Cody S. Munteer;
J. Randall Jeffries
COUNSEL: Unrepresented.

RELATED CASES:

PLAINTIFF-IN-INTERVENTION: National Wood Products, Inc.
vs.

Defendant-in-Intervention: APCO Construction
Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

COUNSEL: Richard L. Tobler; John B. Taylor;
S. Judy Hirahara
COUNSEL: Cody Munteer; J. Randall Jeffries
COUNSEL: Steven L. Morris

COUNTER CLAIMANT: Camco Pacific Construction
Company, Inc.
vs.
COUNTER DEFENDANT: National Wood Products, Inc.

TRIAL BEFORE COURT

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC.'S EXHIBITS

EXHIBIT NO.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3001	09/06/07	Manhattan West General Construction Agreement for GMP between Gemstone Development West, Inc. and Asphalt Products Corporation dba APCO Construction	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3002	04/28/08	Subcontract Agreement between APCO Construction and Cabinetec, Inc.	01/18/18	Stip	01/18/18
3003	07/31/08	Cabinetec's Invoice No. 1023635-IN to APCO for Building 8 Unit 152 Plan P-B4A			
3004	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023635			
3005	07/31/08	Cabinetec's Invoice No. 1023636-IN to APCO for Building 8 Unit 153 Plan P-B3			
3006	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023636			
3007	07/31/08	Cabinetec's Invoice No. 1023637-IN to APCO for Building 8 Unit 154 Plan P-B1			
3008	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023637			
3009	07/31/08	Cabinetec's Invoice No. 1023638-IN to APCO for Building 8 Unit 155 Plan P-B5			
3010	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023638			
3011	07/31/08	Cabinetec's Invoice No. 1023639-IN to APCO for Building 8 Unit 156 Plan P-B6			
3012	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023639	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3013	07/31/08	Cabinetec's Invoice No. 1023640-IN to APCO for Building 8 Unit 158 Plan P-A1	01/18/18	Stip	01/18/18
3014	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023640			
3015	07/31/08	Cabinetec's Invoice No. 1023641-IN to APCO for Building 8 Unit 160 Plan P-B4B			
3016	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023641			
3017	07/31/08	Cabinetec's Invoice No. 1023642-IN to APCO for Building 8 Unit 161 Plan P-B3			
3018	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023642			
3019	07/31/08	Cabinetec's Invoice No. 1023643-IN to APCO for Building 8 Unit 162 Plan P-B4B			
3020	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023643			
3021	07/31/08	Cabinetec's Invoice No. 1023644-IN to APCO for Building 8 Unit 164 Plan P-B4ANSI			
3022	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023644			
3023	07/31/08	Cabinetec's Invoice No. 1023645-IN to APCO for Building 8 Unit 166 Plan P-B6	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3024	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023645	01/18/18	Stip	01/18/18
3025	07/31/08	Cabinetec's Invoice No. 1023646-IN to APCO for Building 8 Unit 167 Plan P-B5			
3026	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023646			
3027	07/31/08	Cabinetec's Invoice No. 1023647-IN to APCO for Building 8 Unit 168 Plan P-B1			
3028	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023647			
3029	07/31/08	Cabinetec's Invoice No. 1023648-IN to APCO for Building 8 Unit 168 Plan P-B3			
3030	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023648			
3031	07/31/08	Cabinetec's Invoice No. 1023649-IN to APCO for Building 9 Unit 152 Plan P-B4S			
3032	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023649			
3033	07/31/08	Cabinetec's Invoice No. 1023650-IN to APCO for Building 9 Unit 153 Plan P-B3			
3034	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023650	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3035	07/31/08	Cabinetec's Invoice No. 1023651-IN to APCO for Building 9 Unit 154 Plan P-B1	01/18/18	Stip	01/18/18
3036	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023651			
3037	07/31/08	Cabinetec's Invoice No. 1023652-IN to APCO for Building 9 Unit 155 Plan P-B5			
3038	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023652			
3039	07/31/08	Cabinetec's Invoice No. 1023653-IN to APCO for Building 9 Unit 156 Plan P-B6			
3040	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023653			
3041	07/31/08	Cabinetec's Invoice No. 1023654-IN to APCO for Building 9 Unit 158 Plan P-A1			
3042	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023654			
3043	07/31/08	Cabinetec's Invoice No. 1023655-IN to APCO for Building 9 Unit 160 Plan P-B4P			
3044	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023655			
3045	07/31/08	Cabinetec's Invoice No. 1023656-IN to APCO for Building 9 Unit 161 Plan P-B3	01/18/18	Stip	01/18/18

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EXHIBIT NO.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3046	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023656	01/18/18	Stip	01/18/18
3047	07/31/08	Cabinetec's Invoice No. 1023657-IN to APCO for Building 9 Unit 162 Plan P-B4B			
3048	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023657			
3049	07/31/08	Cabinetec's Invoice No. 1023658-IN to APCO for Building 9 Unit 164 Plan P-B4A			
3050	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023658			
3051	07/31/08	Cabinetec's Invoice No. 1023659-IN to APCO for Building 9 Unit 166 Plan P-B6			
3052	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023659			
3053	07/31/08	Cabinetec's Invoice No. 1023660-IN to APCO for Building 9 Unit 167 Plan P-B5			
3054	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023660			
3055	07/31/08	Cabinetec's Invoice No. 1023661-IN to APCO for Building 9 Unit 168 Plan P-B1			
3056	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023661	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3057	07/31/08	Cabinetec's Invoice No. 1023662-IN to APCO for Building 9 Unit 169 Plan P-B3	01/18/18	Stip	01/18/18
3058	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023662			
3059	07/31/08	Cabinetec's Invoice No. 1023663-IN to APCO for Building 8 Unit 151 Plan P-S			
3060	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023663			
3061	07/31/08	Cabinetec's Invoice No. 1023664-IN to APCO for Building 8 Unit 159 Plan P-C1			
3062	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023664			
3063	07/31/08	Cabinetec's Invoice No. 1023665-IN to APCO for Building 8 Unit 163 Plan P-C1			
3064	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023665			
3065	07/31/08	Cabinetec's Invoice No. 1023666-IN to APCO for Building 8 Unit 165 Plan P-C2			
3066	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023666			
3067	07/31/08	Cabinetec's Invoice No. 1023667-IN to APCO for Building 8 Unit 177 Plan P-C2A	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3068	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023667	01/18/18	Stip	01/18/18
3069	07/31/08	Cabinetec's Invoice No. 1023668-IN to APCO for Building 8 Unit 187 Plan P-C2B			
3070	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023668			
3071	07/31/08	Cabinetec's Invoice No. 1023669-IN to APCO for Building 9 Unit 151 Plan P-S			
3072	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023669			
3073	07/31/08	Cabinetec's Invoice No. 1023670-IN to APCO for Building 9 Unit 159 Plan P-C1			
3074	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023670			
3075	07/31/08	Cabinetec's Invoice No. 1023671-IN to APCO for Building 9 Unit 163 Plan P-C1			
3076	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023671			
3077	07/31/08	Cabinetec's Invoice No. 1023672-IN to APCO for Building 9 Unit 165 Plan P-C2			
3078	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023672	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3079	07/31/08	Cabinetec's Invoice No. 1023673-IN to APCO for Building 9 Unit 177 Plan P-C2A	01/18/18	Stip	01/18/18
3080	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023673			
3081	07/31/08	Cabinetec's Invoice No. 1023674-IN to APCO for Building 9 Unit 187 Plan P-C2B			
3082	07/31/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023674			
3083	07/31/08	APCO worksheet of work performed by Cabinetec through 7/31/2008			
3084		APCO Subcontractor Summary July 2008 Application #10			
3085		APCO Line Item Consolidation July 2008 Application #10			
3086		APCO Subcontractor Payment Summary July 2008 Application #10			
3087	08/05/08	Gemstone's acknowledgement of receipt of cabinet delivery for Floor One of Building 8 and 9 to Manhattan West Job site and invoices on 08/01/08			
3088	08/05/08	APCO's acknowledgement of receipt of cabinet delivery for Floor One of Building 8 and 9 to Manhattan West Job site and invoices on 08/01/08	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3089	08/06/08	Letter Agreement between APCO and Cabinetec for storage of cabinets at Manhattan West job site.	01/18/18	Stip	01/18/18
3090	08/08/08	Cabinetec's Statement of Account to APCO			
3091		Cabinetec's Statement of Invoices to APCO in the sum of \$88,545.00 for cabinets delivered on 08/01/08			
3092		Cabinetec's Statement of Invoices to APCO in the sum of \$90,675.00 for cabinets delivered on 08/01/08			
3093	08/21/08	Notice to all Manhattan (sic) West Subcontractors from APCO regarding APCO's Notice of Stopping Work and Notice of Intent to Terminate Contract for nonpayment			
3094	08/21/08	Letter to Alexander Edelstein, CEO, Gemstone Development, from James M. Barker, Corporate Counsel for APCO			
3095	08/25/08	Amended and Restated Manhattan West General Construction Agreement			
3096	08/26/08	Ratification and Amendment of Subcontract Agreement Cabinetec			
3097	09/11/08	Transmittal Coversheet from Gemstone to Cabinetec attaching Ratification to Subcontract Agreement revised 9/10/08			
3098	09/23/08	Email from Jennifer Olivares of Nevada Construction Services to Audrie Bergman, cc: Jim Horning; Jill Gisondo; Craig Colligan; Jennifer Griffith; Yfarren; Mary Jo Allen; Randy Nicklerl Subject: Manhattan West July Checks	01/18/18	Stip	01/18/18

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EXHIBIT NO.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED	
3099	09/23/08	Joint check from Nevada Construction Services to APCO and Cabinetec	01/18/18	Stip	01/18/18	YB
3100		Nevada Construction Services Progress Payment #1 summary sheet				YB
3101		Manhattan West Contractor Pay Application #12 for September 2008				YB
3102	10/15/08	Nevada Construction Services Construction Progress Report for Manhattan West Condominiums				YB
3103	10/17/08	Cabinetec's Invoice No. 1023635RT to Camco for unpaid retention				YB
3104	10/17/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1023635RT to Camco for unpaid retention				YB
3105	10/24/08	Cabinetec's Invoice No. 1024411-IN to Camco for Building 7 Floor 2 All Units				YB
3106	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024411				YB
3107	10/24/08	Cabinetec's Invoice No. 1024412-IN to Camco for Building 7 Floor 2				YB
3108	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024412				YB
3109	10/24/08	Cabinetec's Invoice No. 1024413-IN to Camco for Building 7 Floor 3 All Units				YB
3110	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024413	01/18/18	Stip	01/18/18	YB

EXHIBIT NO.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3111	10/24/08	Cabinetec's Invoice No. 1024414-IN to Camco for Building 7 Floor 3	01/18/18	Stip	01/18/18
3112	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024414			
3113	10/24/08	Cabinetec's Invoice No. 1024415-IN to Camco for Building 7 Floor 4			
3114	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024415			
3115	10/24/08	Cabinetec's Invoice No. 1024416-IN to Camco for Building 7 Floor 4			
3116	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024416			
3117	10/24/08	Cabinetec's Invoice No. 1024417-IN to Camco for Building 8 Floor 4			
3118	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024417			
3119	10/24/08	Cabinetec's Invoice No. 1024418-IN to Camco for Building 8 Floor 4			
3120	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024418			
3121	10/24/08	Cabinetec's Invoice No. 1024419-IN to Camco for Building 9 Floor 4 All Units			
3122	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024419	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3123	10/24/08	Cabinetec's Invoice No. 1024420-IN to Camco for Building 9 Floor 4	01/18/18	Stip	01/18/18
3124	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024420			
3125	10/24/08	Cabinetec's Invoice No. 1024421-IN to Camco for Building 8 Floor 2 All Units			
3126	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024421			
3127	10/24/08	Cabinetec's Invoice No. 1024422-IN to Camco for Building 8 Floor 2			
3128	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024422			
3129	10/24/08	Cabinetec's Invoice No. 1024423-IN to Camco for Building 8 Floor 2			
3130	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024423			
3131	10/24/08	Cabinetec's Invoice No. 1024424-IN to Camco for Building 8 Floor 3			
3132	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024424			
3133	10/24/08	Cabinetec's Invoice No. 1024425-IN to Camco for Building 9 Floor 3			
3134	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024425	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3135	10/24/08	Cabinetec's Invoice No. 1024426-IN to Camco for Building 9 Floor 2	01/18/18	Stip	01/18/18
3136	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024426			
3137	10/24/08	Cabinetec's Invoice No. 1024427-IN to Camco for Building 8 Floor 3			
3138	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024427			
3139	10/24/08	Cabinetec's Invoice No. 1024428-IN to Camco for Building 9 Floor 3			
3140	10/24/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024428			
3141	10/27/08	Email from Janice Robbins of Gemstone to subcontractors, Camco representatives and Gemstone representatives Subject: Red Tag Alert			
3142	10/28/08	Email from Yvonne Farren of Camco to Jill Gisondo and Jennifer Griffith, cc: Janice Robbins, Craig Colligan and Audrie Bergman Subject: Oct Application 13 10 31 08			
3143	10/31/08	Contractor Pay Application #13			
3144	11/11/08	Email from Craig Colligan to Janice Robbins and Jennifer Griffith			
3145	11/11/08	Email from Janice Robbins of Gemstone to Craig Colligan and Jennifer Griffith	01/18/18	Stip	01/18/18

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3146	11/11/08	Email from Alex Edelstein, CEO of Gemstone, to Leo Duckstein and Rob Trickett of Cabinetec, cc: Jennifer Griffith, Janice Robbins, Craig Colligan Re: Cabinetec payment	01/18/18	Stip	01/18/18
3147	11/12/08	Cabinetec's Invoice No. 1024529-IN to Camco for Building 7 Floor 5			
3148	11/12/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024529			
3149	11/12/08	Cabinetec's Invoice No. 1024530-IN to Camco for Building 7 Floor 6			
3150	11/12/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024530			
3151	11/12/08	Cabinetec's Invoice No. 1024532-IN to Camco for Building 7 Floor 6			
3152	11/12/08	Cabinetec's Conditional Waiver & Release Upon Progress Payment for Invoice No. 1024532			
3153	11/18/08	Email from Alex Edelstein, CEO of Gemstone, to Craig Colligan and Jennifer Griffith cc: Leo Duckstein Subject: Cabinetec Comfort Letter			
3154	11/18/08	Email from Craig Colligan to Alex Edelstein and Jennifer Griffith, cc: Leo Duckstein Subject: Cabinetec Comfort Letter			
3155	11/20/08	Email from Leo Duckstein to Alex Edelstein Subject: Cabinetec Comfort Letter	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3156	11/20/08	Email from Alex Edelstein to Leo Duckstein and Janice Robbins cc: Craig Colligan Subject: Cabinetec Comfort Letter	01/18/18	Stip	01/18/18
3157	11/21/08	Email from Janice Robbins to Alex Edelstein and Leo Duckstein, cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter			
3158	11/21/08	Email from Alex Edelstein to Janice Robbins and Leo Duckstein cc: Craig Colligan and Yvonne Farren Subject: Cabinetec Comfort Letter			
3159	11/21/08	Email from Leo Duckstein to Alex Edelstein Subject: Cabinetec Comfort Letter			
3160	12/01/08	Email from Rob Trickett to Alex Edelstein cc: Leo Duckstein Subject: Cabinetec Dec 5th Payment			
3161	12/01/08	Email from Alex Edelstein to Rob Trickett cc: Leo Duckstein Subject RE: Cabinetec DEC 5th Payment			
3162	12/01/08	Letter from Brad J. Scott, President, Scott Financial Corporation to Leo Duckstein, Cabinetec, Inc.			
3163	12/03/08	Nevada Construction Services Construction Progress Report for Manhattan West Condominiums			
3164	12/08/08	Transmittal of one fully executed copy of Ratification and Amendment of Subcontract Agreement Cabinetec from Yvonne Farren of Camco to Laura Cox of Cabinetec	01/18/18	Stip	01/18/18

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EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3165	12/15/08	Email from Alex Edelstein to Leo Duckstein Subject: RE: Cabinetec Comfort Letter	01/18/18	Stip	01/18/18
3166	12/15/08	Email from Janice Robbins of Gemstone to subcontractors, Camco representatives and Gemstone representatives Subject: Building Department Remaining Red Tag Notices Lifted			
3167	12/15/08	Email from Kenner Costen, Camco Pacific Site Safety Director, Subject: Closure Manhattan West Project			
3168	12/15/08	Email from Brad Scott to Anne Dwyer and Jennifer Olivares, cc: Alex Edelstein, Peter Smith, Jim Horning, parry@camcopacific.com Subject: FW: Manhattan West			
3169	12/16/08	Email from Brad Scott to Jennifer Olivares, cc: Margo Scott, Jason Ulmer, Patricia Curtis, Tim James Subject: Manhattan West Status			
3170	12/18/08	Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Peter Smith and David Parry			
3171	01/12/09	Notice of Intent to Lien to Gemstone, APCO and Camco from Cabinetec			
3172	02/02/09	Notice of Lien Recorded with Clark County Recorder			
3173	02/06/09	Cabinetec, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention			
3174	03/02/09	Letter from Woodbury, Morris & Brown to Alexander Edelstein cc: Gregory S. Gilbert, David Parry and Patricia Petersen	01/18/18	Stip	01/18/18

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3175	04/28/09	Letter from Brad Scott, President, Scott Financial Corporation to Nevada State Contractor's Board, with attachments	01/18/18	Stip	01/18/18

3176 11/6/08 Certified Notice of Lien 1/19/18 1/19/08 m

3177 Assignment Claim 01/24/18 Yes 01/24/18 m

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** February 6, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Mounteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
v. Company, Inc.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Counter-Defendants:** Fast Glass, Helix, Heinaman,
Cactus Rose, SWPPP**Counsel:** Eric B. Zimbelman**Counter-Defendants** United Subcontractors, Inc. dba
Skyline Insulation**Counsel:** Brad Slighting**Counter-Defendants** E&E Fire Protection**Counsel:** Tracy Truman**HEARING / TRIAL BEFORE THE COURT****CAMCO EXHIBITS**

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
5001	Amended and Restated Manhattan West General Construction Agreement	CAMCO-MW 01320-01356	02/06/18	No	02-06-18 <i>MS</i>

EXHIBIT(S) LIST**Case No.: 08A571228****Trial Date: January 17, 2018**

*Consolidated with: 08A574391; 08A574792; 08A577623;
09A583289; 09A587168; 09A580889; 09A584730; A-09-
589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13

Judge: Mark R. Denton
Court Clerk: Marwanda Knight
Reporter: Jennifer Gerold

Plaintiff: APCO Construction**Counsel for Plaintiff:** Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Munteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Helix Electric of Nevada**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****HELIX ELECTRIC OF NEVADA EXHIBITS**

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
HELIX-TR-EX-501	Payment Records - APCO	HELIX00008 HELIX00400	01/18/18	Stip	01/18/18 WA
HELIX-TR-EX-502	Change Order Records - APCO	HELIX00401 HELIX00463	01/18/18	Stip	01/18/18 WA

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
✓ HELIX-TR-EX-503	Change Order No. 1	HELIX00568 HELIX000569	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-504	Electrical Design Proposal	HELIX00528 HELIX00530	"	"	"	WA
✓ HELIX-TR-EX-505 APCO's 45	Subcontract Agreement document (APCO)	APCO104915 APCO104940	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-506	July 7, 2011 Email and Contract revisions	HELIX00579 HELIX00587	01/17/18	NO	01/17/18	WA
✓ HELIX-TR-EX-507	July 29, 2008 correspondence re: work suspension	HELIX00588 HELIX00589	01/18/18	Stip	01/18/18	WA
✓ HELIX-TR-EX-508	Payment Application and Payment Records - Camco	HELIX00596 HELIX00674				WA
✓ HELIX-TR-EX-509	Work Directives, Change Notices and Change Order Requests	HELIX00675 HELIX00791				WA
✓ HELIX-TR-EX-510	Contract documents - Camco	HELIX00792 HELIX00903				WA
✓ HELIX-TR-EX-511	Helix First Day/Last Day records	HELIX00904 HELIX00907				WA
✓ HELIX-TR-EX-512	Helix Lien Notice and Perfection Documents	HELIX00908 HELIX00983				WA
✓ HELIX-TR-EX-513	Payment Application Records	APCO00034154 APCO00035521				WA
✓ HELIX-TR-EX-514	Various Documents produced by APCO	APCO00039494 APCO39839				WA
✓ HELIX-TR-EX-515	Progress Photos produced by APCO	APCO104492 APCO104562				WA
✓ HELIX-TR-EX-516	Progress Photos and other documents produced by APCO	APCO106289 APCO106314				WA
✓ HELIX-TR-EX-517	December 15, 2008 email from Edelstein	CAMCO-MW 00001				WA
✓ HELIX-TR-EX-518	8 December 18, 2008 letter from Camco counsel	CAMCO-MW 00002	01/18/18	Stip	01/18/18	WA

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
HELIX-TR-EX-519	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004	01/18/18	Stip	01/18/18	WA
HELIX-TR-EX-520	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039				WA
HELIX-TR-EX-521	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041				WA
HELIX-TR-EX-522	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288				WA
HELIX-TR-EX-523	Misc. Camco-produced billing documents re: Helix	CAMCO-MW 02068 CAMCO-MW02083				WA
HELIX-TR-EX-524	Martin Harris Contract 5 documents	MHC 3457 MHC 3462				WA
HELIX-TR-EX-525	Martin Harris Contract 6 documents	MHC 3401 MHC 3407				WA
HELIX-TR-EX-526	Deposition Transcript of Mary Jo Allen and Exhibits	N/A				WA
HELIX-TR-EX-527	Deposition Transcript of Brian Benson and Exhibits	N/A				WA
HELIX-TR-EX-528	Deposition Transcript of Dave Parry and Exhibits	N/A				WA
HELIX-TR-EX-529	APCO Responses to Helix's Interrogatories	N/A				WA
HELIX-TR-EX-530	APCO Responses to Helix's Requests for Production	N/A				WA
HELIX-TR-EX-531	APCO Responses to Helix's Requests for Admission	N/A				WA
HELIX-TR-EX-532	Camco Responses to Helix's Interrogatories	N/A				WA
HELIX-TR-EX-533	Camco Responses to Helix's Requests for Production	N/A				WA
HELIX-TR-EX-534	Camco Responses to Helix's Requests for Admission	N/A	01/18/18	Stip	01/18/18	WA

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
HELIX-TR-EX-535	Deposition Transcript of Andrew Rivera and Exhibits	N/A	01/18/18	Stip	01/18/18
HELIX-TR-EX-536	RESERVED <i>Calculation</i>		1/19/18	NO	1/19/18
HELIX-TR-EX-537	RESERVED				
HELIX-TR-EX-538	RESERVED				

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
09A583289; 09A587168; 09A580889; 09A584730; A-09-
589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Munteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Cactus Rose**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****CACTUS ROSE EXHIBITS**

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
CATCUS-TR-EX-601	Time & Material Authorization	CACTUS00001	01.23.18	No	01.23.18
CATCUS-TR-EX-602	Notice of Lien	CACTUS00002 CACTUS00004	"	"	"
CATCUS-TR-EX-603	Notice of <i>Lis Pendens</i>	CACTUS00005 CACTUS00010	01.23.18	No	01.23.18

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
CATCUS-TR-EX-604	Declaration of D. Hofelich and Exhibits	CACTUS00011 CACTUS00052	012318	No	012318
CATCUS-TR-EX-605	Amended Notice of Lis Pendens	CACTUS00053 CACTUS00055			
CATCUS-TR-EX-606	Notices of Intent to Lien	CACTUS00056 CACTUS00062			
CATCUS-TR-EX-607	Additional Lien Perfection Documents	CACTUS00063 CACTUS00119	012318	No	012318
CATCUS-TR-EX-608	Progress Photos produced by APCO	APCO104492 APCO104562	Returned to Counsel		
CATCUS-TR-EX-609	Progress Photos and other documents produced by APCO	APCO106289 APCO106314			
CATCUS-TR-EX-610	December 15, 2008 email from Edelstein	CAMCO-MW 00001			
CATCUS-TR-EX-611	December 18, 2008 letter from Camco counsel	CAMCO-MW 00002			
CATCUS-TR-EX-612	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004			
CATCUS-TR-EX-613	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039			
CATCUS-TR-EX-614	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041			
CATCUS-TR-EX-615	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288			
CATCUS-TR-EX-616	Deposition Transcript of Mary Jo Allen and Exhibits	N/A			
CATCUS-TR-EX-617	Deposition Transcript of Brian Benson and Exhibits	N/A	Returned to Counsel		

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
CATCUS-TR-EX-618	Deposition Transcript of Dave Parry and Exhibits	N/A	<i>Returned to Counsel</i>			
CATCUS-TR-EX-619	Camco Responses to Fast Glass' Interrogatories	N/A	<i>01.23.18</i>	<i>No</i>	<i>01.23.18</i>	<i>BS</i>
CATCUS-TR-EX-620	Camco Responses to Fast Glass' Requests for Production	N/A				<i>BS</i>
CATCUS-TR-EX-621	Camco Responses to Fast Glass' Requests for Admission	N/A				<i>BS</i>
CATCUS-TR-EX-622	Order Authorizing Trustee to Employ Special Counsel	N/A	<i>01.23.18</i>	<i>No</i>	<i>01.23.18</i>	<i>BS</i>
CATCUS-TR-EX-623	RESERVED					
CATCUS-TR-EX-624	RESERVED					
CATCUS-TR-EX-625	RESERVED					
CATCUS-TR-EX-626	RESERVED					
CATCUS-TR-EX-627	RESERVED					

EXHIBIT(S) LIST

Case No.: 08A571228

Trial Date: January 17, 2018

Consolidated with: 08A574391; 08A574792; 08A577623;
09A583289; 09A587168; 09A580889; 09A584730; A-09-
589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
608718-C; A-09-590319-C; and A-09-606730-C

Dept. No.: 13

Judge: Mark R. Denton

Court Clerk: Marwanda Knight

Reporter: Jennifer Gerold

Plaintiff: APCO Construction

Counsel for Plaintiff: Cody S. Munteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.*

Counsel for Defendant: Unrepresented

Related Cases:

Plaintiff-in Intervention: National Wood Products, Inc.
v.

Counsel: Richard L. Tobler; John B. Taylor
and S. Judy Hirahara

Defendant-in-Intervention: APCO Construction

Counsel: Cody Munteer; J. Randall
Jeffries

Defendant-in-Intervention: Camco Pacific Construction
Company, Inc.

Counsel: Steven L. Morris

Counter-Claimant: Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.

Counsel: Richard L. Tobler, John B. Taylor
and S. Judy Hirahara

Lien Claimant: Heinaman Contract Glazing

Counsel: Eric B. Zimbelman

HEARING / TRIAL BEFORE THE COURT

HEINAMAN CONTRACT GLAZING EXHIBITS

701

Letter of Intent

01.23.17 No 01.23.17 th

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
HEIN-TR-EX-702	Invoices and Payments	HCG000003 HCG0000012	01.23.18	NO	01.23.18 th
HEIN-TR-EX-703	Lien documents	HCG000013 HCG000081	"	"	" th
HEIN-TR-EX-704	RFIs 00103	HCG000082 HCG0	01.23.18	NO	01.23.18 th

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
HEIN-TR-EX-705	Proposals	HCG000104 HCG000167	01.23.18	No	01.23.18	WS
HEIN-TR-EX-706	Billings and Vendor Correspondence	HCG000168 HCG000273	01.23.18	No	01.23.18	WS
HEIN-TR-EX-707	Drawings and Shipping Manifests	HCG000274 HCG001513	<u>Returned to Counsel</u>			WS
HEIN-TR-EX-708	Field Reports and Minutes	HCG001514 HCG001686	01.23.18	No	01.23.18	WS
HEIN-TR-EX-709	Lien Documents	HCG001687 HCG001813	01.23.18	No	01.23.18	WS
HEIN-TR-EX-710	Progress Photos produced by APCO	APCO104492 APCO104562	<u>Returned to Counsel</u>			
HEIN-TR-EX-711	Progress Photos and other documents produced by APCO	APCO106289 APCO106314				
HEIN-TR-EX-712	December 15, 2008 email from Edelstein	CAMCO-MW 00001				
HEIN-TR-EX-713	December 18, 2008 letter from Camco counsel	CAMCO-MW 00002				
HEIN-TR-EX-714	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004				
HEIN-TR-EX-715	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039				
HEIN-TR-EX-716	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041				
HEIN-TR-EX-717	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288	<u>Returned to Counsel</u>			
HEIN-TR-EX-718	Misc. Camco-produced billing documents re: Heinaman	CAMCO-MW 02064 CAMCO-MW 02067	2.6.18	Ship	2.6.18	WA
HEIN-TR-EX-719	Deposition Transcript of Mary Jo Allen and Exhibits	N/A	<u>Returned to Counsel</u>			
HEIN-TR-EX-720	Deposition Transcript of Brian Benson and Exhibits	N/A				
HEIN-TR-EX-721	Deposition Transcript of Dave Parry and Exhibits	N/A	<u>Returned to Counsel</u>			

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
HEIN-TR-EX-722	Camco Responses to Heinaman's Interrogatories	N/A	Returned to Counsel		
HEIN-TR-EX-723	Camco Responses to Heinaman's Requests for Production	N/A			
HEIN-TR-EX-724	Camco Responses to Heinaman's Requests for Admission	N/A			
HEIN-TR-EX-725	RESERVED	N/A			
HEIN-TR-EX-726	RESERVED	N/A			
HEIN-TR-EX-727	RESERVED	N/A	Returned to Counsel		

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Mounteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Camco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Lien Claimant:** Fast Glass**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****FAST GLASS EXHIBITS**

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
FG-TR-EX-801	Subcontract Documents	FG 00001 FG 00040	1/19/18	STIP	1/19/18
FG-TR-EX-802	Preliminary Lien Documents	FG 00041 FG 00047		STIP	1/19/18
FG-TR-EX-803	Invoices and Quotes	FG 00048 FG 00098		STIP	1/19/18
FG-TR-EX-804	Camco Correspondence	FG 00099 FG 00105		STIP	1/19/18

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
FG-TR-EX-805	Notice of lien and Perfection Documents	FG 00106 FG 00111		Stip	1/19/18
FG-TR-EX-806	Correspondence re: Demand for Payment	FG 00112 FG 00119		Stip	1/19/18
FG-TR-EX-807	Fast Glass Job File re: Labor	FG 00120 FG 00167		Stip	1/19/18
FG-TR-EX-808	Fast Glass Job File re: Materials, specifications, etc.	FG 00168 FG 00733	1/19/18	Stip	1/19/18
FG-TR-EX-809	Progress Photos produced by APCO	APCO104492 APCO104562	Returned to Counsel		
FG-TR-EX-810	Progress Photos and other documents produced by APCO	APCO106289 APCO106314			
FG-TR-EX-811	December 15, 2008 email from Edelstein	CAMCO-MW 00001			
FG-TR-EX-812	December 18, 2008 letter from Camco counsel	CAMCO-MW 00002			
FG-TR-EX-813	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004			
FG-TR-EX-814	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039			
FG-TR-EX-815	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041			
FG-TR-EX-816	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288			
FG-TR-EX-817	Misc. Camco-produced billing documents re: Fast Glass	CAMCO-MW 01982 CAMCO-MW 02063			
FG-TR-EX-818	Deposition Transcript of Mary Jo Allen and Exhibits	N/A			
FG-TR-EX-819	Deposition Transcript of Brian Benson and Exhibits	N/A			
FG-TR-EX-820	Deposition Transcript of Dave Parry and Exhibits	N/A			
FG-TR-EX-821	Camco Responses to Fast Glass' Interrogatories	N/A	Returned to Counsel		

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
FG-TR-EX-822	Camco Responses to Fast Glass' Requests for Production	N/A	<i>Returned to Counsel</i>		
FG-TR-EX-823	Camco Responses to Fast Glass' Requests for Admission	N/A			
FG-TR-EX-824	RESERVED				
FG-TR-EX-825	RESERVED				
FG-TR-EX-826	RESERVED				
FG-TR-EX-827	RESERVED				
FG-TR-EX-828	RESERVED				
FG-TR-EX-829	RESERVED		<i>Returned to Counsel</i>		

EXHIBIT(S) LIST**Case No.:** 08A571228**Trial Date:** January 17, 2018

*Consolidated with: 08A574391; 08A574792; 08A577623;
 09A583289; 09A587168; 09A580889; 09A584730; A-09-
 589195-C; A595552; A-09-597089-C; A-09-592826-C; A-09-
 589677-C; A-09-596924-C; A584960; A-10-608717-C; A-10-
 608718-C; A-09-590319-C; and A-09-606730-C*

Dept. No.: 13**Judge:** Mark R. Denton**Court Clerk:** Marwanda Knight**Reporter:** Jennifer Gerold**Plaintiff:** APCO Construction**Counsel for Plaintiff:** Cody S. Mounteer;
J. Randall Jeffries

vs.

Defendant: Gemstone Development West, Inc. *et al.***Counsel for Defendant:** Unrepresented**Related Cases:****Plaintiff-in Intervention:** National Wood Products, Inc.
v.**Counsel:** Richard L. Tobler; John B. Taylor
and S. Judy Hirahara**Defendant-in-Intervention:** APCO Construction**Counsel:** Cody Mounteer; J. Randall
Jeffries**Defendant-in-Intervention:** Camco Pacific Construction
Company, Inc.**Counsel:** Steven L. Morris**Counter-Claimant:** Cameco Pacific Construction
Company, Inc.
v.

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.**Counsel:** Richard L. Tobler, John B. Taylor
and S. Judy Hirahara**Lien Claimant:** SWPPP**Counsel:** Eric B. Zimbelman**HEARING / TRIAL BEFORE THE COURT****SWPPP EXHIBITS**

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
SWPPP-TR-EX-901	Billing pre-11/04/2008	SWPPP 00001 SWPPP 00007	01.23.18	No	01.23.18
SWPPP-TR-EX-902	Billing pre-12/16/2008	SWPPP 00008 SWPPP 00035	01.23.18	No	01.23.18

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted	
SWPPP-TR-EX-903	Bid Proposal	SWPPP 00036 SWPPP 00039	01-23-18	No	01-23-18	13
SWPPP-TR-EX-904	Invoices	SWPPP 00039 SWPPP 00074				13
SWPPP-TR-EX-905	Lien Documents	SWPPP 00075 SWPPP 00082				13
SWPPP-TR-EX-906	Statement	SWPPP 00083 SWPPP 00084	01-23-18	No	01-23-18	13
SWPPP-TR-EX-907	Progress Photos produced by APCO	APCO104492 APCO104562	Returned to Counsel			
SWPPP-TR-EX-908	Progress Photos and other documents produced by APCO	APCO106289 APCO106314				
SWPPP-TR-EX-909	December 15, 2008 email from Edelstein	CAMCO-MW 00001				
SWPPP-TR-EX-910	December 18, 2008 letter from Camco counsel	CAMCO-MW 00002				
SWPPP-TR-EX-911	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004				
SWPPP-TR-EX-912	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039				
SWPPP-TR-EX-913	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041				
SWPPP-TR-EX-914	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288				
SWPPP-TR-EX-915	Deposition Transcript of Mary Jo Allen and Exhibits	N/A				
SWPPP-TR-EX-916	Deposition Transcript of Brian Benson and Exhibits	N/A				
SWPPP-TR-EX-917	Deposition Transcript of Dave Parry and Exhibits	N/A				
SWPPP-TR-EX-918	RESERVED					
SWPPP-TR-EX-919	RESERVED		Returned to Counsel			

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
SWPPP-TR-EX-920	RESERVED		<i>Returned to Counsel</i>		
SWPPP-TR-EX-921	RESERVED				

A571228

JAN 17 2018

Judge: Mark R. Denton

APCO

Court Clerk: Marwanda Knight

Recorder / Reporter: Jennifer Gerold

Counsel for Plaintiff:

for Plaintiff: Tracy
Truman

Counsel for Defendant:

Defendant: Steve
Morris -CAMCO-

Defendant:

vs.
Gemstone

E & E Fire EXHIBITS

Rev. 03/2016



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

JOHN H. MOWBRAY, ESQ.
400 S. FOURTH ST., SUITE 500
LAS VEGAS, NV 89101

DATE: February 21, 2018
CASE: 08A571228 (LEAD CASE)

RE CASE: APCO CONSTRUCTION vs. GEMSTONE DEVELOPMENT WEST, INC.; SCOTT FINANCIAL CORPORATION; COMMONWEALTH LAND TITLE INSURANCE COMPANY; FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE OF APPEAL FILED: February 16, 2018

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION; ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

APCO CONSTRUCTION,

Plaintiff(s),

vs.

GEMSTONE DEVELOPMENT WEST, INC.;
SCOTT FINANCIAL CORPORATION;
COMMONWEALTH LAND TITLE
INSURANCE COMPANY; FIRST AMERICAN
TITLE INSURANCE COMPANY,

Defendant(s),

Case No: 08C571228

*Consolidated with 08A574391,
08A574792, 08A577623, 09A580889,
09A583289, 09A584730, 09A587168,
A-09-589195-C, A-09-589677-C,
A-09-590319-C, A-09-592826-C,
A-09-596924-C, A-09-597089-C,
A-09-606730-C, A-10-608717-C,
A-10-608718-C*

Dept No: XII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 21 day of February 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Acting Court Division Administrator

February 21, 2018

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: APCO CONSTRUCTION vs. GEMSTONE DEVELOPMENT WEST, INC.; SCOTT FINANCIAL CORPORATION; COMMONWEALTH LAND TITLE INSURANCE COMPANY; FIRST AMERICAN TITLE INSURANCE COMPANY
D.C. CASE: 08A571228

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed February 21, 2018. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

January 19, 2018

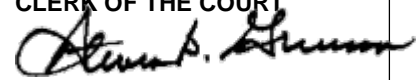
We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann", with a long horizontal stroke extending to the right.

Heather Ungermann, Deputy Clerk



Electronically Filed
Feb 27 2018 01:58 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**NOAS
SPENCER FANE LLP**
John H. Mowbray, Esq. (Bar No. 1140)
John Randall Jefferies, Esq. (Bar No. 3512)
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-and-

MARQUIS AURBACH COFFING
Jack Chen Min Juan, Esq. (NV Bar No. 6367)
Micah Echols, Esq. (NV Bar No. 8437)
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CMounteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

AND ALL RELATED MATTERS

Case No.: A571228

Dept. No.: XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that APCO Construction, Inc. ("APCO") by and

1 through its undersigned counsel of record, the law firms of SPENCER FANE LLP and
2 MARQUIS AURBACH COFFING, appeals to the Supreme Court of Nevada from: (1) the
3 Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers Construction,
4 Inc.'s Motion for Partial Summary Judgment Against APCO Construction entered on
5 January 2, 2018,¹ attached as **Exhibit A**, and (2) the Order Denying APCO Construction,
6 Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction,
7 Inc.'s Partial Motion for Summary Judgment entered on January 25, 2018,² attached as
8 **Exhibit B**.

9
10 DATED: February 16th, 2018.

11 **SPENCER FANE**

12
13 By: /s/ Mary E. Bacon, Esq.
14 John H. Mowbray, Esq. (Bar No. 1140)
15 John Randall Jefferies, Esq. (Bar No.
16 3512)
17 Mary E. Bacon, Esq. (Bar No. 12686)
18 300 S. Fourth Street, Suite 950
19 Las Vegas, NV 89101
20 Telephone: (702) 408-3400
21 Facsimile: (702) 408-3401
22 *Attorneys for Apco Construction, Inc.*

23 **MARQUIS AURBACH COFFING**

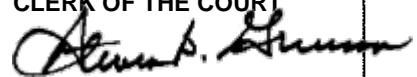
24
25 By: /s/ Cody S. Munteer, Esq.
26 Jack Chen Min Juan, Esq. (Bar No. 6367)
27 Micah Echols, Esq. (Bar No. 8437)
28 Cody S. Munteer, Esq. (Bar No. 11220)
10001 Park Run Drive
Las Vegas, NV 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
Attorneys for Apco Construction, Inc.

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¹ Notice of Entry of Order was on January 2, 2018.

² Notice of Entry of Order was on January 31, 2018.

Exhibit A



1 **NEO**
2 JORGE A. RAMIREZ, ESQ.
3 Nevada Bar No. 6787
4 I-CHE LAI, ESQ.
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13 *Attorneys for Lien Clamant,*
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9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 APCO CONSTRUCTION, a Nevada
12 corporation,

13 Plaintiff,

14 vs.

15 GEMSTONE DEVELOPMENT WEST, INC.,
16 a Nevada corporation,

17 Defendant.

18 AND ALL RELATED MATTERS

CASE NO. A571228
DEPT. NO. XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319


Hearing Date: November 16, 2017
Hearing Time: 9:00 a.m.

18 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**
19 **GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL**
20 **SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION**

21 PLEASE TAKE NOTICE that an Order was entered in the above entitled action on the 29th
22 day of December, 2017, a true and correct copy of which is attached hereto.

23 Dated this 2nd day of January, 2018.

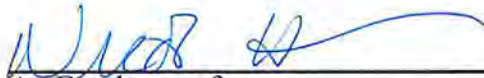
24 **WILSON, ELSE, MOSKOWITZ,**
25 **EDELMAN & DICKER LLP**

26 
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Attorneys for Lien Clamant,
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP, and that on this 2nd day of January, 2017, I served a true
and correct copy of the foregoing document as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk; and pursuant to Rule 9 of the N.E.F.C.R.
- ☐ via hand-delivery to the addressees listed below;
- ☐ via facsimile;
- ☐ by transmitting via email the document listed above to the email address set forth below on this date before 5:00 p.m.



An Employee of
WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Steven D. Grierson

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11 APCO CONSTRUCTION, a Nevada
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A590319

Hearing Date: November 16, 2017
Hearing Time: 9:00 a.m.

19 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING**

20 **BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY**

21 **JUDGMENT AGAINST APCO CONSTRUCTION**

22 On November 16, 2017, this Court heard Zitting Brothers Construction, Inc.'s Motion for
23 Partial Summary Judgment Against APCO Construction. Jorge A. Ramirez and I-Che Lai of Wilson
Elser Moskowitz Edelman & Dicker, LLP appeared at the hearing for Zitting Brothers Construction,
Inc. ("ZBCI"). John Randall Jefferies of Spencer Fane LLP and Cody S. Munteer of Marquis
Aurbach Coffing appeared for APCO Construction, Inc. ("APCO"). Having considered ZBCI's
motion, the pleadings and papers filed in this case, and oral arguments of counsel, this Court makes
the following findings of fact and conclusions of law.

//

1 **FINDINGS OF FACT**

2 **A. APCO's Subcontract with ZBCI**

3 1. Around September 6, 2007, Gemstone Development West, Inc. ("Gemstone") and
4 APCO entered into the ManhattanWest – General Construction Agreement for GMP ("Prime
5 Contract"). Under the Prime Contract, APCO would serve as the general contractor for the
6 ManhattanWest mixed-use development project located at the following Assessor's Parcel Numbers
7 in Clark County, Nevada: 163-32-101-003, 163-32-101-004, 163-32-101-005, 163-32-101-010, and
8 162-32-101-014 (the "Project").

9 2. Around November 17, 2007, APCO and ZBCI entered into a Subcontract Agreement
10 ("Subcontract"). Under the Subcontract, ZBCI would provide framing materials and labor for the
11 Project.

12 3. The Subcontract requires APCO to pay ZBCI 100% of the value of the work
13 completed on a periodic basis—less 10% retention of the value (the "Retention")—only after APCO
14 receives actual payments from Gemstone.

15 4. The Subcontract requires APCO to pay ZBCI the Retention amount for each building
16 of the Project upon (a) the completion of each building; (b) Gemstone's approval of ZBCI's work on
17 the completed building; (c) APCO's receipt of final payment from Gemstone; (d) ZBCI's delivery to
18 APCO all "as-built drawings for [ZBCI]'s scope of work and other close out documents"; and (e)
19 ZBCI's delivery to APCO a release and waiver of claims from ZBCI's "labor, materials and
20 equipment suppliers, and subcontractors providing labor, materials[,] or services to the Project...."
21 The Subcontract deems work on a building to be "complete" as soon as "drywall is completed" for
22 the building.

23 5. Alternatively, if the Prime Contract is terminated, the Subcontract requires APCO to
24 pay ZBCI the amount due for ZBCI's completed work after receipt of payment from Gemstone.

25 6. The conditions precedent of the Subcontract requiring APCO's payment only upon
26 receipt of payment from Gemstone are colloquially known as "pay-if-paid provisions."

27 7. The Subcontract only allows APCO to terminate—with written notice to ZBCI and
28 with cause—the Subcontract for non-performance.

1 8. If any party to the Subcontract "institute[s] a lawsuit ... for any cause arising out of
2 the Subcontract..." the Subcontract expressly authorizes the prevailing party to recover "all costs,
3 attorney's fees[,] and any other reasonable expenses incurred" in connection with the lawsuit. The
4 Subcontract does not provide a rate of interest that would accrue on the amount owed under the
5 Subcontract.

6 9. If any term of the Subcontract is void under Nevada law, the Subcontract expressly
7 provides that the void term would not affect the enforceability of the remainder of the contract.

8 **B. ZBCI's Work under the Subcontract**

9 10. Around November 19, 2007, ZBCI began its scope of work under the Subcontract.

10 11. The Prime Contract was terminated in August 2008, and the Project had shut down on
11 December 15, 2008. APCO never provided ZBCI with a written notice of termination with cause for
12 non-performance.

13 12. Prior to the Project's shutdown, ZBCI submitted written requests to APCO for change
14 orders valued at \$423,654.85. APCO did not provide written disapproval of those change orders to
15 ZBCI within 30 days of each request.

16 13. Also prior to the Project's shutdown, ZBCI had completed its scope of work on
17 Buildings 8 and 9 of the Project, including work on the change orders, without any complaints on the
18 timing or quality of the work. ZBCI had submitted close-out documents for its work, including
19 release of claims for ZBCI's vendors. The value of ZBCI's completed work amounted to
20 \$4,033,654.85.

21 14. At the time of the Project's shutdown, the drywall was completed for Buildings 8 and
22 9.

23 15. To date, ZBCI had only received \$3,282,849.00 for its work on the Project. ZBCI had
24 completed work in the amount of \$347,441.67 on the change orders and \$403,365.49 of the
25 Retention—totaling \$750,807.16— which remains unpaid.

26 16. ZBCI demanded APCO pay the \$750,807.16 still owed on the contract. However,
27 APCO refused to do so, causing ZBCI to initiate proceedings to recover the requested amount.

1 **C. Procedural History**

2 17. On January 14, 2008, ZBCI served its Notice of Right to Lien to APCO and
3 Gemstone via certified mail.

4 18. On December 5, 2008, ZBCI served its Notice of Intent to Lien to APCO and
5 Gemstone via certified mail.

6 19. On December 23, 2008, ZBCI recorded its Notice of Lien on the Project with a lien
7 amount of \$788,405.41 and served this document on APCO and Gemstone via certified mail on
8 December 24, 2008.

9 20. On April 30, 2009, ZBCI filed a complaint against Gemstone and APCO and a Notice
10 of Lis Pendens. The complaint alleged 6 claims: (a) breach of contract, (b) breach of implied
11 covenant of good faith and fair dealing, (c) unjust enrichment, (d) violation of Chapter 108 of the
12 Nevada Revised Statutes, (e) claim for priority, and (f) violation of Chapter 624 of the Nevada
13 Revised Statutes.

14 21. On June 10, 2009, APCO answered ZBCI's complaint. APCO's answer alleged 20
15 affirmative defenses, including the tenth affirmative defense alleging that APCO's obligation to
16 ZBCI had been satisfied or excused and the twelfth affirmative defense alleging that ZBCI's failure
17 to satisfy conditions precedent barred ZBCI's breach of contract claim.

18 22. Around June 16, 2009, ZBCI provided a Notice of Foreclosure of Mechanic's Lien,
19 and this notice was published in accordance with Nev. Rev. Stat. 108.239.

20 23. On April 7, 2010, ZBCI recorded its Amended Notice of Lien with a lien amount of
21 \$750,807.16 and served this document on APCO and Gemstone via certified mail around the same
22 date.

23 24. APCO does not dispute that ZBCI complied with all requirements to create, perfect,
24 and foreclose on its lien under Chapter 108.

25 25. On April 29, 2010, APCO responded to ZBCI's interrogatories that requested, *inter*
26 *alia*, APCO's explanation for refusing payment to ZBCI and APCO's grounds for the tenth and
27 twelfth affirmative defenses. ZBCI had sent those interrogatories to obtain more details about
28 APCO's defenses against ZBCI's complaint and to narrow the issues for discovery and trial.

1 APCO's interrogatory responses indicated that APCO would rely solely on the enforceability of the
2 pay-if-paid provision in the Subcontract to excuse payment to ZBCI.

3 26. On April 23, 2013, this Court authorized the sale of the Project free and clear of all
4 liens, including liens arising under Chapter 108 of the Nevada Revised Statutes. The sale resulted in
5 the distribution of the entire net proceeds from the sale to Scott Financial Corporation (the "Lender")
6 upon the Nevada Supreme Court's determination that the Lender's claim to the net proceeds is
7 superior to the Chapter 108 lien claimants' claim.

8 27. On April 12, 2017, ZBCI served APCO with a set of interrogatories that are similar to
9 the ones served in 2010. This set of interrogatories again requested, *inter alia*, APCO's explanation
10 for refusing payment to ZBCI and APCO's grounds for the tenth and twelfth affirmative defenses.
11 ZBCI sent those interrogatories to confirm APCO's prior discovery responses on APCO's defenses
12 against ZBCI's complaint.

13 28. On May 12, 2017, APCO responded to ZBCI's interrogatories that again indicated
14 APCO's sole reliance on the enforceability of the pay-if-paid provision in the Subcontract to excuse
15 payment to ZBCI.

16 29. On June 5, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
17 APCO's affirmative defenses. At the deposition, APCO's Nev. R. Civ. P. 30(b)(6) witness declined
18 to update APCO's interrogatory responses and re-affirmed APCO's sole reliance on the
19 enforceability of the pay-if-paid provision to excuse payment.

20 30. On July 19, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
21 topics pertaining to APCO's accounting for the Project. At the deposition, APCO's Nev. R. Civ. P.
22 30(b)(6) witness again declined to update APCO's interrogatory responses.

23 31. APCO did not supplement its discovery responses prior to the June 30, 2017
24 discovery cutoff.

25 32. On July 31, 2017 and after the close of discovery, ZBCI moved for summary
26 judgment against APCO on ZBCI's breach of contract and Nev. Rev. Stat. 108 claim—setting forth
27 ZBCI's prima facie case for those claims and addressing the enforceability of the pay-if-paid
28 provision in the Subcontract.

33. On August 21, 2017, APCO filed its opposition to ZBCI's motion, arguing—for the first time—other grounds for refusing payment of the amount owed to ZBCI. ZBCI objected to the admissibility of the evidence in support of APCO's opposition.

34. APCO's refusal to pay ZBCI the amount owed under the Subcontract had compelled ZBCI to incur attorney's fees and costs to collect the amount owed.

CONCLUSIONS OF LAW

A. Burden of Proof

1. Summary judgment is appropriate “when the pleadings, depositions, answers to interrogatories, admissions, and affidavits, if any, that are properly before the court demonstrate that no genuine issue of material fact exists, and the moving party is entitled to judgment as a matter of law.” *Cuzze v. Univ. & Cmty. Coll. Sys. of Nevada*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007).

2. As the party moving for summary judgment, ZBCI bears the initial burden of production to show the absence of a genuine issue of material fact. *Id.* ZBCI also bears the burden of persuasion at trial on its breach of contract and Chapter 108 claims and therefore must present evidence that would entitle it to a judgment as a matter of law on those two claims in the absence of contrary evidence. *See id.*

B. APCO's Breach of the Subcontract

3. To establish a breach of contract under Nevada law, ZBCI must provide admissible evidence of (1) the existence of a valid contract, (2) a breach by APCO, and (3) damage as a result of the breach. See *Richardson v. Jones*, 1 Nev. 405, 408 (1865). In this case, this Court concludes that ZBCI has presented sufficient admissible evidence on all elements of a breach of contract.

4. The Subcontract between the respective parties is a valid contract. However, as discussed in this Court's separate decision regarding the enforceability of the Subcontract's "pay-if-paid provisions," the pay-if-paid provisions are against public policy and are void and unenforceable under Nev. Rev. Stat. 624.628(e). The remaining terms of the Subcontract remain enforceable.

5. Nev. Rev. Stat. 624.626(3) automatically approves written requests for change orders unless the higher-tiered contractor denies the requests in writing within 30 days after the lower-tiered contractor submits the requests. Here, this Court concludes that because ZBCI did not receive any

1 written denials of its change order requests within 30 days of request, ZBCI's change order requests
2 amounting to \$347,441.67 were approved by operation of law. ZBCI is therefore entitled to payment
3 in the amount of \$347,411.67 for all of the change orders submitted.

4 6. Under Nevada law, compliance with a valid condition precedent requires only
5 substantial performance. *See, e.g., Laughlin Recreational Enterprises, Inc. v. Zab Dev. Co., Inc.*, 98
6 Nev. 285, 287, 646 P.2d 555, 556-57 (1982). ZBCI proved at least substantial compliance with the
7 conditions precedent for payment of the Retention, entitling ZBCI to payment of \$403,365.49 for the
8 Retention.

9 7. Alternatively, by the very terms of the Subcontract itself, the termination of the Prime
10 Contract automatically entitles ZBCI to payment of \$403,365.49 for the Retention and \$347,441.67
11 for the completed work on the change orders. This Subcontract language—exclusive of the void pay-
12 if-paid provisions—coincides with a prime contractor's obligations to pay its subcontractors
13 pursuant to Nev. Rev. Stat. 624.626(6).

14 8. APCO breached the Subcontract by refusing to pay ZBCI all of the amount owed for
15 the Retention and the change orders, and as a result ZBCI is entitled to judgment on its Complaint as
16 a matter of law. This gives rise to \$750,807.16 in damages, exclusive of attorney's fees, costs, and
17 interest.

18 C. ZBCI's Nev. Rev. Stat. 108 Claim

19 9. There is no dispute that ZBCI complied with the requirements for enforcing its lien
20 rights under Chapter 108 of the Nevada Revised Statutes.

21 10. Nev. Rev. Stat. 108.239(12) entitles ZBCI to a "personal judgment for the residue
22 against" APCO.

23 11. Because ZBCI did not receive any of the proceeds from the Nev. Rev. Stat. 108 sale
24 of the Project, there is no genuine issue that ZBCI is entitled to a personal judgment under Nev. Rev.
25 Stat. 108.239 against APCO for \$750,807.16 as the lienable amount, plus any reasonable attorney's
26 fees, costs, and statutory interest that the Court may award.

1 **D. Preclusion of APCO's Defenses**

2 12. This Court has considered APCO's arguments in response to ZBCI's motion for
3 summary judgment and concluded that the arguments have no merit.

4 13. As discussed above, the pay-if-paid provisions in the Subcontract is unenforceable
5 and therefore cannot excuse APCO's payment of the amount owed to ZBCI.

6 14. If APCO wanted to assert other grounds for refusing payment to ZBCI, Nev. R. Civ.
7 P. 26(e)(2) required APCO to seasonably amend its prior interrogatory responses to include grounds
8 for refusal other than the enforceability of the pay-if-paid provision. Pursuant to Nev. Rev. Stat.
9 37(c)(1) and *Pizarro-Ortega v. Cervantes-Lopez*, 133 Nev. Adv. Op. 37, 396 P.3d 783, 787 (2017),
10 APCO's failure to seasonably amend precludes APCO from asserting any other defenses "at a trial,
11 at a hearing, or on a motion" unless APCO substantially justifies this failure or such failure is
12 harmless to ZBCI.

13 15. The facts of this case are clear and uncontested. APCO was aware of its alleged
14 grounds for refusing payment of the \$750,807.16 owed to ZBCI before ZBCI filed its complaint
15 against APCO. APCO could have asserted its other defenses, other than its belief in the
16 enforceability of the pay-if-paid provision, at the time it served its April 29, 2010 responses to
17 ZBCI's interrogatories. In any event, several extensions to discovery were granted in this case even
18 up to a few weeks before dispositive motions were filed. APCO had ample opportunities to
19 seasonably amend or supplement its discovery responses to assert additional defenses against paying
20 ZBCI the amount owed under the Subcontract.

21 16. Yet, APCO failed to explain why during the seven years of litigation between APCO
22 and ZBCI, it did not disclose any defenses other than its belief in the enforceability of the pay-if-paid
23 provision. For example, APCO did not explain its decision to omit the other defenses in its April 29,
24 2010 responses to ZBCI's interrogatories and May 12, 2017 responses to ZBCI's interrogatories.
25 APCO also did not explain why it did not amend or supplement its discovery responses with the
26 other defenses during discovery.

27 17. ZBCI reasonably relied on APCO's interrogatory responses to formulate its litigation
28 plan, which included decisions to avoid certain discovery. For example, ZBCI limited its discovery

1 to taking APCO's Nev. R. Civ. P. 30(b)(6) depositions with truncated questioning. ZBCI also filed
2 its motion for summary judgment that focused on the enforceability of the pay-if-paid provisions.

3 18. By raising defenses other than the enforceability of the pay-if-paid provisions for the
4 first time in its opposition to ZBCI's motion for summary judgment, APCO has prejudiced ZBCI.
5 The late defenses have prevented ZBCI from conducting discovery at a time when relevant
6 information is available and fresh in witnesses' mind. APCO's prejudicial actions also forced ZBCI
7 to incur time and costs to conduct discovery based on incomplete information.

8 19. APCO's late defenses are not justified and are extremely prejudicial to ZBCI. Those
9 defenses are now too little, too late. Under Nev. R. Civ. P. 37(c)(1), APCO cannot introduce any
10 evidence to support any defenses against ZBCI's claims because its prejudicial discovery responses
11 only claimed that it relied on the void pay-if-paid provisions.

12 20. Due to the preclusion of the other defenses, ZBCI's evidentiary objections regarding
13 those defenses are moot.

14 21. ZBCI is entitled to judgment on its breach of contract claim and its Nev. Rev. Stat.
15 108 claims as a matter of law.

16 **E. Attorney's Fees, Costs, and Interest**

17 22. ZBCI is the prevailing party under the Subcontract and the prevailing lien claimant
18 under Nev. Rev. Stat. 108.237(1).

19 23. Under the Subcontract, ZBCI is entitled to an award of interest, reasonable attorney's
20 fees, and costs incurred to collect the amount owed to ZBCI.

21 24. Under Nev. Rev. Stat. 108.237(1), ZBCI is also entitled to the cost of preparing and
22 recording the notice of lien, the costs of the proceedings, the costs for representation of the lien
23 claimant in the proceedings, and any other costs related to ZBCI's efforts to collect the amount owed
24 against APCO. This includes, without limitation, attorney's fees and interest.

25 25. Nev. Rev. Stat. 108.237(2)(b) provides the calculation of the interest that accrues
26 under the amount awarded under Nev. Rev. Stat. 108.237(1). This interest is equal to the prime rate
27 at the largest bank in Nevada, as ascertained by the Commissioner of Financial Institutions, on
28 January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 4 percent,

1 on the amount of the lien found payable. The rate of interest must be adjusted accordingly on each
2 January 1 and July 1 thereafter until the amount of the lien is paid.

3 26. Interest is payable from the date on which the payment is found to have been due,
4 which would be December 15, 2008 in this case. Interest will accrue on the lienable amount,
5 attorney's fees, and costs until the entire amount is paid.

6 **ORDER**

7 **THEREFORE, IT IS HEREBY ORDERED** that ZBCI's Motion for Partial Summary
8 Judgment Against APCO Construction is **GRANTED** in its entirety.

9 **IT IS FURTHER ORDERED** that ZBCI is awarded \$750,807.16 (the "Award") on its First
10 Cause of Action (Breach of Contract) and Fourth Cause of Action (Foreclosure of Mechanic's Lien).

11 **IT IS FURTHER ORDERED** that ZBCI's remaining claims—Second Cause of Action
12 (Breach of Implied Covenant of Good Faith & Fair Dealing), Third Cause of Action (Unjust
13 Enrichment or in the Alternative Quantum Meruit), and Seventh Cause of Action (Violation of NRS
14 624)—are moot.

15 **IT IS FURTHER ORDERED** that ZBCI is awarded attorneys' fees and costs incurred in
16 connection with this litigation.

17 **IT IS FURTHER ORDERED** that interest shall accrue on the unpaid amount of the Award
18 from ZBCI's complaint was filed, which was April 30, 2009, to the date the entire amount is paid.

19 **IT IS FURTHER ORDERED** that ZBCI has 30 days from the date of this order to submit a
20 memorandum setting forth its attorney's fees and costs.

21 **IT IS FURTHER ORDERED** that APCO has 30 days after service of the memorandum to
22 submit a response.

23 **IT IS FURTHER ORDERED** that ZBCI has 10 days after APCO's response to submit a
24 reply to the response.

25 **IT IS FURTHER ORDERED** that this Court will address the sole issue of whether ZBCI is
26 entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on

27 January 18, 2018 at 9:00 a.m.
28

1 **IT IS FURTHER ORDERED** that this Court will enter final judgment on ZBCI claims
2 upon a decision on the fees and costs—consistent with this Findings of Fact, Conclusions of Law,
3 and Order

4 **IT IS FURTHER ORDERED** that the trial on ZBCI's complaint and all pending hearings
5 associated with ZBCI's complaint are vacated.

6 **IT IS SO ORDERED.**

7 Dated this 26th day of December, 2017.

8 
9
10 DISTRICT COURT JUDGE

11 Respectfully submitted by:

12 
13

14 Jorge A. Ramirez, Esq.

15 I-Che Lai, Esq.

16 **WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

17 300 South Fourth Street, 11th Floor

18 Las Vegas, Nevada 89101

19 *Attorneys for Lien Clamant,*

20 *Zitting Brothers Construction, Inc.*

21 Approved as to form and content by:

22 *declined to sign*

23 John H. Mowbray, Esq.

24 John Randall Jefferies, Esq.

25 Mary E. Bacon, Esq.

26 **SPENCER FANE LLP**

27 300 South Fourth Street, Suite 700

28 Las Vegas, Nevada 89101

and

Cody S. Mounteer, Esq.

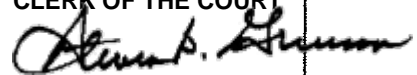
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Attorneys for APCO Construction, Inc.

Exhibit B



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Attorneys for Lien Clamant,

Zitting Brothers Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
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Plaintiff,

vs.

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AND ALL RELATED MATTERS

Date of Hearing: January 11, 2018
Time of Hearing: 9:00 a.m.

**ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR
RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS
CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT**

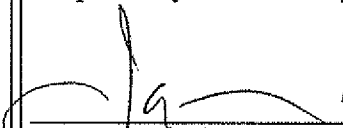
On January 11, 2018, this Court heard APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment. I-Che Lai of Wilson Elser Moskowitz Edelman & Dicker, LLP appeared at the hearing for Zitting Brothers Construction, Inc. ("ZBCI"). Mary E. Bacon of Spencer Fane LLP and Cody S. Mounteer of Marquis Aurbach Coffing appeared for APCO Construction, Inc. ("APCO"). Having considered APCO's motion, the pleadings and papers filed in this case, and oral arguments of counsel and finding good cause,

1 **IT IS HEREBY ORDERED** that APCO's Motion for Reconsideration of Court's Order
2 Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment is denied.

3 Dated this 24th day of January, 2018.

4
5
6 
DISTRICT COURT JUDGE RA

7 Respectfully submitted by:

8
9 
Jorge A. Ramirez, Esq.

10 I-Che Lai, Esq.

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

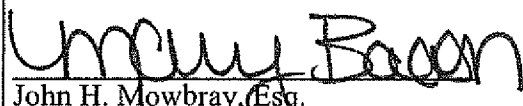
11 300 South Fourth Street, 11th Floor

12 Las Vegas, Nevada 89101

13 *Attorneys for Lien Clamant,*

Zitting Brothers Construction, Inc.

14 Approved as to form and content by:

15
16 
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17 John Randall Jefferies, Esq.

18 Mary E. Bacon, Esq.

SPENCER FANE LLP

19 300 South Fourth Street, Suite 700

20 Las Vegas, Nevada 89101

21 and

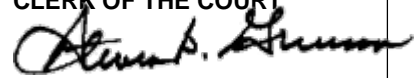
22 Cody S. Mounteer, Esq.

MARQUIS AURBACH COFFING

23 10001 Park Run Drive

24 Las Vegas, Nevada 89145

25 *Attorneys for APCO Construction, Inc.*



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MEchols@maclaw.com
CMounteer@maclaw.com

Attorneys for Apco Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

v.

GEMSTONE DEVELOPMENT WEST,
INC., A Nevada corporation,

Defendant.

AND ALL RELATED MATTERS

Case No.: A571228

Dept. No.: XIII

Consolidated with:

*A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718;
and A590319*

CASE APPEAL STATEMENT

Plaintiff APCO CONSTRUCTION, INC. hereby submits its Case Appeal Statement

pursuant to NRAP 3(f) as follows:

1. Name of appellant filing this case appeal statement:

APCO CONSTRUCTION, INC.

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Judge Mark Denton.

3. Identify each appellant and the name and address of counsel for each appellant:

John H. Mowbray, Esq. (NV Bar No. 1140)
John Randall Jefferies, Esq. (NV Bar No. 3512)
Mary E. Bacon, Esq. (NV Bar No. 12686)

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Las Vegas, NV 89101

Telephone: (702) 408-3411

Facsimile: (702) 408-3401

E-mail: JMowbray@spencerfane.com

RJJefferies@spencerfane.com

MBacon@spencerfane.com

-and-

Jack Chen Min Juan, Esq. (NV Bar No. 6367)

Micah Echols, Esq. (NV Bar No. 8437)

Cody S. Mounteer, Esq. (NV Bar No. 11220)

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Las Vegas, NV 89145

Telephone: 702.207.6089

Email: JJuan@maclaw.com

MEchols@maclaw.com

CMounteer@maclaw.com

Attorneys for APCO Construction, Inc.

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

APCO is unaware of the identities of respondent's appellate counsel. Respondent's trial counsel is below:

Jorge A. Ramirez, Esq.

I-Che Lai, Esq.

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

300 S. 4th Street, 11th Floor

Las Vegas, NV 89101

Telephone: (702) 727-1400

Email: Jorge.ramirez@wilsonelser.com

I-che-lai@wilsonelser.com

Attorneys for Zitting Brothers Construction, Inc.

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

Not applicable.

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Appellant was represented by retained counsel Spencer Fane LLP and Marquis Aurbach Coffing in the district court.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Appellant is represented by retained counsel Spencer Fane LLP and Marquis Aurbach Coffing on appeal.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

Appellant did not apply for and was not granted leave to proceed in forma pauperis.

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

The complaint in the consolidated action was filed on September 9, 2008. Zitting Brothers Construction, Inc.'s ("Zitting") complaint against APCO was filed on April 3,

1 2009.

2 **10. Provide a brief description of the nature of the action and result in the**
3 **district court, including the type of judgment or order being appealed and the relief**
4 **granted by the district court:**

5 This action arises out of a construction project in Las Vegas, Nevada known as the
6 Manhattan West Condominiums Project (“the Project”) in Clark County Nevada, (the
7 “Property” or “Project”). Gemstone Development West, Inc. (“Gemstone”) was the owner
8 of the Project that contracted with APCO to serve as the prime contractor. Gemstone and
9 APCO entered into the Manhattan West General Construction Agreement (the
10 “Agreement”) on or about September 6, 2007.

11 APCO entered into a subcontract with Zitting to provide drywall on the Project on
12 April 17, 2007. Gemstone did not pay APCO for its June, July or August 2008 billings
13 and terminated APCO from the Project in August 2008 and hired a replacement general
14 contractor, Camco Construction, Inc. (“Camco”). APCO ensured payment to Zitting
15 through its August 2008 billings submitted to APCO before APCO left the Project. Zitting
16 continued working on the Project for Camco and brought actions against APCO alleging
17 non-payment of retention and change orders when the Project shutdown several months
18 later. APCO believes the retention and change order payments never became due under the
19 payment schedule in the subcontract. APCO also believes that it is not responsible for
20 change orders completed under Camco’s direction.

21 APCO is appealing: (1) the Findings of Fact, Conclusions of Law, and Order
22 Granting Zitting Brothers Construction, Inc.’s Motion for Partial Summary Judgment
23 Against APCO Construction entered on January 2, 2018¹ and (2) the Order Denying APCO
24 Construction, Inc.’s Motion for Reconsideration of Court’s Order Granting Zitting Brothers
25 Construction, Inc.’s Partial Motion for Summary Judgment entered on January 25, 2018.²
26 The Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers
27

28 ¹ Notice of Entry of Order was also on January 2, 2018.

Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction gave Zitting all of the financial relief it requested in its action against APCO.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

The case has previously been the subject of three writ proceedings, as summarized below.

Case No.	Short Caption	Date Filed	Type-Subtype
61131	APCO Construction, Inc. v. Dist. Ct. (Scott Financial)	06/25/2012	Civil - Mandamus/ Prohibition
57784	Club Vista Financial Services v. Dist. Ct. (Scott Financial)	02/17/2011	Civil - Mandamus/ Prohibition
57641	Club Vista Financial Services vs. Dist. Ct. (Scott Financial).	01/28/2011	Civil - Mandamus/ Prohibition

12. Indicate whether this appeal involves child custody or visitation:

This appeal does not involve child custody or visitation.

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² Notice of Entry of order was on January 31, 2018.

1 **13. If this is a civil case, indicate whether this appeal involves the possibility of**
2 **settlement:**

3 This matter is a civil case and Appellant believes there is a possibility of settlement.
4

5 Dated this day of 16th day of February, 2018.

6 **SPENCER FANE**

7
8 By: /s/ Mary E. Bacon, Esq.
9 John H. Mowbray, Esq. (Bar No. 1140)
10 John Randall Jefferies, Esq. (Bar No.
11 3512)
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16 Facsimile: (702) 408-3401
17 *Attorneys for Apco Construction, Inc.*

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27 Facsimile: (702) 382-5816
28 *Attorneys for Apco Construction, Inc.*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Spencer Fane LLP and that a copy of the
3 foregoing **CASE APPEAL STATEMENT** was served by electronic transmission through
4 the E-Filing system pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26 or by mailing a
5 copy to their last known address, first class mail, postage prepaid for non-registered users,
6 on this 16th day of February, 2018, as follows:

7 **Counter Claimant: Camco Pacific Construction Co Inc**

8 Steven L. Morris (steve@gmdlegal.com)

9 **Intervenor Plaintiff: Cactus Rose Construction Inc**

10 Eric B. Zimbelman (ezimbelman@peelbrimley.com)

11 **Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc**

12 Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

13 **Intervenor: National Wood Products, Inc.'s**

14 Dana Y Kim (dkim@caddenfuller.com)

15 Richard L Tobler (rltldck@hotmail.com)

16 Richard Reincke (rreincke@caddenfuller.com)

17 S. Judy Hirahara (jhirahara@caddenfuller.com)

18 Tammy Cortez (tcortez@caddenfuller.com)

19 **Other: Chapter 7 Trustee**

20 Elizabeth Stephens (stephens@sullivanhill.com)

21 Gianna Garcia (ggarcia@sullivanhill.com)

22 Jennifer Saurer (Saurer@sullivanhill.com)

23 Jonathan Dabbieri (dabbieri@sullivanhill.com)

24 **Plaintiff: Apco Construction**

25 Rosie Wesp (rwesp@maclaw.com)

26 **Third Party Plaintiff: E & E Fire Protection LLC**

27 TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

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"Marisa L. Maskas, Esq." . (mmaskas@pezzilloloyd.com)
"Martin A. Little, Esq." . (mal@juww.com)
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Debbie Rosewall . (dr@juww.com)
Debra Hitchens . (dhitchens@maazlaw.com)
Depository . (Depository@litigationervices.com)
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Donna Wolfbrandt . (dwolfbrandt@dickinsonwright.com)

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6 S. Judy Hirahara . (jhirahara@caddenfuller.com)
7 Sarah A. Mead . (sam@juww.com)
8 Steven Morris . (steve@gmdlegal.com)
9 Tammy Cortez . (tcortez@caddenfuller.com)
10 Taylor Fong . (tfong@marquisaurbach.com)
11 Terri Hansen . (thansen@peelbrimley.com)
12 Timothy E. Salter . (tim.salter@procopio.com)
13 Wade B. Gochmour . (wbg@h2law.com)

14 /s/ Taylor Fong
15 an employee of Marquis Aurbach Coffing
16
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21
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28

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

§
§
§
§
§

Location: **Department 13**
Judicial Officer: **Denton, Mark R.**
Filed on: **09/09/2008**
Case Number History:
Cross-Reference Case Number: **A571228**

CASE INFORMATION

Related Cases

08A574391 (Consolidated)
08A574792 (Consolidated)
08A577623 (Consolidated)
09A580889 (Consolidated)
09A583289 (Consolidated)
09A584730 (Consolidated)
09A587168 (Consolidated)
A-09-589195-C (Consolidated)
A-09-589677-C (Consolidated)
A-09-590319-C (Consolidated)
A-09-592826-C (Consolidated)
A-09-596924-C (Consolidated)
A-09-597089-C (Consolidated)
A-09-606730-C (Consolidated)
A-10-608717-C (Consolidated)
A-10-608718-C (Consolidated)

Case Type: **Business Court**

Case Flags: **Consolidated - Lead Case**
Electronic Filing Case
01/28/10 Case Management Order
Discovery heard by Department
Appealed to Supreme Court
Business Court
Special Master Appointed
Automatically Exempt from Arbitration

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	08A571228
Court	Department 13
Date Assigned	03/14/2016
Judicial Officer	Denton, Mark R.

PARTY INFORMATION

Plaintiff	Apco Construction	Juan, Jack Chen Min <i>Retained</i> 7023820711(W)
Defendant	Commonwealth Land Title Insurance Co	
	Edelstein, Alexander Removed: 12/23/2011 Dismissed	Merrill, David J <i>Retained</i> 702-566-1935(W)
	First American Title Insurance Co	
	Gemstone Development West Inc	
	Nevada Construction Services Removed: 02/12/2010 Dismissed	Aurbach, Phillip S. <i>Retained</i> 7029422155(W)
	Scott Financial Corporation	Meier, Glenn F <i>Retained</i> 702-791-0308(W)
	Scott, Bradley J	Jones, Jon Randall <i>Retained</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

7023856000(W)

Consolidated Case Party **HD Supply Waterworks LP**
Removed: 08/10/2009
Inactive

Conversion Extended Connection Type **No Convert Value @ 08A571228**
Removed: 04/24/2009
Converted From Blackstone

Counter Claimant **APCO Construction**

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Asphalt Products Corporation

Cactus Rose Construction

Camco Pacific Construction Co Inc

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Co Inc

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Co Inc
Removed: 06/14/2010
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Company Inc

Parry, Zachariah
Retained
702-879-9555(W)

Camco Pacific Construction Company Inc

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Inc
Removed: 12/09/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Inc
Removed: 12/09/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Club Vista Financial Sevices LLC

Ferrario, Mark E., ESQ
Retained
702-792-3773(W)

Gemstone Development West Inc

Insulpro Projects Inc

Dobberstein, Eric
Retained
702-806-6561(W)

Tharaldson Motels II Inc

Muckleroy, Martin A.
Retained
702-907-0097(W)

Tharaldson, Gary D

Muckleroy, Martin A.
Retained
702-907-0097(W)

Counter **Accuracy Glass & Mirror Company Inc**

Wayment, Dallin T.

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Defendant

	<i>Retained</i> 7029907272(W)
Ahern Rentals Inc	Clifford, D. Shane, ESQ <i>Retained</i> 435-613-1010(W)
APCO Construction Removed: 12/09/2009 Data Entry Error	Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W)
APCO Construction	Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W)
Arch Aluminum and Glass Co	Albregts, Jeffrey R. <i>Retained</i> 702-483-5026(W)
Atlas Construction Supply Inc	
Bank of Oklahoma NA	
Bruin Painting Corporation	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
Buchele Inc	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
Cabinetec Inc Removed: 12/09/2009 Data Entry Error	
Cabinetec Inc	
Camco Pacific Construction Co Inc	Morris, Steven L. <i>Retained</i> 702-938-2244(W)
Camco Pacific Construction Inc	Morris, Steven L. <i>Retained</i> 702-938-2244(W)
Cellcrete Fireproofing of Nevada Inc	Reade, Robert C. <i>Retained</i> 702-794-4411(W)
Concrete Visions Inc	
Creative Home Theatre LLC	
Dave Peterson Framing Inc	Dixon, Stephen M. <i>Retained</i> 702-329-4911(W)
E & E Fire Protection LLC	Dixon, Stephen M. <i>Retained</i> 702-329-4911(W)
Executive Plastering Inc	
EZA P.C.	Williams, Donald H <i>Retained</i> 7023207755(W)
Fast Glass Inc	Gebhart, Michael T. <i>Retained</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

	702-324-8341(W)
Fast Glass Inc	Gebhart, Michael T. <i>Retained</i> 702-324-8341(W)
Ferguson Fire and Fabrication Inc	Rycraft Jr., Dale B. <i>Retained</i> 702-796-5555(W)
Gemstone Development West Inc	
Gerdau Reinforcing Steel	Urga, William R. <i>Retained</i> 7026997500(W)
Granite Construction Company	Johnson, David R. <i>Retained</i> 702-789-3100(W)
Harsco Corporation	
HD Supply Waterworks LP	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
Heinaman Contract Glazing	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
Helix Electric of Nevada LLC	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
Hydropressure Cleaning Inc	
Inquipco	Lloyd-Robinson, Jennifer R. <i>Retained</i> 702-257-1483(W)
Insulpro Projects Inc	Dobberstein, Eric <i>Retained</i> 702-806-6561(W)
Interstate Plumbing & Air Conditioning	
John Deere Landscape Inc	
Las Vegas Pipeline LLC	
Masonry Group Nevada Inc	Pro Se Pintar, Becky <i>Retained</i> 702-685-5255(W)
Nevada Construction Services	Vlasic, Charles <i>Retained</i> 702-551-1178(W)
Nevada Prefab Engineers	Fisher, Mindy C. <i>Retained</i> 7026997500(W)
Nevada Prefab Engineers Inc	Craft, Christopher <i>Retained</i> 702-869-8801(W)
Noord Sheet Metal Company	Truman, T. James <i>Retained</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Noorda Sheet Metal Company	702-256-0156(W) Dixon, Stephen M. <i>Retained</i> 702-329-4911(W)
Northstar Concrete Inc	
Northstar Concrete Inc	
Northstar Concrete Inc Removed: 12/09/2009 Data Entry Error	
Pape Materials Handling	Craft, Christopher <i>Retained</i> 702-869-8801(W)
Patent Construction Systems	Williams, Donald H <i>Retained</i> 7023207755(W)
Professional Door and Mill Works LLC	Dixon, Stephen M. <i>Retained</i> 702-329-4911(W)
Professional Doors And Millworks LLC	
Ready Mix Inc	Berman, Brian Keith <i>Retained</i> 7023820702(W)
Renaissance Pools & Spas Inc	Scow, Steven B. <i>Retained</i> 702-318-5040(W)
Republic Crane Service LLC	
Scott Financial Corporation	Meier, Glenn F <i>Retained</i> 702-791-0308(W)
Scott, Bradley J	Carter, Matthew S. <i>Retained</i> 7023856000(W)
Selectbuild Nevada Inc	Schumacher, Robert E. <i>Retained</i> 702-577-9300(W)
Selectbuild Nevada Inc Removed: 06/14/2010 Data Entry Error	Schumacher, Robert E. <i>Retained</i> 702-577-9300(W)
Selectbuild Nevada Inc Removed: 12/09/2009 Data Entry Error	Walters, Brian K. <i>Retained</i> 7022571997(W)
Steel Structures Inc	Craft, Christopher <i>Retained</i> 702-869-8801(W)
Supply Network Inc	Varricchio, Philip T. <i>Retained</i> 702-724-8300(W)
The Pressure Grout Company	
Tri City Drywall Inc	Lloyd-Robinson, Jennifer R.

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Retained
702-257-1483(W)

Uintah Investments LLC
Removed: 08/01/2017
Inactive

WRG Design Inc

Wayment, Dallin T.
Retained
7029907272(W)

Zitting Brothers Construction Inc

Cawley, Reuben
Retained
702-727-1400(W)

Cross Claimant **APCO Construction**

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Cross Defendant **Gemstone Development West Inc**

Doing Business As **Apco Construction**

Helix Electric

Oz Architecture of Nevada Inc

Williams, Donald H
Retained
7023207755(W)

Oz Architecture Of Nevada Inc
Removed: 12/09/2009
Data Entry Error

Williams, Donald H
Retained
7023207755(W)

Pape Rents

Craft, Christopher
Retained
702-869-8801(W)

Pape Rents

Urga, William R.
Retained
7026997500(W)

Pape Rents
Removed: 05/29/2009
Inactive

Power Plus!

Viking Supplynet

Interpleader **Hydropressure Cleaning Inc**

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Intervenor **Cell Crete Fireproofing Of NV Inc**

Reade, Robert C.
Retained
702-794-4411(W)

Custom Select Billing Inc

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Dave Peterson Framing Inc

E & E Fire Protectiong LLC

Truman, T. James
Retained
702-256-0156(W)

EZA P C

Williams, Donald H
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

		7023207755(W)
	Granite Construction Company	Johnson, David R. <i>Retained</i> 702-789-3100(W)
	Insulpro Projects Inc	Dobberstein, Eric <i>Retained</i> 702-806-6561(W)
	National Wood Products, Inc.'s	Tobler, Richard L <i>Retained</i> 702-256-6000(W)
	Nevada Prefab Engineers Inc	Little, Martin A. <i>Retained</i> 7026997500(W)
	Nevada Prefab Engineers Inc Removed: 12/09/2009 Data Entry Error	Little, Martin A. <i>Retained</i> 7026997500(W)
	Noord Sheet Metal Company	Truman, T. James <i>Retained</i> 702-256-0156(W)
	Patent Construction Systems	Williams, Donald H <i>Retained</i> 7023207755(W)
	Pressure Grout Co	Truman, T. James <i>Retained</i> 702-256-0156(W)
	Professional Doors & Millworks LLC	Truman, T. James <i>Retained</i> 702-256-0156(W)
	Steel Structures Inc Removed: 12/09/2009 Data Entry Error	Little, Martin A. <i>Retained</i> 7026997500(W)
	Steel Structures Inc	Little, Martin A. <i>Retained</i> 7026997500(W)
	Tri-City Drywall Inc	Lloyd-Robinson, Jennifer R. <i>Retained</i> 702-257-1483(W)
Intervenor	Accuracy Glas & Mirror Company Inc Removed: 01/11/2010 Dismissed	
Defendant	Accuracy Glass and Mirror Company Inc Removed: 04/29/2010 Dismissed	
	APCO Construction Removed: 11/05/2012 Dismissed	Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W)
	APCO Construction Removed: 12/09/2009 Data Entry Error	Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W)
	APCO Construction Removed: 12/09/2009 Data Entry Error	Rutar Mullins, Gwen <i>Retained</i> 702-257-1483(W)

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

APCO Construction

Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen

Retained
702-257-1483(W)

APCO Construction

Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen

Retained
702-257-1483(W)

APCO Construction

Removed: 12/09/2009
Data Entry Error

Rutar Mullins, Gwen

Retained
702-257-1483(W)

APCO Construction

Removed: 11/05/2012
Dismissed

Camco Pacific Construction Co Inc

Morris, Steven L.

Retained
702-938-2244(W)

Camco Pacific Construction Co Inc

Morris, Steven L.

Retained
702-938-2244(W)

Camco Pacific Construction Co Inc

Removed: 12/09/2009
Data Entry Error

Morris, Steven L.

Retained
702-938-2244(W)

Camco Pacific Construction Co Inc

Removed: 12/10/2009
Data Entry Error

Morris, Steven L.

Retained
702-938-2244(W)

Camco Pacific Construction Co Inc

Removed: 12/09/2009
Data Entry Error

Morris, Steven L.

Retained
702-938-2244(W)

Campco Pacific Construction Co Inc

Removed: 12/09/2009
Data Entry Error

Blake, David

Retained
702-476-5900(W)

Club Vista Financial Services LLC

Muckleroy, Martin A.

Retained
702-907-0097(W)

Club Vista Financial Services LLC

Muckleroy, Martin A.

Retained
702-907-0097(W)

Commonwealth Land Title Ins Co

Commonwealth Land Title Ins Co

Commonwealth Land Title Ins Co

Removed: 12/09/2009
Data Entry Error

Concrete Visions Inc

E & E Fire Protection LLC

Dixon, Stephen M.

Retained
702-329-4911(W)

Edelstein, Alex

Removed: 05/04/2010
Judgment Against

Smith, P. Kyle

Retained
702-385-6000(W)

Edelstein, Alex

Removed: 03/07/2012
Dismissed

Smith, P. Kyle

Retained
702-385-6000(W)

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CASE NO. 08A571228

Employers Mutual Casualty Co

Removed: 01/11/2010
Dismissed

Employers Mutual Casualty Company

Removed: 04/29/2010
Dismissed

Fidelity & Deposit Co Of Maryland

Removed: 12/09/2009
Data Entry Error

Morris, Steven L.

Retained

702-938-2244(W)

Fidelity & Deposit Company Of Maryland

Morris, Steven L.

Retained

702-938-2244(W)

Fidelity & Deposit Company Of Maryland

Removed: 12/09/2009
Data Entry Error

Fidelity And Deposit Co Of Maryland

Morris, Steven L.

Retained

702-938-2244(W)

First American Title Insurance Co

First American Title Insurance Co

First American Title Insurance Co

Removed: 12/09/2009
Data Entry Error

Gemstone Development Inc

Removed: 12/09/2009
Dismissed

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gilbert, Greg S.

Retained

702-669-4600(W)

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc

Removed: 12/09/2009

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Data Entry Error

Gemstone Development West Inc
Removed: 12/09/2009
Data Entry Error

Gemstone Development West Inc
Removed: 01/11/2010
Dismissed

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc
Removed: 12/09/2009
Data Entry Error

Jeff Heit Plumbing Co LLC

Marshall, Kelly

Nevada Construction Services
Removed: 02/12/2010
Dismissed

Nevada Construction Services

Nevada Construction Services
Removed: 12/10/2009
Data Entry Error

Old Republic Surety

Platte River Insurance Co
Removed: 04/05/2010
Dismissed

Platte River Insurance Company
Removed: 07/15/2009
Dismissed

Scott Financial Corp
Removed: 02/14/2013
Dismissed

Scott Financial Corporation
Removed: 12/09/2009
Data Entry Error

Scott Financial Corporation
Removed: 02/14/2013
Dismissed

Scott Financial Corporation

Scott Financial Corporation
Removed: 02/14/2013
Dismissed

Tharaldson Motels II Inc

Gregory, Keith E.
Retained
7023823636(W)

Gregory, Keith E.
Retained
7023823636(W)

Meier, Glenn F
Retained
702-791-0308(W)

Jones, Mark Merrill
Retained
7023856000(W)

Meier, Glenn F
Retained
702-791-0308(W)

Meier, Glenn F
Retained
702-791-0308(W)

Muckleroy, Martin A.
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

		702-907-0097(W)
	Tharaldson Motels II Inc	Muckleroy, Martin A. <i>Retained</i> 702-907-0097(W)
Intervenor	Ahern Rental Inc Removed: 01/24/2013 Dismissed	Clifford, D. Shane, ESQ <i>Retained</i> 435-613-1010(W)
Plaintiff	Arch Aluminum And Glass Co	Albregts, Jeffrey R. <i>Retained</i> 702-483-5026(W)
	Cabinetec Inc	
	Cactus Rose Construction Inc	Wayment, Dallin T. <i>Retained</i> 7029907272(W)
	Camco Pacific Construction Co Inc	Morris, Steven L. <i>Retained</i> 702-938-2244(W)
	Harsco Corporation	
	Inquipco Removed: 01/11/2010 Dismissed	Lloyd-Robinson, Jennifer R. <i>Retained</i> 702-257-1483(W)
	Interstate Plumbing & Air Conditioning Inc	Gebhart, Michael T. <i>Retained</i> 702-324-8341(W)
	Las Vegas Pipeline LLC	
	Northstar Concrete, Inc.	
	Pape Material Handling	Urga, William R. <i>Retained</i> 7026997500(W)
	S R Bray Corp	Peel, Richard L. <i>Retained</i> 7029907272(W)
	Selectbuild Nevada Inc	Schumacher, Robert E. <i>Retained</i> 702-577-9300(W)
	Sunstate Companies Inc	Hayes, Garry L. <i>Retained</i> 702-832-5592(W)
	SWPPP Compliance Solutions LLC	Peel, Richard L. <i>Retained</i> 7029907272(W)
	Tri-City Drywall Inc Removed: 07/15/2009 Data Entry Error	
Other	Graybar Electric Company	
	HD Supply Construction Supply LP	
	PCI Group, LLC	
	RLMW Investments LLC	

DISTRICT COURT
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The Masonry Group Nevada, Inc.
Removed: 12/10/2009
Data Entry Error

Pintar, Becky
Retained
702-685-5255(W)

United Subcontractors Inc

Wiss, Janney, Elstner Associates, Inc.

Rutar Mullins, Gwen
Retained
702-257-1483(W)

Other Defendant **Camco Pacific Construction Inc**
Removed: 12/09/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Fidelity & Deposit Company Of Maryland
Removed: 12/10/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Other Plaintiff **E & E Fire Protectiong LLC**
Removed: 12/10/2009
Data Entry Error

Truman, T. James
Retained
702-256-0156(W)

Special Master **Hale, Floyd, ESQ**

Third Party Defendant **Camco Pacific Construction Co Inc**

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Co Inc
Removed: 07/05/2017
Dismissed

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Co Inc
Removed: 12/10/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Camco Pacific Construction Company Inc
Removed: 12/10/2009
Data Entry Error

Morris, Steven L.
Retained
702-938-2244(W)

Fidelity & Deposit Co Of Maryland

Morris, Steven L.
Retained
702-938-2244(W)

Fidelity & Deposit Co Of Maryland

Morris, Steven L.
Retained
702-938-2244(W)

Fidelity And Deposit Co Of Maryland
Removed: 12/10/2009
Data Entry Error

Fidelity And Deposit Co Of Maryland
Removed: 12/10/2009
Data Entry Error

Third Party Plaintiff **Dave Peterson Framing Inc**

E & E Fire Protection LLC

Truman, T. James
Retained
702-256-0156(W)

Insulpro Projects Inc

Dobberstein, Eric
Retained

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Noorda Sheet Metal Company

Professional Doors & Millworks LLC









702-806-6561(W)

Truman, T. James
Retained
702-256-0156(W)














Truman, T. James
Retained
702-256-0156(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
02/24/2008	 Acceptance of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>ACCEPTANCE OF SERVICE</i>	08A5712280051.tif pages
09/09/2008	 Complaint <i>COMPLAINT FILED Fee \$148.00</i>	08A5712280001.tif pages
09/09/2008	 Initial Appearance Fee Disclosure Filed By: Plaintiff Apco Construction <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i>	08A5712280004.tif pages
09/12/2008	 Peremptory Challenge <i>PEREMPTORY CHALLENGE Williams CASE REASSIGNED TO Leavitt</i>	08A5712280002.tif pages
09/12/2008	 Notice of Department Reassignment <i>NOTICE OF DEPARTMENT REASSIGNMENT ?????003146FC 003146?????</i>	08A5712280003.tif pages
12/08/2008	 Amended Complaint Filed By: Plaintiff Apco Construction <i>FIRST AMENDED COMPLAINT</i>	08A5712280006.tif pages
12/09/2008	 Lis Pendens Filed By: Plaintiff Apco Construction <i>NOTICE OF LIS PENDENS</i>	08A5712280007.tif pages
12/09/2008	 Notice Filed By: Plaintiff Apco Construction <i>NOTICE OF FORECLOSURE OF CLAIMS OF LIEN</i>	08A5712280008.tif pages
12/12/2008	 Certificate of Mailing Filed By: Plaintiff Apco Construction <i>CERTIFICATE OF MAILING</i>	08A5712280010.tif pages
12/17/2008	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIRST AMERICAN TITLE INSURANCE COMPANY</i>	08A5712280012.tif pages
12/17/2008	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - NEVADA CONSTRUCTION SERVICES</i>	08A5712280013.tif pages
12/17/2008	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - GEMSTONE DEVELOPMENT WEST INC</i>	08A5712280014.tif pages

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12/17/2008	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - COMMONWEALTH LAND TITLE INSURANCE CO</i>	08A5712280016.tif pages
12/26/2008	 Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i>	08A5712280017.tif pages
01/05/2009	 Appearance Filed By: Intervenor Plaintiff Harsco Corporation <i>HARSCO CORPORATION'S STATEMETN OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280005.tif pages
01/05/2009	 Notice Filed By: Intervenor Plaintiff Harsco Corporation <i>NOTICE OF LIS PENDENS</i>	08A5712280020.tif pages
01/05/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Harsco Corporation <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280021.tif pages
01/05/2009	 Notice Filed By: Intervenor Plaintiff Harsco Corporation <i>NOTICE OF FORECLOSURE OF LIEN</i>	08A5712280022.tif pages
01/12/2009	 Answer Filed By: Defendant Nevada Construction Services <i>ANSWER TO PLAITNIFFS AMENDED COMPLAINT</i>	08A5712280009.tif pages
01/12/2009	 Initial Appearance Fee Disclosure Filed By: Defendant Nevada Construction Services <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280023.tif pages
01/15/2009	Appearance Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>ARCH ALUMINUM AND GLASS CO'S STATEMENT OF FACTS CONSTITUTING ITS MECHANIC'S LIEN CLAIM</i>	08A5712280011.tif pages
01/15/2009	Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO COMPLAINT AND COUNTER CLAIMS</i>	08A5712280024.tif pages
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01/15/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280027.tif pages
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	 Answer Filed By: Defendant Scott Financial Corporation <i>ANSWER TO FIRST AMENDED COMPLAINT</i>	
01/16/2009	 Initial Appearance Fee Disclosure Filed By: Defendant Scott Financial Corporation <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280029.tif pages
01/16/2009	 Answer to Amended Complaint Filed By: Defendant Scott Financial Corporation <i>ANSWER TO FIRST AMENDED COMPLAINT</i>	08A5712280030.tif pages
01/22/2009	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - COMMONWEALTH LAND TITLE INS CO</i>	08A5712280031.tif pages
01/22/2009	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIRST AMERICAN TITLE INS CO</i>	08A5712280032.tif pages
01/22/2009	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - PLATTER RIVER INSURANCE COMPANY</i>	08A5712280033.tif pages
01/23/2009	 Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i>	08A5712280034.tif pages
01/28/2009	 Appearance Filed By: Intervenor Steel Structures Inc <i>STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280018.tif pages
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01/28/2009	 Initial Appearance Fee Disclosure <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280036.tif pages
02/04/2009	 Reply to Counterclaim Filed by: Counter Defendant APCO Construction <i>APCO CONSTRUCTIONS REPLY TO GEMSTONES COUNTERCLAIM</i>	08A5712280038.tif pages
02/04/2009	 Summons Filed by: Intervenor Plaintiff Harsco Corporation <i>SUMMONS- CONCRETE VISIONS INC</i>	08A5712280039.tif pages
02/04/2009	 Acceptance of Service	08A5712280040.tif pages










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CASE No. 08A571228

	Filed By: Intervenor Steel Structures Inc <i>ACCEPTANCE OF SERVICE</i>	
02/06/2009	 Appearance Filed By: Intervenor Plaintiff Cabinetec Inc <i>CABINETEC INC'S STATEMENT OF FACTS CONSTITUTING LIEND CLIAM AND COMPLAINT IN INTERVENTION</i>	08A5712280026.tif pages
02/06/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Cabinetec Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280041.tif pages
02/12/2009	 Certificate of Mailing Filed By: Intervenor Plaintiff Cabinetec Inc <i>CERTIFICATE OF SERVICE</i>	08A5712280043.tif pages
02/13/2009	 Statement Filed by: Intervenor Steel Structures Inc <i>AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280044.tif pages
02/19/2009	Appearance Filed By: Intervenor Plaintiff Ahern Rental Inc <i>AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280037.tif pages
02/19/2009	 Notice Filed By: Intervenor Plaintiff Ahern Rental Inc <i>NOTICE TO LIEN CLAIMANTS TO FILE AND SERVE STATEMENTS OF FACTS CONSTITUTING THEIR LIENS</i>	08A5712280045.tif pages
02/19/2009	 Lis Pendens Filed By: Intervenor Plaintiff Ahern Rental Inc <i>LIS PENDENS</i>	08A5712280046.tif pages
02/19/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Ahern Rental Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280047.tif pages
02/24/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Tri-City Drywall Inc <i>Ahern Rental inc's Statement of Facts Constituting Lien and Complaint in Intervention</i>	
02/24/2009	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC</i>	08A5712280048.tif pages
02/24/2009	 Lis Pendens Filed By: Intervenor Tri-City Drywall Inc <i>LIS PENDENS</i>	08A5712280049.tif pages
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CASE No. 08A571228

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02/26/2009	 Lis Pendens Filed By: Third Party Plaintiff Noorda Sheet Metal Company <i>NOTICE OF PENDENCY OF ACTION</i>	08A5712280053.tif pages
02/26/2009	 Statement Filed by: Third Party Plaintiff Noorda Sheet Metal Company <i>NOORDA SHEET METAL COMPANYS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i>	08A5712280054.tif pages
02/26/2009	 Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff Noorda Sheet Metal Company <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280055.tif pages
03/03/2009	 Default Filed By: Intervenor Defendant Platte River Insurance Company <i>DEFAULT</i>	08A5712280056.tif pages
03/03/2009	 Default Filed By: Plaintiff Apco Construction <i>DEFAULT</i>	08A5712280057.tif pages
03/03/2009	 Default Filed By: Plaintiff Apco Construction <i>DEFAULT</i>	08A5712280058.tif pages
03/03/2009	 Acceptance of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>ACCEPTANCE OF SERVICE - APCO CONSTRUCITON</i>	08A5712280059.tif pages
03/05/2009	 Certificate Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF SERVICE OF EMPLOYERS MUTUAL CASUALTY COMPANY</i>	08A5712280070.tif pages
03/05/2009	 Certificate Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF SERVICE OF COMMONSWEALTH LAND TITLE INSURANCE COMPANY</i>	08A5712280078.tif pages
03/09/2009	 Stipulation and Order Filed by: Intervenor Steel Structures Inc <i>STIPULATION AND ORDER RE FILING AND SERVICE OF STEEL STRUCTURE INC AND NEVADA PREFAB ENGINEERS INCS COMPLAINT IN INTERVENTION</i>	08A5712280061.tif pages
03/09/2009	 Stipulation and Order Filed by: Intervenor Plaintiff Cabinetec Inc <i>STIPULATION AND ORDER RE FILING AND SERVICE OF CABINETECS COMPLAINT IN INTERVENTION</i>	08A5712280065.tif pages
03/10/2009	 Statement	08A5712280068.tif pages













DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228

	Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO CABINETEX INCS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM AND COMPLAINT INTERVENTION</i>	
03/10/2009	 Statement Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREBABENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280069.tif pages
03/11/2009	 Certificate of Mailing Filed By: Intervenor Plaintiff Ahern Rental Inc <i>CERTIFICATE OF MAILING OF SERVICE OF FIRST AMERICAN TITILE INSURANCE COMPANY</i>	08A5712280066.tif pages
03/11/2009	 Affidavit of Publication Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF PUBLICATION</i>	08A5712280067.tif pages
03/12/2009	Appearance Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280060.tif pages
03/12/2009	 Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>NOTICE OF ENTRY OF STIPULATION AND ORDER REGARDING FILING AND SERVICE OF STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS COMPLAINT IN INTERVENTION</i>	08A5712280071.tif pages
03/12/2009	 Acceptance of Service Filed By: Counter Defendant Noord Sheet Metal Company <i>ACCEPTANCE OF SERVICE</i>	08A5712280072.tif pages
03/12/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INCS INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280073.tif pages
03/12/2009	 Answer Filed By: Plaintiff Apco Construction <i>APCO CONSTRUCTIONS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFABENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION AND CROSS CLAIM</i>	08A5712280079.tif pages
03/12/2009	 Amended Filed By: Counter Defendant Noord Sheet Metal Company <i>AMENDED SUMMONS CIVIL</i>	08A5712280081.tif pages
03/12/2009	 Statement Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>CELL CRETE FIREPROOFING OF NEVADA INCS STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280082.tif pages
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03/16/2009	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>CAMCO PACIFIC CONSTRUCTION COMPANY INCS INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i>	08A5712280074.tif pages
03/16/2009	 Amended Filed By: Counter Defendant Noord Sheet Metal Company <i>AMENDED THIRD PARTY SUMMONS CIVIL</i>	08A5712280075.tif pages
03/16/2009	 Answer Filed By: Plaintiff Apco Construction <i>APCO CONSTRUCTIONS ANSWER TO CABINET INCS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM AND COMPLAINT IN INTERVENTION</i>	08A5712280080.tif pages
03/17/2009	 Statement Filed by: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WESET INCS ANSWER TO AHERN RENTAL INCS STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280076.tif pages
03/17/2009	 Stipulation and Order Filed by: Intervenor Defendant Scott Financial Corporation <i>STIPULATION AND ORDER</i>	08A5712280077.tif pages
03/17/2009	 Stipulation and Order Filed by: Intervenor Plaintiff Ahern Rental Inc <i>STIPULATION AND ORDER ALLOWING AHERN RENTALS INC TO INTERVENE PURSUANT TO NRCP 24</i>	08A5712280088.tif pages
03/18/2009	 Certificate Filed By: Intervenor Defendant Gemstone Development West Inc <i>AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WEST INCS ANSWER TO CABINETEC INCS STATEMENT OF FACTS CONSTITUTING LIEU CLAIM AND COMPLAINT IN INTERVENTION</i>	08A5712280083.tif pages
03/18/2009	 Certificate Filed By: Intervenor Defendant Gemstone Development West Inc <i>AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WESTS INCS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280087.tif pages
03/18/2009	 Certificate of Mailing Filed By: Intervenor Tri-City Drywall Inc <i>CERTIFICATE OF MAILING OF STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280089.tif pages
03/18/2009	 Disclaimer of Interest	08A5712280091.tif pages

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

	Filed By: Defendant Commonwealth Land Title Insurance Co <i>COMMONWEALTH LAND TITLE INSURANCE COMPANY'S DISCLAIMER OF INTEREST</i>	
03/19/2009	 Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc <i>NOTICE OF ENTRY OF ORDER</i>	08A5712280090.tif pages
03/20/2009	 Stipulation and Order <i>STIPULATION AND ORDER RE FILING AND SERVICE OF STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280092.tif pages
03/20/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>GEMSTONE DEVELOPMENT WEST INCS ANSWER TO NOORDA SHEET METAL COMPANYS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i>	08A5712280093.tif pages
03/20/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Steel Structures Inc <i>SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Steel Structures Inc Nevada Prefab Engineers Inc</i>	
03/23/2009	 Motion <i>AHERN'S MTN TO AMEND STATEMENT OF FACTS/I</i>	08A5712280084.tif pages
03/24/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects</i>	
03/24/2009	 Certificate of Mailing <i>CERTIFICATE OF MAILING</i>	08A5712280095.tif pages
03/24/2009	 Notice Filed By: Intervenor Insulpro Projects Inc <i>NOTICE OF LIS PENDENS</i>	08A5712280096.tif pages
03/24/2009	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>NOTICE OF ENTRY OF STIPULATION AND ORDER</i>	08A5712280098.tif pages
03/24/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Insulpro Projects Inc <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i>	08A5712280099.tif pages
03/25/2009	 Amended Filed By: Intervenor Plaintiff Harsco Corporation <i>HARSCO CORPORATIONS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280097.tif pages
03/27/2009	 Appearance Filed By: Intervenor E & E Fire Protectiong LLC <i>E & E FIRE PROTECTION LLC 'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPALINT AND THIRD PARTY COMPLAINT</i>	08A5712280100.tif pages

DISTRICT COURT
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03/27/2009	 Appearance Filed By: Intervenor Dave Peterson Framing Inc <i>DAVE PETERSON FRAMING LLC'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT</i>	08A5712280101.tif pages
03/27/2009	 Lis Pendens Filed By: Intervenor Dave Peterson Framing Inc <i>NOTICE OF PENDENCY OF ACTION</i>	08A5712280102.tif pages
03/27/2009	 Appearance Filed By: Intervenor Professional Doors & Millworks LLC <i>PROFESSIONAL DOORS & MILLWORKS LLC'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIDR PARTY COMPLAINT</i>	08A5712280103.tif pages
03/27/2009	 Lis Pendens Filed By: Intervenor Professional Doors & Millworks LLC <i>NOTICE OF PENDENCY OF ACTION</i>	08A5712280104.tif pages
03/27/2009	 Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280105.tif pages
03/27/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Dave Peterson Framing Inc <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280106.tif pages
03/27/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Professional Doors & Millworks LLC <i>INITIAL APPEARANCE FEE DISCLOSURE</i>	08A5712280107.tif pages
03/27/2009	 Notice Filed By: Intervenor Professional Doors & Millworks LLC <i>NOTICE OF PENDENCY OF ACTION</i>	08A5712280108.tif pages
03/27/2009	 Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCTION'S ANSWER TO AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280109.tif pages
03/31/2009	 Amended Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCITONS AMENDED ANSWER TO AHERN RENTAL INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280112.tif pages
04/01/2009	 Acceptance of Service Filed By: Intervenor Dave Peterson Framing Inc <i>ACCEPTANCE OF SERVICE</i>	08A5712280113.tif pages
04/01/2009	 Acceptance of Service Filed By: Intervenor Dave Peterson Framing Inc <i>ACCEPTANCE OF SERVICE</i>	08A5712280114.tif pages
04/01/2009		08A5712280115.tif pages

DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228










	 Answer Filed By: Intervenor Defendant APCO Construction <i>APCO CONSTRUCTIONS ANSWER TO STEEL STRUCTURES INC AND NEVADA PREFABENGINEERS INCS SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	
04/01/2009	Certificate Filed By: Intervenor Insulpro Projects Inc <i>CERTIFICATE OF SERVICE</i>	
04/01/2009	 Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE - GEMSTONE DEVELOPMENT WEST INC</i>	08A5712280119.tif pages
04/01/2009	 Acceptance of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>ACCEPTANCE OF SERVICE OF AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENITON - GEMSTONE DEVELOPMENT WEST INC</i>	08A5712280120.tif pages
04/03/2009	Appearance Filed By: Interpleader Hydropressure Cleaning Inc <i>HYDROPRESSURE CLEANING INC'S STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280111.tif pages
04/03/2009	 Errata Filed By: Intervenor Defendant Nevada Construction Services <i>ERRATUM TO ANSWER TO PLTFS AMENDED COMPLAINT</i>	08A5712280121.tif pages
04/03/2009	 Initial Appearance Fee Disclosure Filed By: Interpleader Hydropressure Cleaning Inc <i>INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i>	08A5712280122.tif pages
04/03/2009	 Statement of Facts Constituting Lien Filed By: Interpleader Hydropressure Cleaning Inc <i>STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Hydropressure Cleaning Inc</i>	
04/06/2009	Appearance Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADA INC'S STATEMENT OF FACTS CONSTITUTING LIEN</i>	08A5712280116.tif pages
04/06/2009	Appearance Filed By: Doing Business As Oz Architecture Of Nevada Inc <i>EZA PC DBA OZ ARCHITECTURE OF NEVADA INC'S STATEMETN OF FACTS CONTITUTING LIEN</i>	08A5712280117.tif pages
04/06/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADAS INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19</i>	08A5712280123.tif pages
04/06/2009	 Statement Filed by: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NV INCS STATEMENT OF FACTS CONSTITUTING LIEN</i>	08A5712280126.tif pages

DISTRICT COURT
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CASE No. 08A571228

04/06/2009	 Lis Pendens Filed By: Intervenor EZA P C <i>EZA PC DBA OZ ARCHITECTURE OF NEVADAS NOTICE OF LIS PENDENS</i>	08A5712280127.tif pages
04/07/2009	 Third Party Summons Filed by: Third Party Plaintiff Professional Doors & Millworks LLC <i>THIRD PARTY SUMMONS CIVIL VIA US MAIL FIDELITY AND DEPOSIT CO OF MARYLAND</i>	08A5712280124.tif pages
04/07/2009	 Summons Filed by: Plaintiff Apco Construction <i>SUMMONS - FIDELITY & DEPOSIT CO OF MARYLAND</i>	08A5712280128.tif pages
04/07/2009	 Summons Filed by: Intervenor Dave Peterson Framing Inc <i>SUMMONS - CSC SERVICES VIA US MAIL</i>	08A5712280132.tif pages
04/08/2009	 Affidavit of Service Filed By: Intervenor Plaintiff Ahern Rental Inc <i>AFFIDAVIT OF SERVICE - KELLY MARSHALL</i>	08A5712280129.tif pages
04/08/2009	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>AFFIDAVIT OF SERVICE - ACCURCY OF GLASS AND MIRROR INC</i>	08A5712280131.tif pages
04/09/2009	 Affidavit of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>AFFIDAVIT OF SERVICE - CONCRETE VISIONS INC</i>	08A5712280130.tif pages
04/09/2009	 Notice Filed By: Defendant Nevada Construction Services <i>NOTICE OF APPEARANCE</i>	08A5712280133.tif pages
04/14/2009	 Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE MISC DOCS 04-09-09</i>	08A5712280135.tif pages
04/14/2009	 Acceptance of Service Filed By: Intervenor Professional Doors & Millworks LLC <i>ACCEPTANCE OF SERVICE MISC DOCS 04-09-09</i>	08A5712280136.tif pages
04/14/2009	 Acceptance of Service Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>ACCEPTANCE OF SERVICE - CAMCO PACIFIC CONSTRUCTION COMPANY INC</i>	08A5712280137.tif pages
04/14/2009	 Supplemental <i>AHERN RENTAL INCS SUPPLEMENTAL MOTION TO AMEND STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION</i>	08A5712280138.tif pages
04/15/2009	 Conversion Case Event Type <i>DEFT'S MOTION TO INTERVENE /2</i>	08A5712280134.tif pages
04/15/2009	 Summons Filed by: Intervenor Tri-City Drywall Inc	08A5712280139.tif pages

DISTRICT COURT
CASE SUMMARY
CASE No. 08A571228

SUMMONS - CAMCO PACIFIC CONSTRUCTION CO INC

04/17/2009	 Three Day Notice of Intent to Default Filed by: Third Party Plaintiff Professional Doors & Millworks LLC <i>NOORDA SHEET METAL COMPANYS THREE DAY NOTICE OF INTENT TO TAKE DEFAULT</i>	<i>08A5712280140.tif pages</i>
04/17/2009	Three Day Notice of Intent to Default Filed by: Third Party Plaintiff Professional Doors & Millworks LLC <i>NOORDA SHEET METAL COMPANYS THREE DAY NOTICE OF INTENT TO TAKE DEFAULT</i>	<i>08A5712280141.tif pages</i>
04/17/2009	 Reply to Counterclaim Filed by: Counter Defendant APCO Construction <i>APCO CONSTRUCTIONS ANSWER TO INSULPRO PROJECT INCS COUNTERCLAIM AGAINST APCO CONSTRUCTION</i>	<i>08A5712280142.tif pages</i>
04/20/2009	 Answer Filed By: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation <i>Scott Financial Corporations Anser to Insulpro Projects Incs Statement of Facts Constituting Lien</i>	
04/21/2009	 Answer Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corps Answer to Insulpro Projects Incs"s statement of Facts Constituting Lien</i>	
04/21/2009	 Motion to Consolidate Filed By: Plaintiff Apco Construction <i>Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i>	
04/22/2009	 Acceptance of Service Filed By: Intervenor Plaintiff Harsco Corporation <i>Acceptance of Service of Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>	
04/22/2009	 Disclaimer of Interest Filed By: Plaintiff Apco Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction <i>First American Title Ins Co Disclaimer of Interest</i>	
04/24/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Pressure Grout Co <i>Statement of Facts Constituting Lien and Complaint in Intervention-Pressure Grout Company</i>	
04/24/2009	 Three Day Notice of Intent to Default Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC <i>E&E Fire Protection, LLC's Three Day Notice of Intent to Default</i>	

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04/24/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Pressure Grout Co <i>Initial Appearance Fee Disclosure</i>
04/24/2009	 Three Day Notice of Intent to Default Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC <i>Dave Peterson Framing Inc's Three Day Notice of Intent to Take Default on Gemstone Development West Inc</i>
04/24/2009	 Three Day Notice of Intent to Default Filed by: Counter Defendant Noord Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Intervenor Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC <i>Professional Doors and Millworks LLCs Three Day Notice of Intent to Take Default</i>
04/29/2009	 Opposition to Motion Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental's Limited Opposition to Motion to consolidate</i>
04/29/2009	 Answer Filed By: Plaintiff Apco Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction <i>APCO Construction's Answer to Cell-Crete Fireproofing of Nevada, Inc's Statement of Facts Constituting Lien and Complaint in Intervention and Cross-Claim</i>
04/29/2009	 Affidavit of Service <i>Affidavit of Service</i>
04/30/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Professional Doors and Millworks, LLC's Statement of Facts Constituting lien Claim, Complaint and Third Party Complaint</i>
04/30/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to E&E Fire Protection, LLC's Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i>
04/30/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i>
04/30/2009	Certificate of Mailing Filed By: Intervenor Pressure Grout Co
04/30/2009	 Certificate of Mailing Filed By: Intervenor Pressure Grout Co <i>Certificate of Mailing</i>
04/30/2009	 Summons

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed by: Plaintiff Apco Construction

05/01/2009



Joinder

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Joinder in Motion to Consolidate with Case Nos. A574391, A574792, A579963, A583289, A584730 and A587168

05/01/2009



Summons

Filed by: Plaintiff Apco Construction
Party served: Intervenor Defendant Fidelity & Deposit Co Of Maryland
Summons (Affidavit of Service of Summons, Statement of Facts, and Check #13594)- Fidelity and Deposit Company of Maryland

05/01/2009



Summons

Filed by: Counter Claimant Insulpro Projects Inc
Party served: Counter Defendant APCO Construction
Summ-Apco Construction

05/01/2009



Summons

Filed by: Plaintiff Apco Construction
Party served: Intervenor Defendant Gemstone Development West Inc
Summons (Affidavit of Service of Summons and Statement of Facts) - Camco Pacific Construction Company, Inc

05/01/2009



Three Day Notice of Intent to Default

Filed by: Intervenor Plaintiff Harsco Corporation
Three Day Notice of Intent to Default

05/04/2009



Opposition

Opposition to Motion to Consolidate

05/04/2009



Default

Filed By: Intervenor Plaintiff Harsco Corporation
Default Prty: Intervenor Defendant Concrete Visions Inc
Default - Concrete Visions Inc

05/04/2009



Notice of Non Opposition

Filed By: Intervenor Insulpro Projects Inc; Counter Claimant Insulpro Projects Inc
Insulpro Projects, Inc's Notice of Non-Opposition to Apco Construction's Motion to Consolidate

05/04/2009



Certificate of Mailing

Filed By: Plaintiff Apco Construction
Certificate of Mailing

05/04/2009



Notice of Lis Pendens

Filed by: Intervenor Pressure Grout Co
Notice of Lis Pendens

05/05/2009



Motion to Dismiss

Camco Pacific Construction's and Fidelity and Deposit Company of Maryland's Motion to Dismiss the T









05/05/2009



Motion to Intervene













Hydropressure Cleaning, Inc.'s Motion to Intervene

DISTRICT COURT
CASE SUMMARY
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05/05/2009	 Motion to Intervene Party: Other The Masonry Group Nevada, Inc. <i>The Masonry Group Nevada Inc.'s Motion to Intervene</i>
05/05/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Noorda Sheet Metal Companys Third Party Complaint and Camco Pacific Constructions Counterclaim</i>
05/05/2009	 Answer to Third Party Complaint Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to E&E Fire Protection LLC's Third Party Complaint and Camco Pacific Constructions Counterclaim</i>
05/05/2009	 Answer to Third Party Complaint Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Professional Doors and Millworks LLC's Third Party Complaint and Camco Pacific Construction's Counterclaim</i>
05/05/2009	 Answer to Counterclaim Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Cabintec Inc's Complaint in Intervention and Camco Pacific Construction Company Inc's Counterclaim</i>
05/06/2009	 Certificate of Mailing Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Intervenor Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Certificate of Mailing of Camco Pacific Constructions and Fidelity and Deposit Company of Marylands Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc and Notice Thereof</i>
05/07/2009	 Reply to Counterclaim Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC; Third Party Plaintiff Professional Doors & Millworks LLC <i>Noorda Sheet Metal Companys Reply to Camco Pacific Constructions Counterclaim</i>
05/07/2009	 Reply to Counterclaim Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC; Third Party Plaintiff Professional Doors & Millworks LLC <i>Professional Doors and Millworks LLCs Reply to Camco Pacific Constructions</i>



DISTRICT COURT
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CASE NO. 08A571228

Counterclaim

05/07/2009	 Reply to Counterclaim Filed by: Counter Defendant Noord Sheet Metal Company; Third Party Plaintiff Noorda Sheet Metal Company; Intervenor E & E Fire Protectiong LLC; Third Party Plaintiff E & E Fire Protection LLC; Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc; Intervenor Professional Doors & Millworks LLC; Third Party Plaintiff Professional Doors & Millworks LLC <i>E&E Fire Protection LLCs Reply to Camco Pacific Constructions Counterclaim</i>
05/08/2009	 Joinder <i>Scott Financial Corporation's Amended Partial Joinder in Apco Construction's Motion to Consolidate</i>
05/08/2009	 Answer <i>Scott Financial Corporation's Answer to Noorda Sheet Metal Company's Amended Statement of Facts Con</i>
05/08/2009	 Answer <i>Scott Financial Corporation's Answer to Professional Doors and Millworks, LLC's Statement of Facts</i>
05/08/2009	 Answer <i>Scott Financial Corporation's Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Fact</i>
05/08/2009	 Opposition <i>Atlas Construction Supply, Inc.'s Limited Opposition to APCO Construction's Motion to Consolidate with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730 and A587168</i>
05/11/2009	 Opposition to Motion <i>Bradley J. Scott and Scott Financial Corporation's Opposition to APCO Construction's Motion to Cons</i>
05/11/2009	 Affidavit for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc
05/11/2009	 Motion Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Incs Second Supplemental Motion to Amend Statement of Facts Constituting Lien and Complaint-In-Intervention</i>
05/12/2009	 Motion to Amend (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 03/23/2009 Motion <i>AHERN'S MTN TO AMEND STATEMENT OF FACTS/I</i> Motion Granted; <i>Motion Granted</i>
05/12/2009	 Acceptance of Service Filed By: Interpleader Hydropressure Cleaning Inc Party Served: Defendant Nevada Construction Services <i>Nevada Construction Services Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i>
05/12/2009	 Joinder to Opposition to Motion

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Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott Financial Corporation and Bradley J. Scott's Opposition to Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168













05/12/2009	 Joinder To Motion Filed By: Intervenor Tri-City Drywall Inc <i>Joinder in Hydropressure Cleaning Inc's Motion to Intervene & Tri-City Drywall Inc's Request to Intervene</i>
05/13/2009	 Certificate of Mailing <i>Certificate of Mailing</i>
05/13/2009	 Answer <i>Scott Financial Corporation's Answer to Nevada Prefab Engineers, Inc.'s Amended Statement of Facts</i>
05/13/2009	 Answer <i>Scott Financial Corporation's Answer to Harsco Corporation's Amended Statement of Facts Constitutin</i>
05/13/2009	 Notice <i>Notice of Withdrawal of Opposition to Motion to Consolidate</i>
05/13/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Harsco Corporation
05/14/2009	 Certificate of Mailing Filed By: Intervenor Tri-City Drywall Inc <i>Certificate of Mailing of Joinder in Hydropressure Cleaning, Inc.'s Motion to Intervene and Tri-County Drywall, Inc.'s Request to Intervene</i>
05/15/2009	 Answer <i>Scott Financial Corporation's Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint</i>
05/15/2009	 Opposition to Motion Filed By: Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc <i>Dave Peterson Framing Incs Opposition to Camco Pacific Constructions and Fidelity Deposit Company of Marylands Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc</i>
05/15/2009	 Answer to Third Party Complaint Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Insulpro Projects Incs Third Party Complaint and Camco Pacific Constructions Counterclaim</i>
05/18/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Harsco Corporation's Amended Statement of Facts Constit</i>

DISTRICT COURT
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CASE NO. 08A571228




05/19/2009	 Certificate of Service Filed by: Attorney Rutar Mullins, Gwen <i>Certificate of Service</i>
05/20/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to The Pressure Group Company's Statement of Facts Constituting Lien and Complaint in Intervention</i>
05/20/2009	Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie) Events: 04/15/2009 Conversion Case Event Type <i>DEFT'S MOTION TO INTERVENE /2</i> Motion Granted; <i>Motion Granted</i>
05/20/2009	 Reply <i>APCO Construction's Reply in Support of its Motion to Consolidate with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i>
05/21/2009	 Notice Filed By: Plaintiff Apco Construction <i>Notice of Joinder in APCO Constructions Motion to Consolidate by Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson</i>
05/22/2009	 Answer <i>Scott Financial Corporation's Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien</i>
05/22/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Insulpro Projects Inc <i>Three Day Notice of Intent to Default</i>
05/26/2009	 Joinder to Opposition to Motion <i>Joinder of Defendant Bank of Oklahoma, N.A. to Defendants Scott Financial Corporation and Bradley J. Scott's Opposition to Plaintiffs' Motion for Leave to Amend Complaint</i>
05/27/2009	CANCELED Motion to Consolidate (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> <i>matter continued</i>
05/27/2009	CANCELED Joinder (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i> <i>matter continued</i>
05/27/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien</i>
05/28/2009	 Joinder To Motion Filed By: Intervenor Steel Structures Inc; Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers Inc's Joinder to Apco Construction's Motion to Consolidate</i>
05/28/2009	 Stipulation and Order for Dismissal Filed by: Defendant Nevada Construction Services <i>Stipulation and Order for Dismissal Without Prejudice of APCO Construction's Unjust</i>

DISTRICT COURT
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CASE NO. 08A571228













Enrichment Claim Against Nevada Construction Services Only

05/28/2009	Order of Dismissal Without Prejudice (Judicial Officer: Walsh, Jessie) Debtors: Apco Construction (Plaintiff) Creditors: Nevada Construction Services (Defendant) Judgment: 05/28/2009, Docketed: 06/03/2009
05/29/2009	 Opposition <i>Bradley J. Scott And Scott Financial Corporation's Opposition To APCO Construction's Supplement To Motion To Consolidate To Include Case No. A589195 In Consolidation</i>
05/29/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Pape Material Handling <i>Statement of Facts Constituting Lien and Complaint in Intervention</i>
05/29/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Platte River Insurance Company; Intervenor Plaintiff Pape Material Handling; Doing Business As Pape Rents
06/01/2009	 Amended Certificate of Service Party: Other The Masonry Group Nevada, Inc. <i>Amended Certificate of Service</i>
06/02/2009	 Notice of Entry of Stipulation and Order <i>Notice of Entry of Stipulation and Order</i>
06/02/2009	 Answer to Amended Complaint <i>Gemstone Development West, Inc.'s Answer to Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/02/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/02/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/02/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/02/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/02/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Statement of Facts Constituting Lien</i>
06/02/2009	 Answer to Crossclaim <i>Gemstone Development West, Inc.'s Answer to APCO Construction's Cross-Claim Contained in its Answer to Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>












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06/03/2009	Motion to Consolidate (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/28/2009 Joinder To Motion <i>Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168</i>
06/03/2009	Joinder (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Scott Financial Corporation's Joinder in Motion to Consolidate with Case Nos. A574391, A574792, A579963, A583289, A584730 and A587168</i>
06/03/2009	 All Pending Motions (9:00 AM) (Judicial Officer: Walsh, Jessie) Granted in Part; <i>Granted in Part</i>
06/03/2009	 Reply to Counterclaim Filed by: Intervenor Insulpro Projects Inc <i>Reply to Camco Pacific Construction's Counterclaim</i>
06/04/2009	 Answer to Counterclaim <i>Counterdefendant Cabinetec, Inc.'s Answer to Counterclaimant Camco Pacific Construction Company, Inc.'s Counterclaim</i>
06/04/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Patent Construction Systems
06/04/2009	 Notice of Lis Pendens Filed by: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation <i>Patent Construction Systems a Division of Harsco Corporations Notice of Lis Pendens</i>
06/04/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation <i>Patent Construction Systems a Division of Harsco Corporations Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/05/2009	 Reply <i>Reply of Camco Pacific Construction and Fidelity and Deposit Company of Maryland to Dave Peterson Framing, Inc.'s Opposition to Motion to Dismiss the Third Party Complaint</i>
06/05/2009	 Proof of Service Filed by: Intervenor Tri-City Drywall Inc Party Served: Intervenor Defendant Fidelity And Deposit Co Of Maryland; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Proof of Service</i>
06/08/2009	 Motion for Default Judgment Filed By: Intervenor Plaintiff Harsco Corporation <i>Motion for Default Judgment</i>
06/10/2009	 Answer to Complaint <i>APCO Construction's Answer to Zitting Brothers Construction, Inc.'s Complaint</i>
06/10/2009	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie)

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	<i>Vacated</i>
06/10/2009	CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
06/10/2009	CANCELED Joinder (3:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
06/10/2009	CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Walsh, Jessie) <i>Vacated</i>
06/10/2009	 Notice of Motion Filed By: Intervenor Plaintiff Harsco Corporation
06/10/2009	 Affidavit of Service
06/11/2009	 Substitution of Attorney <i>Substitution of Attorney</i>
06/11/2009	 Notice of Department Reassignment
06/11/2009	 Proof of Service Filed by: Intervenor Plaintiff Pape Material Handling <i>Proof of Service of Summons and Complaint</i>
06/15/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Statement of Facts Constituting Lien and Complaint Intervention</i>
06/15/2009	 Lis Pendens Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
06/15/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
06/15/2009	 Ex Parte Motion for Enlargement of Time Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ex Parte Motion to Enlarge Time to Allow For Service of Summons and Complaint Upon Defendant Edelstein</i>
06/15/2009	 Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Intervenor Defendant Gemstone Development West Inc <i>Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/16/2009	 Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Defendant Scott Financial Corporation <i>Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/17/2009	 Summons Filed by: Plaintiff Apco Construction

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06/17/2009	 Summons Filed by: Plaintiff Apco Construction
06/18/2009	 Re-Notice Filed by: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Re-Notice of Hearing of Camco Pacific Construction and Fidelity and Deposit Company of Maryland's Motion to Dismiss the Thrid Party Complaint of David Peterson Framing, Inc.</i>
06/19/2009	 Summons Filed by: Intervenor Patent Construction Systems Party served: Intervenor Defendant Platte River Insurance Company
06/19/2009	 Order Granting Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Order Granting Ex Parte motion to Enlarge Time to Allow for Service of Summons and Complaint Upon Defendant Edelstein</i>
06/23/2009	 Certificate of Mailing Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity And Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Company Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Inc <i>Certificate of Mailing of Camco Pacific Constructions and Fidelity and Deposit Company of Marylands Re-Notice of Hearing of Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc and Notice Thereof</i>
06/23/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Insulpro Projects Inc
06/23/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Insulpro Projects Inc <i>Statement of Facts Constituting Lien and Complaint-In-Intervention</i>
06/23/2009	 Lis Pendens Filed By: Intervenor Insulpro Projects Inc
06/23/2009	 Acceptance of Service Filed By: Interpleader Hydropressure Cleaning Inc Party Served: Defendant Scott Financial Corporation <i>Scott Financial Corporations' Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/24/2009	 Lis Pendens <i>Accuracy Glass & Mirror Company, Inc.'s Amended Notice of Lis Pendens</i>
06/24/2009	 Amended Complaint <i>First Amended Complaint Re Foreclosure (A571792, A574391, A577623, A583289,</i>

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A584730, A587168)

06/24/2009	 Lis Pendens <i>Bruin Painting Corporation's Amended Notice of Lis Pendens</i>
06/24/2009	 Statement <i>Bruin Painting's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i>
06/24/2009	 Lis Pendens <i>HD Supply Waterworks, LP's Amended Notice of Lis Pendens</i>
06/24/2009	 Statement <i>HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i>
06/24/2009	 Lis Pendens <i>Helix Electric's Amended Notice of Lis Pendens</i>
06/24/2009	 Statement <i>Helix Electric's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i>
06/24/2009	 Lis Pendens <i>Heinaman's Amended Notice of Lis Pendens</i>
06/24/2009	 Statement <i>Heinaman Contract Glazing's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i>
06/24/2009	 Lis Pendens <i>WRG Design, Inc.'s Amended Notice of Lis Pendens</i>
06/24/2009	 Statement <i>WRG Design, Inc.'s Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint (A571792, A574391, A577623, A583289, A584730, A587168)</i>
06/26/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Inc.'s First Amended Statement of Facts Constituting Lien and Complaint-in-Intervention</i>
06/29/2009	 Order <i>Order to Consolidate this action with Case A574391, A574792, A577623, A583289, A584730, A587168, A580889 & A589195</i>
06/30/2009	 Answer to Amended Complaint <i>Gemstone Development West, Inc.'s Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/30/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Patent Construction Systems, a Division of Harsco Corporation's Statement of Facts Constituting Lien and Complaint in Intervention</i>













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06/30/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Buchele, Inc.'s Statement of Facts Constituting Lien</i>
06/30/2009	 Answer <i>Gemstone Development West, Inc.'s Answer to Statement of Facts Constituting Lien Claim by Creative Home Theatre, LLC</i>
06/30/2009	 Affidavit of Due Diligence
07/01/2009	 Affidavit for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc
07/02/2009	 Answer <i>APCO Construction's Answer to Ahern Rentals Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/02/2009	 Answer <i>APCO Construction's Answer to Buchele, Inc.'s Statement of Facts Constituting Lien</i>
07/02/2009	 Answer <i>APCO Construction's Answer to Selectbuild Nevada Inc.'s Statement of Facts Constituting Lien</i>
07/02/2009	 Answer <i>APCO Construction's Answer to Las Vegas Pipeline, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/02/2009	 Answer <i>APCO Construction's Answer to The Pressure Grout Company's Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/02/2009	 Notice of Entry of Order <i>Notice of Entry of Order to Consolidate this Action with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, A587168, A580889 and A589195</i>
07/06/2009	CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Clerk</i> <i>Pending Motions separated and individually placed on calendar</i>
07/06/2009	Motion to Intervene (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Hydropressure Cleaning's Motion to Intervene</i>
07/06/2009	Motion to Intervene (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>The Masonry Group Nevada's Motion to Intervene</i>
07/06/2009	Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene</i>
07/06/2009	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>All Pending Motions (07-06-09)</i> <i>Matter Heard;</i> <i>Matter Heard</i>














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07/07/2009	 Statement of Facts Constituting Lien <i>Masonry Group Nevada Inc Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/09/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete Inc Statement of Facts Constituting Lien and Complaint -In- Intervention</i>
07/09/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
07/09/2009	 Lis Pendens Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
07/09/2009	 Certificate of Service
07/09/2009	 Acceptance of Service
07/09/2009	 Summons
07/10/2009	 Statement Filed by: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i>
07/13/2009	 Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
07/13/2009	 Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
07/13/2009	 Summons Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
07/14/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems <i>Three Day Notice of Intent to Take Default</i>
07/14/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems
07/15/2009	 Stipulation and Order for Dismissal Filed by: Defendant Nevada Construction Services <i>Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claim for Unjust Enrichment Against Nevada Construction Services Only</i>
07/15/2009	 Notice of Dismissal Filed By: Intervenor Patent Construction Systems <i>Patent Construction Systems a Division of Harsco Corporations Notice of Dismissal of Platte River Insurance Company</i>









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07/15/2009	 Notice of Voluntary Dismissal Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rentals' Notice of Voluntary Dismissal of Heinaman Contract Glazing and Neal Roffer Only</i>
07/15/2009	 Order Granting Filed By: Intervenor Tri-City Drywall Inc <i>Order Granting Tri- City Drywall Inc's Request to Intervene</i>
07/15/2009	Order of Dismissal Without Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Hydropressure Cleaning Inc (Interpleader) Creditors: Nevada Construction Services (Intervenor Defendant) Judgment: 07/15/2009, Docketed: 07/21/2009
07/15/2009	Order of Dismissal Without Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Platte River Insurance Company (Intervenor Defendant) Creditors: Patent Construction Systems (Intervenor) Judgment: 07/15/2009, Docketed: 07/22/2009
07/16/2009	 Notice of Entry of Order <i>Notice of Entry of Stipulation and Order</i>
07/17/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems <i>Patent Construction Systems A Division of Harsco Corporation's Statement of Facts Constituting Lien and Amended Complaint in Intervention</i>
07/20/2009	 Motion for Default Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 06/10/2009 Notice of Motion <i>Harsco Corp's Motion for Default Judgment</i> Off Calendar; Harsco Corporation's Motion for Default Judgment <i>Off Calendar</i>
07/20/2009	 Answer <i>Scott Financial Corporation's Answer to Patent Construction's Statement of Facts Constituting Lien</i>
07/21/2009	 Order for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Order for Service by Publication</i>
07/21/2009	 Affidavit of Service Filed By: Plaintiff Apco Construction Party Served: Intervenor Defendant Gemstone Development West Inc
07/21/2009	 Consent to Service By Electronic Means Filed By: Intervenor Nevada Prefab Engineers Inc
07/21/2009	 Consent to Service By Electronic Means Filed By: Intervenor Steel Structures Inc
07/21/2009	 Consent to Service By Electronic Means Filed By: Intervenor Plaintiff Pape Material Handling
07/21/2009	 Affidavit of Service

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07/21/2009	 Affidavit of Due Diligence
07/22/2009	 Statement of Facts Constituting Lien Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention</i>
07/22/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Granite Construction Company
07/22/2009	 Notice of Entry of Order Filed By: Intervenor Tri-City Drywall Inc <i>Notice of Entry of Order Granting Tri-city Drywall Inc's Request to Intervene</i>
07/22/2009	 Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc
07/23/2009	 Response <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/23/2009	 Early Case Conference List of Witnesses & Production of Docs <i>Early Case Conference List of Witnesses and Production of Documents</i>
07/23/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Atlas Construction Supply, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/23/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
07/23/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Three Day Notice of Intent to Take Default and Default Judgment Against Gemstone Development West Inc</i>
07/23/2009	 Certificate of Mailing Filed By: Intervenor Plaintiff Ahern Rental Inc
07/23/2009	 Answer to Complaint Filed by: Intervenor Defendant Gemstone Development Inc <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/23/2009	 Answer to Complaint Filed by: Intervenor Defendant Gemstone Development Inc <i>Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/27/2009	CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - On In Error</i> <i>Duplicate Entry</i>

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07/27/2009	 Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing</i> Denied; Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing <i>Denied</i>
07/27/2009	 Notice of Entry of Order <i>Notice of Entry of Order Denying Motion to Clarify and to Reconsider April 6, 2009 Ruling re: Executive Plastering, Inc.'s Application for Prejudgment Writ of Attachment</i>
07/28/2009	 Notice of Change of Address Filed By: Intervenor Insulpro Projects Inc <i>Notice of Change of Firm's Address</i>
07/29/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and Complaint in Intervention</i>
07/30/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i>
07/30/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention</i>
07/30/2009	 Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention</i>
07/30/2009	 Acceptance of Service Filed By: Intervenor Patent Construction Systems Party Served: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation <i>Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention</i>


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07/30/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Answer</i>
07/31/2009	 Summons Filed by: Intervenor Granite Construction Company <i>Summons - Apco Construction</i>
08/03/2009	 Summons Filed by: Intervenor Patent Construction Systems Party served: Intervenor Plaintiff Northstar Concrete, Inc. <i>Summons (Amended Complaint)</i>
08/03/2009	 Proof of Service Filed by: Plaintiff Apco Construction Party Served: Intervenor Defendant Employers Mutual Casualty Co
08/03/2009	 Summons Filed by: Intervenor Patent Construction Systems <i>Summons (Amended Complaint)</i>
08/03/2009	 Voluntary Dismissal <i>Voluntary Dismissal of Fidelity and Deposit Company of Maryland Only From Bruin Painting Corporation's Amended Statement of Facts Constituting Notice of Lien and Third- Party Complaint Without Prejudice</i>
08/04/2009	 Proof of Service Filed by: Intervenor Plaintiff Northstar Concrete, Inc.
08/04/2009	 Proof of Service Filed by: Intervenor Plaintiff Northstar Concrete, Inc.
08/05/2009	 Answer <i>APCO Construction's Answer to Accuracy Glass & Mirror Company's First Amended Complaint re Foreclosure</i>
08/05/2009	 Answer <i>APCO Construction's Answer to Creative Home Theatre, LLC's State of Facts Constituting Lien</i>
08/05/2009	 Answer <i>APCO Construction's Answer to Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention</i>
08/05/2009	 Answer <i>APCO Construction's Answer to HD Supply Waterwork's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint</i>
08/05/2009	 Answer <i>APCO Construction's Answer to Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint</i>
08/05/2009	 Answer

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APCO Construction's Answer to The Masonry Group Nevada, Inc.'s Statement of Facts Constituting a Notice of Lien and Complaint in Intervention

08/06/2009

 Answer


APCO Construction's Answer to WRG Design Inc.'s Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint

08/06/2009

 Answer


APCO Construction's Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

08/06/2009


 Acceptance of Service

Acceptance of Service of Executive Plastering Inc's First Amended Complaint on Gemstone Development West Inc's Behalf

08/07/2009


 Initial Appearance Fee Disclosure

08/07/2009

 Answer


Filed By: Intervenor Defendant Old Republic Surety; Intervenor Defendant Jeff Heit Plumbing Co LLC
Defendants Answer to HD Supply Waterworks' Amended Statement of Facts and Third-Party Complaint

08/11/2009

 Answer to Interpleader

Gemstone Development West, Inc.'s Answer to Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention

08/11/2009

 Answer to Interpleader

Gemstone Development West, Inc.'s Answer to Patent Construction Systems, a Division of Harsco Corporation's Statement of Facts Constituting Lien and Amended Complaint in Intervention

08/11/2009

 Notice

Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228

08/11/2009

 Summons

Filed by: Intervenor Tri-City Drywall Inc
Party served: Intervenor Defendant Accuracy Glas & Mirror Company Inc; Counter Defendant Accuracy Glass & Mirror Company Inc
- *Accuracy Glass & Mirror Company Inc.*

08/11/2009

 Summons

Filed by: Intervenor Tri-City Drywall Inc
Party served: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc
- *Gemstone Development West Inc.*

08/11/2009

 Summons

Filed by: Plaintiff Apco Construction
Party served: Counter Claimant Camco Pacific Construction Co Inc
- *Camco Pacific Construction Company Inc.*














08/11/2009

 Summons

Filed by: Plaintiff Apco Construction
Party served: Intervenor Defendant Gemstone Development West Inc

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- *Gemstone Development West Inc.*

08/11/2009	 Summons Filed by: Plaintiff Apco Construction Party served: Intervenor Defendant Concrete Visions Inc - <i>Concrete Visions Inc.</i>
08/13/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
08/13/2009	 Summons Filed by: Intervenor Patent Construction Systems <i>Summons (Amended Complaint) -Richard Thornton</i>
08/14/2009	 Answer <i>Scott Financial Corporation's Answer to Creative Home Threatre, LLC's Statement of Facts Constituting Lien</i>
08/14/2009	 Answer <i>Scott Financial Corporation's Answer to Supply Network dba Vking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention</i>
08/14/2009	 Answer <i>Scott Financial Corporation's Answer to The Pressure Grout Company's Statement of Facts Constituting Lien and Complaint in Intervention</i>
08/14/2009	 Answer <i>Scott Financial Corporation's Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention</i>
08/14/2009	 Acceptance of Service <i>Acceptance of Service of Zitting Brothers Constratuion, Inc.'s Complaint Re: Floreclosure</i>
08/18/2009	 Answer <i>Scott Financial Corporation's Answer to Statement of Facts Constituting Lien on Behalf of Buchele, Inc.</i>
08/18/2009	 Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Club Vista Financial Services LLC; Intervenor Defendant Tharaldson Motels II Inc
08/18/2009	 Answer Filed By: Intervenor Defendant Club Vista Financial Services LLC; Intervenor Defendant Tharaldson Motels II Inc <i>Club Vista Financial Services, LLC and Tharaldson Motels II, Inc's Answer to Camco Pacific Construction Company, Inc's Statement of Facts and Complaint in Intervention and Counterclaim</i>
08/18/2009	 Order Filed By: Intervenor Dave Peterson Framing Inc <i>Order on Camco Pacific Construction's and Fidelity Deposit Company of Maryland's Motion to Dismiss the Third Party Complaint of Dave Peterson Framing Inc</i>
08/19/2009	 Answer

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Scott Financial Corporation's Answer to The Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

08/20/2009	 Affidavit of Publication Filed By: Plaintiff Apco Construction
08/21/2009	 Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i>
08/21/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Fast Glass, Inc.'s Statement of Facts Constituting Lien</i>
08/21/2009	 Notice Filed By: Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West Incs Notice of Consolidation With Case No 08-A571228</i>
08/24/2009	 Notice of Bankruptcy <i>Selectbuild Nevada, Inc.'S Notice Of Bankruptcy Filing And Automatic Stay</i>
08/25/2009	 Notice <i>Notice of Consolidation with Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195</i>
08/25/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s Statement of Facts Constituting Lien Claim</i>
08/25/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s First Amended Complaint</i>
08/25/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Zitting Brothers Construction, Inc.'s Complaint re: Foreclosure</i>
08/26/2009	 Answer <i>Defendant, Nevada Construction Services' Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention</i>
08/26/2009	 Initial Appearance Fee Disclosure Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire and Fabrication, Inc's Initial Appearance Fee Disclosure</i>
08/26/2009	 Answer Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Answer of Mechanic's Lien Counter-Defendant Ferguson Fire and Fabrication, Inc to Counterclaim of Club Vista Financial Services LLC; Tharldson Motels II Inc ; and Gary D Tharaldson</i>
08/28/2009	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i>

DISTRICT COURT
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CASE NO. 08A571228

08/28/2009	 Statement of Facts Constituting Lien <i>Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
09/02/2009	 Answer to Counterclaim Filed By: Counter Defendant Masonry Group Nevada Inc <i>Masonry Group Nevada Inc's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
09/03/2009	 Three Day Notice of Intent to Default Filed by: Intervenor Patent Construction Systems
09/08/2009	 Answer to Interpleader <i>Alex Edelstein's Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
09/08/2009	 Motion to Dismiss <i>Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i>
09/09/2009	 Motion <i>Motion to Designate this Action as Complex Pursuant to NRCP 16.1(f), and Motion to Set a Discovery Conference Pursuant to NRCP 16</i>
09/09/2009	 Answer and Counterclaim <i>Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and Complaint In Intervention and Camco Pacific Construction Company Inc.'s Counterclaim</i>
09/10/2009	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc
09/10/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Tri-City Drywall Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim</i>
09/10/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Dave Peterson Framing Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim</i>
09/10/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Northstar Concrete Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Inc Counterclaim</i>
09/10/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Counter Defendant Ferguson Fire and Fabrication Inc <i>Answer to Fast Glass Incs Statement of Facts Constituting Lien and Camco Pacific Construction Company Incs Counterclaim</i>
09/10/2009	 Answer

DISTRICT COURT
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CASE NO. 08A571228

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Helix Electrics Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Incs Counterclaim

09/10/2009



Answer to Complaint

Filed by: Counter Claimant Camco Pacific Construction Co Inc
Answer to Selectbuild Nevada Inc's Complaint in Intervention and Camco Pacific Construction Company Inc's Counterclaim

09/10/2009



Initial Appearance Fee Disclosure

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland

09/10/2009



Initial Appearance Fee Disclosure

Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland

09/11/2009



Answer

Answer to WRG Desing Inc's Statement of Facts Constituting Lien Third Party Complaint and Camco Pacific Construction Inc's Counterclaim

09/11/2009



Answer to Complaint

Answer to Accuracy Glass & Mirror Company Inc's Complaint and Camco Pacific Construcion Inc's Counterclaim

09/11/2009



Answer to Complaint

Filed by: Counter Claimant Camco Pacific Construction Co Inc
Answer to Bruin Painting Corporation's Statement of Facts Constituting Lien Third Party Complaint and Camco Pacific Construction Inc's Counterclaim

09/11/2009



Answer to Third Party Complaint

Filed By: Third Party Defendant Camco Pacific Construction Co Inc
Answer tp Heinaman Contract Glazing's Statement of Facts Constitutiting Lien Third Party Complaint and Camco Pacific Construcion's Counterclaim

09/18/2009



Motion for Sanctions

Motion for Sanctions Pursuant to NRCP 11

09/18/2009



Reply to Counterclaim

Filed by: Counter Defendant Dave Peterson Framing Inc
Dave Peterson Framing Incs Reply to Camco Pacific Constructions Counterclaim

09/18/2009



Default

Filed By: Intervenor Patent Construction Systems

09/18/2009



Default

09/23/2009



Amended Summons

Amended Summons













09/23/2009



Motion for Clarification











Renewed Motion for Clarificaton Or Reconsideration of April 6, 2009 Ruling Re: Executive Plastering Inc.'s Application For Order To Show Cause Why Prejudgment Writ of Attachment and Writ Of Garnishment Should Not Issue After Notice

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CASE NO. 08A571228

09/23/2009	 Motion to Dismiss <i>Plaintiff Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim or, in the Alternative, Motion for a More Definite Statement</i>
09/23/2009	 Amended Summons Filed By: Doing Business As Helix Electric Party Served: Intervenor Defendant APCO Construction <i>Amended Summons - APCO Construction</i>
09/23/2009	 Amended Summons <i>Amended Summons - APCO Construction (as defendant ?? claim)</i>
09/24/2009	 Amended Summons <i>Amended Summons</i>
09/24/2009	 Amended Summons <i>Amended Summons</i>
09/24/2009	 Amended Summons <i>Amended Summons</i>
09/24/2009	 Amended Summons <i>Amended Summons</i>
09/24/2009	 Certificate of Mailing
09/25/2009	 Opposition to Motion to Dismiss Filed By: Plaintiff Apco Construction <i>Opposition to Scott Financial Corporation Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
09/25/2009	 Answer Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Steel Structures, Inc. Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
09/25/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland <i>Answer to Nevada Prefab Engineers, Inc.'s Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
09/25/2009	 Answer Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Inc.'s Counterclaim</i>
09/25/2009	 Answer to Complaint Filed by: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Buchele, Inc.'s Complaint for Damages and to Foreclosure Mechanic's Lien</i>

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and Camco Pacific Construction Company Inc.'s Counterclaim

09/25/2009	 Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Answer to Ferguson Fire & Fabrication, Inc.'s Statement of Facts Constituting Lien and Complaint-in-Intervention and Camco Pacific Construction Company Inc.'s Counterclaim</i>
09/25/2009	 Reply to Counterclaim Filed by: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Counter Defendant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc <i>Reply to Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i>
09/28/2009	 Opposition to Motion to Dismiss Filed By: Plaintiff Apco Construction <i>Opposition to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i>
09/28/2009	 Response Filed by: Plaintiff Apco Construction <i>Response of Club Vista Financial Services, Inc., Tharaldson to Motion to Designate this Action as Complex Pursuant to NRCP 16.1(F), and Motion to Set a Discovery Conference Pursuant to NRCP 16</i>
09/29/2009	 Reply <i>Fast Glass, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Counterclaim</i>
09/29/2009	 Opposition <i>Apco Construction's Limited Opposition to Scott Financial Corporation's Motion to Designate as Complex and Set a Rule 16 Conference</i>
09/29/2009	 Reply to Counterclaim Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim</i>
09/29/2009	 Reply to Counterclaim Filed by: Intervenor Plaintiff Inquipco <i>Inquipco's Reply to Club Vista Financial Services LCC and Tharaldson Motel II, Inc.'s Counterclaim</i>
09/29/2009	 Reply to Counterclaim Filed by: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim</i>
09/29/2009	 Notice of Change of Firm Name Filed By: Counter Defendant Ferguson Fire and Fabrication Inc

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Notice of Change of Firm Name and Address

09/30/2009	 Opposition Filed By: Attorney Morris, Steven L.; Third Party Defendant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Opposition to Nevada Construction Services' Motion for Sanctions Pursuant to NRCP 11</i>
09/30/2009	 Answer to Amended Complaint Filed By: Counter Defendant Camco Pacific Construction Inc; Counter Claimant Camco Pacific Construction Co Inc <i>Answer to first amended complaint and counterclaim</i>
10/01/2009	 Answer to Complaint Filed by: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West Inc's Answer to Complaint for Damages and to Foreclose Mechanic's Lien</i>
10/01/2009	 Answer Filed By: Intervenor Defendant Gemstone Development West Inc <i>Gemstone Development West, Inc.'s Answer to Custom Select Billing, Inc.'s Statement of Facts constitution Lien and Complaint in Intervention</i>
10/02/2009	 Motion to Associate Counsel <i>Motion to Associate Counsel Christine R. Taradash</i>
10/02/2009	 Motion to Associate Counsel <i>Motion to Associate Counsel John T. Moshier</i>
10/05/2009	 Motion to Associate Counsel <i>Motion to Associate Counsel Martin A. Aronson</i>
10/06/2009	 Reply <i>Reply in Support of Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim</i>
10/06/2009	 Answer to Counterclaim Filed By: Plaintiff Apco Construction <i>Plaintiff/Counter-Defendant's Answer to Defendant's First Amended Counterclaim</i>
10/09/2009	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure Statement</i>
10/09/2009	 Joinder <i>Bradley J. Scott's Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i>
10/09/2009	 Notice of Change of Address Filed By: Intervenor Plaintiff Selectbuild Nevada Inc
10/09/2009	 Notice of Change of Address Filed By: Intervenor Plaintiff Selectbuild Nevada Inc
10/12/2009	Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/12/2009, 10/26/2009

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Events: 09/08/2009 Motion to Dismiss

DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM

Matter Continued; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM

Granted;

Matter Continued; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM

Granted;

Matter Continued

10/12/2009 **Motion** (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.)

Events: 09/09/2009 Motion

DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16


Granted; DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16

Granted

10/12/2009  **All Pending Motions** (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.)

DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16

MINUTES


 **Mandatory Rule 16 Conference** (11/19/2009 at 10:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard


Matter Heard; DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...DEFT SCOTT FINANCIAL CORP'S MOTION TO DESIGNATE THIS ACTION AS COMPLEX PURSUANT TO NRCP 16.1(f), AND MOTION TO SET A DISCOVERY CONFERENCE PURSUANT TO NRCP 16

Matter Heard

SCHEDULED HEARINGS

 **Mandatory Rule 16 Conference** (11/19/2009 at 10:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Matter Heard

10/12/2009  **Joinder**

Filed By: Counter Defendant Republic Crane Service LLC
Notice of Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim














10/12/2009  **Answer to Counterclaim**

Filed By: Counter Defendant Masonry Group Nevada Inc
Masonry Group Nevada Incs Answer to Camco Pacific Construction Incs Counterclaim

10/12/2009  **Answer to Counterclaim**











Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
Cell-Crete Fireproofing of Nevada Inc's Answer to Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson's Counterclaim

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10/12/2009	 Summons Filed by: Plaintiff Apco Construction
10/13/2009	 Certificate of Mailing Filed By: Counter Defendant Masonry Group Nevada Inc <i>Errata to Certificate of Mailing</i>
10/14/2009	 Reply <i>Reply in Support of NCS' Motion for Sanctions Pursuant to NRCP 11</i>
10/14/2009	 Notice <i>Fast Glass, Inc.'s Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i>
10/14/2009	 Joinder <i>Plaintiff/Counterdefendant Buchele, Inc.'s Joinder to Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim, or, in the Alternative, Motion for a More Definite Statement</i>
10/14/2009	 Answer to Complaint Filed by: Counter Defendant Executive Plastering Inc <i>Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
10/15/2009	 Joinder Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Ahern Rental Inc.'s Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motel II, Inc.'s Counterclaim</i>
10/15/2009	 Motion to Withdraw As Counsel <i>Richard A Koch's Motion to Withdraw as Counsel</i>
10/15/2009	 Reply to Counterclaim Filed by: Intervenor Plaintiff Northstar Concrete, Inc.; Counter Defendant Northstar Concrete Inc; Counter Defendant Northstar Concrete Inc <i>Plaintiff in Intervention Northstar Concrete Incs Reply to Camco Pacific Company Incs Counterclaim</i>
10/15/2009	 Reply to Counterclaim Filed by: Intervenor Tri-City Drywall Inc <i>Plaintiff in Intervention Tri-City Drywall Incs Reply to Camco Pacific Company Incs Counterclaim</i>
10/15/2009	 Reply to Counterclaim Filed by: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation; Intervenor EZA P C; Doing Business As Oz Architecture Of Nevada Inc <i>Eza PC dba Oz Architecture of Nevada Inc, Harsco Corporation and Patent Construction Systems a Division of Harsco Corporation's Reply to Counterclaim of Club Vista Financial Services LLC and Tharaldson Motels II Inc</i>
10/16/2009	 Answer to Counterclaim <i>Uintah Investments, LLC's Reply to Club Vista Financial Services, LLC's, Tharaldson Motels II, Inc.'s and Gary D. Tharaldson's Counterclaim</i>
10/16/2009	 Acceptance of Service

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Scott Financial Corporation's Acceptance of Service of Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

10/16/2009	 Answer <i>Las Vegas Pipeline's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim</i>
10/16/2009	 Notice <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Notice of Consolidation With Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889, A589195 and A597089</i>
10/16/2009	 Notice Filed By: Counter Defendant Noord Sheet Metal Company; Intervenor Professional Doors & Millworks LLC <i>Noorda Sheet Metal Company's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s CounterClaim</i>
10/16/2009	 Reply to Counterclaim Filed by: Counter Defendant Granite Construction Company <i>Counterdefendant Granite Construction Company's Reply to Club Vista Financial Services, LLC's Counterclaim</i>
10/16/2009	 Joinder To Motion Filed By: Third Party Plaintiff Dave Peterson Framing Inc <i>Dave Peterson Framing Inc's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
10/16/2009	 Joinder To Motion <i>E & E Fire Protection LLC's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
10/16/2009	 Joinder To Motion <i>Professional Doors and Millworks LLC's Notice of Joinder in Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
10/16/2009	 Joinder <i>Renaissance Pools & Spas, Inc.'s Joinder to Zitting Brothers Construction, Inc.'s Partial Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim, or in the Alternative, Motion for a More Definite Statement</i>
10/19/2009	 Motion for Sanctions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/18/2009 Motion for Sanctions <i>DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11</i> Denied; DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11 <i>Denied</i>
10/19/2009	 Answer to Counterclaim Filed By: Counter Defendant Republic Crane Service LLC <i>Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>

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10/19/2009	 Answer to Counterclaim <i>Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim</i>
10/19/2009	 Amended Notice Filed By: Defendant Scott Financial Corporation <i>Amended Notice of Scott financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, INC's Counterclaim</i>
10/21/2009	 Stipulation for Dismissal <i>Stipulation for Dismissal Without Prejudice of Count Nine (Acting in Concert/Civil Conspiracy) Against Zitting Brothers Construction Inc</i>
10/21/2009	 Opposition to Motion Filed By: Counter Defendant Executive Plastering Inc <i>Opposition to Renewed Motion to Clarify and to Reconsider April 6 2009 Ruling Re Executive Plastering Incs Application for Prejudgment Writ of Attachment</i>
10/21/2009	Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Zitting Brothers Construction Inc (Counter Defendant) Creditors: Club Vista Financial Services LLC (Counter Claimant), Tharaldson Motels II Inc (Counter Claimant), Gary D Tharaldson (Counter Claimant) Judgment: 10/21/2009, Docketed: 10/22/2009 Comment: Certain Claim
10/21/2009	 Reply to Counterclaim Filed by: Counter Defendant Supply Network Inc
10/21/2009	 Reply <i>Reply of Counterdefendant John Deere Landscape Inc to Counterclaim of Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D. Tharaldson</i>
10/21/2009	 Certificate of Service Filed by: Counter Defendant Supply Network Inc <i>Certificate of Service of Reply of Counterdefendant Supply Network, Inc to Counterclaim of Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson</i>
10/21/2009	 Certificate of Service Filed by: Counter Defendant John Deere Landscape Inc <i>Certificate of Service of Reply of Counterdefendant John Deere Landscape Inc to Counterclaim of Club Vista Financial Services LLC, Tharaldson Motels II Inc, and Gary D Tharaldson</i>
10/23/2009	 Acceptance of Service
10/26/2009	CANCELED Motion to Dismiss (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Stipulation and Order</i> <i>Stip and Order received 10/19/09</i>
10/26/2009	 Motion to Reconsider (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 10/26/2009, 11/03/2009 Events: 09/23/2009 Motion for Clarification <i>DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE)</i> Wrong department

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	<p>Matter Continued; MOTION FOR RECONSIDERATION Granted; DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE) Wrong department Matter Continued; MOTION FOR RECONSIDERATION Granted; DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATION OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE) <i>Matter Continued</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/09/2009 Joinder <i>Bradley J. Scott's Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim</i> Granted; <i>Granted</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/12/2009 Joinder <i>LIEN CLAIMANT REPUBLIC CRANE'S JOINDER IN SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM</i> Granted; <i>Granted</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/15/2009 Joinder <i>PLTF AHERN RENTAL'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THERALDSON MOTEL II'S COUNTERCLAIM</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT DAVE PETERSON FRAMING INC'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i> Granted; <i>Granted</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT E&E FIRE PROTECTION'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i> Granted; <i>Granted</i></p>
10/26/2009	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/16/2009 Joinder To Motion <i>LIEN CLAIMANT DOORS AND MILLWORKS' JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM</i></p>
10/26/2009	<p>CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Stipulation and Order Stip and Order received 10/19/09</i></p>
10/26/2009	<p>CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)</p>

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*Vacated - per Stipulation and Order
Stip and Order received*

10/26/2009



All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

BRADLEY J. SCOTT'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES, LLC AND THARALDSON MOTELS II, INC'S COUNTERCLAIM...LIEN CLAIMANT REPUBLIC CRANE'S JOINDER IN SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM...PLTF AHERN RENTAL'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THERALDSON MOTEL II'S COUNTERCLAIM...LIEN CLAIMANT DAVE PETERSON FRAMING INC'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...LIEN CLAIMANT E&E FIRE PROTECTION'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...LIEN CLAIMANT DOORS AND MILLWORKS' JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM...DEFT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS CLUB VISTA

*Matter Heard;
Matter Heard*

10/29/2009



Reply to Opposition

Filed by: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Counter Defendant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc
Camco's Reply to Opposition to Renewed Motion for Clarification and Reconsideration

11/02/2009

CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

*Vacated
Order signed*

11/02/2009

CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

*Vacated
Order signed*

11/02/2009



Order Granting Motion

Order Granting Motion to Associate Counsel John Moshier

11/02/2009



Order Granting Motion

Order Granting Motion to Associate Counsel Christine Taradash

11/02/2009



Order Granting Motion

Order Granting Motion to Associate Counsel Martin A Aronson

11/04/2009



Reply











Counterdefendant Cabinetec Inc.'s Reply to Club Vista Financial Services LLC's Counterclaim

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228










11/04/2009	 Motion to Withdraw As Counsel <i>Motion to Withdraw as Counsel</i>
11/04/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Complaint for Damages and to Foreclose Mechanic's Lien (Buchehe, Inc.)</i>
11/04/2009	 Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i>
11/04/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Uintah Investments, LLC Complaint</i>
11/04/2009	 Answer to Interpleader <i>Gemstone Development West, Inc.'s Answer to Ready Mix, Inc.'s Statement of Facts Constituting Lien and Complaint for Foreclosure of Mechanics' Lien</i>
11/04/2009	 Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (HA Fabricators, Inc.)</i>
11/04/2009	 Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (Graybar Electric Company, Inc.)</i>
11/04/2009	 Answer <i>Scott Financial Corporation's Answer to Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
11/04/2009	 Notice <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228 (PCI Group, LLC)</i>
11/04/2009	 Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i>
11/04/2009	 Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i>
11/04/2009	 Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc Gemstone Development West Inc

DISTRICT COURT
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CASE NO. 08A571228














Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228

11/04/2009	 Notice Filed By: Intervenor Defendant Gemstone Development West Inc; Counter Claimant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Gemstone Development West Inc <i>Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228</i>
11/04/2009	Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Cabinetec Inc; Counter Defendant Cabinetec Inc; Counter Defendant Cabinetec Inc
11/05/2009	 Answer <i>Scott Financial Corporation's Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
11/06/2009	 Motion to Amend Complaint Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation's Proposed Second Amended Complaint in Intervention</i>
11/10/2009	 Order <i>Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCPC 16.1(f), and Continuing the Hearing on Defendant Scott Financial Corporation's Motion to Dismiss Co-Defendants Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i>
11/10/2009	 Order Granting Filed By: Counter Claimant Camco Pacific Construction Co Inc
11/10/2009	 Order Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
11/10/2009	 Notice of Motion Filed By: Counter Defendant Harsco Corporation
11/10/2009	Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Ferguson Fire and Fabrication Inc (Counter Defendant) Judgment: 11/10/2009, Docketed: 11/12/2009
11/11/2009	 Notice of Entry <i>Notice of Entry of Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCPC 16.1(f), and Continuing the Hearing on Defendant Scott Financial Corporation's Motion to Dismiss Co-Defendants Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Counterclaim</i>
11/12/2009	 Notice of Entry of Order Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
11/13/2009	 Stipulation and Order for Dismissal Filed by: Counter Defendant Steel Structures Inc <i>Stipulation and Order for Dismissal of Steel Structures, INC.'s Complaint Against Camco Pacific Construction, and Camco's Counterclaim Against Steel Structures, INC.</i>

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11/13/2009	Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Camco Pacific Construction Co Inc (Intervenor Defendant), Camco Pacific Construction Co Inc (Counter Claimant) Creditors: Steel Structures Inc (Intervenor), Steel Structures Inc (Counter Defendant) Judgment: 11/13/2009, Docketed: 11/13/2009
11/16/2009	 Reply <i>Nevada Prefab's Reply to Camco's Counterclaim</i>
11/16/2009	CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated</i> <i>Order signed</i>
11/16/2009	 Notice of Entry of Order <i>Notice of Entry of Order for Dismissal of Steel Structures Complaint against Camco Pacific Construction and Camcos Counterclaim Against Steel Structures</i>
11/17/2009	 Notice of Entry of Order Filed By: Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Company Inc; Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Inc; Intervenor Defendant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc; Counter Claimant Camco Pacific Construction Co Inc
11/18/2009	 Answer Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third Party Complaint</i>
11/19/2009	 Mandatory Rule 16 Conference (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; <i>Matter Heard</i>
11/23/2009	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/15/2009 Motion to Withdraw As Counsel <i>KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC</i> Correct date to 11/23/09 Granted; KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC <i>Granted</i>
11/23/2009	 Answer to Interpleader <i>Gemstone Development West Inc's Answer to PCI Group LLC's Complaint</i>
11/23/2009	 Errata Filed By: Counter Defendant Republic Crane Service LLC <i>Errata to Motion to Withdraw as Counsel</i>
11/25/2009	 Order Granting Motion <i>Order Granting Motion to Withdraw as Counsel</i>

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11/25/2009	 Order Granting Motion Filed By: Counter Defendant Republic Crane Service LLC <i>Order Granting Motion to Withdraw as Counsel</i>
12/01/2009	 Substitution of Attorney <i>Substitution of Attorneys</i>
12/07/2009	 Errata <i>Errata to Affidavit in Support of Motion to Withdraw as Counsel</i>
12/07/2009	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/04/2009 Motion to Withdraw As Counsel <i>WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC</i> Granted; WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC <i>Granted</i>
12/07/2009	 Notice of Entry <i>Notice of Entry of Order</i>
12/08/2009	 Motion to Amend Complaint (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 11/06/2009 Motion to Amend Complaint <i>HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION</i> Granted; HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION <i>Granted</i>
12/09/2009	 Motion to Withdraw As Counsel
12/09/2009	 Notice of Hearing Filed By: Counter Defendant Executive Plastering Inc <i>Notice of Hearing Re Motion to Withdraw as Counsel on an Order Shortening Time</i>
12/16/2009	 Order Granting Motion <i>Order Granting Harsco Corporation's Motion to Amend Complaint in Intervention</i>
12/18/2009	 Summons <i>Substitution of Attorney</i>
12/21/2009	 Order Granting Motion Filed By: Intervenor Plaintiff Cabinetec Inc <i>Order Granting Motion to Withdraw as Counsel</i>
12/21/2009	 Notice of Entry of Order Filed By: Intervenor Plaintiff Harsco Corporation
12/23/2009	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 12/09/2009 Motion to Withdraw As Counsel <i>CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR PLTF EXECUTIVE PLASTERING INC</i> Conditionally Granted; CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF


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RECORD FOR PLTF EXECUTIVE PLASTERING INC
Conditionally Granted

12/23/2009	 Motion to Withdraw As Counsel <i>Motion to Withdraw As Counsel</i>
12/23/2009	 Amended Complaint Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporations Second Amended Complaint in Intervention</i>
12/28/2009	 Notice of Entry of Order Filed By: Intervenor Plaintiff Cabinetec Inc
12/29/2009	 Errata Filed By: Counter Defendant Executive Plastering Inc <i>Errata to Motion to Withdraw as Counsel on an Order Shortening Time</i>
01/08/2010	 Answer to Counterclaim <i>Plaintiff/Counter-Defendant HA Fabricators, Inc.'s Answer to APCO Construction's Counterclaim</i>
01/11/2010	 Notice of Dismissal Filed By: Intervenor Plaintiff Inquipco <i>Plaintiff In Intervention Inquipco's Notice of Dismissal</i>
01/11/2010	 Notice of Bankruptcy Filed By: Counter Defendant Masonry Group Nevada Inc <i>Notice of Chapter 7 Bankruptcy Filing and Automatic Stay as to the Masonry Group Nevada Inc</i>
01/11/2010	 Release of Lis Pendens Filed By: Intervenor Plaintiff Inquipco <i>Plaintiff in Intervention Inquipco's Release of Lis Pendens</i>
01/11/2010	Dismissal Pursuant to NRCP 41 (Judicial Officer: Delaney, Kathleen E.) Debtors: Accuracy Glas & Mirror Company Inc (Intervenor Defendant), Employers Mutual Casualty Co (Intervenor Defendant), Gemstone Development West Inc (Intervenor Defendant) Creditors: Inquipco (Intervenor Plaintiff) Judgment: 01/11/2010, Docketed: 01/14/2010
01/19/2010	 Order Filed By: Counter Defendant Executive Plastering Inc <i>Order Re Motion to Withdraw as Counsel on an Order Shortening Time</i>
01/22/2010	 Notice of Entry of Order Filed By: Counter Defendant Executive Plastering Inc <i>Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time</i>
01/25/2010	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 12/23/2009 Motion to Withdraw As Counsel <i>GILBERT AND THUESON'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN</i>


MINUTES












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 **Status Check** (02/22/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard

Granted;
Granted













SCHEDULED HEARINGS

 **Status Check** (02/22/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN Matter Heard

01/26/2010	 Amended Certificate of Mailing Filed By: Counter Defendant Executive Plastering Inc <i>Amended Certificate of Mailing Re Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time</i>
01/28/2010	 Order <i>Case Management Order</i>
01/29/2010	 Notice <i>Notice of Entry of Case Management Order</i>
02/01/2010	 Certificate <i>Amended Certificate of Service</i>
02/02/2010	 Order <i>Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc.; Gemstone Devement, LLC; and Alexander Edelstein</i>
02/03/2010	 Notice of Entry <i>Notice of Entry of Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc., Gemstone Development, LLC, and Alexander Edelstein</i>
02/03/2010	 Consent to Service By Electronic Means <i>Pape Rents' Consent to Service by Electronic Means</i>
02/04/2010	 Consent <i>Harsco Corporation and EZ, P.C. dba Oz Architecture of Nevada, Inc.'s Consent to Service by Electronic Means</i>
02/05/2010	 Substitution of Attorney <i>Substitution of Attorney for The Pressure Grout Company</i>
02/12/2010	 Suggestion of Bankruptcy <i>Suggestion of Bankruptcy Petition Amicus Curiae</i>
02/12/2010	 Stipulation and Order <i>Stipulation and Order of Dismissal of Defendant Nevada Construction Services Without Prejudice</i>
02/12/2010	Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Nevada Construction Services (Defendant) Creditors: Apco Construction (Plaintiff)

















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Judgment: 02/12/2010, Docketed: 02/16/2010


















02/12/2010	 Stipulation and Order for Dismissal Filed by: Interpleader Hydropressure Cleaning Inc <i>Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claims Against Nevada Construction Services Only</i>
02/12/2010	Order of Dismissal Without Prejudice (Judicial Officer: Delaney, Kathleen E.) Debtors: Nevada Construction Services (Intervenor Defendant) Creditors: Hydropressure Cleaning Inc (Interpleader) Judgment: 02/12/2010, Docketed: 02/19/2010
02/17/2010	 Consent to Service By Electronic Means <i>Consent to Service By Electronic Means</i>
02/22/2010	 Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN</i> Matter Heard; <i>STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN</i> Matter Heard
02/23/2010	 Interrogatories <i>Lenders' Standard Interrogatories to Lien Claimants</i>
02/23/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
02/26/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Plaintiff Ahern Rentals, Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only</i>
03/01/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
03/02/2010	 Notice of Hearing <i>Notice of Hearing on Ahern Rental Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only</i>
03/02/2010	 Certificate of Service <i>Certificate of Service of Notice of Motion for Partial Summary Judgment of Atlas Construction Supply, Inc. Against Gemstone Development West, Inc.</i>
03/04/2010	 Ex Parte Motion <i>Ex Parte Motion for Order to Show Cause on Order Shortening Time</i>
03/05/2010	 Errata <i>Errata To Order To Show Cause</i>
03/05/2010	 Notice of Intent to Take Default <i>Three Day Notice of Intent to Enter Default Against HA Fabricators, Inc. on</i>

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

Counterclaim Asserted by APCO Construction

03/05/2010	 Notice of Intent to Take Default <i>Three Day Notice of Intent to Take Default Against Gemstone Development West, Inc. on Third-Party Complaint Asserted by APCO Construction Against Gemstone Development West, Inc.</i>
03/08/2010	 Substitution of Attorney <i>Substitution of Attorney</i>
03/08/2010	 Objection <i>Scott Financial Corporation's Objection To Written Discovery Requests To Gemstone Development West., Inc.</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Service</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>

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03/09/2010	 Affidavit of Service <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit of Due Diligence <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Service</i>
03/09/2010	 Affidavit of Service <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service re: Arch Aluminum c/o The Corporation trust Company of Nevada as Resident Agent</i>
03/09/2010	 Joinder <i>Zitting Brothers Construction, Inc.'s Joinder to APCA Construction's Objection to Lenders' Standard Interrogatories to Lien Claimants</i>
03/09/2010	 Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 03/04/2010 Ex Parte Motion <i>HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT</i> Granted in Part; HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT <i>Granted in Part</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>

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03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Due Diligence</i>
03/09/2010	 Affidavit <i>Affidavit of Service</i>
03/09/2010	 Errata Filed By: Defendant Scott Financial Corporation <i>Errata To Order To Show Cause</i>
03/10/2010	 Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i>
03/10/2010	 Affidavit <i>Affidavit of Service</i>
03/10/2010	 Affidavit <i>Affidavit of Service</i>
03/10/2010	 Notice of Change of Address Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP <i>Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Notice of Change of Address, Telephone and Facsimile Numbers</i>
03/17/2010	 Opposition <i>Scott Financial Corporation's Opposition To Atlas Construction Supply, Inc.'s Motion For Partial Summary Judgment Against Gemstone Development West, Inc.</i>
03/17/2010	 Opposition

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Scott Financial Corporation's Opposition To Ahern Rentals, Inc.'s Motion For Partial Summary Judgement Against Defendant Alex Edelstein

03/19/2010	 Opposition to Motion For Summary Judgment <i>Defendant's Opposition to Ahern Rental Inc.'s Motion For Partial Summary Judgment Against Alex Edelstein Only</i>
03/22/2010	 Errata Filed By: Defendant Scott Financial Corporation <i>Third Errata to Order to Show Cause</i>
03/23/2010	 Answer to Third Party Complaint Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to Northstar Concrete, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention</i>
03/23/2010	 Substitution of Attorney Filed by: Intervenor Cell Crete Fireproofing Of NV Inc; Counter Defendant Cellcrete Fireproofing of Nevada Inc <i>Substitution of Counsel</i>
03/25/2010	 Joinder <i>Zitting Brothers Construction, Inc.'s Joinder to Scott Financial corporation's Opposition to Atlas Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
03/25/2010	 Reply to Opposition <i>Reply to Scott Financial Corporation's Opposition to Ahern's Motion for Partial Summary Judgment</i>
03/25/2010	 Reply to Opposition <i>Reply to Defendant Edelstein's Opposition to Ahern's Motion for Partial Summary Judgment</i>
03/25/2010	 Answer to Crossclaim Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to Renaissance Pools & Spas, Inc.'s Statement of Facts Constituting Lien Claim</i>
03/26/2010	 Default <i>Default Against Gemstone Development West, Inc. on Third-Party Complaint Asserted by APCO Construction in Case No. A-09-596924-C which was Consolidated into A571228</i>
03/26/2010	 Certificate of Mailing <i>Certificate of Mailing</i>
03/26/2010	 Default <i>(set aside 04-28-10) Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i>
03/29/2010	 Order Granting Filed By: Intervenor Defendant Scott Financial Corp <i>Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause</i>
















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03/30/2010	 Reply Filed by: Plaintiff Apco Construction <i>Atlas Construction Supply, Inc.'s Reply Brief In Support of Its Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
03/30/2010	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 02/26/2010 Motion for Partial Summary Judgment <i>Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only</i> Granted in Part; Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only <i>Granted in Part</i>
03/31/2010	 Motion for Substitution <i>Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25</i>
04/01/2010	 Notice of Lis Pendens <i>Cactus Rose Construction's Notice of Lis Pendens</i>
04/01/2010	 Statement of Facts Constituting Lien <i>A587168 Cactus Rose Construction's Statement of Facts Constituting Notice of Lien and Complaint</i>
04/02/2010	 Certificate of Service <i>Certificate of Service of Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25</i>
04/05/2010	 Voluntary Dismissal <i>HD Supply Waterworks LLP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice</i>
04/05/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
04/05/2010	 Response Filed by: Plaintiff Apco Construction <i>Atlas Construction Supply, Inc.'s Answers to Lenders' Standard Interrogatories to Lien Claimants</i>
04/05/2010	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 04/05/2010, 04/13/2010 Events: 03/01/2010 Motion for Partial Summary Judgment <i>Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> Matter Continued; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Granted; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Matter Continued; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. Granted; Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc. <i>Matter Continued</i>
04/05/2010	

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	 Notice of Lis Pendens <i>Interstate Plumbing & Air Conditioning's Notice of Lis Pendens</i>
04/05/2010	 Statement of Facts Constituting Lien <i>A587168 Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complaint</i>
04/05/2010	Dismissal Pursuant to NRCP 41 (Judicial Officer: Delaney, Kathleen E.) Debtors: Platte River Insurance Co (Intervenor Defendant) Creditors: HD Supply Waterworks LP (Consolidated Case Party) Judgment: 04/05/2010, Docketed: 04/09/2010
04/07/2010	 Response Filed by: Plaintiff Apco Construction <i>Ferguson Fire & Fabrication, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimants</i>
04/07/2010	 Consent to Service By Electronic Means <i>Consent for Service by Electronic Means</i>
04/07/2010	 Notice of Compliance <i>Insulpro Projects, Inc.'s First Notice of Compliance</i>
04/07/2010	 Production of Documents Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Production of Documents Pursuant to Case Management Order</i>
04/07/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
04/07/2010	 Miscellaneous Filing <i>APCO Construction's Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i>
04/07/2010	 Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i>
04/07/2010	 Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i>
04/07/2010	 Response Filed by: Plaintiff Apco Construction <i>Scott Financial Corporation's Responses to Lien Claimant's Standard Request for Admissions</i>
04/07/2010	 Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i>
04/08/2010	 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 <i>Lien Claimant Cell-Crete Fireproofing's Initial Disclosure of Documents and Witnesses</i>

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04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/08/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/09/2010	 Notice of Intent to Take Default <i>Notice of Intent to Default</i>
04/09/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
04/09/2010	 Early Case Conference Disclosure Statement <i>Early Case Conference Disclosure Statement</i>
04/13/2010	 Affidavit of Due Diligence Filed By: Plaintiff Apco Construction <i>Affidavit of Due Diligence</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Acceptance of Service <i>Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i>
04/13/2010	 Acceptance of Service <i>Acceptance of Service by Asphalt Products Corp. and APCO Construction</i>
04/13/2010	 Acceptance of Service

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Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland

04/13/2010



Initial Appearance Fee Disclosure

Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Initial Appearance Fee Disclosure

04/13/2010

Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Events: 03/29/2010 Order Granting

Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)

Matter Heard; *Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)*

Matter Heard

04/13/2010



All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)...Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

Matter Heard; *Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company, and Design Space Modular Buildings Inc.)...Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.*

Matter Heard

04/13/2010



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

04/13/2010



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

04/13/2010



Affidavit of Service













Filed By: Plaintiff Apco Construction
Affidavit of Service

04/13/2010


















Affidavit of Service

DISTRICT COURT
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	Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service</i>
04/13/2010	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Initial Appearance Fee Disclosure</i>
04/13/2010	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff Sunstate Companies Inc <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
04/13/2010	 Notice of Appearance Party: Intervenor Plaintiff Sunstate Companies Inc <i>Notice of Appearance and Response to Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause</i>
04/13/2010	 Answer and Counterclaim Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>A587168 Answer to Cactus Rose's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc's Counterclaim</i>
04/13/2010	

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	 Answer and Counterclaim <i>A587168 Answer to Interstate Plumbing & Air Conditioning's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc's Counterclaim</i>
04/14/2010	 Verification <i>Verification of Lien Claimant, Wiss, Janney, Elstner Associates, Inc.'s Response to Lenders' Standard Interrogatories to Lien Claimants</i>
04/14/2010	 Verification Filed by: Plaintiff Apco Construction <i>Verification of Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories</i>
04/14/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service Re: Westward Ho, LLC</i>
04/14/2010	 Affidavit of Service Filed By: Plaintiff Apco Construction <i>Affidavit of Service Re: Jensen Enterprises, Inc.</i>
04/14/2010	 Receipt of Copy Filed by: Plaintiff Apco Construction <i>Receipt of Copy</i>
04/15/2010	 Answer to Counterclaim <i>Accuracy Glas & Mirror Company, Inc's Answer to Camco Pacific Construction Company's Counterclaim</i>
04/15/2010	 Answer to Counterclaim <i>Buchele, Inc's Answer to Camco Pacific Construction Company's Counterclaim</i>
04/15/2010	 Answer to Counterclaim <i>WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc's Counterclaim</i>
04/15/2010	 Answer to Counterclaim <i>Heinaman Contract Glazing's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim</i>
04/15/2010	 Amended <i>E&E Fire Protection, LLC's Amended Notice of Pendency of Action</i>
04/15/2010	 Amended <i>Noorda Sheet Metal Company's Second Amended Notice of Pendency of Action</i>
04/15/2010	 Amended <i>Professional Doors and Millworks, LLC's Amended Notice of Pendency of Action</i>
04/15/2010	 Amended <i>The Pressure Grout Company's Amended Notice of Pendency of Action</i>
04/15/2010	 Amended





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Dave Peterson Framing, Inc.'s Amended Notice of Pendency of Action











04/15/2010	 Motion for Summary Judgment Filed By: Counter Defendant Fast Glass Inc <i>Lien Claimant Fast Glass, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc.</i>
04/16/2010	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Sunstate Companies Inc <i>Sunstate Companies, Inc.'s Statement of Facts Constituting Lien</i>
04/19/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
04/19/2010	 Notice Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP <i>Notice to All Parties</i>
04/20/2010	 Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order</i>
04/20/2010	 Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order</i>
04/21/2010	 Answer to Third Party Complaint Filed By: Plaintiff Apco Construction <i>Answer to Harsco Corporation's Second Amended Complaint</i>
04/21/2010	 Order to Show Cause <i>Order to Show Cause</i>
04/21/2010	 Consent to Service By Electronic Means <i>Ahern Rentals, Inc.'s Consent to Service by Electronic Means</i>
04/21/2010	 Notice of Entry <i>Notice of Entry of Stipulation and Order</i>
04/21/2010	 Notice of Entry Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order</i>
04/22/2010	 Miscellaneous Filing <i>Hydropressure Cleaning, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construcion and Lien Priority</i>
04/22/2010	 Miscellaneous Filing <i>Custom Select Billing, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i>
04/22/2010	 Reply to Counterclaim <i>Selectbuild Nevada, Inc.'s Reply to Counterclaim of Camco Pacific Construction</i>

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Company, Inc.









04/23/2010	 Verification Filed by: Intervenor Tri-City Drywall Inc <i>Verification of Tri-City Drywall, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimants</i>
04/23/2010	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp.'s Statement of Facts and Complaint in Intervention</i>
04/23/2010	 Statement Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Statement of Facts and Complaint</i>
04/23/2010	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff S R Bray Corp <i>Initial Appearance Fee Disclosure</i>
04/26/2010	 Initial Appearance Fee Disclosure Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Initial Appearance Fee Disclosure</i>
04/26/2010	 Answer to Third Party Complaint Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Answer to HD Supply & Waterworks' LPs Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Incs Counterclaim</i>
04/27/2010	 Stipulation and Order Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Stipulation and Order for Extension of Time</i>
04/27/2010	 Response Filed by: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Edelstein, Alex <i>Defendant's Response to Order to Show Cause</i>
04/28/2010	 Answer and Counterclaim Filed By: Plaintiff Apco Construction <i>APCO Construction's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complaint; Counterclaim and Cross-Claim</i>
04/28/2010	 Amended Answer Filed By: Third Party Defendant Camco Pacific Construction Co Inc <i>Camco's Amended Answer to HD Supply & Waterworks' LP's Statement of Facts Constituting Lien and Third Party-Complaint</i>
04/28/2010	 Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i>
04/29/2010	 Notice of Change of Address Filed By: Counter Defendant Uintah Investments LLC <i>Notice of Change of Address</i>

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04/29/2010	 Notice of Voluntary Dismissal With Prejudice Filed By: Intervenor Plaintiff Pape Material Handling <i>Notice of Voluntary Dismissal of Accuracy Glass & Mirror Company and Employers Mutual Casualty Company With Prejudice</i>
04/29/2010	Voluntary Dismissal (Judicial Officer: Delaney, Kathleen E.) Debtors: Accuracy Glass and Mirror Company Inc (Intervenor Defendant), Employers Mutual Casualty Company (Intervenor Defendant) Creditors: Pape Material Handling (Intervenor Plaintiff), Pape Rents (Doing Business As) Judgment: 04/29/2010, Docketed: 04/30/2010
04/30/2010	 Motion to Consolidate Filed By: Plaintiff Apco Construction <i>APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i>
05/03/2010	 Motion for Substitution (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 03/31/2010 Motion for Substitution <i>LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25</i> Granted; LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25 <i>Granted</i>
05/04/2010	 Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Notice of Entry of Order</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Interstate Plumbing & Air Conditioning, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Bruin Painting Corporation <i>Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West, Inc</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Buchele Inc <i>Buchele, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff S R Bray Corp <i>S.R. Bray Corp. D/B/A Power Plus' Motion for Partial Summary Judgment Against</i>

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Gemstone Development West, Inc.

05/04/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Heinaman Contract Glazing <i>Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant HD Supply Waterworks LP <i>HD Supply Waterworks, LP's Motion for Summary Judgment Against Gemstone Development West, Inc.</i>
05/04/2010	 Order Filed By: Plaintiff Apco Construction <i>Order Partially Granting Plaintiff/Lien Claimant Ahern Rentals, Inc.'s Motion for Partial Summary Judgment Against Alex Edelstein Only</i>
05/04/2010	 Motion to Consolidate Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action</i>
05/04/2010	Summary Judgment (Judicial Officer: Delaney, Kathleen E.) Debtors: Alex Edelstein (Intervenor Defendant) Creditors: Ahern Rental Inc (Intervenor Plaintiff) Judgment: 05/04/2010, Docketed: 05/10/2010
05/05/2010	 Consent to Service By Electronic Means Filed By: Intervenor Insulpro Projects Inc <i>Consent to Service by Electronic Means</i>
05/05/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant WRG Design Inc <i>WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/05/2010	 Motion for Partial Summary Judgment Filed By: Doing Business As Helix Electric <i>Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/05/2010	 Show Cause Hearing (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 05/05/2010, 05/17/2010 Events: 04/19/2010 Notice 04/20/2010 Stipulation and Order 04/20/2010 Stipulation and Order <i>Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)</i> Matter Continued; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) Granted; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b) Matter Continued; Hearing Re: Show Cause Why Default Judgment Should Not be

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Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)

Granted; Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)
Matter Continued

05/06/2010

 Joinder To Motion

Filed By: Intervenor EZA P C

EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment

05/06/2010

 Joinder To Motion

Filed By: Counter Defendant Patent Construction Systems

Patent Construction Systems, A Division of Harsco Corporation's Joinder to Harsco Corporation's Motion for Partial Summary Judgment

05/06/2010

 Errata

Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc

Errata to Accuracy Glass & Mirror company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/06/2010

 Errata

Filed By: Doing Business As Helix Electric

Errata to Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.


05/06/2010

 Errata

Filed By: Consolidated Case Party HD Supply Waterworks LP

Errata to HD Supply Waterworks, LP's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.


05/06/2010

 Motion for Partial Summary Judgment

Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC

SWPP Complainece Solutions' Motion for Partial Summary Judgment against Gemstone Development West, Inc.

05/06/2010

 Notice of Entry

Filed By: Counter Defendant Atlas Construction Supply Inc

Notice of Entry of Findings of Fact, Conclusions of Law, and Partial Summary Judgment In Favor of Atlas Construction Supply, Inc. and Against Gemstone Development West, Inc.


05/06/2010

 Motion for Partial Summary Judgment

Filed By: Intervenor Plaintiff Harsco Corporation

Harsco Corporation's Motion for Partial Summary Judgment


05/07/2010

 Statement of Facts Constituting Lien

Filed By: Intervenor Plaintiff S R Bray Corp

S.R. Bray Corp.'s Amended Statement of Facts and Complaint in Intervention

05/07/2010

 Notice of Lis Pendens













Filed by: Intervenor Plaintiff S R Bray Corp

S.R. Bray Corp.'s Notice of Lis Pendens





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05/07/2010	 Opposition Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Fast Glass, Inc.'s Motion for Summary Judgment against Gemstone Development, West, Inc.</i>
05/08/2010	 Substitution of Attorney Filed by: Plaintiff Apco Construction <i>Substitution of Attorney A571228</i>
05/10/2010	 Notice of Lis Pendens Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Notice of Lis Pendens</i>
05/10/2010	 Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>SWPPP Compliance Solutions, LLC's Amended Statement of Facts and Complaint</i>
05/10/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Renaissance Pools & Spas Inc <i>Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment</i>
05/10/2010	 Order Shortening Time <i>Application for Order Shortening Time for Hearings on Certain Motions for Partial Summary Judgment</i>
05/11/2010	 Ex Parte Motion for Enlargement of Time Filed By: Intervenor Plaintiff Harsco Corporation <i>Ex Parte Motion for Enlargement of Time to Serve Defendant Selin Cisneros and Petition for Service by Publication</i>
05/11/2010	 Order Granting Motion Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25</i>
05/12/2010	 Notice of Entry Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Notice of Entry of Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25</i>
05/13/2010	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction</i>
05/13/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum And Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/13/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>

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05/13/2010	 Order Filed By: Other PCI Group, LLC <i>Order Deconsolidating and Remanding Case No. A584960</i>
05/13/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Selectbuild Nevada Inc <i>Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West, Inc.</i>
05/13/2010	 Ex Parte Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Ex Parte Motion for Order Shortening Time Re: Harsco Corporatio's Motion for Partial Summary Judgment and Joinders Thereto</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Bruin Painting Corporation's Motion for Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Buchelle, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to HD Supply Waterworks LP's Motion for Partial Summary Judgment West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Helix Elecric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion


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	Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to S.R. Bray Corp.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to SWPPP's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to WRG Design, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/14/2010	 Application Filed By: Counter Defendant Renaissance Pools & Spas Inc <i>Application for Order Shortening Time for Hearing on Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment (and Order Granting Application)</i>
05/17/2010	 Answer Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Lien Claim</i>
05/17/2010	Motion for Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 04/15/2010 Motion for Summary Judgment <i>Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

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	E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion for Partial Summary Judgment <i>HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/05/2010 Motion for Partial Summary Judgment <i>WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i>
05/17/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/05/2010 Motion for Partial Summary Judgment <i>Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i> Granted in Part; Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc. <i>Granted in Part</i>
	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen

DISTRICT COURT
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05/17/2010	<p>E.) Events: 05/06/2010 Motion for Partial Summary Judgment <i>Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only</i> Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only <i>Granted in Part</i></p>
05/17/2010	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion <i>Patent Construction Systems' Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only <i>Granted in Part</i></p>
05/17/2010	<p>Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion <i>EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment</i> Granted in Part; EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment <i>Granted in Part</i></p>
05/17/2010	<p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Motion for Partial Summary Judgment <i>SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc.</i> Granted in Part; SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc. <i>Granted in Part</i></p>
05/17/2010	<p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/10/2010 Motion for Partial Summary Judgment <i>Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment</i> Granted in Part; Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment <i>Granted in Part</i></p>
05/17/2010	<p>Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/13/2010 Motion for Partial Summary Judgment <i>Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.</i> Granted in Part; Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc. <i>Granted in Part</i></p>
05/17/2010	<p>CANCELED Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - On In Error duplicate</i></p>
05/17/2010	<p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc Cactus Rose</i></p>

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Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Develop

MINUTES

Status Check (06/16/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Status Check: Set Date Certain

Matter Heard

Matter Heard; Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc SWPP Compliance Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Develop

Matter Heard

SCHEDULED HEARINGS

Status Check (06/16/2010 at 9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

Status Check: Set Date Certain

Matter Heard

05/17/2010



Opposition

Filed By: Plaintiff Apco Construction

Limited Opposition to Motion to Consolidate Case No. A-10-608717 with Pending Action

05/17/2010



Answer

Filed By: Defendant Scott Financial Corporation

Scott Financial Corporation's Answer to Cactus Rose Construction's Statement of Facts Constituting Lien Claim

05/18/2010



Motion for Summary Judgment

Filed By: Intervenor Custom Select Billing Inc

Custom Select Billings, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(B)

05/18/2010



Motion for Summary Judgment

Filed By: Interpleader Hydropressure Cleaning Inc

Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)

05/19/2010



Document Filed

Filed by: Counter Claimant Insulpro Projects Inc

Insulpro Projects, Inc.'s Designation of Documents Supporting The Perfection of Lien, Commencement of Construction and Lien Priority

05/20/2010



Certificate of Service

Filed by: Intervenor Custom Select Billing Inc













Certificate of Service of Custom Select Billing, Inc. s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to Nrcp

DISTRICT COURT
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54(B)








05/20/2010	 Certificate of Service Filed by: Interpleader Hydropressure Cleaning Inc <i>Certificate of Service of Hydropressure Cleaning, Inc.s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i>
05/21/2010	 Errata Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Errata to SWPPP Compliance Solutions' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/21/2010	 Errata Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Errata to S.R. Bray Corp. d/b/a Power Plus' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
05/21/2010	 Certificate of Mailing Filed By: Intervenor Plaintiff Harsco Corporation <i>Certificate of Mailing</i>
05/21/2010	 Opposition Filed By: Plaintiff Apco Construction <i>Limited Opposition to Camco Pacific Construction, Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A-09-606730 and Case No. A-10-608718 with Pending Action</i>
05/21/2010	 Order Granting Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Order Granting Harsco's Ex Parte Motion for Enlargement of Time to Serve Defendant Selina Cisneros and Petition for Service By Publication</i>
05/24/2010	 Miscellaneous Filing <i>Plaintiff HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Designation of Documents In Support of the Perfection of Lien, Commencement of Construction and Lien Priority</i>
05/25/2010	 Notice of Entry of Order Filed By: Other PCI Group, LLC <i>Notice of Entry of Order</i>
05/26/2010	 Order <i>Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaims, and Entering Default</i>
05/26/2010	 Certificate of Service Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Certificate of Service</i>
05/28/2010	 Motion for Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i>
06/01/2010	

DISTRICT COURT
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06/02/2010	 Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i>
06/02/2010	 Notice of Entry Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action</i>
06/03/2010	 Miscellaneous Filing Filed by: Intervenor Plaintiff Pape Material Handling <i>Pape Matrial Handling Designation of Documents Supporting Petrfection of Lien</i>
06/03/2010	 Miscellaneous Filing Filed by: Intervenor Steel Structures Inc <i>Steel Structures Designation of Documents Supporting Perfection of Lien</i>
06/03/2010	 Miscellaneous Filing Filed by: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers Designation of Documents Supporting Perfection of Lien</i>
06/03/2010	 Stipulation and Order to Amend Filed By: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Stipulation and Order For Leave For Camco Pacific Construction, Inc. To File An Amended Answer and Counterclaim To Nevada Prefab Engineers Second Amended Statement of Facts Constituting Lien and Complaint in Intervention</i>
06/08/2010	 Motion for Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien</i>
06/08/2010	 Notice of Entry of Stipulation and Order Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Notice of Entry of Stipulation and Order</i>
06/08/2010	 Amended Answer Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Second Amended Answer to Nevada Prefab Engineers' Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company's Counterclaim</i>
06/09/2010	 Miscellaneous Filing <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority</i>
06/10/2010	 Motion for Partial Summary Judgment Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien</i>
06/10/2010	 Motion for Summary Judgment Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC








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Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.

- 06/10/2010  Motion for Partial Summary Judgment
Filed By: Counter Defendant Insulpro Projects Inc
Insulpro Project, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development, Inc., Apco Construction and Camco Pacific Construction Co., Inc.
- 06/10/2010  Motion for Summary Judgment
Filed By: Intervenor Plaintiff Ahern Rental Inc
Plaintiff Ahern Rentals, Inc.'s (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and 3) Motion for Default Judgment Against Gemstone Development West, Inc.
- 06/10/2010  Motion for Partial Summary Judgment
Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
Lien Claimant/Plaintiff Cell Crete Fireproofing of Nevada, Inc's Motion for Partial Summary Judgment Against Gemstone Development West Inc., on Issue of Lien Perfection
- 06/10/2010  Motion for Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens
- 06/10/2010  Motion for Summary Judgment
Filed By: Intervenor Tri-City Drywall Inc
Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone Development West, Inc.
- 06/10/2010  Memorandum of Costs and Disbursements
Graybar Electirc Company's Memorandum of Costs and Disbursements
- 06/10/2010  Notice of Dismissal Without Prejudice
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Northstar Concrete, Inc.'s Notice of Dismissal Without Prejudice as to Platte River Insurance Company Only
- 06/10/2010  Certificate of Service
Filed by: Counter Defendant Atlas Construction Supply Inc
Certificate Of Service Of Notice Of Motion
- 06/10/2010 **Dismissal Pursuant to NRCP 41** (Judicial Officer: Delaney, Kathleen E.)
Debtors: Platte River Insurance Company (Intervenor Defendant)
Creditors: Northstar Concrete, Inc. (Intervenor Plaintiff)
Judgment: 06/10/2010, Docketed: 06/16/2010
- 06/11/2010  Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment against Defendant Gemstone Development West, Inc.
- 06/11/2010  Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Custom Select Billing, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. or, In the Alternative, Motion for Permanent Writ of Possession and for Certification of Final Judgment







DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Pursuant to NRCP 54(b)













06/11/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Oppositoin to Hydropressure Cleaning, Inc.s Motion for Summary Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(b)</i>
06/11/2010	 Notice of Hearing <i>Notice of Hearing On Plaintiff Ahern Rentals, Inc.'s 1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; 2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and 3) Motion for Default Judgment Against Gemstone Development West, Inc.</i>
06/11/2010	 Errata Filed By: Defendant Scott Financial Corporation <i>Errata to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i>
06/14/2010	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) 06/14/2010, 06/16/2010, 07/27/2010 Events: 05/13/2010 Motion for Partial Summary Judgment <i>Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.</i> MINUTES Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Matter Continued; Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. Under Advisement; <i>Matter Continued</i>
06/14/2010	 Acceptance of Service <i>Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland</i>
06/15/2010	 Supplement Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Omnibus Supplement to its Opposition to the Motions for Summary Judgment against Gemstone Development West, Inc.</i>
06/16/2010	 Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Amended Notice of Motion for Partial Summary Judgment as to Priority of Liens</i>
06/16/2010	Motion to Consolidate (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 04/30/2010 Motion to Consolidate

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Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228
Granted; Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228
Granted

06/16/2010	<p>Motion to Consolidate (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/04/2010 Motion to Consolidate <i>Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action</i> Granted; Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action <i>Granted</i></p>
06/16/2010	<p>Status Check (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Status Check: Set Date Certain</i> Matter Heard; Status Check: Set Date Certain <i>Matter Heard</i></p>
06/16/2010	<p> All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228...Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action...Status Check: Set Date Certain...Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.</i> Matter Heard; Pltf. APCO Construction's Motion to Consolidate A608717 Into A571228...Defendant/Counterclaimant Camco Pacific Construction Inc. and Fidelity and Deposit Company of Maryland's Motion to Consolidate Case No. A09-606730 and Case No. A10-608718 With Pending Action...Status Check: Set Date Certain...Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc. <i>Matter Heard</i></p>
06/18/2010	<p> Notice of Change of Hearing Filed By: Counter Defendant Atlas Construction Supply Inc <i>Notice of Change of Hearing</i></p>
06/18/2010	<p> Findings of Fact, Conclusions of Law and Order Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Findings of Fact, Conclusions of Law and Order Granting, in Part, Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i></p>
06/18/2010	<p> Motion for Partial Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time</i></p>
06/18/2010	<p> Application for Entry of Default Filed By: Counter Defendant Selectbuild Nevada Inc <i>Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Application for Entry of Default Against Defendant Gemstone Development West, Inc.</i></p>
06/18/2010	<p> Affidavit in Support Filed By: Counter Defendant Selectbuild Nevada Inc <i>Affidavit of Brian K. Walters in Support of Application for Default Against Defendant Gemstone Development West, Inc.</i></p>

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CASE SUMMARY
CASE NO. 08A571228

06/18/2010	 Certificate of Mailing Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Certificate of Mailing</i>
06/18/2010	 Notice Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Notice of Change of Address, Telephone Number and Facsimile Number</i>
06/18/2010	Partial Summary Judgment (Judicial Officer: Delaney, Kathleen E.) Debtors: Gemstone Development West Inc (Intervenor Defendant) Creditors: Arch Aluminum And Glass Co (Intervenor Plaintiff) Judgment: 06/18/2010, Docketed: 06/24/2010
06/21/2010	 Joinder to Motion For Partial Summary Judgment Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.C., dba Oz Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporation's Joinder to Apco's Motion for Summary Judgment on Priority</i>
06/21/2010	 Order Granting <i>Joint Order Granting, in Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West</i>
06/22/2010	 Joinder to Motion For Summary Judgment Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority</i>
06/22/2010	 Joinder To Motion Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i>
06/22/2010	 Order Granting Filed By: Defendant Scott Financial Corporation <i>Order Granting Scott Financial Corporation's Order to Show Cause</i>
06/22/2010	 Motion for Summary Judgment Filed By: Plaintiff Apco Construction <i>Apco's Motion for Summary Judgment on Priority</i>
06/23/2010	 Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Granite Construction Company's Joinder to APCO's Motion for Summary Judgment on Priority</i>
06/23/2010	 Affidavit of Publication <i>Affidavit of Publication</i>
06/23/2010	 Notice of Entry of Order Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of ENtry of Joint Order Granting, In Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West</i>
06/24/2010	 Joinder to Motion For Summary Judgment Filed By: Counter Defendant Ferguson Fire and Fabrication Inc

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority

06/24/2010



Notice of Entry of Order

Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Notice of Entry of Order

06/24/2010



Certificate of Service

Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co
Certificate of Service of Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time

06/24/2010



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation
Notice of Entry of Order Granting Scott Financial Corporation's Order to Show Cause

06/24/2010



Joinder to Motion For Summary Judgment

Filed By: Other HD Supply Construction Supply LP
Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

06/25/2010



Joinder to Motion For Summary Judgment

Filed By: Counter Defendant Selectbuild Nevada Inc
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority

06/25/2010



Order

Filed By: Counter Claimant Camco Pacific Construction Co Inc
Order Consolidating Cases A-10-608718 and A-10-606730 into Case Number A-08-571228

06/28/2010



Joinder to Motion For Summary Judgment

Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Joinder to Apco's Motion for Summary Judgment on Priority

06/28/2010



Joinder to Motion For Summary Judgment

Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc.'s Joinder to Plaintiff Apco Construction Inc.'s Motion for Partial Summary Judgment on Lien Priority as against All Lender Parties

06/28/2010



Opposition to Motion

Filed By: Intervenor Defendant Club Vista Financial Services LLC
Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and Gary D. Tharaldsons' Response to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

06/28/2010



Joinder To Motion

Filed By: Intervenor Granite Construction Company
Granite Construction Company's Joinder to APCO and Scott Financial Corporation's Joint Motion for Continuation of Hearing on Motions for Summary Judgment on Priority on Order Shortening Time (First Request)






06/28/2010
















Notice of Entry of Order

Filed By: Counter Claimant Camco Pacific Construction Co Inc
Notice of Entry of Order

DISTRICT COURT
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06/28/2010	 Opposition to Motion For Summary Judgment Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Opposition to Insulpro's Motion for Summary Judgment</i>
06/28/2010	 Joinder to Motion For Summary Judgment Filed By: Counter Defendant Fast Glass Inc <i>Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i>
06/28/2010	 Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment on Priority</i>
06/29/2010	 Joinder to Motion For Summary Judgment Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority</i>
06/29/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Cell-Crete Fireproofing of Nevada, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
06/29/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Ferguson Fire & Fabrication, Inc.'s Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien</i>
06/29/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Tri-City Drywall, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc.</i>
06/29/2010	 Summons Filed by: Intervenor Plaintiff Cactus Rose Construction Inc <i>Summons - Civil</i>
06/29/2010	 Acceptance of Service Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Acceptance of Service by Scott Financial Corporation</i>
06/29/2010	 Summons Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Summons - Civil</i>
06/29/2010	 Acceptance of Service Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Acceptance of Service by Scott Financial Corporation</i>
06/29/2010	 Summons Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Summons - Civil</i>
06/29/2010	

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	 Acceptance of Service Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Acceptance of Service by Scott Financial Corporation</i>
06/29/2010	 Summons Filed by: Intervenor Plaintiff S R Bray Corp <i>Summons - Civil</i>
06/29/2010	 Acceptance of Service Filed By: Intervenor Plaintiff S R Bray Corp <i>Acceptance of Service by Scott Financial Corporation</i>
06/29/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to Las Vegas Pipeline, LLC's Motion for Summary Judgment Against Gemstone Development West, Inc.</i>
06/29/2010	 Answer to Third Party Complaint Filed By: Counter Claimant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland <i>Camco's Answer to SWPPP's Amended Complaint</i>
07/01/2010	 Joinder to Opposition to Motion <i>Granite Construction Company's Joinder to APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/01/2010	 Joinder to Opposition to Motion <i>Las Vegas Pipeline's Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/01/2010	 Joinder to Motion For Summary Judgment Filed By: Other Graybar Electric Company <i>Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority</i>
07/01/2010	 Joinder to Motion For Summary Judgment Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority</i>
07/01/2010	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Apco Construction <i>APCO's Opposition to Scott Financial's Motion For Partial Summary Judgment as to Priority of Liens</i>
07/01/2010	 Stipulation and Order for Dismissal With Prejudice Filed By: Plaintiff Apco Construction <i>Stipulation and Order for Dismissal With Prejudice Of Claims Asserted By Select Build Nevada, Inc. Against APCO Construction</i>
07/01/2010	 Notice of Entry of Stipulation & Order for Dismissal Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation & Order for Dismissal with Prejudice of Claims Asserted by Select Build Nevada, Inc. Against APCO Construction</i>
07/02/2010	 Response Filed by: Intervenor Defendant Club Vista Financial Services LLC

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Club Vista Financial Services, LLC, Tharaldson Motels II, Inc. and Gary D. Tharaldsons' Response to APCO's Motion for Summary Judgment on Priority

07/02/2010	 Order <i>Order Re-Setting Hearing Dates</i>
07/02/2010	 Reply to Motion Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada's Reply in Support of its Motion for Partial Summary Judgment against Gemstone Development West Inc. on issue of Lien Perfection</i>
07/02/2010	 Joinder to Opposition to Motion <i>Lien Claimant/PLaintiff Cellcrete Fireproofing of Nevada's Joinder in Plaintiff Apco Construction Inc/'s Opposition to Defendant Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/02/2010	 Joinder to Motion For Summary Judgment Filed By: Intervenor E & E Fire Protectiong LLC <i>Dave Peterson Framing, Inc., E&E Fire Protection, LLC, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco's Motion for Summary Judgment on Priority</i>
07/02/2010	 Reply <i>Reply to Scott's Opposition to Motions for Partial Summary Judgment Filed on Behlaf of All Lien Claimants</i>
07/02/2010	 Joinder to Motion For Partial Summary Judgment Filed By: Other Graybar Electric Company <i>Graybar Electric Company's, Tri-City Drywall, Inc.'s, and Northstar Concrete, Inc.'s Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/06/2010	 Reply Filed by: Counter Defendant Selectbuild Nevada Inc <i>Selectbuild Nevada, Inc's Reply Brief in Support of Motion for Partial Summary Judgment against Defendant Gemstone Development West, Inc.</i>
07/06/2010	 Brief Filed By: Intervenor Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Brief on Lender Standing to Dispute Mechanic's Lien Claims and Exclusivity of Remedy Set Forth in NRS 108.2275</i>
07/07/2010	 Joinder to Opposition to Motion Filed by: Counter Defendant Noord Sheet Metal Company <i>Dave Peterson Framing, Inc., E&e Fire Protection, Llc, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, Llc s Notice of Joinder in Apco s Opposition to Scott Financial s Motion for Partial Summary Judgment as to Priority of Liens</i>
07/07/2010	 Countermotion For Partial Summary Judgment Filed by: Plaintiff Apco Construction <i>APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotion for Summary Judgment</i>
07/07/2010	 Joinder to Opposition to Motion

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed by: Counter Defendant Selectbuild Nevada Inc
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corp.'s Motion for Partial Summary Judgment as to Priority of Liens

07/08/2010



Consent to Service By Electronic Means
Filed By: Counter Defendant Steel Structures Inc
Steel Structures Consent to Service by Electronic Means

07/08/2010



Consent to Service By Electronic Means
Filed By: Intervenor Nevada Prefab Engineers Inc
Nevada Prefab Consent to Service by Electronic Means

07/08/2010



Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Harsco Corporation
Harsco Corporation, EZA, P.C. dba Oz Architecture of Nevada, and Patent Construction Systems, A Division of Harsco Corporation's Joinder to Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/08/2010



Joinder to Opposition to Motion
Filed by: Other HD Supply Construction Supply LP
Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder in APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/08/2010



Notice
Filed By: Counter Defendant Fast Glass Inc
Fast Glass, Inc.'s Notice of Joinder in APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/09/2010



Order Granting Motion
Filed By: Plaintiff Apco Construction
Order Granting Apco Construction's Motion to Consolidate Case No. A10-608717 with Pending Action

07/09/2010



Joinder
Filed By: Other HD Supply Construction Supply LP
Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder in APCO's Reply to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/11/2010



Reply to Opposition
Filed by: Intervenor Insulpro Projects Inc
Insulpro Project, Inc.'s Reply to Camco's Opposition to Insulpro's Motion for Partial Summary Judgment

07/11/2010



Reply to Opposition
Filed by: Intervenor Insulpro Projects Inc
Insulpro Project, Inc.'s Reply to Apco's Opposition to Insulpro's Motion for Partial Summary Judgment

07/13/2010



Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Granting APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action

07/14/2010

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

	 Notice Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Notice to Vacate and Continue Only the Hearing on Plaintiff Ahern Rentals, Inc.'s (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.</i>
07/16/2010	 Default Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Default on Defendant-In-Intervention Gemstone Development West, Inc.</i>
07/16/2010	 Default Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Default on Defendant-In-Intervention Concrete Visions, Inc.</i>
07/16/2010	 Joinder Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority</i>
07/16/2010	 Joinder Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc. and Nevada Prefab Engineers Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/19/2010	 Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Partial Summary Judgment As to Priority Of Liens</i>
07/19/2010	 Joinder Filed By: Counter Defendant Ferguson Fire and Fabrication Inc <i>Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Partial Summary Judgment As to Priority Of Liens</i>
07/19/2010	 Notice of Entry of Default Party: Intervenor Plaintiff Northstar Concrete, Inc. <i>Notice of Entry of Default on Defendant-In-Intervention Concrete Visions, Inc.</i>
07/19/2010	 Notice of Entry of Default Party: Intervenor Plaintiff Northstar Concrete, Inc. <i>Notice of Entry of Default on Defendant-In-Intervention Gemstone Development, Inc.</i>
07/19/2010	 Joinder to Motion For Summary Judgment Filed By: Counter Defendant Renaissance Pools & Spas Inc <i>Renaissance Pools And Spas s Joinder To Apco s Motion For Summary Judgment On Priority</i>
07/19/2010	 Answer to Amended Complaint Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Answer to S.R. Bray dba Power Plus' Amended Statement of Facts and Complaint in Intervention</i>
07/20/2010	 Reply in Support

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Intervenor Custom Select Billing Inc
Custom Select Billing, Inc. s Reply in Support of Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(b)

07/20/2010



Joinder to Opposition to Motion

Filed by: Intervenor Custom Select Billing Inc
Custom Select Billing, Inc. s Joinder to APCO s Opposition to Scott Financial s Motion for Partial Summary Judgment as to Priority Lien and to APCO s Motion for Partial Summary Judgment on Priority

07/20/2010



Joinder to Opposition to Motion

Filed by: Interpleader Hydropressure Cleaning Inc
Hydropressure Cleaning, Inc.'s Joinder to APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority Lien and to APCO's Motion for Partial Summary Judgment on Priority

07/20/2010



Reply to Opposition

Filed by: Plaintiff Apco Construction
APCO's Reply to Insulpro Projects, Inc.'s Opposition to APCO's Countermotion for Summary Judgment

07/20/2010



Reply

Filed by: Counter Defendant Ferguson Fire and Fabrication Inc
Ferguson Fire & Fabrication, Inc.'s Reply In Support Of Motion For Partial Summary Judgment Regarding Perfection, Validity, And Priority Of Its Mechanic's Lien

07/21/2010



Reply in Support

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Reply Brief in Support of the Motion for Partial Summary Judgment as to Priority of Liens

07/21/2010



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder to Reply to Scott Financial's Opposition to Motions for Parital Summary Judgment

07/21/2010



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

07/21/2010



Memorandum of Costs and Disbursements

Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Northstar Concrete, Inc.'s Memorandum of Costs and Disbursements

07/21/2010



Joinder to Opposition to Motion

Filed by: Other Wiss, Janney, Elstner Associates, Inc.
Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/21/2010



Reply in Support

Filed By: Plaintiff Apco Construction
Reply in Support of APCO's Motion for Summary Judgment on Priority



07/21/2010



Joinder

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass, LLC's Joinder to APCO's Opposition to Scott financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

07/22/2010	 Joinder to Opposition to Motion Filed by: Counter Defendant Renaissance Pools & Spas Inc <i>RENAISSANCE POOLS AND SPAS JOINDER TO APCO S OPPOSITION TO SCOTT FINANCIAL CORPORATION S MOTION FOR SUMMARY JUDGMENT ON PRIORITY</i>
07/22/2010	 Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's Motion for Parital Summary Judgment as to Priority of Liens</i>
07/22/2010	 Joinder Filed By: Other The Masonry Group Nevada, Inc. <i>The Masonry Group Nevada, Inc's Joinjder to Apco's Opposition to Scott Financial Corporation's Motion for Priority and Joinder to Apco's Motion for Priority of Liens</i>
07/22/2010	 Response Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Response to APCO's Motion for Summary Judgment on Priority</i>
07/23/2010	 Stipulation and Order Filed by: Intervenor Plaintiff Ahern Rental Inc <i>Stipulation and Order to Continue Ahern Rentals, Inc's : (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.</i>
07/26/2010	 Reply to Counterclaim Filed by: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers Reply to Camco Pacific Construction's Second Amended Answer and Counterclaim</i>
07/27/2010	 Supplement to Motion for Summary Judgment Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc's First Supplement in Support of its Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
07/27/2010	CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Secretary</i> <i>Vacated on in error</i>
07/27/2010	CANCELED Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Vacated - per Secretary</i> <i>Vacated on in error</i>
07/27/2010	Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/18/2010 Motion for Summary Judgment <i>Custom Select Billings, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. or, Alternatively, Motion for Permanent Writ of Possession and for Certification of Final Judgment Pursuant to NRCP 54(B)</i>
	MINUTES Under Advisement; <i>Under Advisement</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/18/2010 Motion for Summary Judgment <i>Hydropressure Cleaning, Inc.'s Motion for Summary Judgment Against Defendant Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/28/2010 Motion for Summary Judgment <i>Zitting Brothers Construction, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc. and for Certification of Final Judgment Pursuant to NRCP 54(B)</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/08/2010 Motion for Summary Judgment <i>Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Partial Summary Judgment <i>Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Partial Summary Judgment <i>Insulpro Projects, Inc.'s Motion for Partial Summary Against Gemstone Development, Inc., Apco Construction and Camco Pacific Construction Co., Inc.</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Partial Summary Judgment <i>Lien Claimant/Plaintiff Cell Crete Fireproofing of Nevada, Inc's Motion for Partial Summary Judgment Against Gemstone Development West Inc., on Issue of Lien Perfection</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Summary Judgment <i>Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Summary Judgment <i>Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone Development West, Inc.</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/10/2010 Motion for Summary Judgment <i>Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Partial Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/18/2010 Motion for Partial Summary Judgment <i>Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/21/2010 Joinder to Motion For Partial Summary Judgment <i>Harsco Corporation, EZA, P.C., dba Oz Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporation's Joinder to Apco's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Motion for Summary Judgment (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/22/2010 Motion for Summary Judgment <i>Apco's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/22/2010 Joinder to Motion For Summary Judgment <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/23/2010 Joinder to Motion For Summary Judgment <i>Granite Construction Company's Joinder to APCO's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/24/2010 Joinder to Motion For Summary Judgment <i>Ferguson Fire And Fabrication, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/25/2010 Joinder to Motion For Summary Judgment <i>Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/24/2010 Joinder to Motion For Summary Judgment <i>Plaintiff/Lien Claimant HD Supply Construction Supply, L.P. d/b/a White Cap Construction Supply, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/28/2010 Joinder to Motion For Summary Judgment <i>Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/28/2010 Joinder to Motion For Summary Judgment <i>Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/28/2010 Joinder to Motion For Summary Judgment <i>Camco's Joinder to Apco's Motion for Summary Judgment on Priority</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/28/2010 Joinder to Motion For Summary Judgment <i>Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc.'s Joinder to Plaintiff Apco Construction Inc.'s Motion for Partial Summary Judgment on Lien Priority as against All Lender Parties</i></p> <p>MINUTES Under Advisement; <i>Under Advisement</i></p>
07/27/2010	<p>Joinder (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 06/29/2010 Joinder to Motion For Summary Judgment</p>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/01/2010 Joinder to Motion For Summary Judgment
Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/01/2010 Joinder to Motion For Summary Judgment
Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/02/2010 Joinder to Motion For Summary Judgment
Dave Peterson Framing, Inc., E&E Fire Protection, LLC, Noorda Sheet Metal Company, the Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/19/2010 Joinder to Motion For Summary Judgment
Renaissance Pools And Spas s Joinder To Apco s Motion For Summary Judgment On Priority

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's Motion for Parital Summary Judgment as to Priority of Liens

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/22/2010 Joinder To Motion
Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

MINUTES

Under Advisement;
Under Advisement







07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/16/2010 Joinder
Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority

MINUTES











Under Advisement;

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Under Advisement

07/27/2010	Opposition and Countermotion (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/07/2010 Countermotion For Partial Summary Judgment <i>APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotion for Summary Judgment</i> MINUTES Under Advisement; <i>Under Advisement</i>
07/27/2010	Status Check (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>STATUS CHECK: PRIOR HEARINGS</i> MINUTES Under Advisement; <i>Under Advisement</i>
07/27/2010	 All Pending Motions (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; <i>Matter Heard</i>
07/27/2010	 Joinder to Opposition to Motion Filed by: Counter Defendant Accuracy Glass & Mirror Company Inc <i>Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens</i>
07/28/2010	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>
07/28/2010	 Motion to Associate Counsel Filed By: Counter Claimant Club Vista Financial Sevices LLC <i>Layne K Morrill Esq</i>
07/28/2010	 Motion to Associate Counsel Filed By: Counter Claimant Club Vista Financial Sevices LLC <i>Stephanie L Samuelson Esq</i>
08/02/2010	 Default Filed By: Counter Defendant Selectbuild Nevada Inc <i>Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Default Against Defendant Gemstone Development West, Inc.</i>
08/03/2010	 Notice of Entry of Default Party: Counter Defendant Selectbuild Nevada Inc <i>Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Notice of Entry of Default Against Defendant Gemstone Development West, Inc.</i>
08/04/2010	 Supplement Filed by: Intervenor Insulpro Projects Inc <i>Insulpro Project, Inc.'s Supplemental Exhibit to Motion for Partial Summary Judgment</i>
08/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor E & E Fire Protectiong LLC <i>Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228


08/04/2010	 Motion for Partial Summary Judgment Filed By: Intervenor Professional Doors & Millworks LLC <i>Motion for Partial Summary Judgment Against Gemstone Development West, Inc.</i>
08/10/2010	 Certificate of Mailing Filed By: Counter Defendant Noord Sheet Metal Company <i>Certificate of Service</i>
08/10/2010	 Certificate of Service Filed by: Counter Defendant Noord Sheet Metal Company <i>Certificate of Service</i>
08/10/2010	 Claim Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Statement of Claim</i>
08/18/2010	 Certificate Filed By: Plaintiff Apco Construction <i>Certificate of Mailing</i>
08/18/2010	 Certificate of Mailing <i>Certificate of Mailing</i>
08/19/2010	 Consent to Service By Electronic Means <i>Consent to Service by Electronic Means</i>
08/25/2010	 Release Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Release of Notice of Pendency of Action (Lis Pendens)</i>
08/30/2010	Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/28/2010 Motion to Associate Counsel <i>Club Vista Financial Services, Tharaldson Motels ii Inc and Gary D. Tharaldsons Motion to Associate Counsel</i> Granted; <i>Granted</i>
08/30/2010	Motion to Associate Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 07/28/2010 Motion to Associate Counsel Granted; <i>Granted</i>
08/30/2010	 All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Data Entry Error</i> Data Entry Error Matter Heard; <i>Matter Heard</i>
09/03/2010	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial's Corporation's Opposition to E & E Fire Protections' Motion for Partial Summary Judgment Against Genstone Development West, Inc.</i>
09/08/2010	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 08/04/2010 Motion for Partial Summary Judgment

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

09/08/2010 **Motion for Partial Summary Judgment (9:00 AM)** (Judicial Officer: Delaney, Kathleen E.)

Events: 08/04/2010 Motion for Partial Summary Judgment
Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

09/08/2010  **All Pending Motions (9:00 AM)** (Judicial Officer: Delaney, Kathleen E.)

E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc...Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

MINUTES


Under Advisement; E&E Fire Protection's Motion for Partial Summary Judgment Against Gemstone Development West, Inc...Professional Doors and Millworks' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.
Under Advisement

09/15/2010 **CANCELED Motion for Summary Judgment (9:00 AM)** (Judicial Officer: Delaney, Kathleen E.)


Vacated - per Stipulation and Order

09/16/2010  **Stipulation and Order**

Filed by: Intervenor Plaintiff Ahern Rental Inc
Stipulation and Order to Vacate Ahern Rentals, Inc.'s: (1) Motion for Summary Judgment Against Defendant Gemstone Development, LLC; (2) Renewed Motion for Summary Judgment as to Amounts Due Against Defendant Alex Edelstein; and (3) Motion for Default Judgment Against Gemstone Development West, Inc.

09/20/2010  **Order**


Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Admitting Stephanie L. Samuelson, Esq. To Practice

09/20/2010  **Order**


Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Admitting Layne K. Morrill, Esq. To Practice

09/23/2010  **Notice of Entry of Order**

Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order

09/23/2010  **Notice of Entry of Order**

Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order

09/23/2010  **Notice of Entry of Stipulation and Order**




Filed By: Intervenor Plaintiff Ahern Rental Inc
Notice of Entry of Order

09/30/2010  **Motion to Stay**

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Motion to Stay Further Activity in This Case Until the Issue of Priority Issue Has Been Resolved

10/04/2010  **Notice of Hearing**












DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

	Filed By: Defendant Scott Financial Corporation <i>Notice of Hearing of Scott Financial Corporation's Motion to Stay Further Activity in This Case Until the Issue of Priority Issue Has Been Resolved</i>
10/11/2010	 Joinder Filed By: Counter Claimant Insulpro Projects Inc <i>Insulpro Projects Inc's Joinder to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i>
10/15/2010	 Non Opposition Filed By: Plaintiff Apco Construction <i>Notice of APCO Construction's Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i>
10/15/2010	 Non Opposition Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i>
10/15/2010	 Non Opposition Filed By: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Non-Opposition to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i>
10/20/2010	 Motion to Withdraw As Counsel Filed By: Other HA Fabricators Inc <i>Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i>
10/22/2010	 Certificate of Service Filed by: Other HA Fabricators Inc <i>Certificate of Service</i>
11/02/2010	Motion to Stay (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 09/30/2010 Motion to Stay <i>Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has Been Resolved</i> Granted; <i>Granted</i>
11/02/2010	Joinder (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Insulpro Projects Inc's Joinder to Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i> Granted; <i>Granted</i>
11/02/2010	All Pending Motions (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; <i>Matter Heard</i>
11/22/2010	 Order to Withdraw as Attorney of Record Filed by: Plaintiff Apco Construction <i>Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i>
11/22/2010	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 10/20/2010 Motion to Withdraw As Counsel <i>Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i> Granted; Shumway, Van & Hansen, CHTD's Motion To Withdraw As Attorney Of

DISTRICT COURT
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CASE NO. 08A571228












	Record for HA Fabricators, Inc. <i>Granted</i>
11/30/2010	 Notice of Entry of Order Filed By: Other HA Fabricators Inc <i>Notice of Entry of Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record</i>
12/09/2010	 Status Conference (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) <i>Scheduling</i> Matter Heard; <i>Matter Heard</i>
12/13/2010	 Order Granting Motion Filed By: Defendant Scott Financial Corporation <i>Order Granting Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved</i>
12/14/2010	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Granting Scott Financial Corporaiton's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved</i>
01/04/2011	 Order <i>Order Granting Motion to Withdraw as Attorney of Record</i>
02/02/2011	 Notice of Compliance Party: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Third Notice of Compliance</i>
02/02/2011	 Notice of Compliance Party: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Fourth Notice of Compliance</i>
03/18/2011	 Change of Address Filed By: Counter Defendant Masonry Group Nevada Inc <i>Notice of Change of Address Effective April 11, 2011</i>
04/23/2011	 Stipulation and Order Filed by: Intervenor Insulpro Projects Inc <i>Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc., d/b/a Sacramento Insulation Contrctors, Inc., for NOon-Appearance</i>
04/27/2011	 Notice of Entry of Stipulation and Order Filed By: Intervenor Insulpro Projects Inc <i>Notice of Entry of Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc. D/b/a Sacramento Insulation Contractors, Inc., for Non-Appearance</i>
05/11/2011	 Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorneys</i>
05/16/2011	 Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorney</i>

DISTRICT COURT
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06/24/2011	Case Reassigned to Department 29 <i>Case reassigned from Judge Kathleen E. Delaney</i>
06/29/2011	 Notice of Change of Firm Name Filed By: Intervenor Insulpro Projects Inc <i>Notice of Change of Firm Name</i>
08/29/2011	 Substitution of Attorney <i>Substitution of Attorney</i>
09/12/2011	 Notice of Dismissal Filed By: Other Graybar Electric Company <i>Notice of Dismissal</i>
09/12/2011	 Release of Lis Pendens Filed By: Other Graybar Electric Company <i>Release of Lis Pendens</i>
09/12/2011	Dismissal Pursuant to NRCP 41 (Judicial Officer: Scann, Susan) Debtors: Gemstone Development West Inc (Intervenor Defendant, Defendant) Creditors: Graybar Electric Company (Other) Judgment: 09/12/2011, Docketed: 09/26/2011
11/04/2011	 Certificate of Electronic Service Filed By: Plaintiff Apco Construction <i>Certificate of Service of APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/04/2011	 Ex Parte Order Filed By: Plaintiff Apco Construction <i>Ex Parte Application for Order Shortening Time on APCO Construction's Renewed Motion to Consolidate Case No. A579963</i>
11/04/2011	 Motion for Order Filed By: Plaintiff Apco Construction <i>APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Notice of Non Opposition Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Notice of Non-Opposition to Apco's Motion for Issuance of an Order on Priority on an Order Shortening Time</i>
11/07/2011	 Joinder Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder Filed By: Other The Masonry Group Nevada, Inc.

DISTRICT COURT
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CASE NO. 08A571228

The Masonry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidate Case No. A579963

11/07/2011	 Joinder Filed By: Counter Defendant Masonry Group Nevada Inc <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority</i>
11/07/2011	 Joinder Filed By: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time</i>
11/07/2011	 Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc. <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Renewed Motion To Consolidate Case No. A579963</i>
11/07/2011	 Motion to Consolidate Filed By: Plaintiff Apco Construction <i>APCO Construction's Renewed Motion to Consolidate Case No. A579963</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Defendant Gemstone Development West Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder To Motion Filed By: Counter Defendant Buchele Inc <i>Joinder to APCO's Renewed Motion to Consolidate Case No. A579963</i>
11/07/2011	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Opposition to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff APCO Construction Inc.'s Motion for an Order of Priority on Order Shortening Time</i>







DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

11/07/2011	 Joinder To Motion Filed By: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i>
11/07/2011	 Joinder To Motion Filed By: Intervenor Custom Select Billing Inc <i>Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i>
11/08/2011	 Joinder to Opposition to Motion Filed by: Defendant Scott Financial Corporation <i>Joinder to Scott Financial Corporation and Bradley J. Scott's Opposition to APCO Construction's Motion to Consolidate Case No. A579963</i>
11/08/2011	 Joinder Filed By: Counter Defendant Uintah Investments LLC <i>Uintah Investments, LLC dba Sierra Reinforcing's Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/08/2011	 Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Contruction, Inc.'s Joinder to APCO Construction's Motino for Issuance of an Order on Priority on Order Shortening Time</i>
11/08/2011	 Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To Apco's Motion For Issuance Of An Order On Priority On Order Shortening Time</i>
11/08/2011	 Joinder To Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.c. dba OZ Architecture of Nevada, and Patent Construction Systems, a Division of Harsco Corporatio's Joinder to Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/08/2011	 Opposition Filed By: Defendant Scott Financial Corporation <i>Opposition To APCO Construction's Renewed Motion To Consolidate Case No. A579963</i>
11/08/2011	 Joinder To Motion Filed By: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time</i>
11/09/2011	Motion (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; Decision Made; Matter Continued; Decision Made; <i>Matter Continued</i>
11/09/2011	Motion to Consolidate (9:00 AM) (Judicial Officer: Scann, Susan) Events: 11/07/2011 Motion to Consolidate

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	<i>APCO construction's Renewed Motion to consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 Events: 11/07/2011 Joinder To Motion <i>Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff APCO Construction Inc.'s Motion for an Order of Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Joinder to APCO's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) Events: 11/07/2011 Joinder To Motion <i>Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to</i>











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CASE NO. 08A571228

	<i>Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) 11/09/2011, 11/15/2011 <i>Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time</i> Matter Continued; <i>Matter Continued</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>The Masonry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidated</i> Granted in Part; <i>Granted in Part</i>
11/09/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time</i>
11/09/2011	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Wiss Janney Elstner Associates, Inc.'s Joinder in APCO's Renewed Motion to Consolidate Case No. A579963</i>
11/11/2011	 Substitution of Attorney Filed by: Intervenor Defendant Club Vista Financial Services LLC <i>Substitution of Counsel</i>
11/11/2011	 Application for Default Judgment Party: Intervenor Plaintiff Ahern Rental Inc <i>Application for Judgment by Default Against Defendant Selina Cicneros</i>
11/14/2011	 Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Memorandum of Costs and Disbursements</i>
11/15/2011	Motion for Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT</i>
11/15/2011	 All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan) <i>11/15/11</i> Matter Heard; <i>Matter Heard</i>
11/21/2011	 Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting APCO Construction s Renewed Motion to Consolidate Case No A579963, In Part</i>

DISTRICT COURT
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11/21/2011	 Findings of Fact, Conclusions of Law and Order Filed By: Plaintiff Apco Construction <i>Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority</i>
11/22/2011	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting APCO Construction's Renewed Motion to Consolidate Case No. A579963, In Part</i>
11/22/2011	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority</i>
12/01/2011	 Mandatory Rule 16 Conference (9:30 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
12/12/2011	 Motion to Reconsider Filed By: Defendant Scott Financial Corporation <i>Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i>
12/13/2011	 Joinder To Motion Filed By: Defendant Scott Financial Corporation <i>Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing</i>
12/14/2011	 Change of Address Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Notice of Change of Address and Firm Affiliation</i>
12/14/2011	 Consent to Service By Electronic Means Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Co., Inc.'s Consent to Service by Electronic Means</i>
12/15/2011	 Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice of Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i>
12/16/2011	 Answer Filed By: Intervenor Defendant Edelstein, Alex <i>Defendant Alexander Edelstein's Answer to Ready Mix Inc.'s First Amended Complaint</i>
12/19/2011	 Initial Appearance Fee Disclosure Filed By: Intervenor Defendant Edelstein, Alex <i>Initial Appearance Fee Disclosure</i>

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12/21/2011	 Order Filed By: Plaintiff Apco Construction <i>Order Lifting Stay of any Further Activity in this Case</i>
12/21/2011	 Case Management Order Filed By: Plaintiff Apco Construction <i>Second Amended Case Agenda Dates and Deadlines</i>
12/23/2011	 Stipulation and Order Filed by: Intervenor Defendant Edelstein, Alex <i>Stipulation and Order for Dismissal with Prejudice</i>
12/23/2011	Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan) Debtors: HD Supply Construction Supply LP (Other) Creditors: Alexander Edelstein (Defendant), Alex Edelstein (Intervenor Defendant) Judgment: 12/23/2011, Docketed: 01/05/2012
12/27/2011	 Notice of Entry Filed By: Intervenor Defendant Edelstein, Alex <i>Notice of Entry of Stipulation and Order for Dismissal with Prejudice</i>
12/27/2011	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Lifting Stay of any Further Activity in this Case</i>
12/30/2011	 Opposition to Motion Filed By: Plaintiff Apco Construction <i>APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i>
01/03/2012	 Joinder to Opposition to Motion Filed by: Intervenor Steel Structures Inc <i>Steel Structures, Inc.'s and Nevada Prefab Engineers, Inc.'s Joinder to Opposition Filed by APCO Construction in Response to Motion for Reconsideration Filed by Scott Financial Corporation</i>
01/03/2012	 Opposition Filed By: Intervenor Insulpro Projects Inc <i>Opposition to Defendant Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Rehearing</i>
01/04/2012	 Joinder Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Reconsideration</i>
01/04/2012	 Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Plaintiff Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for</i>

DISTRICT COURT
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Rehearing

01/04/2012	 Joinder To Motion Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to Motion for Reconsideration of Findings of Facts, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i>
01/04/2012	 Joinder To Motion Filed By: Intervenor Plaintiff Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Apco Construction's Opposition to Motion for Reconsideration of Findings of Facts, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i>
01/04/2012	 Joinder to Opposition to Motion Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cell-Crete Fireproofing of Nevada, Inc.'s Joinder in Support of Plaintiff Apco Construction, Inc.'s Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Lien Property and Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Hearing</i>
01/04/2012	 Joinder Filed By: Counter Defendant Atlas Construction Supply Inc <i>Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Reconsideration</i>
01/04/2012	 Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Las Vegas Pipeline's Joinder in APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Rehearing</i>
01/05/2012	 Joinder Filed By: Intervenor Plaintiff Harsco Corporation <i>Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada and Patent Construction Systems, a Division of Harsco Corporation's Joinder to APCO Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority of in the Alternative, Motion for Rehearing</i>
01/05/2012	 Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Reconsideration</i>
01/06/2012	 Substitution of Attorney Filed by: Counter Defendant Selectbuild Nevada Inc <i>Substitution of Counsel</i>
01/06/2012	 Joinder Filed By: Other Wiss, Janney, Elstner Associates, Inc.

DISTRICT COURT
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CASE NO. 08A571228

Wiss Janney Elstner Associates, Inc.'s Joinder To APCO Construction's Opposition To Motion For Reconsideration Of Findings Of Fact, Conclusions Of Law And Order Granting APCO Construction's Motion For Summary Judgment On Priority; And Denying Scott Financial Corporation's Motion For Priority Or, In The Alternative, Motion For Rehearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Plaintiff Apco Construction

APCO Construction's Joinder to Insulpro Projects, Inc.'s Opposition to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Intervenor Custom Select Billing Inc

Custom Select Billing, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/06/2012



Joinder to Opposition to Motion

Filed by: Interpleader Hydropressure Cleaning Inc

Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing

01/09/2012



Joinder to Opposition to Motion

Filed by: Counter Defendant Uintah Investments LLC

Uintah Investments, LLC, dba Sierra Reinforcing's Joinder to APCO Construction, Inc.'s Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construcion, Inc.'s Motion for Summary Judgment on Lien Priority adn Denying Scott Financial Corporation's Motion for Priority or in the Alternative Motion for Hearing

01/09/2012



Joinder

Filed By: Other The Masonry Group Nevada, Inc.

The Masonry Group Nevada, Inc.'s Joinder to Apco Construction's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary judgment on Priority; and Denying Scott Financial Corporation's Motino for Priority or in the Alternative, Motion for a Re-Hearing

01/10/2012



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc

Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.s Opposition to Defendant Scott Financial Corporation's Motion for Reconisderation of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Re-Hearing

01/11/2012




Joinder to Opposition to Motion

Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co











Arch Aluminum and Glass, LLC's Joinder in APCO's Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Rehearing

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












01/11/2012	 Substitution of Attorney Filed by: Counter Defendant Bank of Oklahoma NA <i>Notice of Substitution of Attorneys for Plaintiff/Counter-Defendant United Subcontractors, Inc. dba Skyline Insulation</i>
01/11/2012	 Status Check (10:00 AM) (Judicial Officer: Scann, Susan) 01/11/2012, 02/15/2012 <i>STATUS CHECK: PARTIES WITH MATTERS UNDER SUBMISSION</i> Matter Continued; Matter Heard; Matter Continued; Matter Heard; <i>Matter Continued</i>
01/12/2012	 Motion to Dismiss Filed By: Intervenor Defendant Edelstein, Alex <i>Defendant Alexander Edelstein's Motion to Dismiss</i>
01/12/2012	 Reply to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporaiton's Reply in Support of Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i>
01/12/2012	 Joinder to Opposition to Motion Filed by: Intervenor E & E Fire Protectiong LLC <i>E&E Fire Protection, LLC, Noorda Sheet Metal Company, The Pressure Grout Company and Professional Doors and Millworks, LLC's Notice of Joinder in Apco Construction's and Insulpro Projects, Inc.'s Respective Opposition to Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting Apco Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-hearing</i>
01/12/2012	 Statement Filed by: Plaintiff Apco Construction <i>United Subcontractors, Inc. dba Skyline Insulation's Statement of Claims</i>
01/13/2012	 Statement Filed by: Counter Defendant Ready Mix Inc <i>Ready Mix, Inc.'s Statement Of Claim</i>
01/13/2012	 Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>Selectbuild Nevada, Inc.'s Joinder to Apco Construction and Insulpro Projects, Inc.'s Oppositions to Scott Financial Corporation's Motion for Reconsideration of Findings of Fact, Conclusions of Law and order Granting Apco Construction's Motion for Summary Judgment on Priority and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for Rehearing</i>
01/18/2012	 Statement Filed by: Counter Claimant Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Statement of Claim</i>
01/19/2012	 Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice of Hearing on Motion For Reconsideration of Findings of Fact, Conclusions of</i>

DISTRICT COURT
CASE SUMMARY
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Law and Order Granting APCO Construction's Motion for Summary Judgment and Denying Scott Financial Corporaiton's Motion for Priority or in the Aleternative, Motion for a Re-Hearing

01/25/2012	Motion For Reconsideration (9:00 AM) (Judicial Officer: Scann, Susan) Events: 12/12/2011 Motion to Reconsider <i>Defendant's Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Granting APCO Construction's Motion for Summary Judgment on Priority; and Denying Scott Financial Corporation's Motion for Priority or in the Alternative, Motion for a Re-Hearing</i>
01/25/2012	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing</i>
01/25/2012	 All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
01/31/2012	 Notice Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Notice of Name Change</i>
01/31/2012	 Affidavit Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Affidavit of Attorneys Fees</i>
01/31/2012	 Memorandum of Costs and Disbursements Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Memorandum of Costs and Disbursements</i>
02/01/2012	 Hearing (9:00 AM) (Judicial Officer: Scann, Susan) <i>HEARING: COURT'S DECISIION</i> Decision Made; <i>Decision Made</i>
02/01/2012	 Certificate of Service Filed by: Intervenor Defendant Edelstein, Alex <i>Certificate of Service</i>
02/01/2012	 Certificate of Service Filed by: Intervenor Defendant Edelstein, Alex <i>Certificate of Service</i>
02/06/2012	 Motion for Partial Summary Judgment Filed By: Intervenor Steel Structures Inc <i>Steel Structures, Inc.'s Motion for Partial Summary Judgment</i>
02/06/2012	 Motion for Partial Summary Judgment Filed By: Intervenor Nevada Prefab Engineers Inc <i>Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i>
02/14/2012	 Business Court Order <i>Amended Business Court Scheduling Order Re-Setting Civil Jury Trial, Pre-Trial Conference And Calendar Call</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

02/14/2012	 Substitution of Attorney Filed by: Counter Defendant Fast Glass Inc <i>Substitution of Counsel</i>
02/14/2012	 Transcript of Proceedings Party: Plaintiff Apco Construction <i>Transcript of Proceedings: Motions</i>
02/15/2012	 Supplement Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
02/17/2012	 Motion to Intervene Party: Intervenor National Wood Products, Inc.'s <i>National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i>
02/17/2012	 Declaration Filed By: Intervenor National Wood Products, Inc.'s <i>Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed Concurrently herewith</i>
02/28/2012	 Affidavit in Support Filed By: Intervenor Plaintiff Ahern Rental Inc <i>Supplemental Affidavit of Matthew W. Treu in Support of Plaintiff Ahern Rental, Inc.'s Claim for Attorney's Fees</i>
03/05/2012	 Order Shortening Time Filed By: Plaintiff Apco Construction <i>APCO's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 25, 2012, and Request for Order Shortening Time</i>
03/06/2012	 Opposition to Motion Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Opposition to APCO's Objection and Motion to Strike Scott's Supplement to Motion for Summary Judgment on Order Shortening Time</i>
03/06/2012	 Joinder Filed By: Intervenor Steel Structures Inc <i>Joinder to APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i>
03/06/2012	 Opposition to Motion to Dismiss Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Limited Opposition to Alexander Edelstein's Motion to Dismiss</i>
03/06/2012	 Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Objection to and Motion to Strike Scott Financial's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i>
03/06/2012	

DISTRICT COURT
CASE SUMMARY
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	 Certificate of Mailing Filed By: Intervenor National Wood Products, Inc.'s <i>Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene filed Concurrently herewith</i>
03/06/2012	 Certificate of Mailing Filed By: Intervenor National Wood Products, Inc.'s <i>Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i>
03/06/2012	 Joinder Filed By: Counter Defendant Interstate Plumbing & Air Conditioning <i>Joinder to APCO's Objection to and Motion to Strike Scott Financial's Supplememt to Motion for Summary Judgment as to Priority of Liens, filed February 15, 2012, and Request for Order Shortening Time</i>
03/06/2012	 Joinder Filed By: Intervenor Granite Construction Company <i>Granite Construction Company's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i>
03/07/2012	Motion to Dismiss (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Alexander Edelstein's Motion to Dismiss</i> Granted Without Prejudice; <i>Granted Without Prejudice</i>
03/07/2012	Objection (9:00 AM) (Judicial Officer: Scann, Susan) <i>APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i> Denied; <i>Denied</i>
03/07/2012	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Joinder to APCO's Objection to and Motion to Strike Scott Financial's Supplememt to Motion for Summary Judgment as to Priority of Liens, filed February 15, 2012, and Request for Order Shortening Time</i> Denied; <i>Denied</i>
03/07/2012	Joinder (9:00 AM) (Judicial Officer: Scann, Susan) <i>Granite Construction Company's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, Filed February 15, 2012, and Request for Order Shortening Time</i> Denied; <i>Denied</i>
03/07/2012	 All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
03/07/2012	 Order Granting Motion Filed By: Intervenor Defendant Edelstein, Alex <i>Order Granting Defendant Alexander Edelstein's Motion to Dismiss</i>
03/07/2012	 Joinder Filed By: Intervenor Plaintiff Harsco Corporation

DISTRICT COURT
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CASE NO. 08A571228

Harsco Corporation, EZA, P.C. dba OZ Architecture of Nevada, and Patent Construction Systems, A Division of Harsco Corporation's Joinder to APCO's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens, filed February 15, 2012

03/07/2012



Notice of Entry

Filed By: Intervenor Defendant Edelstein, Alex

Notice of Entry of Order Granting Defendant Alexander Edelstein's Motion to Dismiss

03/07/2012

Order of Dismissal Without Prejudice (Judicial Officer: Scann, Susan)

Debtors: Camco Pacific Construction Co Inc (Intervenor Plaintiff)

Creditors: Alex Edelstein (Intervenor Defendant)

Judgment: 03/07/2012, Docketed: 03/23/2012

03/14/2012



Notice of Rescheduling

Filed By: Plaintiff Apco Construction

Rescheduling Hearing

03/14/2012



Amended Certificate of Service

Party: Intervenor National Wood Products, Inc.'s

First Amended Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof

03/14/2012



Amended Certificate of Service

Party: Intervenor National Wood Products, Inc.'s

First Amended Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed Concurrently herewith

03/15/2012



Order Denying

Filed By: Defendant Scott Financial Corporation

Order Denying APCO's Objection and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment on Order Shortening Time

03/15/2012



Opposition to Motion For Summary Judgment

Filed By: Plaintiff Apco Construction

APCO's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Lien

03/16/2012



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation

Notice of Entry of Order Denying APCO's Objection and Motion to Strike Scott Financial Corporaiton's Supplement to Motion for Summary Judgment on Order Shortening Time

03/16/2012



Joinder to Opposition to Motion

Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC

Las Vegas Pipeline's Joinder in Apco's Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens

03/16/2012



Notice of Compliance

Party: Plaintiff Apco Construction

United Subcontractors, Inc. dba Skyline Insulation's Notice of Compliance Regarding Document Production

03/19/2012



Joinder

Filed By: Intervenor Granite Construction Company

Granite Construction Company's Joinder to Apco's Opposition to Scott Financial











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CASE NO. 08A571228

Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens












03/19/2012	 Reply in Support Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Reply in Support of Supplement To Motion for Summary Judgment as to Priority of Liens</i>
03/19/2012	 Joinder to Opposition to Motion Filed by: Counter Defendant Uintah Investments LLC <i>Uintah Investments, LLC, dba Sierra Reinforcing's Joinder in APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
03/20/2012	 Joinder to Opposition to Motion Filed by: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Lien</i>
03/20/2012	 Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to APCO Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
03/20/2012	 Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to Apco Construction's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
03/20/2012	 Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co <i>Trulite Glass & Aluminum Solutions, LLC, f/k/a Arch Aluminum & Glass Co., LLC's Joinder in Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment As To Priority of Liens</i>
03/20/2012	 Joinder to Opposition to Motion Filed by: Intervenor Plaintiff Northstar Concrete, Inc. <i>Northstar Concrete, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
03/20/2012	 Joinder to Opposition to Motion Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc.'s Joinder to Apco's Opposition to Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens</i>
03/21/2012	Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>HEARING: ARGUMENT - MOTION FOR SUMMARY JUDGMENT</i> Continued for Chambers Decision; <i>Continued for Chambers Decision</i>
03/21/2012	Motion for Partial Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Steel Structures, Inc.'s Motion for Partial Summary Judgment</i> Granted; <i>Granted</i>
03/21/2012	Motion for Partial Summary Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Granted;
Granted













03/21/2012	 All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
03/22/2012	 Motion to Intervene (3:00 AM) (Judicial Officer: Scann, Susan) <i>National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof</i> Granted; <i>Granted</i>
03/27/2012	 Motion to Withdraw As Counsel Filed By: Counter Defendant Atlas Construction Supply Inc <i>Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i>
03/29/2012	 Errata Filed By: Counter Defendant Atlas Construction Supply Inc <i>Errata to Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i>
03/30/2012	 Notice of Entry of Order Filed By: Intervenor Nevada Prefab Engineers Inc <i>Notice of Entry of Order</i>
03/30/2012	 Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>Notice of Entry of Order</i>
03/30/2012	 Notice of Hearing <i>Notice of Hearing</i>
03/30/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Intervenor Nevada Prefab Engineers Inc <i>Findings of Fact, Conclusions of Law and Order Granting Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment</i>
03/30/2012	 Findings of Fact, Conclusions of Law and Order Filed By: Intervenor Steel Structures Inc <i>Findings of Fact, Conclusions of Law and Order Granting Steel Structure, Inc.'s Motion for Partial Summary Judgment</i>
04/04/2012	 Decision (11:00 AM) (Judicial Officer: Scann, Susan) <i>Court's Decision</i> Decision Made; <i>Decision Made</i>
04/05/2012	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Craig S. Newman, Esq.'s Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>

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04/12/2012	 Order Granting Motion Filed By: Counter Defendant Atlas Construction Supply Inc <i>Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.</i>
04/12/2012	 Order Granting Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Order Granting National Wood Products Inc's Motion to Intervene</i>
04/16/2012	 Recordors Transcript of Hearing Party: Plaintiff Apco Construction <i>Recorder's Transcript Re: Court's Decision</i>
04/16/2012	 Notice of Entry of Order Filed By: Counter Defendant Atlas Construction Supply Inc <i>Notice of Entry of Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.</i>
04/16/2012	 Attorney Lien Filed By: Counter Defendant Atlas Construction Supply Inc <i>Fennemore Craig, P.C's Notice of Attorney's Lien</i>
04/18/2012	CANCELED Motion for Default Judgment (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i>
04/23/2012	 Transcript of Proceedings <i>Transcript Re: Defendant Alexander Edelstein's Motion to Dismiss; Apco's Objection to and Motion to Strike Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens Filed February 15, 2012 and Request for Order Shortening Time</i>
04/23/2012	 Transcript of Proceedings <i>Transcript Re: Hearing: Argument -- Motion for Summary Judgment; Nevada Prefab Engineers' Motion for Partial Summary Judgment; Steel Structures, Inc's Motion for Partial Summary Judgment</i>
05/04/2012	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Granting National Wood Products, Inc.'s Motion to Intervene</i>
05/04/2012	 Certificate of Mailing Filed By: Intervenor National Wood Products, Inc.'s <i>Certificate of Mailing</i>
05/07/2012	 Decision Filed By: Defendant Scott Financial Corporation <i>Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens</i>
05/07/2012	 Notice of Entry of Decision and Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens</i>
05/07/2012	Partial Summary Judgment (Judicial Officer: Scann, Susan) Debtors: Apco Construction (Plaintiff)

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Creditors: Scott Financial Corporation (Defendant)
Judgment: 05/07/2012, Docketed: 05/18/2012

05/09/2012	 Status Check: Status of Case (10:00 AM) (Judicial Officer: Scann, Susan) <i>Status Check: Status of Case</i> Matter Continued; On in error. <i>Matter Continued</i>
05/29/2012	 Motion Filed By: Defendant Scott Financial Corporation <i>Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i>
05/30/2012	 Judgment By Default <i>A571228</i>
05/31/2012	 Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i>
05/31/2012	 Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i>
05/31/2012	 Certificate of Service Filed by: Defendant Scott Financial Corporation <i>Certificate Of Service</i>
05/31/2012	 Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy</i>
06/01/2012	 Opposition to Motion Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending further Court Order, and for Posting of Bond on Order Shortening Time</i>
06/01/2012	 Certificate of Service Filed by: Defendant Scott Financial Corporation <i>Certificate Of Service</i>
06/01/2012	 Order Shortening Time <i>Supplement Affidavit in Support of Application for Order Shortening Time</i>
06/04/2012	 Joinder to Opposition to Motion Filed by: Intervenor Steel Structures Inc <i>Joinder to Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed With Deposit of Funds Pending Further Court Order, and For Posting of Bond on Order Shortening Time</i>
06/05/2012	 Joinder to Opposition to Motion Filed by: Intervenor Tri-City Drywall Inc <i>Tri-City Drywall, Inc. and Northstar Concrete, Inc.'s Joinder in Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed With Deposit</i>

DISTRICT COURT
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of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time

06/05/2012	 Joinder to Opposition to Motion Filed by: Interpleader Hydropressure Cleaning Inc <i>Hydropressure Cleaning, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i>
06/06/2012	 Motion (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corp.'s Motion to Lift Stay, Allow Sale to Proceed with deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i> Per JEA and OST. Hearing Set; <i>Hearing Set</i>
06/11/2012	 Joinder to Opposition to Motion Filed by: Counter Defendant Selectbuild Nevada Inc <i>SelectBuild Nevada, Inc.'s Joinder to PB Lien Claimants' Opposition to Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond on Order Shortening Time</i>
06/26/2012	 Transcript of Proceedings <i>Transcript Re: Hearing</i>
06/26/2012	 Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Scott Financial Corporation's Motion to Reconsider</i>
06/27/2012	 Reply in Support Filed By: Defendant Scott Financial Corporation <i>Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i>
06/27/2012	 Appendix Filed By: Defendant Scott Financial Corporation <i>Appendix Of Exhibits To Reply In Support Of Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i>
06/27/2012	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Scott Financial Corporation's Motion to Reconsider</i>
06/29/2012	 Joinder To Motion Filed By: Counter Claimant Club Vista Financial Seives LLC <i>Tharaldson Defendants' Joinder to Scott Financial Corporation's Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for the Posting of Bond on Order Shortening Time</i>
07/02/2012	 Objection Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Evidentiary Objection to Presentation of Evidence from Representative of Clark County Department of Development Services</i>
07/02/2012	

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

 **Evidentiary Hearing (9:30 AM)** (Judicial Officer: Scann, Susan)

07/02/2012, 07/09/2012-07/10/2012

Evidentiary Hearing

Matter Heard;

Matter Heard;

Matter Heard;

Matter Heard;

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Matter Heard


07/03/2012

 Notice of Lis Pendens

Filed by: Counter Defendant WRG Design Inc

WRG Design, Inc.'s Second Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC

SWPPP Compliance Solutions LLC's Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc

Interstate Plumbing and Air Conditioning's Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Counter Defendant Helix Electric of Nevada LLC

Helix Electric of Nevada, LLC's Second Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Counter Defendant Heinaman Contract Glazing

Heinaman Contract Glazing's Second Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Consolidated Case Party HD Supply Waterworks LP

HD Supply Waterworks LP's Second Amended Notice of Lis Pendens

07/03/2012

 Notice of Lis Pendens

Filed by: Counter Defendant Fast Glass Inc

Fast Glass Inc.'s Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Intervenor Plaintiff Cactus Rose Construction Inc

Cactus Rose Construction's Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens

Filed by: Counter Defendant Bruin Painting Corporation

Bruin Painting Corp.'s Second Amended Notice of Lis Pendens


07/03/2012

 Notice of Lis Pendens










Filed by: Counter Defendant Buchele Inc

Buchele Inc.'s Amended Notice of Lis Pendens












07/03/2012

 Notice of Lis Pendens











DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

	Filed by: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Accuracy Glass & Mirror Co. Inc.'s Second Amended Notice of Lis Pendens</i>
07/03/2012	CANCELED Evidentiary Hearing (1:00 PM) (Judicial Officer: Scann, Susan) <i>Vacated - per Clerk</i>
07/05/2012	 NRCP 16.1 Disclosure Statement Filed By: Plaintiff Apco Construction <i>NRAP 26.1(A) Disclosure</i>
07/10/2012	CANCELED Evidentiary Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Vacated - On In Error</i>
07/11/2012	 Order to Show Cause Filed by: Plaintiff Apco Construction <i>Order to Show Cause re: Summary Determination of Lien Amounts; and the Possible Sale of the Property</i>
07/12/2012	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>NOTICE OF ENTRY OF ORDER TO SHOW CAUSE RE: SUMMARY DETERMINATION OF LIEN AMOUNTS; and THE POSSIBLE SALE OF THE PROPERTY</i>
07/18/2012	 Show Cause Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Show Cause Hearing Re: Summary Determination of Lien Amounts; and the Possible Sale of the Property</i> Matter Heard; <i>Matter Heard</i>
07/23/2012	 Notice of Change of Address Filed By: Counter Defendant Uintah Investments LLC <i>Notice of Change of Address and Telephone Number</i>
07/31/2012	 Hearing (2:00 PM) (Judicial Officer: Scann, Susan) <i>Hearing Re: Sale of Property</i> Per Law Clerk. Matter Heard; <i>Matter Heard</i>
08/09/2012	 Order Filed By: Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corporation; Intervenor Defendant Scott Financial Corp; Counter Defendant Scott Financial Corporation; Counter Defendant Scott, Bradley J; Defendant Scott, Bradley J; Intervenor Defendant Scott Financial Corporation <i>Order Granting In Part And Denying In Part Scott Financial Corporation's Motion To Lift Stay, Allow Sale To Proceed With Deposit Of Funds Pending Further Court Order, And For Posting Of Bond On Order Shortening Time</i>
08/10/2012	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order</i>
08/16/2012	 Status Check: Status of Case (3:00 PM) (Judicial Officer: Scann, Susan) <i>Status Check: Status of Case</i> Matter Heard; <i>Matter Heard</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228














08/21/2012	 Telephonic Conference (10:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
08/29/2012	 Substitution of Attorney Filed by: Other Wiss, Janney, Elstner Associates, Inc. <i>Substitution of Attorneys</i>
08/29/2012	 Order Filed By: Plaintiff Apco Construction <i>Order for Mediation</i>
08/29/2012	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order for Mediation</i>
09/04/2012	 Receipt of Copy Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Receipt of Copy</i>
09/26/2012	 Telephonic Conference (2:00 PM) (Judicial Officer: Scann, Susan) MINUTES  Hearing (10/09/2012 at 1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> <i>Matter Continued</i> Matter Heard; <i>Matter Heard</i> SCHEDULED HEARINGS  Hearing (10/09/2012 at 1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> <i>Matter Continued</i>
10/02/2012	 Order Vacating Filed By: Plaintiff Apco Construction <i>Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property</i>
10/04/2012	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property</i>
10/09/2012	CANCELED Hearing (1:30 PM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> HEARING: MANHATTAN WEST AUCTION SALE
10/09/2012	 Hearing (1:30 PM) (Judicial Officer: Scann, Susan) 10/09/2012, 10/16/2012 <i>Re: Order</i> Matter Continued; Matter Continued; Matter Continued;

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228










10/24/2012	 Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
10/25/2012	 Motion to Withdraw As Counsel Filed By: Third Party Plaintiff Dave Peterson Framing Inc <i>Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i>
10/26/2012	 Pre-trial Memorandum Filed by: Counter Defendant Ready Mix Inc <i>Ready Mix, Inc.'s Pre-Trial Memorandum</i>
10/29/2012	 Pre-trial Memorandum Filed by: Plaintiff Apco Construction <i>APCO Construction's Pre-Trial Memorandum for the Ready Mix, Inc. Trial</i>
10/29/2012	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated</i>
10/30/2012	 Pre-trial Memorandum Filed by: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Pre-Trial Memorandum</i>
10/30/2012	 Certificate of Service Filed by: Intervenor Dave Peterson Framing Inc <i>Certificate of Service of Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i>
10/30/2012	 Bench Trial (1:30 PM) (Judicial Officer: Scann, Susan) <i>Bench Trial: Apco Construction and Ready Mix, Inc.</i> Matter Heard; <i>Matter Heard</i>
11/05/2012	 Stipulation and Order for Dismissal With Prejudice Filed By: Intervenor Granite Construction Company <i>Stipulation and Order to Dismiss With Prejudice</i>
11/05/2012	Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan) Debtors: APCO Construction (Intervenor Defendant), APCO Construction (Intervenor Defendant) Creditors: Granite Construction Company (Intervenor) Judgment: 11/05/2012, Docketed: 11/15/2012
11/06/2012	 Notice of Entry of Order Filed By: Intervenor Granite Construction Company <i>Notice of Entry of Order</i>
11/29/2012	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>T. James Truman, Esq.'s Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.; Notice of Attorneys' Lien; Motion to Foreclose Attorneys' Lien and Reduce Lien to Judgment Against Dave Peterson Framing, Inc.</i> Granted in Part;

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228













Granted in Part

11/29/2012	 Order Filed By: Plaintiff Apco Construction <i>Order Staying the Case, Except for the Sale of the Property, Pending Resolution of the Writ Petition Before the Nevada Supreme Court</i>
11/30/2012	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Staying the Case, Except for the Sale of the Property, Pending Resolution of the Writ Petition Before the Nevada Supreme Court</i>
12/14/2012	 Stipulation and Order for Dismissal With Prejudice Filed By: Defendant Edelstein, Alexander <i>(A577623) Stipulation and Order for Dismissal with Prejudice as to Defendant Alexander Edelstein Only</i>
12/17/2012	 Notice of Entry of Stipulation and Order Filed By: Intervenor Defendant Edelstein, Alex <i>Notice of Entry of Stipulation and Order for Dismissal With Prejudice as to Defendant Alexander Edelstein Only</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Status Hearing, May 9, 2012</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Status Hearing, August 16, 2012</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Apco Construction's Order to Show Cause Re: Summary Determination of Lien Amounts; Possible Sale of the Property, October 9, 2012</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Hearing Re: Sale of Property, October 16, 2012</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Status Check Re: Sale of Property, November 6, 2012</i>
12/19/2012	 Transcript of Proceedings <i>Transcript of Proceedings: Status Check Re: Sale of Property, December 6, 2012</i>
12/27/2012	 Motion Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues</i>
01/02/2013	 Order Granting Filed By: Intervenor Dave Peterson Framing Inc <i>Order Granting in Part Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.</i>
01/02/2013	 Joinder Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Joinder to Motion to Set Hearing to Discuss Order Approving Private Sale Agreement and Related Issues</i>

DISTRICT COURT
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CASE NO. 08A571228

01/03/2013	 Notice of Entry of Order Filed By: Defendant Nevada Construction Services <i>Notice of Entry of Order Granting in Part Motion to Withdraw As Counsel of Record for Dave Peterson Framing, Inc.</i>
01/03/2013	 Request Filed by: Intervenor Cell Crete Fireproofing Of NV Inc <i>Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc's Request and Notice for CourtCall Telephonic Appearance</i>
01/03/2013	 Motion (1:30 PM) (Judicial Officer: Scann, Susan) 01/03/2013, 01/16/2013 <i>Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues</i> MINUTES  Evidentiary Hearing (02/07/2013 at 10:00 AM) (Judicial Officer: Scann, Susan) 02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013 <i>EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE Matter Continued</i> Per temporary JEA. Matter Continued; Matter Heard; Per temporary JEA. Matter Continued; Matter Heard; <i>Matter Continued</i> SCHEDULED HEARINGS  Evidentiary Hearing (02/07/2013 at 10:00 AM) (Judicial Officer: Scann, Susan) 02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013 <i>EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE Matter Continued</i>
01/23/2013	 Order Filed By: Defendant Scott Financial Corporation <i>Order</i>
01/24/2013	 Stipulation and Order for Dismissal With Prejudice Filed By: Defendant Edelstein, Alexander <i>Stipulation and Order for Dismissal with Prejudice as to Defendant Alexander Edelstein Only</i>
01/24/2013	Order of Dismissal With Prejudice (Judicial Officer: Scann, Susan) Debtors: Ahern Rental Inc (Intervenor Plaintiff) Creditors: Alex Edelstein (Intervenor Defendant) Judgment: 01/24/2013, Docketed: 02/01/2013
01/25/2013	 Notice of Entry of Stipulation & Order for Dismissal Filed By: Defendant Edelstein, Alexander <i>Notice of Entry of Stipulation and Order for Dismissal With Prejudice as to Defendant Alexander Edelstein Only</i>
01/28/2013	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

01/29/2013	 Application Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Ex Parte Application For Order To Show Cause On Order Shortening Time</i>
01/29/2013	 Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order to Show Cause</i>
01/29/2013	 Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order To Show Cause Regarding Possible Sale Of The Property</i>
01/30/2013	 Errata Filed By: Defendant Scott Financial Corporation <i>Errata to Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time</i>
01/30/2013	 Notice of Entry Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order Shortening Time</i>
01/31/2013	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice of Entry of Order to Show Cause</i>
01/31/2013	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order To Show Cause Regarding Possible Sale Of Property</i>
02/05/2013	 Notice of Hearing Filed By: Defendant Scott Financial Corporation <i>Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i>
02/05/2013	 Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on OST</i> Motion Granted; <i>Motion Granted</i>
02/05/2013	 Motion to Dismiss Filed By: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i>
02/06/2013	 Declaration Filed By: Defendant Scott Financial Corporation <i>Declaration Of Bradley J. Scott, In Anticipation Of Evidentiary Hearing</i>
02/07/2013	 Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order To Show Cause</i>
02/07/2013	

DISTRICT COURT
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CASE NO. 08A571228

 **Evidentiary Hearing** (10:00 AM) (Judicial Officer: Scann, Susan)

02/07/2013, 03/01/2013, 03/07/2013, 03/12/2013

EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Matter Continued;

Matter Continued;

Matter Continued;

Matter Heard;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Heard;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Heard;


Matter Continued;

Matter Continued;

Matter Continued;


Matter Heard;

Matter Continued

02/07/2013  **All Pending Motions** (10:00 AM) (Judicial Officer: Scann, Susan)

Matter Heard;

Matter Heard

02/08/2013  Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation

Notice of Entry Of Order To Show Cause

02/12/2013  Receipt of Copy

Filed by: Defendant Scott Financial Corporation

Receipt of Copy

02/12/2013  Receipt of Copy

Filed by: Defendant Scott Financial Corporation

Receipt of Copy

02/12/2013  Receipt of Copy

Filed by: Defendant Scott Financial Corporation

Receipt of Copy

02/12/2013  Receipt of Copy

Filed by: Defendant Scott Financial Corporation

Receipt Of Copy

02/13/2013  Affidavit of Service

Filed By: Defendant Scott Financial Corporation

Affidavit of Service

02/13/2013  Transcript of Proceedings

*Transcript Re: Show Cause Hearing Re: Summary Determination of Lien Amounts; and
The Possible Sale of Property*

02/13/2013  Transcript of Proceedings

Transcript Re: Hearing Re: Sale of Property, July 31, 2012

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

02/13/2013	 Transcript of Proceedings <i>Transcript Re: Telephonic Conference, August 21, 2012</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Telephonic Conference, September 26, 2012</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Hearing Re: Sale of Property, October 23, 2012</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 3, 2013</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 16, 2013</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause, February 5, 2013</i>
02/13/2013	 Transcript of Proceedings <i>Transcript Re: Evidentiary Hearing: Real Estate Commission for the Private Sale, February 7, 2013</i>
02/13/2013	 Receipt of Copy Filed by: Defendant Scott Financial Corporation <i>Receipt Of Copy Of The Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time</i>
02/14/2013	Motion to Dismiss (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Scott Financial Corporation's Motion to Dismiss and Expunge Liens on Order Shortening Time</i> Granted; <i>Granted</i>
02/14/2013	Show Cause Hearing (9:00 AM) (Judicial Officer: Scann, Susan) <i>Order To Show Cause</i> Granted; <i>Granted</i>
02/14/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
02/14/2013	 Order Filed By: Defendant Scott Financial Corporation <i>Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens</i>
02/14/2013	 Order Filed By: Defendant Scott Financial Corporation <i>Order Regarding Show Cause Hearing</i>
02/14/2013	 Order Filed By: Defendant Scott Financial Corporation

DISTRICT COURT
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Order Expunging Lien

02/15/2013



Order

Filed By: Defendant Scott Financial Corporation
Order Expunging Liens

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Defendant Scott Financial Corporation
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Defendant Scott Financial Corporation
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Affidavit of Service

Filed By: Plaintiff Apco Construction
Affidavit of Service

02/15/2013



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order Expunging Lien

02/15/2013



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order Regarding Show Cause Hearing

02/15/2013



Notice of Entry of Order

Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens














02/15/2013



Affidavit of Service












Filed By: Defendant Scott Financial Corporation
Affidavit of Service

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228










02/19/2013	 Transcript of Proceedings <i>Partial Transcript: (Testimony of Bradley Scott and Doug Schuster) Hearing Re: Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order and for Posting of Bond, July 2, 2012</i>
02/20/2013	 Notice of Entry of Order Filed By: Defendant Scott Financial Corporation <i>Notice Of Entry Of Order Expunging Liens</i>
02/25/2013	 Brief Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief</i>
02/25/2013	 Brief Filed By: Intervenor Defendant Gemstone Development West Inc <i>Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures</i>
02/25/2013	 Brief Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Tharaldson Parties' Evidentiary Hearing Brief and Limited Joinder to Peel Brimley Lien Claimants' Pre-hearing Brief and Disclosures</i>
02/26/2013	 Joinder Filed By: Plaintiff Apco Construction <i>APCO Construction's Joinder to Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures</i>
02/26/2013	 Errata Filed By: Defendant Scott Financial Corporation <i>Errata To Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief</i>
03/01/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
03/05/2013	 Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Harsco Corporation <i>Motion to Withdraw as Attorney of Record for Harsco Corporation</i>
03/07/2013	 Transcript of Proceedings <i>Transcript of Proceedings: Excerpt of Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale (Testimony of Bradley Scott) March 1, 2013</i>
03/07/2013	 All Pending Motions (1:00 PM) (Judicial Officer: Scann, Susan) Matter Heard; <i>Matter Heard</i>
03/12/2013	 Transcript of Proceedings <i>Transcript of Proceedings: Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale, March 1, 2013</i>
03/12/2013	 Transcript of Proceedings

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*Transcript of Proceedings: Status Check: RE: Sale of Property, Evidentiary Hearing:
Real Estate Commission for the Private Sale, March 7, 2013*

03/26/2013	 Decision (10:00 AM) (Judicial Officer: Scann, Susan) 03/26/2013, 04/03/2013 Continued; <i>Continued</i>
04/03/2013	CANCELED Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - Superseding Order</i>
04/03/2013	 Notice of Entry of Decision and Order Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Notice of Entry of Decision and Order on Motion to Set Hearing</i>
04/03/2013	 Decision and Order <i>Decision and Order</i>
04/04/2013	 Amended Notice Filed By: Intervenor Defendant Gemstone Development West Inc <i>Amended Notice of Entry of Decision and Order on Motion to Set Hearing</i>
04/04/2013	 Stipulation and Order for Dismissal Filed by: Consolidated Case Party HD Supply Waterworks LP <i>A587168 Stipulation and Order to Dismiss E&E Fire Protection, LLC Only Pursuant to the Terms Stated Below</i>
04/08/2013	CANCELED Bench Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - Superseding Order</i>
04/08/2013	 Notice of Entry of Stipulation and Order Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>A587168</i>
04/10/2013	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Donald H. Williams, Esq's Motion to Withdraw as Attorney of Record for Harsco Corporation</i> Granted; <i>Granted</i>
04/23/2013	 Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Order Approving Sale of Property</i>
04/25/2013	 Notice of Entry of Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Notice of Entry of Order Approving Sale of Property</i>
04/25/2013	 Motion to Set Aside Filed By: Consolidated Case Party Cisneros, Selina <i>Notice Of Motion And Motion To Set Aside Order Or Judgment</i>
04/25/2013	 Release Filed By: Defendant Scott Financial Corporation <i>Ahern Rentals, Inc.'s Partial Release of Judgment Lien</i>

DISTRICT COURT
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CASE NO. 08A571228

04/30/2013	 Ex Parte Application Party: Defendant Scott Financial Corporation <i>Defendant Scott Financial Corporation's Ex Parte Application for Order To Show Cause on Order Shortening Time</i>
05/02/2013	 Order to Show Cause Filed by: Defendant Scott Financial Corporation <i>Order to Show Cause</i>
05/07/2013	 Order Granting Motion Filed By: Intervenor Plaintiff Harsco Corporation <i>Order Granting Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corporation</i>
05/08/2013	 Affidavit of Service Filed By: Consolidated Case Party Cisneros, Selina <i>Affidavit of Service</i>
05/08/2013	CANCELED Pre Trial Conference (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i>
05/09/2013	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>
05/09/2013	CANCELED Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> <i>Show Cause Hearing</i>
05/15/2013	CANCELED Calendar Call (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i>
05/17/2013	 Release Filed By: Defendant Scott Financial Corporation <i>PCI Group, LLC's Partial Release of Judgment Lien</i>
05/20/2013	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i>
05/22/2013	 Release Filed By: Defendant Scott Financial Corporation <i>PCI Group LLC's Partial Release of Judgment Lien</i>
05/23/2013	CANCELED Show Cause Hearing (10:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Judge</i> <i>Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time</i>
05/30/2013	 Motion to Set Aside (9:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Selina Cisneros' Motion To Set Aside Order or Judgment Off Calendar;</i> <i>Off Calendar</i>
06/06/2013	 Motion for Judgment Filed By: Plaintiff Apco Construction

DISTRICT COURT
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(1) APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against Gemstone Only; and (2) Request for Order Shortening Time

06/12/2013



Opposition to Motion

Filed By: Defendant Scott Financial Corporation

Scott Financial Corporation's Opposition to (1) Apco Construction, Inc's Limited Motion to Lift Stay (2) Motion for Judgment Against Gemstone only; and (3) Request for Order Shortening Time

06/13/2013



Motion (10:00 AM) (Judicial Officer: Scann, Susan)

(1) APCO's Limited Motion to Lift Stay for Purposes of this Motion Only; (2) APCO's Motion for Judgment Against GEMSTONE Only; and (3) Request for Order Shortening Time

Granted;

Granted

06/13/2013



Stipulation

Filed by: Intervenor Defendant Club Vista Financial Services LLC

Stipulation Regarding Reconveyance of Deeds of Trust Encumbering Property

01/09/2014



Miscellaneous Filing

Filed by: Plaintiff Apco Construction

Notice of Screening Device

03/18/2014



Consent to Service By Electronic Means

Filed By: Plaintiff Apco Construction

Consent to Service By Electronic Means

03/18/2014



Notice

Filed By: Counter Defendant Uintah Investments LLC

Notice of Change of Handling Attorney

04/22/2014



Notice of Substitution of Parties

Filed By: Intervenor Plaintiff S R Bray Corp

Substitution of Real Party in Interest

04/30/2014



Transcript of Proceedings

Portion of Transcript: Scott Defendants' Motion to Lift Stay, Allow Sale to Proceed with Deposit of Funds Pending Further Court Order, and for Posting of Bond, July 2, 2012

04/30/2014



Transcript of Proceedings

Transcript of Proceedings: Evidentiary Hearing, July 9, 2012

04/30/2014



Transcript of Proceedings

Transcript of Proceedings: Evidentiary Hearing, July 10, 2012

05/28/2014



Motion

Filed By: Intervenor Insulpro Projects Inc

Insulpro Projects, Inc.'s Motion to Lift Stay

06/16/2014



Opposition to Motion

Filed By: Plaintiff Apco Construction












APCO Construction's Opposition to Insulpro Project, Inc.'s Motion to Lift Stay

06/18/2014

DISTRICT COURT
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	 Stipulation and Order Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Continue the Hearing on Insulpro Projects Inc.'s Motion to Lift Stay</i>
06/19/2014	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order to Continue Hearing on Insulpro Projects Inc.'s Motion to Lift Stay</i>
06/20/2014	 Opposition Filed By: Defendant Scott Financial Corporation <i>Opposition of Scott Financial Corporation to Insulpro Project, Inc.'s Motion to Lift Stay</i>
06/20/2014	 Reply to Opposition Filed by: Intervenor Plaintiff Inquipco <i>Insulpro Projects, Inc.'s Reply to Apco Construction's Opposition to Motion to Lift Stay</i>
06/23/2014	 Opposition Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco Pacific Construction Company, Inc.'s Opposition to Insulpro Projects, Inc.'s Motion to Lift Stay</i>
07/02/2014	 Reply to Opposition Filed by: Intervenor Insulpro Projects Inc <i>Insulpro Projects, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Opposition to Motion to Lift Stay</i>
07/15/2014	 Motion (9:00 AM) (Judicial Officer: Scann, Susan) <i>Insulpro Projects, Inc.'s Motion to Lift Stay</i> Denied; <i>Denied</i>
07/28/2014	 Order Denying Filed By: Plaintiff Apco Construction <i>Order Denying Insulpro Projects Inc.'s Motion to Lift Stay</i>
07/29/2014	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Denying Insulpro Projects Inc.'s Motion to Lift Stay</i>
03/11/2015	 Opposition Filed By: Consolidated Case Party Cisneros, Selina <i>Opposition to Affidavit of Renewal of Judgment</i>
07/13/2015	 Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Northstar Concrete, Inc. <i>Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i>
08/19/2015	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>The Law Firm of Pezzillo Lloyd's Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228












08/31/2015	 Order Granting Motion Filed By: Counter Defendant Northstar Concrete Inc <i>Order Granting Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.</i>
08/31/2015	 Notice of Entry of Order <i>Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record for Northstar Concrete Inc.</i>
10/07/2015	 Notice of Hearing <i>Notice of Hearing for Status Check</i>
10/21/2015	 Status Check (9:30 AM) (Judicial Officer: Denton, Mark R.) 10/21/2015, 04/21/2016 <i>Status Check: Disbursement of Sale Proceeds & any other Matters Remaining following the S. CT. Decision 131Nev., Adv. Op. 70</i> Matter Continued; Attorney /Judge Conflict -Dept.15 Matter Heard; Matter Continued; Attorney /Judge Conflict -Dept.15 Matter Heard; <i>Matter Continued</i>
11/05/2015	 Substitution of Attorney Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Substitution of Attorney</i>
03/14/2016	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
03/14/2016	Case Reassigned to Department 15 <i>Reassigned From Judge Susan Scann - Dept 29</i>
03/28/2016	 Motion Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Controlled Escrow Account</i>
03/28/2016	 Motion Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Joint Motion to Release Sale Proceeds from Court Controlled Escrow Account on Order Shortening Time</i>
04/05/2016	 Notice of Appearance Party: Plaintiff Apco Construction <i>Notice of Appearance</i>
04/14/2016	 Notice of Entry of Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Notice of Entry of Order Releasing Sale Proceeds from Court-Controlled Escrow Account</i>
04/14/2016	 Motion to Release Funds (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Club Vista Financial Services, LLC. and Tharaldson Motels II, Inc.'s Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Controlled Escrow Account</i> Matter Resolved;

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Matter Resolved

04/14/2016	 Order Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Order Releasing Sale Proceeds from Court-Controlled Escrow Account</i>
05/06/2016	 Order <i>Order RE: Status Check</i>
05/09/2016	 Motion Filed By: Plaintiff Apco Construction <i>Motion to Appoint Special Master</i>
05/18/2016	 Opposition to Motion Filed By: Third Party Plaintiff Insulpro Projects Inc <i>Insulpro Project's Limited Opposition to Apco Construction's Motion to Appoint Special Master</i>
05/18/2016	 Motion for Summary Judgment Filed By: Third Party Plaintiff Insulpro Projects Inc <i>Renewed Motion for Partial Summary Judgment</i>
05/18/2016	 Application Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Application for Order Shortening Time Re: Motion to Withdraw</i>
05/18/2016	 Motion to Withdraw As Counsel Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Motion to Withdraw</i>
05/20/2016	 Order Shortening Time Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i>
05/23/2016	 Notice of Entry of Order Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i>
05/24/2016	 Certificate of Service Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Certificate of Service - Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw</i>
05/25/2016	 Opposition to Motion Filed By: Intervenor Plaintiff Cactus Rose Construction Inc <i>Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i>
05/31/2016	 Joinder Filed By: Intervenor Steel Structures Inc <i>Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i>














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05/31/2016	 Opposition to Motion Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master</i>
05/31/2016	 Reply in Support Filed By: Plaintiff Apco Construction <i>APCO Construction's Reply in Support of Motion to Appoint Special Master</i>
05/31/2016	 Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i>
06/01/2016	 Initial Appearance Fee Disclosure Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Fee Disclosure for Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i>
06/02/2016	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Movant's Motion to Withdraw</i>
06/02/2016	 Opposition to Motion For Summary Judgment Filed By: Defendant Scott Financial Corporation <i>Scott Financial Corporation's Limited Opposition to Lien Claimant Insulpro's Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i>
06/02/2016	Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
06/02/2016	Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Smith & Shapiro, PLLC's Motion to Withdraw</i> Granted; <i>Granted</i>
06/02/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
06/02/2016	 Order to Withdraw as Attorney of Record Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC <i>Order Granting Movant's Motion to Withdraw</i>
06/06/2016	 Opposition and Countermotion Filed By: Plaintiff Apco Construction <i>APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro</i>
06/06/2016	 Opposition Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Opposition to Insulpro's Renewed Motion for Partial Summary Judgment</i>
06/07/2016	 Initial Appearance Fee Disclosure

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	Filed By: Plaintiff Apco Construction <i>Initial Appearance Fee Disclosure</i>
06/09/2016	 Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion to Appoint Special Master</i> Motion Granted; <i>Motion Granted</i>
06/09/2016	 Order Appointing Special Master Filed By: Plaintiff Apco Construction <i>Order: Appointing Special Master</i>
06/13/2016	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>
06/15/2016	 Reply in Support Filed By: Intervenor Insulpro Projects Inc <i>Reply in Support of Renewed Motion for Partial Summary Judgment Re: Apco Opposition</i>
06/15/2016	 Reply in Support Filed By: Intervenor Insulpro Projects Inc <i>Reply in Support of Renewed Motion for Partial Summary Judgment re: Camco Opposition</i>
06/20/2016	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Renewed Motion for Partial Summary Judgment</i> Referred; <i>Referred</i>
06/20/2016	Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment</i> Referred; <i>Referred</i>
06/20/2016	Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder Thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro</i> Referred; <i>Referred</i>
06/20/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
06/22/2016	 Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Special Master Hearing</i>
06/28/2016	 Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Rescheduled Special Master Hearing</i>
07/01/2016	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>

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07/01/2016	 Order Denying Motion Filed By: Plaintiff Apco Construction
07/11/2016	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings Bench Trial: APCO Construction and Ready Mix, Inc., October 30, 2012</i>
08/02/2016	 Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Special Master Hearing</i>
08/08/2016	 Special Master Recommendation and District Court Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report, Recommendation, and District Court Order</i>
08/23/2016	 Notice of Appearance Party: Counter Defendant Uintah Investments LLC <i>Notice of Appearance of Counsel for Plaintiff Uintah Investments, LLC dba Sierra Reinforcing</i>
08/31/2016	 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's 16.1 Disclosure</i>
09/01/2016	 Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order Requiring Completion of Questionnaire</i>
09/22/2016	 Notice of Compliance Party: Intervenor E & E Fire Protectiong LLC <i>E&E Fire Protection, LLC's Notice of Compliance</i>
09/23/2016	 Response Filed by: Intervenor National Wood Products, Inc.'s <i>National Wood Products Incs Response to Special Master Questionnaire</i>
09/26/2016	 Response Filed by: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Special Master Questionnaire Response</i>
09/27/2016	 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order</i>
09/30/2016	 Request Filed by: Intervenor National Wood Products, Inc.'s <i>Request for Leave to Special Master for Approval of Late Filing and Service of Rule 16.1 Disclosures by National Wood Products, Inc., Judgment Creditor and Intervenor of Claimant Cabinetec, Inc.</i>
10/03/2016	 Special Master Order










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Filed by: Special Master Hale, Floyd, ESQ
Special Master Order authorizing NATIONAL WOOD PRODUCTS, INC., Intervenor of Cabinetec, Inc. to File and Serve its NRCP 16.1 Disclosures within Ten Days

10/07/2016	 Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order Authorizing United Subcontractors, Inc. dba Skyline Insulation to File and Serve NRCP 16.1 Disclosures</i>
10/07/2016	 Special Master Recommendation and District Court Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amending Case Agenda</i>
10/12/2016	 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. DBA Skyline Insulation's Re-filed, Supplemented and Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order</i>
01/06/2017	 Substitution of Attorney Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc <i>Substitution of Attorney</i>
01/09/2017	 Proof of Service Filed by: Plaintiff Apco Construction <i>Proof of Service</i>
01/13/2017	 Motion for Order to Show Cause Filed By: Intervenor Defendant Club Vista Financial Services LLC <i>Motion for Order to Show Cause Why Grubb & Ellis, Now Known As Newmark Grubb, Should Not be Held in Contempt of Court</i>
01/24/2017	 Certificate of Service Filed by: Other United Subcontractors Inc <i>Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Request for Production of Documents)</i>
01/30/2017	 Certificate of Service Filed by: Other United Subcontractors Inc <i>Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Set of Interrogatories)</i>
01/30/2017	 Order Setting Civil Non-Jury Trial <i>Order Setting Civil Non-Jury Trial And Calendar Call</i>
02/02/2017	 Motion to Associate Counsel <i>Motion to Associate Counsel</i>
02/03/2017	 Proof of Service by Mail Filed by: Other Chapter 7 Trustee <i>Certificate of Service</i>
02/14/2017	 Stipulation and Order Filed by: Counter Claimant Club Vista Financial Seviles LLC <i>Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion</i>

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for Order to Show Cause


02/15/2017	 Motion to Withdraw As Counsel Filed By: Intervenor Defendant Gemstone Development West Inc <i>Motion to Withdraw</i>
02/16/2017	 Notice of Special Master Hearing Filed By: Special Master Hale, Floyd, ESQ <i>Notice of Special Master Hearing</i>
02/16/2017	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion for Order to Show Cause</i>
02/21/2017	 Certificate of Service Filed by: Plaintiff Apco Construction <i>Certificate of Service</i>
02/23/2017	 Opposition Filed By: Consolidated Case Party Newmark Grubb Knight Frank <i>Opposition to Motion for Order to Show Cause</i>
02/27/2017	 Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status</i>
02/28/2017	 Notice of Motion Filed By: Consolidated Case Party Cisneros, Selina <i>Notice of Motion for Hearing</i>
02/28/2017	 Motion Filed By: Consolidated Case Party Cisneros, Selina <i>Plaintiff Motion to Set Aside Judgment</i>
03/01/2017	 Reply in Support Filed By: Counter Claimant Tharaldson Motels II Inc <i>Reply in Support of Motion for Order to Show Cause why Grubb & Ellis, now known as Newmark Grubb, Should not be Held in Contempt of Court</i>
03/06/2017	Motion for Order (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Motion for Order to Show Cause Why Grubb & Ellis, Now Known As Newmark Grubb, Should Not be Held in Contempt of Court</i> MINUTES Denied; <i>Denied</i>
03/06/2017	Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion to Associate Counsel - Jonathan S. Dabbieri, Esq.</i> MINUTES CANCELED Status Check (04/03/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated</i> <i>Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)</i>

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Granted;
Granted


SCHEDULED HEARINGS


CANCELED Status Check (04/03/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated
Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)


03/06/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Matter Heard;
Matter Heard


03/15/2017  Decision and Order
Decision and Order


03/15/2017  **Decision** (11:45 AM) (Judicial Officer: Denton, Mark R.)
Decision Made;
Decision Made


03/17/2017  Motion for Summary Judgment
Filed By: Plaintiff Apco Construction
Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing


03/20/2017  **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Monica J. Caffaratti, Esq.'s Motion to Withdraw
Granted;
Granted


03/29/2017  Order Admitting to Practice
Filed By: Other Chapter 7 Trustee
Order admitting to Practice

03/29/2017  Request
Filed by: Intervenor Defendant Gemstone Development West Inc
Request to Submit proposed Order

03/29/2017  Notice of Entry
Filed By: Consolidated Case Party Newmark Grubb Knight Frank
Notice of Entry of Decision and Order

03/30/2017  Notice of Entry of Order
Filed By: Other Chapter 7 Trustee
Notice of Entry of Order Approving Motion to Associate Counsel












04/03/2017  Opposition to Motion For Summary Judgment
Filed By: Counter Defendant Uintah Investments LLC
Uintah Investments LLC dba Sierra Reinforcing's Opposition to APCO Construction's Motion for Summary Judgment

04/03/2017  **Motion** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Notice of Motion for Hearing on Motion to Set Aside











MINUTES

Denied;
Denied












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04/03/2017	<p>CANCELED Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated</i> <i>Status Check Re: SCR 42 Compliance (Jonathan S. Dabbieri, Esq.)</i></p>
04/07/2017	<p> Reply in Support Filed By: Plaintiff Apco Construction <i>Plaintiff APCO Construction's Reply In Support of its Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing</i></p>
04/14/2017	<p> Stipulation and Order Filed by: Intervenor Steel Structures Inc <i>Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments, LLC dba Sierra Reinforcing</i></p>
04/17/2017	<p> Notice of Entry of Order Filed By: Intervenor Steel Structures Inc <i>Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments, LLC dba Sierra Roofing</i></p>
04/18/2017	<p> Minute Order (2:00 PM) (Judicial Officer: Denton, Mark R.) Decision Made; <i>Decision Made</i></p>
04/20/2017	<p> Notice of Bankruptcy Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc <i>Notice of Bankruptcy of Accuracy Glass & Mirror Co.</i></p>
04/27/2017	<p> Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of APCO Construction</i></p>
04/27/2017	<p> Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of CAMCO Pacific Construction Co. Inc.</i></p>
04/27/2017	<p> Motion to Associate Counsel Filed By: Intervenor National Wood Products, Inc.'s <i>Motion to Associate Counsel</i></p>
04/28/2017	<p> Motion for Withdrawal Filed By: Adverse Party Accuracy Glass & Mirror Co. <i>Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time</i></p>
05/01/2017	<p> Notice of Deposition Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Amended Notice of 30(b)(6) Deposition of APCO Construction</i></p>
05/08/2017	<p> Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Order</i></p>

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05/08/2017	 Special Master Order Filed by: Special Master Hale, Floyd, ESQ <i>Special Master Report Regarding Discovery Status</i>
05/11/2017	 Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Eric B. Zimbelman, Esq.'s Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co and for order Shortening Time</i> Granted; <i>Granted</i>
05/11/2017	 Order to Withdraw as Attorney of Record Filed by: Adverse Party Accuracy Glass & Mirror Co. <i>Order Granting Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time</i>
05/12/2017	 Notice of Entry of Order Filed By: Adverse Party Accuracy Glass & Mirror Co. <i>Notice of Entry of Order</i>
05/15/2017	Motion for Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing</i> Granted; <i>Granted</i>
05/25/2017	 Order Filed By: Plaintiff Apco Construction <i>Order</i>
05/25/2017	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>
05/25/2017	Summary Judgment (Judicial Officer: Denton, Mark R.) Debtors: Uintah Investments LLC (Counter Defendant) Creditors: APCO Construction (Counter Claimant) Judgment: 05/25/2017, Docketed: 06/01/2017
05/30/2017	 Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Intervenor, National Wood Products INC's Motion to Associate Counsel</i>
	MINUTES
	 Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: SCR 42 Complaine (S. Judy Hirahara, Esq.)</i> <i>Matter Heard</i> Granted; <i>Granted</i>
	SCHEDULED HEARINGS
	 Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: SCR 42 Complaine (S. Judy Hirahara, Esq.)</i> <i>Matter Heard</i>
06/09/2017	 Substitution of Attorney Filed by: Plaintiff Apco Construction <i>Substitution of Attorneys</i>

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06/14/2017	 Order Denying <i>Order Denying Defendant's Motion to Set Aside Judgment</i>
06/16/2017	 Order Admitting to Practice Filed By: Intervenor National Wood Products, Inc.'s <i>Order Admitting to Practice</i>
06/19/2017	 Stipulation and Order for Dismissal With Prejudice Filed By: Plaintiff Apco Construction <i>Stipulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.</i>
06/19/2017	Order of Dismissal With Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Insulpro Projects Inc (Counter Defendant) Creditors: APCO Construction (Counter Claimant) Judgment: 06/19/2017, Docketed: 06/20/2017
06/20/2017	 Notice of Entry of Stipulation & Order for Dismissal Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order</i>
06/21/2017	 Order Denying Motion Filed By: Counter Defendant APCO Construction <i>Order Denying Defendant's Motion to set aside Judgment</i>
06/26/2017	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of ORder</i>
06/26/2017	 Motion To Dismiss - Alternative Motion For Summary Judgment Filed By: Plaintiff Apco Construction <i>APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien</i>
06/26/2017	 Motion Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Uintah Investments LLC <i>Motion to Substitute</i>
06/28/2017	 Order to Withdraw as Attorney of Record <i>Order Granting Monica Caffaratti's Motion to Withdraw at Attorney</i>
07/05/2017	 Stipulation and Order for Dismissal With Prejudice Filed By: Intervenor Insulpro Projects Inc <i>Stipulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.</i>
07/05/2017	Order of Dismissal With Prejudice (Judicial Officer: Denton, Mark R.) Debtors: Camco Pacific Construction Co Inc (Third Party Defendant) Creditors: Insulpro Projects Inc (Third Party Plaintiff) Judgment: 07/05/2017, Docketed: 07/12/2017
07/14/2017	 Motion to Continue Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Joint Motion to Continue Hearing on APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimant's NRS CH 108 Claim for Foreclosure of Mechanics</i>

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Lien on Order Shortening Time (First Request)

07/24/2017	 Motion to Continue (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Joint Motion to Continue Hearing on APCO Cosntructions Motion to Dismiss or for Summary Judgment on Lien Claimants NRS Ch 108 Claim for Foreclosure of Mechanics's Lien on Order Shortening Time</i> Granted; <i>Granted</i>
07/25/2017	 Minute Order (5:35 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
07/26/2017	 Opposition to Motion For Summary Judgment <i>Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment Re: Lien Claims</i>
07/26/2017	 Joinder to Opposition to Motion <i>1. Joinder of Interstate Plumbing & Air Conditioning, LLC to Opposition of Helix Electrical of Nevada, LLC to APCO Construction s Motion to Dismiss or for Summary Judgment on Lien Claimants NRS CH 108 Claim for Foreclosure of Mechanic s Lien</i>
07/26/2017	 Opposition Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Opposition to APCO Construction's Motion to Dismiss or For Summary Judgment on Lien Claimant's NRS CH 108 Claim For Foreclosure of Mechanic's Lien</i>
07/27/2017	CANCELED Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i> <i>Gerdau Reinforcing Steel's Motion to Substitute</i>
07/31/2017	 Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check Re: SCR 42 Complaince (S. Judy Hirahara, Esq.)</i> Matter Heard; Notice of Compliance filed 8/7/17 <i>Matter Heard</i>
07/31/2017	 Motion for Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment Against APCO Construction</i>
08/01/2017	 Order Granting Motion Filed By: Counter Defendant Uintah Investments LLC <i>Order Granting Gerdau Reinforcing Steel's Motion to Substitute</i>
08/01/2017	 Reply in Support Filed By: Plaintiff Apco Construction <i>Apco Construction's Reply in Support of Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch. 108 Claim for Foreclosure of Mechanic's Lien</i>
08/01/2017	 Notice of Entry Filed By: Counter Defendant Gerdau Reinforcing Steel <i>Notice of Entry of Order Granting Gerdau Reinforcing Steel's Motion to Substitute</i>

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08/02/2017	 Motion for Partial Summary Judgment <i>Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements and Ex-Parte Application for Order Shortening Time</i>
08/03/2017	 Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
08/03/2017	 Joinder Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Joinder to Peel Brimley Lien Claimants' Opposition to Apco's Motion for Summary Judgment Re: Lien Claims</i>
08/03/2017	 Joinder Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If_Paid Agreements and Ex Parte Application for Order Shortening Time</i>
08/04/2017	 Initial Appearance Fee Disclosure Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel <i>Initial Appearance Fee Disclosure</i>
08/04/2017	 Joinder to Motion For Partial Summary Judgment Filed By: Other Chapter 7 Trustee <i>Joinder of Interstate Plumbing & Air Conditioning, LLC to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
08/07/2017	 Notice Filed By: Intervenor National Wood Products, Inc.'s <i>Pro Hac Vice Applicant S. Judy Hirahara's Notice of Compliance with SCR 42</i>
08/07/2017	 Notice of Entry of Order <i>Notice of Entry of Order</i>
08/07/2017	 Joinder to Motion For Partial Summary Judgment Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.' Joinder to Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment</i>
08/07/2017	 Motion to Associate Counsel Filed By: Intervenor National Wood Products, Inc.'s <i>Motion to Associate Counsel</i>
08/07/2017	 Joinder Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Parte Application Shortening Time; and Memorandum of Points and Authorities in Support Thereof</i>

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08/08/2017	 Joinder Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>E & E Fire Protection, LLC's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i>
08/09/2017	 Initial Appearance Fee Disclosure Filed By: Intervenor National Wood Products, Inc.'s <i>Initial Appearance Fee Disclosure</i>
08/09/2017	 Initial Appearance Fee Disclosure Filed By: Intervenor National Wood Products, Inc.'s <i>Initial Appearance Fee Disclosure to Join Motion for Partial Summary Judgment</i>
08/10/2017	 Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien</i> Denied Without Prejudice; <i>Denied Without Prejudice</i>
08/10/2017	 Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff E & E Fire Protection LLC <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
08/11/2017	 Pre-Trial Disclosure <i>Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure</i>
08/11/2017	 Pre-Trial Disclosure Party: Other Chapter 7 Trustee <i>Amended Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure</i>
08/11/2017	 Joinder to Motion For Partial Summary Judgment Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
08/11/2017	 Joinder to Motion For Partial Summary Judgment Filed By: Other United Subcontractors Inc <i>United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
08/11/2017	 Pre-Trial Disclosure Party: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention National Wood Products, Inc.'s Pre-Trial Disclosure Pursuant to NRCP 16.1(a)(3)</i>
08/17/2017	 Opposition Filed By: Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc <i>Camco's Opposition to Lien Claimants' Motion for Partial Summary Judgment</i>
08/21/2017	 Notice


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Notice of Scheduling Settlement Conference

08/21/2017	 Opposition Filed By: Plaintiff Apco Construction <i>APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay if Paid Agreements</i>
08/21/2017	 Opposition to Motion Filed By: Plaintiff Apco Construction <i>APCO Construction's Opposition to Zitting Brothers Construction Inc.'s Partial Motion for Summary Judgment</i>
08/22/2017	 Ex Parte Application Party: Intervenor National Wood Products, Inc.'s <i>Ex Parte Application for Order Shortening Time on Motion to Associate Counsel</i>
08/30/2017	 Order Denying Motion <i>Order Denying APCO Construction's Motion for Partial Summary Judgment re: Lien Foreclosure Claims</i>
08/30/2017	 Notice of Entry of Order <i>Notice of Entry of Order</i>
08/31/2017	 Order Shortening Time Filed By: Intervenor National Wood Products, Inc.'s <i>Order Shortening Time on Hearing for Motion to Associate Counsel</i>
08/31/2017	 Stipulation and Order Filed by: Counter Defendant Zitting Brothers Construction Inc <i>Stipulation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment</i>
09/01/2017	 Notice of Entry of Stipulation and Order Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Notice of Entry of Stipulation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment</i>
09/05/2017	 Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Intervening Plaintiff, National Wood Products, Inc.'s Order Shortening Time on Hearing for Motion to Associate Counsel (John B. Taylor)</i>
	MINUTES <i>CANCELED Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)</i> <i>Vacated</i> <i>Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)</i> Granted; <i>Granted</i>
	SCHEDULED HEARINGS <i>CANCELED Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)</i> <i>Vacated</i> <i>Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)</i>
09/05/2017	 Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.)
	MINUTES Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)

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*Status Check Re: Resetting Trial
Matter Heard*









 **Hearing** (09/11/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
*Oral Motion to Dismiss
Granted*

Vacate;
Vacate









SCHEDULED HEARINGS

Status Check (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
*Status Check Re: Resetting Trial
Matter Heard*

 **Hearing** (09/11/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
*Oral Motion to Dismiss
Granted*

09/06/2017	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order</i>
09/06/2017	 Order Admitting to Practice Filed By: Intervenor National Wood Products, Inc.'s <i>Order Admitting to Practice</i>
09/06/2017	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Shortening Time on Hearing for Motion to Associate Counsel</i>
09/06/2017	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order Admitting to Practice</i>
09/07/2017	 Pre-trial Memorandum Filed by: Other United Subcontractors Inc <i>United Subcontractors, Inc. d/b/a Skyline Insulation's Pre-Trial Statement/Memorandum</i>
09/11/2017	CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - Duplicate Entry National Wood Products Inc Motion to Associate Counsel</i>
09/11/2017	 Hearing (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Oral Motion to Dismiss Granted; Granted</i>
09/12/2017	CANCELED Bench Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i>
09/20/2017	 Order Granting Motion Filed By: Plaintiff Apco Construction <i>Order Granting Plaintiff's Motion to Dismiss</i>
09/20/2017	 Notice of Compliance Party: Intervenor National Wood Products, Inc.'s <i>Pro Hac Vice Applicant John B. Taylor's Notice of Compliance with SCR 42</i>

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09/20/2017	 Stipulation and Order for Dismissal <i>Stipulation and Order of Dismissal of All Claims Relating to Cardno WRG, Inc.</i>
09/21/2017	 Settlement Conference (9:00 AM) Not Settled; <i>Not Settled</i>
09/21/2017	 Notice of Entry of Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order</i>
09/21/2017	 Notice of Entry of Stipulation & Order for Dismissal <i>Notice of Entry of Stipulation and Order for Dismissal</i>
09/28/2017	 Reply to Opposition <i>Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
09/29/2017	 Notice of Association of Counsel Filed By: Plaintiff Apco Construction <i>Notice of Association of Counsel</i>
09/29/2017	 Notice of Appearance Party: Plaintiff Apco Construction <i>Notice of Appearance and Request for Notice</i>
09/29/2017	 Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Reply In Support of Motion for Partial Summary Judgment Against APCO Construction</i>
10/05/2017	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Zitting Brothers Construction Inc's Motion for Partial Summary Judgement Against APCO Construction</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i>
10/05/2017	Motion for Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Parte Application for Order Shortening time</i> MINUTES Continued; Granted; Continued; Granted; <i>Continued</i>
10/05/2017	Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) 10/05/2017, 11/16/2017 <i>Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for</i>

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Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Opposition and Countermotion (9:00 AM)** (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

Steel Structures, Inc., Nevada Prefab Engineering, and Gerdau Reinforcing Steel's Joinder to Peel Brimley Lien Claimants' Opposition to Apco's Motion for Summary Judgment Re: Lien Claims

MINUTES

Continued;
Under Advisement;
Continued;
Under Advisement;
Continued

10/05/2017 **Joinder (9:00 AM)** (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

William A. Leonard, Jr.'s Joinder of Interstate Plumbing and Air Conditioning LLC to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder (9:00 AM)** (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

National Wood Products Inc's Joinder to Peel Brimley Lien Claimants Motion for Partial Summary Judgment Precluding Defenses Based on Pay If Paid Agreements and Ex Parte Application Shortening Time; and Memorandum of Point and Authorities in Support Thereof

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder (9:00 AM)** (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

E & E Fire Protection, LLC's Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder (9:00 AM)** (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

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*United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien
Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-
Paid Agreements*

MINUTES

Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder** (9:00 AM) (Judicial Officer: Denton, Mark R.)

10/05/2017, 11/16/2017

*United Subcontractors, Inc. dba Skyline Insulation's Joinder to Peel Brimley Lien
Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-
Paid Agreements*

MINUTES


Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)

Status Check Re: Resetting Trial
Matter Heard;
Matter Heard

10/05/2017 **CANCELED Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)


Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)

10/05/2017  **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)


Matter Heard;
Matter Heard

10/13/2017  Order Setting Civil Non-Jury Trial and Calendar Call


Order Setting Civil Non- Jury Trial and Calendar Call

10/26/2017  Motion to Withdraw As Counsel

Filed By: Counter Defendant Buchele Inc
Motion to Withdraw as Counsel for Buchele, Inc. and for Order Shortening Time

10/26/2017  Order

Filed By: Plaintiff Apco Construction
Order

10/30/2017  Notice of Entry of Order










Filed By: Plaintiff Apco Construction
Notice of Entry of Order

11/06/2017  Supplement to Opposition

Filed By: Plaintiff Apco Construction
*Supplemental Briefing in Opposition to Zitting Brothers Construction, Inc.'s Motion for
Partial Summary Judgment Against Apco Construction, Inc.*

11/06/2017  Motion in Limine

DISTRICT COURT
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	Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)</i>
11/06/2017	 Motion in Limine Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Motion In Limine To Limit The Defenses of APCO Construction To The Enforceability of Pay-If-Paid Provision</i>
11/06/2017	 Omnibus Motion In Limine Filed by: Plaintiff Apco Construction <i>APCO Construction Inc.'s Omnibus Motion in Limine</i>
11/06/2017	 Notice of Hearing Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Hearing on Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)</i>
11/06/2017	 Notice of Hearing Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc <i>Notice of Hearing on Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i>
11/06/2017	 Motion in Limine Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc <i>Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i>
11/06/2017	 Motion in Limine Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention, Natioinal Wood Products, Inc's Motion in Limine to Exclude Evidence Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery; Declaration of S.Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof</i>
11/07/2017	 Notice of Hearing Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Hearing on Plaintiff-In-Intervention, National Wood Products, Inc.'s Motion In Limine to Exclude Evidence, Testimony, Documents and Things Not Properly Produced by Defendant APCO Construction in Discovery; Declaration of S. Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof</i>
11/13/2017	 Notice of Deposition Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff In Intervention National Wood Products, Inc.'s Notice of Deposition of Deposition of Nicholas Cox, Cabinetec's Representative</i>
11/13/2017	 Notice of Deposition Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Deposition of Kurt Micek, National Wood Products, Inc.'s Person Most Knowledgeable</i>
11/14/2017	 Objection Filed By: Plaintiff Apco Construction

DISTRICT COURT
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*Apco Construction's Objections to National Wood Products, Inc.'s November 13, 2017
Notices of Depositions*

11/14/2017	 Notice of Change of Address Filed By: Plaintiff Apco Construction <i>Notice of Change of Address</i>
11/14/2017	 Opposition to Motion in Limine Filed By: Intervenor National Wood Products, Inc.'s <i>National Wood Products, Inc.'s Opposition to APCO Construction's Omnibus Motion In Limine Nos. 3, 6 and 7A</i>
11/14/2017	 Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4 (Against Apco Construction)</i>
11/14/2017	 Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction's Opposition to Zitting Brothers Construction, Inc.'s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of a Pay-If-Paid Provision</i>
11/14/2017	 Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Plaintiff-In-Intervention, National Wood Products, Inc.'s Motion in Limine to Exclude Evidence, Testimony, Documents and things not Properly Produced by Defendant Apco Construction in Discovery</i>
11/14/2017	 Opposition to Motion Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine</i>
11/14/2017	 Joinder Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Counter Defendant Buchele Inc; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Peel Brimley Lien Claimants' Joinder to Oppositions to APCO Construction's Omnibus Motion in Limine</i>
11/14/2017	 Opposition to Motion in Limine Filed By: Counter Defendant Buchele Inc <i>Buchele, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine</i>
11/14/2017	 Opposition to Motion in Limine Filed By: Doing Business As Helix Electric <i>Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine</i>
11/14/2017	 Joinder Filed By: Counter Claimant Camco Pacific Construction Co Inc <i>Camco's Joinder to Apco's Objections t National Wood Products, Inc.'s Notices of Deposition</i>
11/14/2017	 Opposition to Motion in Limine

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Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Opposition to Lien CLaimants' Motions in Limine Nos. 1-6

11/15/2017



Reply in Support

Filed By: Plaintiff Apco Construction
Apco Construction, Inc.'s Reply in Support of its Omnibus Motion in Limine

11/15/2017



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder To Other Lien Claimants' Opposition To APCO Construction's Omnibus Motion in Limine

11/15/2017



Joinder

Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder To Other Lien Claimants' Motions In Limine Against APCO Construction

11/16/2017

Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Denton, Mark R.)

Events: 10/26/2017 Motion to Withdraw As Counsel
Eric B. Zimbelman, Esq.'s Motion to Withdraw as Counsel for Buchele, Inc. and for Order Shortening Time
Granted;
Granted

11/16/2017

Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.)

Events: 11/06/2017 Motion in Limine
Zitting Brothers Construction, Inc.'s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-If-Paid Provision
MINUTES
Granted;
Granted

11/16/2017

Omnibus Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.)

Events: 11/06/2017 Omnibus Motion In Limine
Apco Construction, Inc.'s Omnibus Motion in Limine
MINUTES
 Omnibus Motion In Limine
Filed by: Plaintiff Apco Construction
APCO Construction Inc.'s Omnibus Motion in Limine
Granted in Part;
Granted in Part

11/16/2017

Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.)

Events: 11/06/2017 Notice of Hearing
Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)
MINUTES
Granted in Part;
Granted in Part

11/16/2017

Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.)











Events: 11/06/2017 Notice of Hearing
Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)
MINUTES
Granted;
Granted

DISTRICT COURT
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11/16/2017	<p>Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff In Intervention, Natoinal Wood Products, Inc's Motion in Limine to Exclude Evidence Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery; Declaration of S.Judy Hirahara; and Memorandum of Points and Authorities in Support Thereof</i></p> <p>MINUTES no Notice of Motion provided by filer Granted; <i>Granted</i></p>
11/16/2017	<p>Motion in Limine (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Motion in Limine <i>Helix Electric of Nevada's Motion in Limine Nos. 1-4 Against APCO Construction</i></p>
11/16/2017	<p> All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i></p>
11/16/2017	<p> Supplement to Response and Opposition Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc. s Response To APCO Construction s Supplemental Opposition To Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment</i></p>
11/16/2017	<p> Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc s Reply In Support Of Motion In Limine To Limit The Defenses Of APCO Construction (APCO) To The Enforceability Of Pay-If-Paid Provision</i></p>
11/20/2017	<p> Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.) Vacated and Reset; <i>Vacated and Reset</i></p>
11/27/2017	<p> Decision <i>Decision</i></p>
11/27/2017	<p> Decision <i>Decision</i></p>
11/28/2017	<p>CANCELED Bench Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i></p>
11/29/2017	<p>CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - On in Error</i> <i>Plaintiff's Second Motion to Compel Discovery</i></p>
11/30/2017	<p> Order Setting Civil Non-Jury Trial <i>Order Setting Civil Non-Jury Trial and Calendar Call</i></p>
12/05/2017	<p> Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i></p>
12/05/2017	<p> Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held;</p>

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Minute Order - No Hearing Held

12/05/2017	 Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
12/05/2017	 Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
12/05/2017	 Minute Order (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
12/05/2017	<i>CANCELED Minute Order</i> (5:03 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated - Duplicate Entry</i>
12/06/2017	 Motion Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i>
12/07/2017	<i>CANCELED Minute Order</i> (5:03 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated</i>
12/18/2017	 Certificate of Service Filed by: Plaintiff Apco Construction <i>Certificate of Service</i>
12/21/2017	 Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i> Granted; <i>Granted</i>
12/28/2017	 Order Granting Motion Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Order Granting Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)</i>
12/28/2017	 Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motions in Limine (Against APCO Construction)</i>
12/28/2017	 Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Granting in Part and Denying in Part APCO Constructions's Omnibus Motion in Limine</i>
12/29/2017	 Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Order</i>

DISTRICT COURT
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12/29/2017	 Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Order</i>
12/29/2017	 Notice of Entry of Order Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of Entry of Order</i>
12/29/2017	 Findings of Fact, Conclusions of Law and Order Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Findings of Fact, Conclusion of Law, and Order Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco</i>
12/29/2017	Partial Summary Judgment (Judicial Officer: Denton, Mark R.) Debtors: APCO Construction (Counter Claimant) Creditors: Zitting Brothers Construction Inc (Counter Defendant) Judgment: 12/29/2017, Docketed: 01/18/2018 Total Judgment: 750,807.16 Comment: Certain Cause
01/02/2018	 Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.) Trial Date Set; <i>Trial Date Set</i>
01/02/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: All Pending Motions, October 5, 2017</i>
01/02/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Re: All Pending Motions, November 16, 2017</i>
01/02/2018	 Order Granting Motion <i>Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements</i>
01/02/2018	 Notice of Entry <i>Notice of Entry of Findings of Fact, Conclusion of Law, and ORder Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco Construction</i>
01/03/2018	 Notice of Entry of Order Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Notice of Entry of Order</i>
01/04/2018	 Amended Order Filed By: Intervenor National Wood Products, Inc.'s <i>Amended Nunc Pro Tunc Order Regarding Apco Construction, Inc.'s Omnibus Motion in Limine - Motion in Limine No. 7</i>
01/04/2018	 Motion <i>Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions on an Order Shrotening Time</i>

DISTRICT COURT
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01/04/2018	 Notice of Entry of Order Filed By: Intervenor National Wood Products, Inc.'s <i>Notice of Entry of Order on Amended Nunc Pro Tunc Order Regarding Apco Construction, Inc's Omnibus Motion in Limine - Motion in Limine No. 7</i>
01/08/2018	 Joinder To Motion Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Camco's Joinder in Apco's Motion for Reconsideration</i>
01/08/2018	 Notice of Attorney Lien Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland <i>Notice of Attorney's Lien</i>
01/08/2018	 Motion Filed By: Plaintiff Apco Construction <i>Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment and Ex Parte Application for Order Shortening Time and to Exceed Page Limit</i>
01/09/2018	CANCELED Non-Jury Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i>
01/09/2018	 Opposition to Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Plaintiff in Intervention, National Wood Products, Inc.s Opposition to APCO Construction's Motion for Reconsideration of the Court's Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment to Preclude Defenses of Pay if Paid Provisions</i>
01/09/2018	 Opposition to Motion Filed By: Counter Defendant Fast Glass Inc; Counter Defendant Helix Electric of Nevada LLC; Counter Defendant Heinaman Contract Glazing; Intervenor Plaintiff Cactus Rose Construction Inc; Intervenor Plaintiff SWPPP Compliance Solutions LLC <i>Peel Brimley Lien Claimants' Opposition to APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i>
01/09/2018	 Order Granting Motion Filed By: Intervenor National Wood Products, Inc.'s <i>Order Granting Plaintiff In Intervention, National Wood Products, Inc.'s Motion In Limine</i>
01/10/2018	 Reply in Support Filed By: Plaintiff Apco Construction <i>Reply in Support of Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimants' Partial Motion for Summary Judgment to Preclude Defenses Based on Pay-If-Paid Provisions on an Order Shortening Time</i>
01/10/2018	 Opposition to Motion <i>Zitting Brothers Construction, Inc.'s Opposition to APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction's Partial Motion for Summary Judgment</i>
01/10/2018	 Notice of Entry of Order

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of Order Granting Plaintiff In Intervention National Wood Products, Inc.'s Motion In Limine

01/11/2018	Motion For Reconsideration (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion for Reconsideration of Courts Order Granting Peel Brimley Lien Claimants Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions on and Order Shortening Time</i> Denied; <i>Denied</i>
01/11/2018	Joinder (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Camco's Joinder to APCO's Motion for Reconsideration of Court's Order Granting Peel Brimley Lien Claimant's Partial Motion for Summary Judgment to Preclude Defenses Based on Pay if Paid Provisions</i> Denied; <i>Denied</i>
01/11/2018	Motion For Reconsideration (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiff's Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment and Ex Parte Application for Order Shortening Time and to Exceed Page Limit</i> Denied; <i>Denied</i>
01/11/2018	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
01/11/2018	 Motion to Stay Filed By: Plaintiff Apco Construction <i>Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time</i>
01/11/2018	 Pre-trial Memorandum Filed by: Third Party Plaintiff E & E Fire Protection LLC <i>E&E Fire Protection, LLC's Pretrial Memorandum</i>
01/12/2018	 Joint Pre-Trial Memorandum Filed By: Plaintiff Apco Construction <i>Joint Pre-Trial Memorandum (for APCO Construction, Inc., the Peel Brimley Lien Claimants, and National Wood Products, LLC Only)</i>
01/16/2018	 Motion to Stay (9:00 AM) (Judicial Officer: Denton, Mark R.) 01/16/2018, 01/19/2018 <i>Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time</i> Continued; <i>Continued</i>
01/16/2018	 Order Granting Filed By: Plaintiff Apco Construction <i>Order Granting Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time</i>
01/16/2018	 Notice of Entry Filed By: Plaintiff Apco Construction <i>Notice of Entry of Order Granting Apco Construction, Inc.'s Motion to Request Buchele,</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

Inc. Comply with EDCR 7.42 on Order Shortening Time

01/16/2018



Trial Brief

Filed By: Plaintiff Apco Construction
Apco Construction, Inc.'s Trial Brief

01/17/2018



Bench Trial (10:00 AM) (Judicial Officer: Denton, Mark R.)
01/17/2018-01/19/2018, 01/23/2018-01/24/2018, 02/06/2018

Trial Continues; Day 1
Trial Continues; Day 2
Trial Continues; Day 3
Trial Continues; Day 4
Trial Continues; Day 5

Trial Continues; Day 6
Trial Continues; Day 1
Trial Continues; Day 2
Trial Continues; Day 3
Trial Continues; Day 4
Trial Continues; Day 5

Trial Continues; Day 6
Trial Continues; Day 1
Trial Continues; Day 2
Trial Continues; Day 3
Trial Continues; Day 4
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Trial Continues; Day 6
Trial Continues; Day 1
Trial Continues; Day 2
Trial Continues; Day 3
Trial Continues; Day 4
Trial Continues; Day 5

Trial Continues; Day 6
Trial Continues

01/17/2018



Trial Brief

Filed By: Intervenor National Wood Products, Inc.'s
Plaintiff In Intervention National Wood Products, Inc.'s Trial Brief

01/18/2018



Opposition

Filed By: Counter Defendant Zitting Brothers Construction Inc
*Zitting Brothers Construction, Inc.'s Opposition To Motion To Stay Pending Entry Of
Final Judgment Pursuant To NRCP 62(B) and 62(H)*










01/18/2018







Stipulation and Order

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

01/18/2018	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Apco Construction <i>Notice of Entry of Stipulation and Order Regarding Trial Exhibits Admitted into Evidence</i>
01/19/2018	Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.)
01/19/2018	 Order Denying Motion Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements</i>
01/19/2018	 Notice of Entry of Order Filed By: Counter Defendant Helix Electric of Nevada LLC <i>Notice of Entry of Order</i>
01/25/2018	 Notice of Change Filed By: Other United Subcontractors Inc <i>Notice of Change of Firm Affiliation and Address</i>
01/25/2018	 Order Denying Motion <i>Oder Denying APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment</i>
01/29/2018	 Memorandum of Costs and Disbursements Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Zitting Brothers Construction, Inc.'s Verified Memorandum of Costs</i>
01/29/2018	 Memorandum Filed By: Counter Defendant Zitting Brothers Construction Inc <i>Memorandum In Support of APCO Construction, Inc.'s Payment of Attorneys' Fees, Costs, and Interest to Zitting Brothers Construction, Inc.</i>
01/31/2018	 Notice of Entry of Order <i>Notice of Entry of Order Denying APCO Contruction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment</i>
01/31/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day One, January 17, 2018</i>
01/31/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Two, January 18, 2018</i>
01/31/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Three, January 19, 2018</i>
01/31/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Five, January 24, 2018</i>
02/05/2018	 Stipulation and Order for Dismissal Filed by: Plaintiff Apco Construction <i>Stipulation and Order to Dismiss Third Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against Apco Construction, Inc. with Prejudice</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. 08A571228

02/15/2018	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Bench Trial - Day Six, February 6, 2018</i>
02/16/2018	 Notice of Appeal Filed By: Plaintiff Apco Construction <i>Notice of Appeal</i>
02/16/2018	 Case Appeal Statement Filed By: Plaintiff Apco Construction <i>Case Appeal Statement</i>
02/16/2018	 Opposition Filed By: Plaintiff Apco Construction <i>Apco Construction, Inc.'s Opposition to Zitting Brothers, Inc.'s Memorandum In Support of Apco Construction, Inc.'s Payment of Attorneys' Fees, Costs and Interest to Zitting Construction Brothers, Inc.</i>
03/01/2018	Hearing (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Hearing Re: ZBCI Attorney's Fees and Costs</i>

CIVIL COVER SHEET

Clark County, Nevada

Case No. _____

(Assigned by Clerk's Office)

A571 228
xvi

I. Party Information

Plaintiff(s) (name/address/phone):

APCO Construction

Attorney (name/address/phone):

Gwen Rutar Mullins

3800 Howard Hughes Pkwy., Suite 1400

Las Vegas, NV 89169

Defendant(s) (name/address/phone):

Gemstone Development West, Inc.

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input checked="" type="checkbox"/> Breach of Contract <input checked="" type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

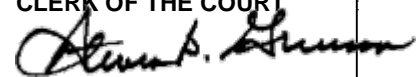
III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

- | | | |
|---|--|---|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input type="checkbox"/> Enhanced Case Mgmt/Business |
| <input type="checkbox"/> Commodities (NRS 90) | <input type="checkbox"/> Deceptive Trade Practices (NRS 598) | <input type="checkbox"/> Other Business Court Matters |
| <input type="checkbox"/> Securities (NRS 90) | <input type="checkbox"/> Trademarks (NRS 600A) | |

9-9-08

Date

Signature of Initiating party or representative



FFCO

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Zitting Brothers Construction, Inc.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC.,
a Nevada corporation,

Defendant.

CASE NO. A571228
DEPT. NO. XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319

Hearing Date: November 16, 2017
Hearing Time: 9:00 a.m.

AND ALL RELATED MATTERS

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING

BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY

JUDGMENT AGAINST APCO CONSTRUCTION

On November 16, 2017, this Court heard Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction. Jorge A. Ramirez and I-Che Lai of Wilson Elser Moskowitz Edelman & Dicker, LLP appeared at the hearing for Zitting Brothers Construction, Inc. ("ZBCI"). John Randall Jefferies of Spencer Fane LLP and Cody S. Munteer of Marquis Aurbach Coffing appeared for APCO Construction, Inc. ("APCO"). Having considered ZBCI's motion, the pleadings and papers filed in this case, and oral arguments of counsel, this Court makes the following findings of fact and conclusions of law.

//

FINDINGS OF FACT

A. APCO's Subcontract with ZBCI

1. Around September 6, 2007, Gemstone Development West, Inc. ("Gemstone") and APCO entered into the ManhattanWest – General Construction Agreement for GMP ("Prime Contract"). Under the Prime Contract, APCO would serve as the general contractor for the ManhattanWest mixed-use development project located at the following Assessor's Parcel Numbers in Clark County, Nevada: 163-32-101-003, 163-32-101-004, 163-32-101-005, 163-32-101-010, and 162-32-101-014 (the "Project").

2. Around November 17, 2007, APCO and ZBCI entered into a Subcontract Agreement ("Subcontract"). Under the Subcontract, ZBCI would provide framing materials and labor for the Project.

3. The Subcontract requires APCO to pay ZBCI 100% of the value of the work completed on a periodic basis—less 10% retention of the value (the "Retention")—only after APCO receives actual payments from Gemstone.

4. The Subcontract requires APCO to pay ZBCI the Retention amount for each building of the Project upon (a) the completion of each building; (b) Gemstone's approval of ZBCI's work on the completed building; (c) APCO's receipt of final payment from Gemstone; (d) ZBCI's delivery to APCO all "as-built drawings for [ZBCI]'s scope of work and other close out documents"; and (e) ZBCI's delivery to APCO a release and waiver of claims from ZBCI's "labor, materials and equipment suppliers, and subcontractors providing labor, materials[,] or services to the Project...." The Subcontract deems work on a building to be "complete" as soon as "drywall is completed" for the building.

5. Alternatively, if the Prime Contract is terminated, the Subcontract requires APCO to pay ZBCI the amount due for ZBCI's completed work after receipt of payment from Gemstone.

6. The conditions precedent of the Subcontract requiring APCO's payment only upon receipt of payment from Gemstone are colloquially known as "pay-if-paid provisions."

7. The Subcontract only allows APCO to terminate—with written notice to ZBCI and with cause—the Subcontract for non-performance.

1 8. If any party to the Subcontract "institute[s] a lawsuit ... for any cause arising out of
2 the Subcontract..." the Subcontract expressly authorizes the prevailing party to recover "all costs,
3 attorney's fees[,] and any other reasonable expenses incurred" in connection with the lawsuit. The
4 Subcontract does not provide a rate of interest that would accrue on the amount owed under the
5 Subcontract.

6 9. If any term of the Subcontract is void under Nevada law, the Subcontract expressly
7 provides that the void term would not affect the enforceability of the remainder of the contract.

8 **B. ZBCI's Work under the Subcontract**

9 10. Around November 19, 2007, ZBCI began its scope of work under the Subcontract.

10 11. The Prime Contract was terminated in August 2008, and the Project had shut down on
11 December 15, 2008. APCO never provided ZBCI with a written notice of termination with cause for
12 non-performance.

13 12. Prior to the Project's shutdown, ZBCI submitted written requests to APCO for change
14 orders valued at \$423,654.85. APCO did not provide written disapproval of those change orders to
15 ZBCI within 30 days of each request.

16 13. Also prior to the Project's shutdown, ZBCI had completed its scope of work on
17 Buildings 8 and 9 of the Project, including work on the change orders, without any complaints on the
18 timing or quality of the work. ZBCI had submitted close-out documents for its work, including
19 release of claims for ZBCI's vendors. The value of ZBCI's completed work amounted to
20 \$4,033,654.85.

21 14. At the time of the Project's shutdown, the drywall was completed for Buildings 8 and
22 9.

23 15. To date, ZBCI had only received \$3,282,849.00 for its work on the Project. ZBCI had
24 completed work in the amount of \$347,441.67 on the change orders and \$403,365.49 of the
25 Retention—totaling \$750,807.16— which remains unpaid.

26 16. ZBCI demanded APCO pay the \$750,807.16 still owed on the contract. However,
27 APCO refused to do so, causing ZBCI to initiate proceedings to recover the requested amount.
28

1 **C. Procedural History**

2 17. On January 14, 2008, ZBCI served its Notice of Right to Lien to APCO and
3 Gemstone via certified mail.

4 18. On December 5, 2008, ZBCI served its Notice of Intent to Lien to APCO and
5 Gemstone via certified mail.

6 19. On December 23, 2008, ZBCI recorded its Notice of Lien on the Project with a lien
7 amount of \$788,405.41 and served this document on APCO and Gemstone via certified mail on
8 December 24, 2008.

9 20. On April 30, 2009, ZBCI filed a complaint against Gemstone and APCO and a Notice
10 of Lis Pendens. The complaint alleged 6 claims: (a) breach of contract, (b) breach of implied
11 covenant of good faith and fair dealing, (c) unjust enrichment, (d) violation of Chapter 108 of the
12 Nevada Revised Statutes, (e) claim for priority, and (f) violation of Chapter 624 of the Nevada
13 Revised Statutes.

14 21. On June 10, 2009, APCO answered ZBCI's complaint. APCO's answer alleged 20
15 affirmative defenses, including the tenth affirmative defense alleging that APCO's obligation to
16 ZBCI had been satisfied or excused and the twelfth affirmative defense alleging that ZBCI's failure
17 to satisfy conditions precedent barred ZBCI's breach of contract claim.

18 22. Around June 16, 2009, ZBCI provided a Notice of Foreclosure of Mechanic's Lien,
19 and this notice was published in accordance with Nev. Rev. Stat. 108.239.

20 23. On April 7, 2010, ZBCI recorded its Amended Notice of Lien with a lien amount of
21 \$750,807.16 and served this document on APCO and Gemstone via certified mail around the same
22 date.

23 24. APCO does not dispute that ZBCI complied with all requirements to create, perfect,
24 and foreclose on its lien under Chapter 108.

25 25. On April 29, 2010, APCO responded to ZBCI's interrogatories that requested, *inter*
26 *alia*, APCO's explanation for refusing payment to ZBCI and APCO's grounds for the tenth and
27 twelfth affirmative defenses. ZBCI had sent those interrogatories to obtain more details about
28 APCO's defenses against ZBCI's complaint and to narrow the issues for discovery and trial.

1 APCO's interrogatory responses indicated that APCO would rely solely on the enforceability of the
2 pay-if-paid provision in the Subcontract to excuse payment to ZBCI.

3 26. On April 23, 2013, this Court authorized the sale of the Project free and clear of all
4 liens, including liens arising under Chapter 108 of the Nevada Revised Statutes. The sale resulted in
5 the distribution of the entire net proceeds from the sale to Scott Financial Corporation (the "Lender")
6 upon the Nevada Supreme Court's determination that the Lender's claim to the net proceeds is
7 superior to the Chapter 108 lien claimants' claim.

8 27. On April 12, 2017, ZBCI served APCO with a set of interrogatories that are similar to
9 the ones served in 2010. This set of interrogatories again requested, *inter alia*, APCO's explanation
10 for refusing payment to ZBCI and APCO's grounds for the tenth and twelfth affirmative defenses.
11 ZBCI sent those interrogatories to confirm APCO's prior discovery responses on APCO's defenses
12 against ZBCI's complaint.

13 28. On May 12, 2017, APCO responded to ZBCI's interrogatories that again indicated
14 APCO's sole reliance on the enforceability of the pay-if-paid provision in the Subcontract to excuse
15 payment to ZBCI.

16 29. On June 5, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
17 APCO's affirmative defenses. At the deposition, APCO's Nev. R. Civ. P. 30(b)(6) witness declined
18 to update APCO's interrogatory responses and re-affirmed APCO's sole reliance on the
19 enforceability of the pay-if-paid provision to excuse payment.

20 30. On July 19, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
21 topics pertaining to APCO's accounting for the Project. At the deposition, APCO's Nev. R. Civ. P.
22 30(b)(6) witness again declined to update APCO's interrogatory responses.

23 31. APCO did not supplement its discovery responses prior to the June 30, 2017
24 discovery cutoff.

25 32. On July 31, 2017 and after the close of discovery, ZBCI moved for summary
26 judgment against APCO on ZBCI's breach of contract and Nev. Rev. Stat. 108 claim—setting forth
27 ZBCI's prima facie case for those claims and addressing the enforceability of the pay-if-paid
28 provision in the Subcontract.

33. On August 21, 2017, APCO filed its opposition to ZBCI's motion, arguing—for the first time—other grounds for refusing payment of the amount owed to ZBCI. ZBCI objected to the admissibility of the evidence in support of APCO's opposition.

34. APCO's refusal to pay ZBCI the amount owed under the Subcontract had compelled ZBCI to incur attorney's fees and costs to collect the amount owed.

CONCLUSIONS OF LAW

A. Burden of Proof

1. Summary judgment is appropriate “when the pleadings, depositions, answers to interrogatories, admissions, and affidavits, if any, that are properly before the court demonstrate that no genuine issue of material fact exists, and the moving party is entitled to judgment as a matter of law.” *Cuzze v. Univ. & Cmty. Coll. Sys. of Nevada*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007).

2. As the party moving for summary judgment, ZBCI bears the initial burden of production to show the absence of a genuine issue of material fact. *Id.* ZBCI also bears the burden of persuasion at trial on its breach of contract and Chapter 108 claims and therefore must present evidence that would entitle it to a judgment as a matter of law on those two claims in the absence of contrary evidence. *See id.*

B. APCO's Breach of the Subcontract

3. To establish a breach of contract under Nevada law, ZBCI must provide admissible evidence of (1) the existence of a valid contract, (2) a breach by APCO, and (3) damage as a result of the breach. *See Richardson v. Jones*, 1 Nev. 405, 408 (1865). In this case, this Court concludes that ZBCI has presented sufficient admissible evidence on all elements of a breach of contract.

4. The Subcontract between the respective parties is a valid contract. However, as discussed in this Court's separate decision regarding the enforceability of the Subcontract's "pay-if-paid provisions," the pay-if-paid provisions are against public policy and are void and unenforceable under Nev. Rev. Stat. 624.628(e). The remaining terms of the Subcontract remain enforceable.

5. Nev. Rev. Stat. 624.626(3) automatically approves written requests for change orders unless the higher-tiered contractor denies the requests in writing within 30 days after the lower-tiered contractor submits the requests. Here, this Court concludes that because ZBCI did not receive any

1 written denials of its change order requests within 30 days of request, ZBCI's change order requests
2 amounting to \$347,441.67 were approved by operation of law. ZBCI is therefore entitled to payment
3 in the amount of \$347,411.67 for all of the change orders submitted.

4 6. Under Nevada law, compliance with a valid condition precedent requires only
5 substantial performance. *See, e.g., Laughlin Recreational Enterprises, Inc. v. Zab Dev. Co., Inc.*, 98
6 Nev. 285, 287, 646 P.2d 555, 556-57 (1982). ZBCI proved at least substantial compliance with the
7 conditions precedent for payment of the Retention, entitling ZBCI to payment of \$403,365.49 for the
8 Retention.

9 7. Alternatively, by the very terms of the Subcontract itself, the termination of the Prime
10 Contract automatically entitles ZBCI to payment of \$403,365.49 for the Retention and \$347,441.67
11 for the completed work on the change orders. This Subcontract language—exclusive of the void pay-
12 if-paid provisions—coincides with a prime contractor's obligations to pay its subcontractors
13 pursuant to Nev. Rev. Stat. 624.626(6).

14 8. APCO breached the Subcontract by refusing to pay ZBCI all of the amount owed for
15 the Retention and the change orders, and as a result ZBCI is entitled to judgment on its Complaint as
16 a matter of law. This gives rise to \$750,807.16 in damages, exclusive of attorney's fees, costs, and
17 interest.

18 **C. ZBCI's Nev. Rev. Stat. 108 Claim**

19 9. There is no dispute that ZBCI complied with the requirements for enforcing its lien
20 rights under Chapter 108 of the Nevada Revised Statutes.

21 10. Nev. Rev. Stat. 108.239(12) entitles ZBCI to a "personal judgment for the residue
22 against" APCO.

23 11. Because ZBCI did not receive any of the proceeds from the Nev. Rev. Stat. 108 sale
24 of the Project, there is no genuine issue that ZBCI is entitled to a personal judgment under Nev. Rev.
25 Stat. 108.239 against APCO for \$750,807.16 as the lienable amount, plus any reasonable attorney's
26 fees, costs, and statutory interest that the Court may award.

1 **D. Preclusion of APCO's Defenses**

2 12. This Court has considered APCO's arguments in response to ZBCI's motion for
3 summary judgment and concluded that the arguments have no merit.

4 13. As discussed above, the pay-if-paid provisions in the Subcontract is unenforceable
5 and therefore cannot excuse APCO's payment of the amount owed to ZBCI.

6 14. If APCO wanted to assert other grounds for refusing payment to ZBCI, Nev. R. Civ.
7 P. 26(e)(2) required APCO to seasonably amend its prior interrogatory responses to include grounds
8 for refusal other than the enforceability of the pay-if-paid provision. Pursuant to Nev. Rev. Stat.
9 37(c)(1) and *Pizarro-Ortega v. Cervantes-Lopez*, 133 Nev. Adv. Op. 37, 396 P.3d 783, 787 (2017),
10 APCO's failure to seasonably amend precludes APCO from asserting any other defenses "at a trial,
11 at a hearing, or on a motion" unless APCO substantially justifies this failure or such failure is
12 harmless to ZBCI.

13 15. The facts of this case are clear and uncontested. APCO was aware of its alleged
14 grounds for refusing payment of the \$750,807.16 owed to ZBCI before ZBCI filed its complaint
15 against APCO. APCO could have asserted its other defenses, other than its belief in the
16 enforceability of the pay-if-paid provision, at the time it served its April 29, 2010 responses to
17 ZBCI's interrogatories. In any event, several extensions to discovery were granted in this case even
18 up to a few weeks before dispositive motions were filed. APCO had ample opportunities to
19 seasonably amend or supplement its discovery responses to assert additional defenses against paying
20 ZBCI the amount owed under the Subcontract.

21 16. Yet, APCO failed to explain why during the seven years of litigation between APCO
22 and ZBCI, it did not disclose any defenses other than its belief in the enforceability of the pay-if-paid
23 provision. For example, APCO did not explain its decision to omit the other defenses in its April 29,
24 2010 responses to ZBCI's interrogatories and May 12, 2017 responses to ZBCI's interrogatories.
25 APCO also did not explain why it did not amend or supplement its discovery responses with the
26 other defenses during discovery.

27 17. ZBCI reasonably relied on APCO's interrogatory responses to formulate its litigation
28 plan, which included decisions to avoid certain discovery. For example, ZBCI limited its discovery

1 to taking APCO's Nev. R. Civ. P. 30(b)(6) depositions with truncated questioning. ZBCI also filed
2 its motion for summary judgment that focused on the enforceability of the pay-if-paid provisions.

3 18. By raising defenses other than the enforceability of the pay-if-paid provisions for the
4 first time in its opposition to ZBCI's motion for summary judgment, APCO has prejudiced ZBCI.
5 The late defenses have prevented ZBCI from conducting discovery at a time when relevant
6 information is available and fresh in witnesses' mind. APCO's prejudicial actions also forced ZBCI
7 to incur time and costs to conduct discovery based on incomplete information.

8 19. APCO's late defenses are not justified and are extremely prejudicial to ZBCI. Those
9 defenses are now too little, too late. Under Nev. R. Civ. P. 37(c)(1), APCO cannot introduce any
10 evidence to support any defenses against ZBCI's claims because its prejudicial discovery responses
11 only claimed that it relied on the void pay-if-paid provisions.

12 20. Due to the preclusion of the other defenses, ZBCI's evidentiary objections regarding
13 those defenses are moot.

14 21. ZBCI is entitled to judgment on its breach of contract claim and its Nev. Rev. Stat.
15 108 claims as a matter of law.

16 **E. Attorney's Fees, Costs, and Interest**

17 22. ZBCI is the prevailing party under the Subcontract and the prevailing lien claimant
18 under Nev. Rev. Stat. 108.237(1).

19 23. Under the Subcontract, ZBCI is entitled to an award of interest, reasonable attorney's
20 fees, and costs incurred to collect the amount owed to ZBCI.

21 24. Under Nev. Rev. Stat. 108.237(1), ZBCI is also entitled to the cost of preparing and
22 recording the notice of lien, the costs of the proceedings, the costs for representation of the lien
23 claimant in the proceedings, and any other costs related to ZBCI's efforts to collect the amount owed
24 against APCO. This includes, without limitation, attorney's fees and interest.

25 25. Nev. Rev. Stat. 108.237(2)(b) provides the calculation of the interest that accrues
26 under the amount awarded under Nev. Rev. Stat. 108.237(1). This interest is equal to the prime rate
27 at the largest bank in Nevada, as ascertained by the Commissioner of Financial Institutions, on
28 January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 4 percent,

1 on the amount of the lien found payable. The rate of interest must be adjusted accordingly on each
2 January 1 and July 1 thereafter until the amount of the lien is paid.

3 26. Interest is payable from the date on which the payment is found to have been due,
4 which would be December 15, 2008 in this case. Interest will accrue on the lienable amount,
5 attorney's fees, and costs until the entire amount is paid.

6 **ORDER**

7 **THEREFORE, IT IS HEREBY ORDERED** that ZBCI's Motion for Partial Summary
8 Judgment Against APCO Construction is **GRANTED** in its entirety.

9 **IT IS FURTHER ORDERED** that ZBCI is awarded \$750,807.16 (the "Award") on its First
10 Cause of Action (Breach of Contract) and Fourth Cause of Action (Foreclosure of Mechanic's Lien).

11 **IT IS FURTHER ORDERED** that ZBCI's remaining claims—Second Cause of Action
12 (Breach of Implied Covenant of Good Faith & Fair Dealing), Third Cause of Action (Unjust
13 Enrichment or in the Alternative Quantum Meruit), and Seventh Cause of Action (Violation of NRS
14 624)—are moot.

15 **IT IS FURTHER ORDERED** that ZBCI is awarded attorneys' fees and costs incurred in
16 connection with this litigation.

17 **IT IS FURTHER ORDERED** that interest shall accrue on the unpaid amount of the Award
18 from ZBCI's complaint was filed, which was April 30, 2009, to the date the entire amount is paid.

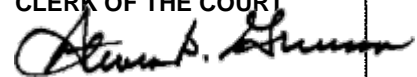
19 **IT IS FURTHER ORDERED** that ZBCI has 30 days from the date of this order to submit a
20 memorandum setting forth its attorney's fees and costs.

21 **IT IS FURTHER ORDERED** that APCO has 30 days after service of the memorandum to
22 submit a response.

23 **IT IS FURTHER ORDERED** that ZBCI has 10 days after APCO's response to submit a
24 reply to the response.

25 **IT IS FURTHER ORDERED** that this Court will address the sole issue of whether ZBCI is
26 entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on

27 January 18, 2018 at 9:00 a.m.



1 **NEO**
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14 *Zitting Brothers Construction, Inc.*

9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 APCO CONSTRUCTION, a Nevada
12 corporation,

13 Plaintiff,

14 vs.

15 GEMSTONE DEVELOPMENT WEST, INC.,
16 a Nevada corporation,

17 Defendant.

18 AND ALL RELATED MATTERS

CASE NO. A571228
DEPT. NO. XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319


Hearing Date: November 16, 2017
Hearing Time: 9:00 a.m.

18 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**
19 **GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL**
20 **SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION**

21 PLEASE TAKE NOTICE that an Order was entered in the above entitled action on the 29th
22 day of December, 2017, a true and correct copy of which is attached hereto.

23 Dated this 2nd day of January, 2018.

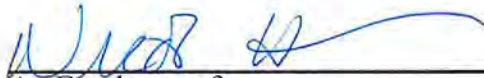
24 **WILSON, ELSE, MOSKOWITZ,**
25 **EDELMAN & DICKER LLP**

26 
27 Jorge A. Ramirez, Esq.
28 I-Che Lai, Esq.
300 South Fourth Street, 11th Floor
Las Vegas, Nevada 89101
Attorneys for Lien Clamant,
Zitting Brothers Construction, Inc.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP, and that on this 2nd day of January, 2017, I served a true
and correct copy of the foregoing document as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk; and pursuant to Rule 9 of the N.E.F.C.R.
- ☐ via hand-delivery to the addressees listed below;
- ☐ via facsimile;
- ☐ by transmitting via email the document listed above to the email address set forth below on this date before 5:00 p.m.



An Employee of
WILSON, ELSEER, MOSKOWITZ, EDELMAN & DICKER LLP

Steven D. Grierson

1 **FFCO**
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9 **DISTRICT COURT**
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11 APCO CONSTRUCTION, a Nevada
12 corporation,

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15 GEMSTONE DEVELOPMENT WEST, INC.,
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18 AND ALL RELATED MATTERS

CASE NO. A571228
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A590319

Hearing Date: November 16, 2017
Hearing Time: 9:00 a.m.

19 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING**

20 **BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY**

21 **JUDGMENT AGAINST APCO CONSTRUCTION**

22 On November 16, 2017, this Court heard Zitting Brothers Construction, Inc.'s Motion for
23 Partial Summary Judgment Against APCO Construction. Jorge A. Ramirez and I-Che Lai of Wilson
Elser Moskowitz Edelman & Dicker, LLP appeared at the hearing for Zitting Brothers Construction,
Inc. ("ZBCI"). John Randall Jefferies of Spencer Fane LLP and Cody S. Munteer of Marquis
Aurbach Coffing appeared for APCO Construction, Inc. ("APCO"). Having considered ZBCI's
motion, the pleadings and papers filed in this case, and oral arguments of counsel, this Court makes
the following findings of fact and conclusions of law.

//

1 **FINDINGS OF FACT**

2 **A. APCO's Subcontract with ZBCI**

3 1. Around September 6, 2007, Gemstone Development West, Inc. ("Gemstone") and
4 APCO entered into the ManhattanWest – General Construction Agreement for GMP ("Prime
5 Contract"). Under the Prime Contract, APCO would serve as the general contractor for the
6 ManhattanWest mixed-use development project located at the following Assessor's Parcel Numbers
7 in Clark County, Nevada: 163-32-101-003, 163-32-101-004, 163-32-101-005, 163-32-101-010, and
8 162-32-101-014 (the "Project").

9 2. Around November 17, 2007, APCO and ZBCI entered into a Subcontract Agreement
10 ("Subcontract"). Under the Subcontract, ZBCI would provide framing materials and labor for the
11 Project.

12 3. The Subcontract requires APCO to pay ZBCI 100% of the value of the work
13 completed on a periodic basis—less 10% retention of the value (the "Retention")—only after APCO
14 receives actual payments from Gemstone.

15 4. The Subcontract requires APCO to pay ZBCI the Retention amount for each building
16 of the Project upon (a) the completion of each building; (b) Gemstone's approval of ZBCI's work on
17 the completed building; (c) APCO's receipt of final payment from Gemstone; (d) ZBCI's delivery to
18 APCO all "as-built drawings for [ZBCI]'s scope of work and other close out documents"; and (e)
19 ZBCI's delivery to APCO a release and waiver of claims from ZBCI's "labor, materials and
20 equipment suppliers, and subcontractors providing labor, materials[,] or services to the Project...."
21 The Subcontract deems work on a building to be "complete" as soon as "drywall is completed" for
22 the building.

23 5. Alternatively, if the Prime Contract is terminated, the Subcontract requires APCO to
24 pay ZBCI the amount due for ZBCI's completed work after receipt of payment from Gemstone.

25 6. The conditions precedent of the Subcontract requiring APCO's payment only upon
26 receipt of payment from Gemstone are colloquially known as "pay-if-paid provisions."

27 7. The Subcontract only allows APCO to terminate—with written notice to ZBCI and
28 with cause—the Subcontract for non-performance.

1 8. If any party to the Subcontract "institute[s] a lawsuit ... for any cause arising out of
2 the Subcontract..." the Subcontract expressly authorizes the prevailing party to recover "all costs,
3 attorney's fees[,] and any other reasonable expenses incurred" in connection with the lawsuit. The
4 Subcontract does not provide a rate of interest that would accrue on the amount owed under the
5 Subcontract.

6 9. If any term of the Subcontract is void under Nevada law, the Subcontract expressly
7 provides that the void term would not affect the enforceability of the remainder of the contract.

8 **B. ZBCI's Work under the Subcontract**

9 10. Around November 19, 2007, ZBCI began its scope of work under the Subcontract.

10 11. The Prime Contract was terminated in August 2008, and the Project had shut down on
11 December 15, 2008. APCO never provided ZBCI with a written notice of termination with cause for
12 non-performance.

13 12. Prior to the Project's shutdown, ZBCI submitted written requests to APCO for change
14 orders valued at \$423,654.85. APCO did not provide written disapproval of those change orders to
15 ZBCI within 30 days of each request.

16 13. Also prior to the Project's shutdown, ZBCI had completed its scope of work on
17 Buildings 8 and 9 of the Project, including work on the change orders, without any complaints on the
18 timing or quality of the work. ZBCI had submitted close-out documents for its work, including
19 release of claims for ZBCI's vendors. The value of ZBCI's completed work amounted to
20 \$4,033,654.85.

21 14. At the time of the Project's shutdown, the drywall was completed for Buildings 8 and
22 9.

23 15. To date, ZBCI had only received \$3,282,849.00 for its work on the Project. ZBCI had
24 completed work in the amount of \$347,441.67 on the change orders and \$403,365.49 of the
25 Retention—totaling \$750,807.16— which remains unpaid.

26 16. ZBCI demanded APCO pay the \$750,807.16 still owed on the contract. However,
27 APCO refused to do so, causing ZBCI to initiate proceedings to recover the requested amount.

1 **C. Procedural History**

2 17. On January 14, 2008, ZBCI served its Notice of Right to Lien to APCO and
3 Gemstone via certified mail.

4 18. On December 5, 2008, ZBCI served its Notice of Intent to Lien to APCO and
5 Gemstone via certified mail.

6 19. On December 23, 2008, ZBCI recorded its Notice of Lien on the Project with a lien
7 amount of \$788,405.41 and served this document on APCO and Gemstone via certified mail on
8 December 24, 2008.

9 20. On April 30, 2009, ZBCI filed a complaint against Gemstone and APCO and a Notice
10 of Lis Pendens. The complaint alleged 6 claims: (a) breach of contract, (b) breach of implied
11 covenant of good faith and fair dealing, (c) unjust enrichment, (d) violation of Chapter 108 of the
12 Nevada Revised Statutes, (e) claim for priority, and (f) violation of Chapter 624 of the Nevada
13 Revised Statutes.

14 21. On June 10, 2009, APCO answered ZBCI's complaint. APCO's answer alleged 20
15 affirmative defenses, including the tenth affirmative defense alleging that APCO's obligation to
16 ZBCI had been satisfied or excused and the twelfth affirmative defense alleging that ZBCI's failure
17 to satisfy conditions precedent barred ZBCI's breach of contract claim.

18 22. Around June 16, 2009, ZBCI provided a Notice of Foreclosure of Mechanic's Lien,
19 and this notice was published in accordance with Nev. Rev. Stat. 108.239.

20 23. On April 7, 2010, ZBCI recorded its Amended Notice of Lien with a lien amount of
21 \$750,807.16 and served this document on APCO and Gemstone via certified mail around the same
22 date.

23 24. APCO does not dispute that ZBCI complied with all requirements to create, perfect,
24 and foreclose on its lien under Chapter 108.

25 25. On April 29, 2010, APCO responded to ZBCI's interrogatories that requested, *inter*
26 *alia*, APCO's explanation for refusing payment to ZBCI and APCO's grounds for the tenth and
27 twelfth affirmative defenses. ZBCI had sent those interrogatories to obtain more details about
28 APCO's defenses against ZBCI's complaint and to narrow the issues for discovery and trial.

1 APCO's interrogatory responses indicated that APCO would rely solely on the enforceability of the
2 pay-if-paid provision in the Subcontract to excuse payment to ZBCI.

3 26. On April 23, 2013, this Court authorized the sale of the Project free and clear of all
4 liens, including liens arising under Chapter 108 of the Nevada Revised Statutes. The sale resulted in
5 the distribution of the entire net proceeds from the sale to Scott Financial Corporation (the "Lender")
6 upon the Nevada Supreme Court's determination that the Lender's claim to the net proceeds is
7 superior to the Chapter 108 lien claimants' claim.

8 27. On April 12, 2017, ZBCI served APCO with a set of interrogatories that are similar to
9 the ones served in 2010. This set of interrogatories again requested, *inter alia*, APCO's explanation
10 for refusing payment to ZBCI and APCO's grounds for the tenth and twelfth affirmative defenses.
11 ZBCI sent those interrogatories to confirm APCO's prior discovery responses on APCO's defenses
12 against ZBCI's complaint.

13 28. On May 12, 2017, APCO responded to ZBCI's interrogatories that again indicated
14 APCO's sole reliance on the enforceability of the pay-if-paid provision in the Subcontract to excuse
15 payment to ZBCI.

16 29. On June 5, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
17 APCO's affirmative defenses. At the deposition, APCO's Nev. R. Civ. P. 30(b)(6) witness declined
18 to update APCO's interrogatory responses and re-affirmed APCO's sole reliance on the
19 enforceability of the pay-if-paid provision to excuse payment.

20 30. On July 19, 2017, ZBCI deposed APCO's Nev. R. Civ. P. 30(b)(6) witness regarding
21 topics pertaining to APCO's accounting for the Project. At the deposition, APCO's Nev. R. Civ. P.
22 30(b)(6) witness again declined to update APCO's interrogatory responses.

23 31. APCO did not supplement its discovery responses prior to the June 30, 2017
24 discovery cutoff.

25 32. On July 31, 2017 and after the close of discovery, ZBCI moved for summary
26 judgment against APCO on ZBCI's breach of contract and Nev. Rev. Stat. 108 claim—setting forth
27 ZBCI's prima facie case for those claims and addressing the enforceability of the pay-if-paid
28 provision in the Subcontract.

33. On August 21, 2017, APCO filed its opposition to ZBCI's motion, arguing—for the first time—other grounds for refusing payment of the amount owed to ZBCI. ZBCI objected to the admissibility of the evidence in support of APCO's opposition.

34. APCO's refusal to pay ZBCI the amount owed under the Subcontract had compelled ZBCI to incur attorney's fees and costs to collect the amount owed.

CONCLUSIONS OF LAW

A. Burden of Proof

1. Summary judgment is appropriate “when the pleadings, depositions, answers to interrogatories, admissions, and affidavits, if any, that are properly before the court demonstrate that no genuine issue of material fact exists, and the moving party is entitled to judgment as a matter of law.” *Cuzze v. Univ. & Cmty. Coll. Sys. of Nevada*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007).

2. As the party moving for summary judgment, ZBCI bears the initial burden of production to show the absence of a genuine issue of material fact. *Id.* ZBCI also bears the burden of persuasion at trial on its breach of contract and Chapter 108 claims and therefore must present evidence that would entitle it to a judgment as a matter of law on those two claims in the absence of contrary evidence. *See id.*

B. APCO's Breach of the Subcontract

3. To establish a breach of contract under Nevada law, ZBCI must provide admissible evidence of (1) the existence of a valid contract, (2) a breach by APCO, and (3) damage as a result of the breach. See *Richardson v. Jones*, 1 Nev. 405, 408 (1865). In this case, this Court concludes that ZBCI has presented sufficient admissible evidence on all elements of a breach of contract.

4. The Subcontract between the respective parties is a valid contract. However, as discussed in this Court's separate decision regarding the enforceability of the Subcontract's "pay-if-paid provisions," the pay-if-paid provisions are against public policy and are void and unenforceable under Nev. Rev. Stat. 624.628(e). The remaining terms of the Subcontract remain enforceable.

5. Nev. Rev. Stat. 624.626(3) automatically approves written requests for change orders unless the higher-tiered contractor denies the requests in writing within 30 days after the lower-tiered contractor submits the requests. Here, this Court concludes that because ZBCI did not receive any

1 written denials of its change order requests within 30 days of request, ZBCI's change order requests
2 amounting to \$347,441.67 were approved by operation of law. ZBCI is therefore entitled to payment
3 in the amount of \$347,411.67 for all of the change orders submitted.

4 6. Under Nevada law, compliance with a valid condition precedent requires only
5 substantial performance. *See, e.g., Laughlin Recreational Enterprises, Inc. v. Zab Dev. Co., Inc.*, 98
6 Nev. 285, 287, 646 P.2d 555, 556-57 (1982). ZBCI proved at least substantial compliance with the
7 conditions precedent for payment of the Retention, entitling ZBCI to payment of \$403,365.49 for the
8 Retention.

9 7. Alternatively, by the very terms of the Subcontract itself, the termination of the Prime
10 Contract automatically entitles ZBCI to payment of \$403,365.49 for the Retention and \$347,441.67
11 for the completed work on the change orders. This Subcontract language—exclusive of the void pay-
12 if-paid provisions—coincides with a prime contractor's obligations to pay its subcontractors
13 pursuant to Nev. Rev. Stat. 624.626(6).

14 8. APCO breached the Subcontract by refusing to pay ZBCI all of the amount owed for
15 the Retention and the change orders, and as a result ZBCI is entitled to judgment on its Complaint as
16 a matter of law. This gives rise to \$750,807.16 in damages, exclusive of attorney's fees, costs, and
17 interest.

18 **C. ZBCI's Nev. Rev. Stat. 108 Claim**

19 9. There is no dispute that ZBCI complied with the requirements for enforcing its lien
20 rights under Chapter 108 of the Nevada Revised Statutes.

21 10. Nev. Rev. Stat. 108.239(12) entitles ZBCI to a "personal judgment for the residue
22 against" APCO.

23 11. Because ZBCI did not receive any of the proceeds from the Nev. Rev. Stat. 108 sale
24 of the Project, there is no genuine issue that ZBCI is entitled to a personal judgment under Nev. Rev.
25 Stat. 108.239 against APCO for \$750,807.16 as the lienable amount, plus any reasonable attorney's
26 fees, costs, and statutory interest that the Court may award.

1 **D. Preclusion of APCO's Defenses**

2 12. This Court has considered APCO's arguments in response to ZBCI's motion for
3 summary judgment and concluded that the arguments have no merit.

4 13. As discussed above, the pay-if-paid provisions in the Subcontract is unenforceable
5 and therefore cannot excuse APCO's payment of the amount owed to ZBCI.

6 14. If APCO wanted to assert other grounds for refusing payment to ZBCI, Nev. R. Civ.
7 P. 26(e)(2) required APCO to seasonably amend its prior interrogatory responses to include grounds
8 for refusal other than the enforceability of the pay-if-paid provision. Pursuant to Nev. Rev. Stat.
9 37(c)(1) and *Pizarro-Ortega v. Cervantes-Lopez*, 133 Nev. Adv. Op. 37, 396 P.3d 783, 787 (2017),
10 APCO's failure to seasonably amend precludes APCO from asserting any other defenses "at a trial,
11 at a hearing, or on a motion" unless APCO substantially justifies this failure or such failure is
12 harmless to ZBCI.

13 15. The facts of this case are clear and uncontested. APCO was aware of its alleged
14 grounds for refusing payment of the \$750,807.16 owed to ZBCI before ZBCI filed its complaint
15 against APCO. APCO could have asserted its other defenses, other than its belief in the
16 enforceability of the pay-if-paid provision, at the time it served its April 29, 2010 responses to
17 ZBCI's interrogatories. In any event, several extensions to discovery were granted in this case even
18 up to a few weeks before dispositive motions were filed. APCO had ample opportunities to
19 seasonably amend or supplement its discovery responses to assert additional defenses against paying
20 ZBCI the amount owed under the Subcontract.

21 16. Yet, APCO failed to explain why during the seven years of litigation between APCO
22 and ZBCI, it did not disclose any defenses other than its belief in the enforceability of the pay-if-paid
23 provision. For example, APCO did not explain its decision to omit the other defenses in its April 29,
24 2010 responses to ZBCI's interrogatories and May 12, 2017 responses to ZBCI's interrogatories.
25 APCO also did not explain why it did not amend or supplement its discovery responses with the
26 other defenses during discovery.

27 17. ZBCI reasonably relied on APCO's interrogatory responses to formulate its litigation
28 plan, which included decisions to avoid certain discovery. For example, ZBCI limited its discovery

1 to taking APCO's Nev. R. Civ. P. 30(b)(6) depositions with truncated questioning. ZBCI also filed
2 its motion for summary judgment that focused on the enforceability of the pay-if-paid provisions.

3 18. By raising defenses other than the enforceability of the pay-if-paid provisions for the
4 first time in its opposition to ZBCI's motion for summary judgment, APCO has prejudiced ZBCI.
5 The late defenses have prevented ZBCI from conducting discovery at a time when relevant
6 information is available and fresh in witnesses' mind. APCO's prejudicial actions also forced ZBCI
7 to incur time and costs to conduct discovery based on incomplete information.

8 19. APCO's late defenses are not justified and are extremely prejudicial to ZBCI. Those
9 defenses are now too little, too late. Under Nev. R. Civ. P. 37(c)(1), APCO cannot introduce any
10 evidence to support any defenses against ZBCI's claims because its prejudicial discovery responses
11 only claimed that it relied on the void pay-if-paid provisions.

12 20. Due to the preclusion of the other defenses, ZBCI's evidentiary objections regarding
13 those defenses are moot.

14 21. ZBCI is entitled to judgment on its breach of contract claim and its Nev. Rev. Stat.
15 108 claims as a matter of law.

16 **E. Attorney's Fees, Costs, and Interest**

17 22. ZBCI is the prevailing party under the Subcontract and the prevailing lien claimant
18 under Nev. Rev. Stat. 108.237(1).

19 23. Under the Subcontract, ZBCI is entitled to an award of interest, reasonable attorney's
20 fees, and costs incurred to collect the amount owed to ZBCI.

21 24. Under Nev. Rev. Stat. 108.237(1), ZBCI is also entitled to the cost of preparing and
22 recording the notice of lien, the costs of the proceedings, the costs for representation of the lien
23 claimant in the proceedings, and any other costs related to ZBCI's efforts to collect the amount owed
24 against APCO. This includes, without limitation, attorney's fees and interest.

25 25. Nev. Rev. Stat. 108.237(2)(b) provides the calculation of the interest that accrues
26 under the amount awarded under Nev. Rev. Stat. 108.237(1). This interest is equal to the prime rate
27 at the largest bank in Nevada, as ascertained by the Commissioner of Financial Institutions, on
28 January 1 or July 1, as the case may be, immediately preceding the date of judgment, plus 4 percent,

1 on the amount of the lien found payable. The rate of interest must be adjusted accordingly on each
2 January 1 and July 1 thereafter until the amount of the lien is paid.

3 26. Interest is payable from the date on which the payment is found to have been due,
4 which would be December 15, 2008 in this case. Interest will accrue on the lienable amount,
5 attorney's fees, and costs until the entire amount is paid.

6 **ORDER**

7 **THEREFORE, IT IS HEREBY ORDERED** that ZBCI's Motion for Partial Summary
8 Judgment Against APCO Construction is **GRANTED** in its entirety.

9 **IT IS FURTHER ORDERED** that ZBCI is awarded \$750,807.16 (the "Award") on its First
10 Cause of Action (Breach of Contract) and Fourth Cause of Action (Foreclosure of Mechanic's Lien).

11 **IT IS FURTHER ORDERED** that ZBCI's remaining claims—Second Cause of Action
12 (Breach of Implied Covenant of Good Faith & Fair Dealing), Third Cause of Action (Unjust
13 Enrichment or in the Alternative Quantum Meruit), and Seventh Cause of Action (Violation of NRS
14 624)—are moot.

15 **IT IS FURTHER ORDERED** that ZBCI is awarded attorneys' fees and costs incurred in
16 connection with this litigation.

17 **IT IS FURTHER ORDERED** that interest shall accrue on the unpaid amount of the Award
18 from ZBCI's complaint was filed, which was April 30, 2009, to the date the entire amount is paid.

19 **IT IS FURTHER ORDERED** that ZBCI has 30 days from the date of this order to submit a
20 memorandum setting forth its attorney's fees and costs.

21 **IT IS FURTHER ORDERED** that APCO has 30 days after service of the memorandum to
22 submit a response.

23 **IT IS FURTHER ORDERED** that ZBCI has 10 days after APCO's response to submit a
24 reply to the response.

25 **IT IS FURTHER ORDERED** that this Court will address the sole issue of whether ZBCI is
26 entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on

27 January 18, 2018 at 9:00 a.m.

1 **IT IS FURTHER ORDERED** that this Court will enter final judgment on ZBCI claims
2 upon a decision on the fees and costs—consistent with this Findings of Fact, Conclusions of Law,
3 and Order

4 **IT IS FURTHER ORDERED** that the trial on ZBCI's complaint and all pending hearings
5 associated with ZBCI's complaint are vacated.

6 **IT IS SO ORDERED.**

7 Dated this 26th day of December, 2017.

8 
9
10 DISTRICT COURT JUDGE

11 Respectfully submitted by:

12 
13

14 Jorge A. Ramirez, Esq.

15 I-Che Lai, Esq.

16 **WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

17 300 South Fourth Street, 11th Floor

18 Las Vegas, Nevada 89101

19 *Attorneys for Lien Clamant,*

20 *Zitting Brothers Construction, Inc.*

21 Approved as to form and content by:

22 *declined to sign*

23 John H. Mowbray, Esq.

24 John Randall Jefferies, Esq.

25 Mary E. Bacon, Esq.

26 **SPENCER FANE LLP**

27 300 South Fourth Street, Suite 700

28 Las Vegas, Nevada 89101

and

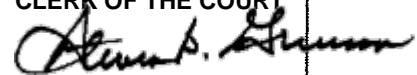
Cody S. Mounteer, Esq.

MARQUIS AURBACH COFFING

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorneys for APCO Construction, Inc.



ORDR

JORGE A. RAMIREZ, ESQ.

Nevada Bar No. 6787

I-CHE LAI, ESQ.

Nevada Bar No. 12247

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Jorge.Ramirez@wilsonelser.com

I-Che.Lai@wilsonelser.com

Attorneys for Lien Clamant,

Zitting Brothers Construction, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

APCO CONSTRUCTION, a Nevada
corporation,

Plaintiff,

vs.

GEMSTONE DEVELOPMENT WEST, INC., a
Nevada corporation,

Defendant.

CASE NO. 08A571228
DEPT. NO. XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319

AND ALL RELATED MATTERS

Date of Hearing: January 11, 2018
Time of Hearing: 9:00 a.m.

**ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR
RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS
CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT**

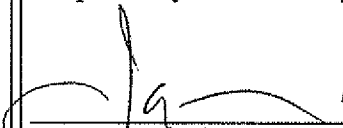
On January 11, 2018, this Court heard APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment. I-Che Lai of Wilson Elser Moskowitz Edelman & Dicker, LLP appeared at the hearing for Zitting Brothers Construction, Inc. ("ZBCI"). Mary E. Bacon of Spencer Fane LLP and Cody S. Mounteer of Marquis Aurbach Coffing appeared for APCO Construction, Inc. ("APCO"). Having considered APCO's motion, the pleadings and papers filed in this case, and oral arguments of counsel and finding good cause,

1 **IT IS HEREBY ORDERED** that APCO's Motion for Reconsideration of Court's Order
2 Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment is denied.

3 Dated this 24th day of January, 2018.

4
5
6 
DISTRICT COURT JUDGE RA

7 Respectfully submitted by:

8
9 
Jorge A. Ramirez, Esq.

10 I-Che Lai, Esq.

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP


11 300 South Fourth Street, 11th Floor

12 Las Vegas, Nevada 89101

13 *Attorneys for Lien Clamant,*

Zitting Brothers Construction, Inc.

14 Approved as to form and content by:

15 
John H. Mowbray, Esq.

16 John Randall Jefferies, Esq.

17 Mary E. Bacon, Esq.

SPENCER FANE LLP

18 300 South Fourth Street, Suite 700

19 Las Vegas, Nevada 89101

20 and

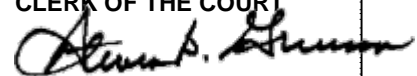
21 Cody S. Mounteer, Esq.

MARQUIS AURBACH COFFING

22 10001 Park Run Drive

23 Las Vegas, Nevada 89145

Attorneys for APCO Construction, Inc.



1 **NEOJ**
2 JORGE A. RAMIREZ, ESQ.
3 Nevada Bar No. 6787
4 I-CHE LAI, ESQ.
5 Nevada Bar No. 12247
6 WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
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10 Facsimile: (702) 727-1401
11 Jorge.Ramirez@wilsonelser.com
12 I-Che.Lai@wilsonelser.com
13 *Attorneys for Lien Clamant,*
14 *Zitting Brothers Construction, Inc.*

DISTRICT COURT
CLARK COUNTY, NEVADA

10 APCO CONSTRUCTION, a Nevada
11 corporation,

12 Plaintiff,

13 vs.

14 GEMSTONE DEVELOPMENT WEST, INC., a
15 Nevada corporation,

16 Defendant.

17 AND ALL RELATED MATTERS

CASE NO. 08A571228
DEPT. NO. XIII

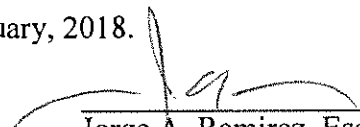
**NOTICE OF ENTRY OF ORDER
DENYING APCO CONSTRUCTION,
INC.'S MOTION FOR
RECONSIDERATION OF COURT'S
ORDER GRANTING ZITTING
BROTHERS CONSTRUCTION, INC.'S
PARTIAL MOTION FOR SUMMARY
JUDGMENT**

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319

21 PLEASE TAKE NOTICE that an Order was entered in the above entitled action on the 25th
22 day of January, 2018, a true and correct copy of which is attached hereto.

23 Dated this 30th day of January, 2018.

24 
25 Jorge A. Ramirez, Esq.
26 I-Che Lai, Esq.


**WILSON, ELSE, MOSKOWITZ, EDELMAN
& DICKER LLP**

300 South Fourth Street, 11th Floor
Las Vegas, Nevada 89101
Attorneys for Lien Clamant,
Zitting Brothers Construction, Inc.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP, and that on this 30th day of January, 2018, I served a true
and correct copy of the foregoing document as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk; and pursuant to Rule 9 of the N.E.F.C.R.
- ☐ via hand-delivery to the addressees listed below;
- ☐ via facsimile;
- ☐ by transmitting via email the document listed above to the email address set forth below on this date before 5:00 p.m.



An Employee of
WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Steven D. Grierson

1 **ORDR**

2 JORGE A. RAMIREZ, ESQ.

3 Nevada Bar No. 6787

4 I-CHE LAI, ESQ.

5 Nevada Bar No. 12247

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11 Jorge.Ramirez@wilsonelser.com

12 I-Che.Lai@wilsonelser.com

13 *Attorneys for Lien Clamant,*

14 *Zitting Brothers Construction, Inc.*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 APCO CONSTRUCTION, a Nevada
18 corporation,

19 Plaintiff,

20 vs.

21 GEMSTONE DEVELOPMENT WEST, INC., a
22 Nevada corporation,

23 Defendant.

CASE NO. 08A571228
DEPT. NO. XIII

Consolidated with:

A574391; A574792; A577623; A583289;
A587168; A580889; A584730; A589195;
A595552; A597089; A592826; A589677;
A596924; A584960; A608717; A608718; and
A590319

Date of Hearing: January 11, 2018
Time of Hearing: 9:00 a.m.

24 AND ALL RELATED MATTERS

25 **ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR**

26 **RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS**

27 **CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT**

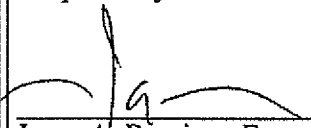
28 On January 11, 2018, this Court heard APCO Construction, Inc.'s Motion for
29 Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for
30 Summary Judgment. I-Che Lai of Wilson Elser Moskowitz Edelman & Dicker, LLP appeared at the
31 hearing for Zitting Brothers Construction, Inc. ("ZBCI"). Mary E. Bacon of Spencer Fane LLP and
32 Cody S. Mounteer of Marquis Aurbach Coffing appeared for APCO Construction, Inc. ("APCO").
33 Having considered APCO's motion, the pleadings and papers filed in this case, and oral arguments
34 of counsel and finding good cause,

1 **IT IS HEREBY ORDERED** that APCO's Motion for Reconsideration of Court's Order
2 Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment is denied.

3 Dated this 24th day of January, 2018.

4
5
6 
DISTRICT COURT JUDGE 

7 Respectfully submitted by:

8
9 
Jorge A. Ramirez, Esq.

10 I-Che Lai, Esq.

11 **WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP**

12 300 South Fourth Street, 11th Floor

13 Las Vegas, Nevada 89101

14 Attorneys for Lien Clamant,

15 Zitting Brothers Construction, Inc.

16 Approved as to form and content by:

17
18 

19 John H. Mowbray, Esq.

20 John Randall Jefferies, Esq.

21 Mary E. Bacon, Esq.

22 **SPENCER FANE LLP**

23 300 South Fourth Street, Suite 700

24 Las Vegas, Nevada 89101

25
26 and

27 Cody S. Mounteer, Esq.

28 **MARQUIS AURBACH COFFING**

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorneys for APCO Construction, Inc.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 12, 2009

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 12, 2009 9:00 AM Motion to Amend

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 20, 2009

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 20, 2009 3:00 AM Motion to Intervene

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Teri Berkshire

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, motion GRANTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 03, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 03, 2009 9:00 AM All Pending Motions

HEARD BY: Walsh, Jessie **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Susan Todd

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Craft, Christopher	Attorney
	Gochmour, Wade B.	Attorney
	Jones, Mark Merrill	Attorney
	Meier, Glenn F	Attorney
	Pintar, Becky	Attorney
	Woods, Anjuli	Attorney

JOURNAL ENTRIES

- Mr. Gochmour argued the case needs to be consolidated to determine the appropriate lien priority among the lien claimants and to ensure all parties and entities are in the case. Mr. Jones argued consolidating the cases is premature and will only complicate issues with the sub-contractors and their mechanics liens, although this case would be appropriate for Business Court. Further, Mr. Jones argued the issue of trial is another complex issue, as his client has a clause in the contract stating matters to be handled by a non-jury trial and if the other parties demand a jury in the consolidation of the cases now, this would only increase the complexity. Mr. Meier argued the oppositions filed are by those companies who issues are not complex; however, these are complex issues and should all stay together. Ms. Woods and Mr. Dachelet opposed the consolidation of their cases. Further arguments by counsel. COURT ORDERED, Motion GRANTED IN PART as follows, the following cases shall be CONSOLIDATED; A574391, A574792, A577623, A583289, A584730, and A587168 and DENIED as to case A579963. FURTHER ORDERED, all cases TRANSFERRED to Business Court.

08A571228

CLERK'S NOTE: Corrected case # from A571792 to A574792, Susan C. Todd/06/24/09.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 06, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 06, 2009 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Susan Burdette

RECORDER: Cynthia Georgilas

REPORTER:

PARTIES

PRESENT:	Maskas, Marisa	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Perkins, Robin E.	Attorney

JOURNAL ENTRIES

- Hydropressure Cleaning's Motion to Intervene ... Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene ... The Masonry Group Nevada's Motion to Intervene ... Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing

Becky Pintar, Esq., also present on behalf of Masonry Group.

Court stated he has a note that counsel for Fennemore Craig called and stated this would be continued.

As to Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Joinder in Hydropressure Cleaning's Motion to Intervene and Tri-City Drywall's Request to Intervene: Ms. Maskas noted that Tri-City Drywall filed a joinder in the Motion to Intervene and has not received an Opposition; noted Tri-City Drywall filed their Statement of Facts in February, and joined the Motion to Intervene. Ms. Perkins stated she does not have any information to be heard. **COURT ORDERED,**

Joinder Motion GRANTED.

As to The Masonry Group Nevada's Motion to Intervene: Ms. Pintar referred to the Motions to Intervene; noted that on June 29, Department X issued an Order as to filing a Complaint for Intervention; and stated her Motion to Intervene can be taken off calendar as it appears that Department X granted that as to all parties. COURT ORDERED, motion MOOT.

As to Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing: Court noted no one is here from Fennemore Craig. Arguments by counsel as to there being no contract; letter dated December 8, 2008, by Janet Griffith; Affidavit from Peter Smith; and no claims against the project nor against Gemstone themselves. COURT ORDERED, matter taken UNDER ADVISEMENT to review the briefs.

Mr. Morris stated he renoticed the motion after the consolidation; noted there were other motions that were filed; and referred to the calendar. Following further colloquy, COURT ORDERED ruling RESCINDED; motion CONTINUED given the circumstances as to someone calling that this would be continued; and noted that if the Court decides to give it a special time, counsel will be notified by fax. Upon Court's inquiry, Mr. Morris stated it should not take long to argue. COURT ORDERED, rulings on the other motions to STAND.

07-27-09 9:00 AM Defts Camco Pacific Construction and Fidelity and Deposit Co of
Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 20, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 20, 2009	9:00 AM	Motion for Default Judgment	Harsco Corporation's Motion for Default Judgment
----------------------	----------------	--	---

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Carol Donahoo**RECORDER:** Cynthia Georgilas**REPORTER:****PARTIES**

PRESENT:	Meier, Glenn F	Attorney
	Williams, Donald H	Attorney
		Attorney

JOURNAL ENTRIES

- Mr. Williams advised he would like to WITHDRAW his Motion for Default Judgment. There being no opposition, COURT ORDERED, matter OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 27, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 27, 2009	9:00 AM	Motion to Dismiss	Third Party Defts Camco Pacific Construction and Fidelity and Deposit Co of Maryland's Motion to Dismiss the Third Party Complaint of David Peterson Framing
----------------------	----------------	--------------------------	---

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Susan Todd
Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRESENT:	Dixon, Stephen M.	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney

JOURNAL ENTRIES

- Mr. Sheryl T. Parker, Esq., Attorney for Plaintiff. Zittig Brothers Construction, Inc.

Colloquy regarding motions to intervene. Arguments by counsel regarding alleged contract between Camco and Gemstone. There being questions of fact whether contract existed, COURT ORDERED, motion DENIED WITHOUT PREJUDICE; summary judgment will not be considered at this time.

Mr. Dixon requested a Rule 16 Conference. COURT FURTHER ORDERED, this department to SET Rule 16 Conference at a later time. Mr. Meier to prepare order, and opposing counsel to approve as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 12, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

October 12, 2009**9:00 AM****All Pending Motions**

**DEFT SCOTT
FINANCIAL
CORPORATION'S
MOTION TO
DISMISS CLUB
VISTA FINANCIAL
SERVICES AND
THARALDSON
MOTELS II'S
COUNTERCLAIM...
DEFT SCOTT
FINANCIAL CORP'S
MOTION TO
DESIGNATE THIS
ACTION AS
COMPLEX
PURSUANT TO
NRCP 16.1(f), AND
MOTION TO SET A
DISCOVERY
CONFERENCE
PURSUANT TO
NRCP 16**

HEARD BY: Bonaventure, Joseph T.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRINT DATE: 02/21/2018

Page 10 of 191

Minutes Date: May 12, 2009

PRESENT:	Carter, Matthew S.	Attorney
	CAWLEY, REUBEN	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Koch, Richard Allen	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Perkins, Robin E.	Attorney
	Williams, Donald H	Attorney
		Attorney
		Attorney

JOURNAL ENTRIES

- Brian K. Berman, Esq., present on behalf of Pltf. Ready Mix Inc.

As there were no objections and there being good cause, COURT ORDERED, Motion to Deem Case as Complex GRANTED; matter SET for Rule 16 Conference.

COURT FURTHER ORDERED, Motion to Dismiss CONTINUED.

Mr. Meier to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 19, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

October 19, 2009**9:00 AM****Motion for Sanctions**

**DEFT NEVADA
CONSTRUCTION
SERVICES MOTION
FOR SANCTIONS
PURSUANT TO
NRCP 11**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:**

Morris, Steven L.

Attorney

Attorney

Vlastic, Charles

Attorney

Williams, Donald H

Attorney

Attorney

JOURNAL ENTRIES

- Arguments by counsel regarding number of allegations that are "wrong-doing," lack of written findings, and number of requests to look at Nevada Construction Services' books.

As Rule 11 was NOT violated, COURT ORDERED, motion DENIED.

Mr. Morris to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

October 26, 2009

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

October 26, 2009 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Lorraine Williams
Melissa Benson

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Blake, David	Attorney
	Carter, Matthew S.	Attorney
	CAWLEY, REUBEN	Attorney
	Craft, Christopher	Attorney
	Dixon, Stephen M.	Attorney
	Dobberstein, Eric	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Gutke, John H.	Attorney
	Meier, Glenn F	Attorney
	Muckleroy, Martin A.	Attorney
	Perkins, Robin E.	Attorney

JOURNAL ENTRIES

- Christine Taradash, Esq., present Pro Hac Vice on behalf of Counter Claimants Gary Tharaldson, Tharaldson Motels II and Club Vista Financial Services.

Ms. Taradash advised she is waiting only on Order to appear pro hac vice and requested he be allowed to proceed as such; COURT SO ORDERED. As to Deft. Scott Financial's Motion to Dismiss

and all related: Arguments by counsel regarding compulsory counter claim and priority of liens. COURT ORDERED, Motion to Dismiss and all joinders GRANTED.

As to Deft. Camco's renewed Motion for Clarification: Arguments by counsel regarding contractual and procedural issues, bond requirements and need for evidentiary hearing. COURT FURTHER ORDERED, Motion for Clarification/Reconsideration CONTINUED. Fraud claims will not be undone; anything relating to counterclaim is STRICKEN.

Mr. Meier to prepare detailed Order so there will be no room for confusion.

11/03/09 9:00 AM DEFT CAMCO'S RENEWED MTN FOR CLAIFICATION OR RECONSIDERATION OF 4/66/09 RULING RE: EXEC PLASTERIN'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGEMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE...ALL JOINDERS...CONTINUED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 03, 2009**

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 03, 2009	9:00 AM	Motion to Reconsider	DEFT CAMCO'S RENEWED MTN FOR CLARIFICATION OR RECONSIDERATIO N OF ARIL 6, 2009 RULING RE: EXECUTIVE PLASTERING'S APPLICATION FOR ORDER TO SHOW CAUSE WHY PREJUDGMENT WRIT OF ATTACHMENT & WRIT OF GARNISHMENT SHOULD NOT ISSUE AFTER NOTICE (CONSOLIDATED CASE)
--------------------------	----------------	-----------------------------	--

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams
Melissa Benson**RECORDER:****REPORTER:**

PARTIES

PRESENT:

Blake, David

Attorney

JOURNAL ENTRIES

- Mr. Blake advised he sent a letter and has had no response.

As there are concerns of how this case was handled, COURT ORDERED, motion GRANTED; Prejudgment Writ of Attachment STRICKEN.

COURT NOTED, there was no bond filed. Mr. Blake to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 19, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**November 19, 2009 10:00 AM Mandatory Rule 16
 Conference**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	Craft, Christopher	Attorney
	Dobberstein, Eric	Attorney
	Gemstone Development West Inc	Defendant
		Intervenor Defendant
	Gochmour, Wade B.	Attorney
		Attorney
	Gutke, John H.	Attorney
	Meier, Glenn F	Attorney
	Muckleroy, Martin A.	Attorney
	Pawlowski, Matthew P.	Attorney
	Perkins, Robin E.	Attorney
	Pintar, Becky	Attorney
	Rycraft Jr., Dale R.	Attorney
	Vlastic, Charles	Attorney
	Walters, Brian K.	Attorney

JOURNAL ENTRIES

- Colloquy regarding missing consolidated cases and 06/29/09 consolidation Order. COURT NOTED the following cases were missed from consolidation into this case: A584960, A590319,

A596924, A597089, and A592826. Further colloquy regarding discovery.

COURT ORDERED Mr. Meier to amend his proposed Order in section 4 to also require that all lenders produce all documents by deadline; trial will be set for sometime during January, 2012; Court will fill in all discovery deadlines upon receipt of Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 23, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

November 23, 2009**9:00 AM****Motion to Withdraw as
Counsel****KOCH'S MOTION
TO WITHDRAW AS
COUNSEL OF
RECORD FOR
REPUBLIC CRANE
SERVICES LLC****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Koch, Richard Allen Attorney**JOURNAL ENTRIES**

- Mr. Koch advised he will submit a file stamped copy of Errata that has Affidavit with last known address and phone number of Republic Crane Services.

COURT ORDERED, motion CONDITIONALLY GRANTED; Mr. Koch to submit proposed order with file stamped copy of Errata.

December 07, 2009

December 07, 2009	9:00 AM	Motion to Withdraw as Counsel	WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC
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COURTROOM: Phoenix Building Courtroom -
11th Floor

REPORTER:

PRESENT: Watkins, Justin L. Attorney
Attorney

Mr. Watkins advised an amended Affidavit with his client's last known telephone number was e-Filed this day.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 08, 2009**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 08, 2009	9:00 AM	Motion to Amend Complaint	HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRESENT: Williams, Donald H Attorney
 Attorney

JOURNAL ENTRIES

- As there was no Opposition, COURT ORDERED, motion GRANTED; Selina Cisneros to be added to Complaint.

Mr. Williams to prepare Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 23, 2009**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

December 23, 2009**9:00 AM****Motion to Withdraw as
Counsel****CALLISTER'S
MOTION TO
WITHDRAW AS
COUNSEL OF
RECORD FOR PLTF
EXECUTIVE
PLASTERING INC****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Pawlowski, Matthew P. Attorney**JOURNAL ENTRIES**

- As there was no opposition, COURT ORDERED, motion CONDITIONALLY GRANTED; Mr. Pawlowski to submit with proposed Order a file stamped copy of Errata for the Affidavit that includes the last known telephone number of Executive Plastering.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 25, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**January 25, 2010 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom -
 11th Floor

COURT CLERK: Susan Botzenhart

RECORDER:

REPORTER:

PARTIES

PRESENT:	CAWLEY, REUBEN	Attorney
	Dixon, Stephen M.	Attorney
	Oblad, John T.	Attorney
	Routheaux, Jenny	Attorney

JOURNAL ENTRIES

- Additional appearance made by counsel: Brian Berman, Esq.: for Pltf. Ready Mix Inc. in case 08A577623.

There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Berman advised he is appearing on behalf of Southwest, and to also monitor on the aspect of this matter as a business entity cannot represent itself in proper person. Colloquy. COURT ORDERED, matter SET for status check on confirmation of counsel.

2/22/10 9:00 AM STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS. GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN

*****THIS IS A LEAD CASE CONSOLIDATED WITH 08A574391, 08A574792, 08A577623, 09A580889, 09A583289, 09A584730, 09A584960, 09A587168, 09A589195, 09A590319, 09A592826, 09A596924, AND

08A571228

09A597089*****

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 22, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

February 22, 2010**9:00 AM****Status Check**

**STATUS CHECK:
CONFIRMATION
OF COUNSEL FOR
DEFTS GEMSTONE
DEVELOPMENT
WEST INC,
GEMSTONE
DEVELOPMENT
LLC, AND
EDELSTEIN**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams
Dawn Jackson**RECORDER:****REPORTER:****PARTIES
PRESENT:**

JOURNAL ENTRIES

- Brian K. Berman, Esq., present on behalf of Pltf. Ready Mix Inc. Reuben Cawley, Esq., present on behalf of Pltf. Zitting Brothers Construction Inc.

Colloquy regarding possible Order to Show Cause. Counsel advised Deft. Gemstone Development faxed a letter to all parties stating they do not have money to hire counsel.

COURT NOTED it will not issue Default against Deft. Gemstone at this time, but counsel may take

appropriate measures as Deft. Gemstone fails to participate.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 09, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 09, 2010	9:00 AM	Show Cause Hearing	HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES**

PRESENT:	CAWLEY, REUBEN	Attorney
	Meier, Glenn F	Attorney
	Muckleroy, Martin A.	Attorney

JOURNAL ENTRIES

- John Gruel, owner of Freedom Fire Prevention, also present.

Mr. Meir advised Proofs were filed. Counsel all submitted on pleadings.

As 25 parties did not comply with Court's Order and submit necessary pleadings by 03/01/10,
 COURT FINDS those 25 parties in contempt; therefore, COURT ORDERED Motion GRANTED; 25
 Liens of non-responsive parties EXPUNGED.

Colloquy regarding Mr. Gruel's presence. Mr. Meir further advised he will work with Mr. Gruel regarding this issue.

COURT'S PREVIOUS RULING STRICKEN. COURT FINDS 24 parties in contempt; therefore COURT ORDERED Motion GRANTED as to 24 parties; 24 Liens of non-responsive parties EXPUNGED (Freedom Fire now excluded as well).

Colloquy regarding counsel for Freedom Fire.

COURT FURTHER ORDERED Freedom Fire to have 10 DAYS to file into this case.

Mr. Meier to prepare Order.

CLERK'S NOTE: Pursuant to Order Granting Deft. Scott Financial Corp's Application for Order to Show Cause (signed 03/25/10), COURT ORDERED THIS MINUTE ORDER VACATED in its ENTIRETY. LMW 03/25/10

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 30, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 30, 2010	9:00 AM	Motion for Partial Summary Judgment	Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRESENT:	Caffaratti, Monica	Attorney
	Meier, Glenn F	Attorney
	Muckleroy, Martin A.	Attorney
	Perkins, Robin E.	Attorney

JOURNAL ENTRIES

- Martin I. Melendrez, Esq., present on behalf of Pltf. HD Supply Construction Supply Inc.

Ms. Perkins advised Counter-Deft. Ahern Rentals is NOT attempting to foreclose on lien and that her motion is limited to Intervenor Deft. Edelstein ONLY. Colloquy. Ms. Caffaratti advised Intervenor Deft. Edelstein does NOT deny liability, only amounts owed. Arguments by counsel regarding what Counter-Deft. Ahern Rentals provided as proof and the Intervenor Deft. Edelstein s failure to provide any contradictory evidence to amounts owed.

COURT ORDERED motion GRANTED IN PART as to liability ONLY; DENIED WITHOUT PREJUDICE as to damages.

Ms. Perkins to prepare Order, and present counsel to approve as to form and content.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 05, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 05, 2010	9:00 AM	Motion for Partial Summary Judgment	Pltf. Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES**

PRESENT:	CAWLEY, REUBEN	Attorney
	Dachelet, David W	Attorney
	Dobberstein, Eric	Attorney
	Gebhart, Michael T.	Attorney
	Meier, Glenn F	Attorney
	Williams, Donald H	Attorney
		Attorney

JOURNAL ENTRIES

- Dana Howell, Esq., present on behalf of Intervenor Cell-Crete Fireproofing of Nevada Inc. and PCI Group LLC.

Mr. Dachelet advised Discovery ends this day. Arguments by counsel regarding lien claimants,

08A571228

Gemstone's failures to appear and obtain counsel, priority, and unjust enrichment claims.

COURT ORDERED matter CONTINUED for further discussion.

CONTINUED TO: 04/13/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 13, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

April 13, 2010**9:00 AM****All Pending Motions**

Hearing Re: Show Cause Why Liens Should Not Be Expunged (Jensen Enterprises Inc., Paramount Scaffold Inc., Carpets-N-More, Nedco Supply, Anthony Vizl/SWPPP Compliance Solutions LLC, Sacramento Insulation Contractors Inc., Eastridge Personnel of Las Vegas, Westward Ho LLC, Larry Methvin Installation Inc., Interstate Plumbing & Air Conditioning, S R Bray Corp Power Plus, Sunstate Equipment Company LLC, Sunstate Companies Inc., Towey Equipment Company Inc., Geotek Inc., Superior Traffic Services, Summit Sand & Gravel Inc., K & G Construction Inc., Tiberti Company,

and Design Space
Modular Buildings
Inc.)...Pltf. Atlas
Construction Supply,
Inc.'s Motion for
Partial Summary
Judgment Against
Gemstone
Development West,
Inc.

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Lorraine Williams

RECORDER:

REPORTER:

PARTIES

PRESENT:	CAWLEY, REUBEN	Attorney
	Clifford, David S	Attorney
		Attorney
	Dachelet, David W	Attorney
	Dobberstein, Eric	Attorney
	Gebhart, Michael T.	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Reade, Robert C.	Attorney
	Williams, Donald H	Attorney
		Attorney

JOURNAL ENTRIES

- Gary Hayes, Esq., present on behalf of Lien Claimant Sunstate Companies Inc. Anthony Vizl, President, present as representative of Lien Claimant Anthony Vizl/SWPPP Compliance Solutions LLC. Dennis Kersee, Credit Manager, present as representative of Lien Claimant S R Bray Corp Power Plus. Brian Keith Berman, Esq., present on behalf of Pltf. Ready Mix Inc.

Colloquy regarding both lien claimants now present who were not present at last hearing and those that were present last hearing who are not present this time. Mr. Hayes advised he will E-file a Notice of Appearance for his client in this matter. COURT NOTED to all present in Proper Person

that it cannot give legal advice of any kind or answer any legal questions. Colloquy regarding length of time needed for lien claimants to file any necessary documents.

COURT ORDERED lien claimants present on this matter have until 04/23/10 by 5:00 p.m. to file Statement of Claims and take any other appropriate action, otherwise claims will be DISMISSED; ALL liens from lien claimants named that were not present this day are EXPUNGED for failure to appear.

Mr. Meier to prepare Order with all affected entities listed.

COURT FURTHER ORDERED lien claimants present are responsible for preparing case management order. MATTER TRAILED.

MATTER RECALLED: Mr. Reade advised A584960 was not properly consolidated into the lead case (A571228) as it is not a lien claim and requested matter be deconsolidated. Colloquy.

As A584960 was consolidated into A571228 in ERROR, COURT ORDERED, A584960 DECONSOLIDATED and REMANDED back to its original department. MATTER TRAILED.

MATTER RECALLED: Mr. Dachelet now present. Arguments by counsel as to whether Pltf. Atlas Construction possesses the correct set of circumstances to not follow case management order because they were just the equipment renter. Mr. Berman requested Court order Gemstone to appear for issue of Summary Judgment as they are necessary. Further arguments by counsel regarding lien perfection, whether evidence exists to challenge amounts owed, and discovery.

COURT ORDERED Motion for Partial Summary Judgment GRANTED IN PART as to issues of lien perfection, unjust enrichment, and amounts ONLY; DENIED as to priority; Order to Show Cause to ISSUE against Gemstone Development Inc.

COURT NOTED it does not believe all lien claimants will have good reason for Summary Judgment as Atlas Construction did here, but depending on what happens next in this matter, the Case Management Order may need to be amended.

Mr. Dachelet to prepare Findings of Fact and Conclusions of Law for Summary Judgment. Colloquy regarding N.R.C.P. 60.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 03, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 03, 2010	9:00 AM	Motion for Substitution	LIEN CLAIMANT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:****PARTIES****PRESENT:** Wittig, Donna Attorney

JOURNAL ENTRIES

- As Court was absent during the scheduled time for hearing and as matter was unopposed, COURT ORDERED, motion GRANTED.

Ms. Wittig to submit Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 05, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

May 05, 2010**9:00 AM****Show Cause Hearing**

Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Development West Inc. Pursuant to EDCR 7.60, for Failure to Give Reasonable Attention to Matters, and for Failure to Obtain New Counsel Pursuant to EDCR 7.42(b)

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom - 11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Caffaratti, Monica

Attorney

Gebhart, Michael T.

Attorney

Smith, P. Kyle

Attorney

JOURNAL ENTRIES

- Kyle Smith, Esq., was present on behalf of Intervenor Deft. Alex Edelstein.

Ms. Caffaratti Advised she will be withdrawing as counsel for Gemstone Development. COURT NOTED Ms. Caffaratti never formally appeared for either Defts. Gemstone Development or Alex Edelstein. Mr. Smith advised Deft. Gemstone Development has no intent on obtaining new counsel for this matter.

COURT ORDERED matter CONTINUED; counsel to prepare Order to move all outstanding Motions for Summary Judgment and related Joinders with this Show Cause Hearing.

COURT FURTHER NOTED if no Opposition is received from Deft. Gemstone Development, it is likely any and all Motions for Summary Judgment against them will be granted at next hearing.

CONTINUED TO: 05/17/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 17, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

May 17, 2010**9:00 AM****All Pending Motions**

**Lien Claimant Fast
Glass Inc.'s Motion
for Summary
Judgment Against
Gemstone
Development West
Inc Interstate
Plumbing & Air
Conditioning LLC's
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc Buchele Inc.'s
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc Accuracy Glass &
Mirror Company
Inc.'s Motion for
Partial Summary
Judgment Against
Gemstone
Development West
Inc SWPP
Compliance
Solutions' Motion for
Partial Summary
Judgment against
Gemstone
Development West
Inc Bruin Painting
Corporation's Motion**

for Partial Summary
Judgment Against
Gemstone
Development West
Inc Cactus Rose
Construction Inc.'s
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc HD Supply
Waterworks LP's
Motion for Summary
Judgment Against
Gemstone
Development West
Inc Heinaman
Contract Glazing's
Motion for Partial
Summary Judgment
Against Gemstone
Development West
Inc S.R. Bray Corp's
Motion for Partial
Summary Judgment
Against Gemstone
Develop

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Lorraine Williams

RECORDER:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	CAWLEY, REUBEN	Attorney
	Gebhart, Michael T.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Koch, David	Attorney
	Meier, Glenn F	Attorney

PRINT DATE: 02/21/2018

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Minutes Date: May 12, 2009

Parry, Zachariah	Attorney
Peel, Richard L.	Attorney
Reade, Robert C.	Attorney
Williams, Donald H	Attorney
	Attorney
Wittig, Donna	Attorney

JOURNAL ENTRIES

- Kyle Smith, Esq., present on behalf of Deft. Alex Edelstein.

Colloquy regarding previous hearing on new counsel for Gemstone Development. COURT NOTED no appearance on behalf of Gemstone Development and no indication there would be representation for Gemstone Development.

As Gemstone Development failed to obtain counsel and failed to proceed, COURT ORDERED, Gemstone Development's Answer STRICKEN and DEFAULT entered. Court will prepare Order.

Colloquy regarding perfection of liens and Erratas to be filed by SWPPP Compliance Solutions and Cactus Rose Construction. Mr. Peel advised the Notice of Lien did not record fast enough for it to be included with filing.

COURT ORDERED Mr. Peel to file Supplement with actual recorded document.

Mr. Meier argued that parties should have opportunity to litigate as evidence shows instead of just turning over bills. Further arguments by counsel regarding discovery and claim amounts. COURT NOTED priority does NOT have to be done first.

As there was NO issue as to perfection, COURT ORDERED, Motions and Joinders for Summary Judgment GRANTED IN PART; GRANTED as to Perfection; DENIED WITHOUT PREJUDICE as to Amounts; Matter SET for Status Check to set a date certain for Mr. Meier to challenge amounts pursuant to NRS 108.2275.

COURT NOTED Motions for Summary Judgment and any related Joinders will be considered as Oppositions should Deft. Scott Financial proceed with challenging amounts. Colloquy regarding Status Check setting.

Mr. Peel to prepare Joint Order for all Motions that includes Status Check setting.

06/16/10 9:00 AM STATUS CHECK: SET DATE CERTAIN (AMOUNT CHALLENGES)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 14, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

June 14, 2010**9:00 AM****Motion for Partial
Summary Judgment****Pltf. Selectbuild
Nevada Inc.'s Motion
for Partial Summary
Judgment Against
Defendant Gemstone
Development West
Inc.****HEARD BY:** Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:****REPORTER:** Brenda Schroeder**PARTIES****PRESENT:**

Meier, Glenn F

Attorney

Walters, Brian K.

Attorney

Wittig, Donna

Attorney

JOURNAL ENTRIES

- COURT NOTED it did not receive Opposition until this morning. Ms. Wittig advised she was prepared to proceed, however, if certain issues were to arise, she would request time to file Reply Brief. Colloquy regarding continuing matter.

COURT ORDERED Motion CONTINUED to Wednesday, 06/16/10; future date to be determined at that time.

CONTINUED TO: 06/16/10 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 16, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

June 16, 2010**9:00 AM****All Pending Motions**

**Pltf. APCO
Construction's
Motion to
Consolidate A608717
Into
A571228...Defendant/
Counterclaimant
Camco Pacific
Construction Inc. and
Fidelity and Deposit
Company of
Maryland's Motion to
Consolidate Case No.
A09-606730 and Case
No. A10-608718 With
Pending
Action...Status Check:
Set Date
Certain...Pltf.
Selectbuild Nevada
Inc.'s Motion for
Partial Summary
Judgment Against
Defendant Gemstone
Development West
Inc.**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Lorraine Williams**RECORDER:**

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Albregts, Jeffrey Richard	Attorney
	CAWLEY, REUBEN	Attorney
	Gebhart, Michael T.	Attorney
	Gochnour, Wade B.	Attorney
		Attorney
	Haze, Airene	Attorney
	Howell, Dana Lee	Attorney
	Meier, Glenn F	Attorney
	Perkins, Robin E.	Attorney
	Shapiro, James E.	Attorney
	Walters, Brian K.	Attorney
	Wittig, Donna	Attorney

JOURNAL ENTRIES

- Martin I. Melendrez, Esq., was present on behalf of Pltf. HD Supply Construction Supply Inc. Robert B. Ziems, Esq., was present on behalf of Pltf. Wiss Janney Elstner Associates Inc. Michael D. Rawlins, Esq., present on behalf of Pltf. United Subcontractors Inc. Zachariah Parry, Esq., present telephonically on behalf of Counter-claimant Camco Pacific Construction Company Inc.

Mr. Gochnour advised Pltf. Apco Construction had no opposition to the Motion to Consolidate. Mr. Rawlins noted his limited Opposition. Colloquy regarding extending discovery for Pltf. United Subcontractors Inc.

COURT ORDERED both Motions to Consolidate GRANTED; A606730, A608717, and A608718 CONSOLIDATED into lead case A571228.

Mr. Gochnour to prepare Order.

Zachariah Parry, Esq., now present telephonically. Mr. Parry apologized for being late as he thought the matter was at 11:00 a.m. Court informed Mr. Parry of its earlier decision granting the Motions to Consolidate. Mr. Walters advised he had not received documents from Mr. Meier. Colloquy regarding documents, whether there will be any challenges to the Notice or amounts, and materials being moved from the site. Arguments by counsel regarding how soon case will be ready for trial and whether summary judgment was appropriate.

COURT ORDERED Motion for Summary Judgment CONTINUED; briefing schedule SET: all Supplemental Briefs DUE 07/06/10.

COURT FURTHER ORDERED ALL Summary Judgment Motions RESET to 07/12/10 at 10:00 a.m.;

08A571228

any forthcoming Motions for Summary Judgment may be filed with Orders Shortening Time.

CONTINUED TO: 07/12/10 10:00 AM

CLERK S NOTE: All future minutes will be entered into lead case A571228 ONLY. LMW

July 27, 2010

PRINT DATE: 02/21/2018 Page 46 of 191 Minutes Date: May 12, 2009

Walters, Brian K.
Williams, Donald H

Attorney
Attorney
Attorney
Attorney

JOURNAL ENTRIES

- CUSTOM SELECT BILLINGS, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST, INC. OR, ALTERNATIVELY, MOTION FOR PERMANENT WRIT OF POSSESSION AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)...HYDROPRESSURE CLEANING, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST, INC. AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)... ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST, INC. AND FOR CERTIFICATION OF FINAL JUDGMENT PURSUANT TO NRCP 54(B)...ATLAS CONSTRUCTION SUPPLY, INC.'S MOTION FOR SUMMARY JUDGMENT REGARDING THE COMMENCEMENT OF WORK AND PRIORITY OF ITS MECHANIC'S LIEN...FERGUSON FIRE & FABRICATION, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING PERFECTION, VALIDITY, AND PRIORITY OF ITS MECHANIC'S LIEN... INSULPRO PROJECTS, INC.'S MOTION FOR PARTIAL SUMMARY AGAINST GEMSTONE DEVELOPMENT, INC., APCO CONSTRUCTION AND CAMCO PACIFIC CONSTRUCTION CO., INC...LIEN CLAIMANT/PLAINTIFF CELL CRETE FIREPROOFING OF NEVADA, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST INC., ON ISSUE OF LIEN PERFECTION...SCOTT FINANCIAL CORPORATION'S MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO PRIORITY OF LIENS...PLAINTIFF-IN-INTERVENTION, TRI-CITY DRYWALL, INC.'S MOTION FOR SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST, INC...LAS VEGAS PIPELINE'S MOTION FOR SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST, INC...ARCH ALUMINUM AND GLASS LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING PRIORITY AMONG LIEN CLAIMANTS ORDER SHORTENING TIME...HARSCO CORPORATION, EZA, P.C., DBA OZ ARCHITECTURE OF NEVADA, AND PATENT CONSTRUCTION SYSTEMS, A DIVISION OF HARSCO CORPORATION'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...ATLAS CONSTRUCTION SUPPLY, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...GRANITE CONSTRUCTION COMPANY'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...FERGUSON FIRE AND FABRICATION, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLAINTIFF/LIEN CLAIMANT SELECTBUILD NEVADA, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLAINTIFF/LIEN CLAIMANT HD SUPPLY CONSTRUCTION SUPPLY, L.P. D/B/A WHITE CAP CONSTRUCTION SUPPLY, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...FAST GLASS, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...LAS VEGAS PIPELINE'S JOINDER IN APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...CAMCO'S JOINDER

TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...LIEN CLAIMANT/PLAINTIFF CELLCRETE FIREPROOFING OF NEVADA INC.'S JOINDER TO PLAINTIFF APCO CONSTRUCTION INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON LIEN PRIORITY AS AGAINST ALL LENDER PARTIES...PLAINTIFF, WISS, JANNEY, ELSTNER ASSOCIATES, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...GRAYBAR ELECTRIC COMPANY'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...NORTHSTAR CONCRETE, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...DAVE PETERSON FRAMING, INC., E&E FIRE PROTECTION, LLC, NOORDA SHEET METAL COMPANY, THE PRESSURE GROUT COMPANY AND PROFESSIONAL DOORS AND MILLWORKS, LLC'S NOTICE OF JOINDER IN APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...PLTF. SELECTBUILD NEVADA INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANT GEMSTONE DEVELOPMENT WEST INC...RENAISSANCE POOLS AND SPAS S JOINDER TO APCO S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...ZITTING BROTHERS CONSTRUCTIN, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR PARITAL SUMMARY JUDGMENT AS TO PRIORITY OF LIENS...INSULPRO PROJECTS, INC.'S JOINDER TO APCO'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...STEEL STRUCTURES, INC. AND NEVADA PREFAB ENGINEERS, INC.'S JOINDER TO APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY...APCO'S OPPOSITION TO INSULPRO PROJECTS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND COUNTERMOTION FOR SUMMARY JUDGMENT...STATUS CHECK: PRIOR HEARINGS

John Moshier, Pro Hoc also present. Following arguments by counsel, Court stated it would like to review this matter further and ORDERED, matter TAKEN UNDER ADVISEMENT until 7/28/2010.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 30, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 30, 2010 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E. **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Sylvia Courtney

RECORDED:

REPORTER:

PARTIES

PRESENT: Muckleroy, Martin A. Attorney
Oblad, John T. Attorney

JOURNAL ENTRIES

- CLUB VISTA FINANCIAL SERVICES, THARALDSON MOTELS II INC AND GARY D.
THARALDSON'S MOTION TO ASSOCIATE COUNSEL ... MOTION TO ASSOCIATE COUNSEL

Court noted no opposition filed. Mr. Muckleroy appeared by telephone conference. Court stated rules have been complied with and therefore, COURT ORDERED, motions to associate counsel, Stephanie M. Samuels and K. Layne Morrill, GRANTED; Mr. Muckleroy to prepare order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 08, 2010**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

September 08, 2010**9:00 AM****All Pending Motions**

**E&E Fire Protection's
Motion for Partial
Summary Judgment
Against Gemstone
Development West,
Inc...Professional
Doors and
Millworks' Motion
for Partial Summary
Judgment Against
Gemstone
Development West,
Inc.**

HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Billie Jo Craig**RECORDER:****REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- E&E FIRE PROTECTION'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST
GEMSTONE DEVELOPMENT WEST, INC...PROFESSIONAL DOORS AND MILLWORKS'
MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST GEMSTONE DEVELOPMENT WEST,
INC

Mr. Truman and Mr. Oblad present.

PRINT DATE: 02/21/2018

Page 50 of 191

Minutes Date: May 12, 2009

Court noted its Law Clerk advised there was opposition. Colloquy regarding status of case. COURT ORDERED, matter UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 02, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 02, 2010 9:00 AM All Pending Motions

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Sylvia Courtney

RECORDED:

REPORTER: Brenda Schroeder

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Dobberstein, Eric	Attorney
	Fisher, Mindy C.	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Miller, William	Attorney
	Muckleroy, Martin A.	Attorney
	Parry, Zachariah	Attorney
	Pintar, Becky	Attorney
	Rutar Mullins, Gwen	Attorney
		Attorney
	Williams, Donald H	Attorney
		Attorney
	Ziems, Robert B.	Attorney

JOURNAL ENTRIES

- INSULPRO PROJECTS INC'S JOINDER TO SCOTT FINANCIAL CORPORATION'S MOTION TO STAY FURTHER ACTIVITY IN THIS CASE UNTIL THE ISSUE OF PRIORITY ISSUE HAS BEEN RESOLVED . . . SCOTT FINANCIAL CORPORATION'S MOTION TO STAY FURTHER ACTIVITY

IN THIS CASE UNTIL THE ISSUE OF PRIORITY ISSUE HAS BEEN RESOLVED

Court noted multiple joinders have been filed and all do not appear in Odyssey as yet; and it appears no one is opposed to stay in this case; the matters are well briefed. Court acknowledged there are still matters under advisement, and intends to issue a decision by 11/08/10; COURT ORDERED, motion and joinder GRANTED; status check set on pending matters.

12/09/10 09:00 AM STATUS CHECK: MATTERS UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 22, 2010**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 22, 2010	9:00 AM	Motion to Withdraw as Counsel	Shumway, Van & Hansen, CHTD's Motion To Withdraw As Attorney Of Record for HA Fabricators, Inc.
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HEARD BY: Delaney, Kathleen E.**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Susan Botzenhart**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Robert Ryan, Esq., appeared on behalf of Michael Van, Esq., (Shumway, Van & Hansen) (Movant) for HA Fabricators, Inc.

There being no opposition, COURT ORDERED, Motion GRANTED. Order SIGNED IN OPEN COURT.

***** THIS IS A LEAD CASE CONSOLIDATED WITH 08A574391, 08A574792, 08A577623, 09A580889, 09A583289, 09A584730, 09A587168, 09A589195, 09A589677, 09A590319, 09A592826, 09A596924, 09A597089, 09A606730, A-10-608717 and A-10-608718. *****

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 09, 2010

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

December 09, 2010 9:00 AM Status Conference

HEARD BY: Delaney, Kathleen E.

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Sylvia Courtney

RECORDED:

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Dobberstein, Eric	Attorney
	Gebhart, Michael T.	Attorney
	Haze, Airene	Attorney
	Lloyd-Robinson, Jennifer R.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Muckleroy, Martin A.	Attorney
	Rutar Mullins, Gwen	Attorney
		Attorney
	Sechrist, Jared M.	Attorney
	Shapiro, James E.	Attorney
	Williams, Donald H	Attorney
		Attorney

JOURNAL ENTRIES

- Court addressed matters under advisement, specifically for today, the outcome of the priority issue for Scott Financial. COURT FINDS, Scott Financial has standing to dispute mechanics' lien motions, amounts and priorities; its interests are adverse to lien claimants and all opposition has been taken

into account; as for the competing motions for summary judgment on priority, the decision in Bratcher v. Buckner, 90 Cal.App. 4th 1177 (2001) is not persuasive and Court does find Apco's argument persuasive that Mezzanine deeds of trust are behind the construction deeds; Court is not persuaded that partial subordination is operative. The lien claimants are in first priority and the basis will be spelled out in Court's written decision, which will also set forth amounts in detail. Mr. Meier requested the Court to set a status check after the Court's written decision has been issued. Mr. Gebhart raised the issue that there are motions which have been previously decided and other motions still pending; Court stated written decision will clarify those matters as they preceded the decision on Scott's standing to oppose; Court will include next status check date in the written order.

November 09, 2011

Minutes Date: May 12, 2009

A579963...HYDRO PRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...TRI-CITY DRYWALL, INC. AND NORTH STAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...LIEN CLAIMANT/ PLAINTIFF CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF PLAINTIFF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY ON ORDER SHORTENING TIME...ARCH ALUMINUM AND GLASS, LLC JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...THE MASONRY GROUP NEVADA, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF ORDER ON PRIORITY...JOINDER TO APCO'S RENEWED MOTION TO CONSOLIDATE CASE NO. A579963...CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO CONSTRUCTIONS' RENEWED MOTION TO CONSOLIDATE CASE NO. A579963...HYDRO PRESSURE CLEANING, INC.'S JOINDER TO APCO CONSTRUCTION'S RENEWED MOTION TO CONSOLIDATE CASE NO. A579963...ARCH ALUMINUM AND GLASS, LLC'S JOINDER IN APCO'S RENEWED MOTION TO CONSOLIDATE CASE NO. A579963...INSULPRO PROJECT, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME

Attorney Rachel Bickel-Stone, Bar No. 11057, appearing for Wiss, Janney, Elstner Associates, Inc.

Attorney David Merrill, Bar No. 6060, present for Alexander Edelstein.

Attorneys James Shapiro and Andrew Kessler participated telephonically through CourtCall.

Attorney Rachel Donn, Bar No. 10568, also appearing with Attorney Meier for the Defendant.

Court ADVISED, Judge Delaney is signing today the proposed original Findings and Order that APCO submitted, which was attached to the Motion. Attorney Gochmour stated he will deliver the Order to Judge Delaney's Chambers today. Judge Delaney will do some annotations and additional findings. COURT ORDERED, the issue of the priorities between the Lien Claimant and the lender's side of the traction will be CONSOLIDATED into this Department, but the cases will NOT BE Consolidated.

Statements by Attorney Jones questioning Defendant Tharaldson being a party in this case. Court STATED, Defendant Tharaldson is listed as a Counter Claimant in the Caption of this case. Counsel questioned if Judge Delaney would be addressing the perfection issues and the amounts of the liens. Court INFORMED Counsel that it was told Judge Delaney would be getting those Orders out. Attorney Gochmour advised that Scott financial Corporation is the lender for all of the loans. Attorney Meier requested a continuance until after the parties review Judge Delaney's Order. COURT ORDERED, Motions regarding Priority are CONTINUED. Court STATED, a new 16.1 Conference will need to be set next date. Attorney Reuben Cawley requested that his Motion For Summary Judgment also be set for next date, and the COURT SO ORDERED. Court SUGGESTED

that Counsel submit a list of any outstanding issues.

11/15/11 10:00 AM APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...HYDRO PRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...TRI-CITY DRYWALL, INC. AND NORTH STAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...LIEN CLAIMANT/ PLAINTIFF CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF PLAINTIFF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY ON ORDER SHORTENING TIME...ARCH ALUMINUM AND GLASS, LLC JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...THE MASONRY GROUP NEVADA, INC'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF ORDER ON PRIORITY... INSULPRO PROJECT, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 15, 2011

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

November 15, 2011 10:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Cawley, Reuben	Attorney
	Dachelet, David W	Attorney
	Dobberstein, Eric	Attorney
	Dreitzer, Richard I	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Jones, Jon Randall	Attorney
	Maskas, Marisa	Attorney
	Reade, Robert C.	Attorney
	Sechrist, Jared M.	Attorney
	Tharaldson Motels II Inc	Counter Claimant
	Tharaldson, Gary D	Counter Claimant
	Walters, Brian K.	Attorney

JOURNAL ENTRIES

- Counsel on speakerphone: James Shapiro for Las Vegas Pipeline, and Andrew Kessler for Uintah Investments.

Counsel also present: Morgan Shah for Alexander Edelstein.

APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ON ORDER SHORTENING TIME...THE MASONRY GROUP NEVADA, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF ORDER ON PRIORITY...ARCH ALUMINUM AND GLASS, LLC'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY... CELL-CRETE FIREPROOFING OF NEVADA, INC.'S JOINDER IN SUPPORT OF APCO CONSTRUCTION INC.'S MOTION FOR AN ORDER OF PRIORITY...TRI-CITY DRYWALL, INC. AND NORTHSTAR CONCRETE, INC.'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY. ..CUSTOM SELECT BILLING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY...HYDROPRESSURE CLEANING, INC.'S JOINDER TO APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY ...INSULPRO PROJECTS, INC'S JOINDER IN APCO'S MOTION FOR ISSUANCE OF AN ORDER ON PRIORITY...ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT

Court gave Mr. Gochnour Judge Delaney's Decision and Order regarding priority. Mr. Gochnour requested a Rule 16.1 conference to get discovery back on track. Mr. Gochnour noted there was a stay pending issuance of this order and that will have to be lifted.

Mr. Gochnour noted he has the order granting consolidation and it was submitted to counsel. Mr. Gochnour provided it to Court. Court reviewed it and returned it to Mr. Gochnour to resubmit after adding that the remainder of case stays in front of Judge Denton.

Court noted there are a number of summary judgment motions brought by lien claimants for perfection and amounts that it is her understanding Judge Delaney will be issuing orders granting: Custom Select Billings, Hydropressure Cleaning, Zitting Brothers, Insulpro Projects, CellCrete Fireproofing, Tri-City Drywall, Selectbuild Nevada, Las Vegas Paving, and Ferguson Fire and Fabrication. Mr. Shapiro asked if it is Las Vegas Pipeline instead of Las Vegas Paving. Mr. Gochnour noted Las Vegas Paving is not in this case. Court noted her list indicates Las Vegas Paving, but it probably should be Las Vegas Pipeline.

Court noted there are other outstanding motions regarding rank among lien claimants that may be re-filed in this department. COURT ORDERED, new 16.1 conference set. Deadlines will be coordinated then. Mr. Kessler asked if counsel is required to appear. Court noted it would be a good idea.

12/1/11 9:30 AM MANDATORY RULE 16 CONFERENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 01, 2011**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**December 01, 2011 9:30 AM Mandatory Rule 16
 Conference**

HEARD BY: Scann, Susan**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Dachelet, David W	Attorney
	Dobberstein, Eric	Attorney
	Dreitzer, Richard I	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Haze, Airene	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Sechrist, Jared M.	Attorney
	Shapiro, James E.	Attorney
	Williams, Donald H	Attorney
		Attorney
	Wittig, Donna	Attorney

JOURNAL ENTRIES

- Attorney David Merrill, Bar No 6060, present for Alexander Edelstein.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Jon Carlston, Bar No. 10869, appearing for Cell Crete Fireproofing Of NV Inc.

Attorney Robert Domico, Bar No. 6272, present for Selectbuild Nevada Inc..

Attorney Michael Ernst, Bar No. 11957, present for Counter Defendant.

Colloquy regarding current case status including the previous Case Management Order of 1/28/10, the Stay that should be lifted, and Summary Judgments which are still Under Submission. COURT ORDERED, you now have a Priority Decision, and the STAY is hereby LIFTED. Attorney Dachelet explained that Summary Judgment has been Granted to some parties, and they should be allowed to limit future expenses, and only deal with the issue that was not resolved, the priorities amongst the Lien Claimants themselves. Discussion regarding Discovery, current condition of the property, possible sale of the property with the preference of a marketable sale. Attorney Ferrario suggested that what is needed is to figure out an orderly way for the Lien Claimants to prove their case, and set up a Discovery Schedule.

COURT FURTHER ORDERED, Statement Claims by anyone making a Counterclaim against the lender, that has not already filed in some form, has until 1/13/12 to do so, and the deadline for any responses is 2/17/12. Court and Counsel determined new Case Management dates. COURT ADDITIONALLY ORDERED, matter SET for Trial.

COURT ORDERED, a Status Check SET, only the parties that have Summary Judgments Under Submission need to attend. Lien Claimants may also submit a proposed Order. Attorney Gochnour to prepare the new Case Management Order.

1/11/12 10:00 AM STATUS CHECK: PARTIES WITH SUMMARY JUDGMENTS UNDER SUBMISSION

4/3/12 10:30 AM CALENDAR CALL

4/8/12 10:30 AM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 11, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

January 11, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, matter CONTINUED.

2/15/12 10:00 AM STATUS CHECK: PARTIES WITH MATTERS UNDER SUBMISSION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 25, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

January 25, 2012 9:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Dachelet, David W	Attorney
	Dobberstein, Eric	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Shapiro, James E.	Attorney
	Truman, T. James	Attorney
		Attorney
	Walters, Brian K.	Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR RECONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER GRANTING APCO CONSTRUCTION'S MOTION FOR SUMMARY JUDGMENT ON PRIORITY; AND DENYING SCOTT FINANCIAL CORPORATION'S MOTION FOR PRIORITY OR IN THE ALTERNATIVE MOTION FOR A RE-HEARING...BRAD J. SCOT'S

JOINDER TO SCOTT FINANCIAL CORPORATION'S MOTION FOR RECONSIDERATION OR IN
THE ALTERNATIVE, MOTION FOR RE-HEARING

Attorney James Shapiro participated telephonically.

Attorney Rachel Donn, Bar No. 10568, appearing for the Defendant.

Attorney Michael Ernst, Bar No. 11957, present for Counter Defendant Steel Structures Inc.

Attorney Adam Graff, Bar No. 11806, present for Counter Defendant Cellcrete Fireproofing of Nevada Inc.

Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Rachel Bickle-Stone, Bar No. 11057, present for Wiss Janney Elstner Associates Inc.

Attorney Jennifer Hostetler, Bar No. 11994, appearing for Bank of Oklahoma.

Attorney Bradley Slighting, Bar No. 10225, present for United Subcontractors Inc.

Court read the "standard" for Reconsideration in Open Court. Statements by Attorney Meier in support of the relief requested, advising the Court could just start over. Statements by Attorney Carter in support of his Joinder to Defendant's Motion. Opposition by Attorney Gochnour and Attorney Berman. Attorney Meier cited NRS 54(b) which gives the Court discretion to start over. Further statements by Attorney Ferrario. Court FINDS, it will review NRS 54(b), and will issue a written Decision. COURT ORDERED, matter taken UNDER ADVISEMENT. COURT FURTHER ORDERED, matter SET for a Hearing regarding the Court's Decision, Counsel not to be present.

2/1/12 9:00 AM HEARING: DECISION

UNDER ADVISEMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 01, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

February 01, 2012 9:00 AM Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, Motion To Reconsider is GRANTED pursuant to NRCP 54(b). COURT FURTHER ORDERED, the moving parties to combine and submit one package to the Court of any briefs that have been filed on behalf of the moving parties plus a summary of the Joinders, due by 2/15/12; Any parties opposing, to submit a combined brief by 2/29/12; a combined Reply is due 3/7/12. COURT ADDITIONALLY ORDERED, matter is SET for a Hearing on 3/14/12 for Argument. The Court is not directing anyone to file new points and authorities, just to organize what has been filed, to be provided as courtesy copies. Supplements may be filed by the dates set herein.

3/14/12 10:00 AM HEARING: ARGUMENT / MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 15, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 15, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Larry Snyder
Nancy Tibbetts**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT: Gochnour, Wade B. Attorney
 Attorney
 Shapiro, James E. Attorney

JOURNAL ENTRIES

- Mr. Bradley Slighting Esq., Bar No. 10225, also present.

COURT NOTED, case is under submission and no progress to report. Court SUGGESTED, matter be reheard in this Court. Mr. Gochnour concurred that it would make the most sense for matter to heard in this Court. Colloquy regarding what Court needed for a rehearing. Mr. Gochnour requested clarification on new briefing. Court answered briefing would be held to what has already been filed.

TIME

Attorney Bradley Slighting, Bar No. 10225, also present for United Subcontractors Inc.

Attorney David Merrill, Bar No. 6060, and Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

COURT ORDERED, Defendant Alexander Edelstein's Motion To Dismiss is GRANTED WITHOUT PREJUDICE. Attorney Morris noted for the record he did file a Limited Opposition. Statements by Attorney Meier in support of the Supplement To Motion For Summary Judgment As To Priority Of Liens, Filed 2/15/12. Argument by Attorney Gochmour in opposition to the Supplement, and in support of his Motion To Strike. Attorney Gochmour stated the Defendant is now trying to put in an Affidavit that should have been done in 2010, and advised that this is not a time to be adding new facts.

COURT FURTHER ORDERED, APCO's Objection To And Motion To Strike Scott Financial Corporation's Supplement To Motion For Summary Judgment As To Priority Of Liens, filed February 15, 2012 is DENIED, along with the Joinders thereto. COURT ADDITIONALLY ORDERED, it will allow additionally briefing before the Hearing on the Motion For Summary Judgment. Additional briefs to be filed by 3/15/12, and any Reply due by 3/19/12. COURT ORDERED, matters currently set for 3/13/12 are CONTINUED until 3/21/12.

3/21/12 10:00 AM HEARING: ARGUMENT - MOTION FOR SUMMARY JUDGMENT...
STEEL STRUCTURES, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT...
NEVADA PREFAB ENGINEERS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 21, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

March 21, 2012 10:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Dobberstein, Eric	Attorney
		Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Jones, Jon Randall	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Little, Martin A.	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Pintar, Becky	Attorney
	Sechrist, Jared M.	Attorney
	Shapiro, James E.	Attorney
	Walters, Brian K.	Attorney
	Williams, Donald H	Attorney
		Attorney

JOURNAL ENTRIES

PRINT DATE: 02/21/2018

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Minutes Date: May 12, 2009

- NEVADA PREFAB ENGINEERS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT...
STEEL STRUCTURES, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT... HEARING:
ARGUMENT - MOTION FOR SUMMARY JUDGMENT

Attorney Bradley Slighting, Bar No. 10225, also present for United Subcontractors Inc.

Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Dana Kim, Bar No. 8826, appearing for National Wood Products, and participating telephonically.

Attorney Andrew Kessler also participated telephonically.

Attorney Rachel Donn, Bar No. 10568, also appearing for the Defendant.

Attorney Jennifer Hostetler, Bar No. 11994, present for the Bank of Oklahoma.

Attorney Jay Shafer, Bar No. 9184, present for Cell-Crete Fireproofing of Nevada Inc.

Attorney Anthony Ager, Bar No. 7969, appearing for Atlas Construction Supply Inc.

Attorney Ronald Thompson, Bar No. 5524, appearing for Tru Lite Illumination.

There being no opposition, COURT ORDERED, Nevada Prefab Engineers, Inc.'s Motion For Partial Summary Judgment is GRANTED. COURT FURTHER ORDERED, Steel Structures, Inc.'s Motion For Partial Summary Judgment is GRANTED.

Statements by Attorney Meier giving a history of the case, citing "Bratcher," noting nothing in the agreement was intended to benefit the lien claimants. Attorney Gochnour supplied the Court with a demonstrative document/time-line showing recording dates. Attorney Gochnour argued that there is no ambiguity in the Subordination Agreement, and stating the Defendants are trying to find a way around the Nevada Mechanic Lien Law. Attorney Carter advised the Notes were restructuring not refinancing. Statements by Attorney Berman citing NRS Chapter 108. Further argument by Counsel.

COURT FURTHER ORDERED, matter taken UNDER ADVISEMENT. COURT ADDITIONALLY ORDERED, matter SET for Decision.

4/4/12 11:00 AM DECISION

March 22, 2012

Minutes Date: May 12, 2009

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 04, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

April 04, 2012 **11:00 AM** **Decision**

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Dobberstein, Eric	Attorney
		Attorney
	Gebhart, Michael T.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Sechrist, Jared M.	Attorney
	Shapiro, James E.	Attorney

JOURNAL ENTRIES

- Attorney Morgan Shah, Bar No. 12490, present for Defendant Alexander Edelstein.

Attorney Dana Y Kim, Bar No. 8826, appearing for National Wood Products. .

Attorney Jay Shafer, Bar No. 9148, present for Cellcrete Fireproofing of Nevada.

Attorney Robert Spear, Bar No. 8672, appearing for multiple Counter Defendants.

Attorney Dobberstein, Attorney Shapiro, Attorney Kim, and Attorney Kessler participated

PRINT DATE: 02/21/2018

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Minutes Date: May 12, 2009

telephonically per CourtCall.

DECISION

As threshold, there are no genuine issues of material fact.

Facts:

1. Original Senior, Junior and Third Trust Deeds were recorded before any work began on the property on 7/5/06.
2. Work commenced 4/07.
3. Junior Trust Deed and Third Trust Deed amended 5/22/07 & 10/24/07.
4. Senior and Jr. Trust Deeds amended and renamed Mezzanine Trust Deeds 2/7/08.
5. Participation agreement provided the new money, not a new loan, always same lender, Scott Financial Corporation (SFC).
6. Subordination agreement signed to accommodate \$110 million construction funding.
7. Original Trust Deeds never released or reconveyed.

In all amendments to the Trust Deeds, the effectiveness of the original Trust Deeds was affirmed.

All notes and Trust Deeds were amended, not replaced.

The Subordination agreement is made only by the one and only lender, SFC and references only the borrower, Gemstone Development. There is no mention of the lien claimants or any other entity; they are not parties to it. The express purpose of the Subordination Agreement is to place the \$110 million Trust Deeds above the Mezzanine Trust Deeds in priority. The in all respects language in paragraph 1, page 2 modifies and references the \$110 million Trust Deeds in reference to the Mezzanine Trust Deeds, nothing else. The sub agreement pays the \$110 million note before anything on the Mezzanine notes.

Reasons:

Per NRS 108.225, priority of liens gives priority to mechanic's liens behind those recorded before commencement of construction. \$38 mil in TDs was so recorded-first.

The fact that SFC obtained title insurance is not significant, this is a normal part of transaction.

Construing the subordination agreement on its own terms reveals no intent to do anything other than prefer the \$110 million Trust Deeds to the Mezzanine Trust Deed, original, Trust Deeds for payment. That intent would be contradicted by placing mechanic's liens in higher priority than the Construction Trust Deed. No intent to benefit a third party is expressed. The Scott affidavit is not necessary to reach this conclusion, the language of the agreement and the fact that substantial

construction financing was being brought in leads to this conclusion.

The Court adopts the reasoning of *Bratcher v. Buckner*. The lien claimants' priority is unchanged by the sub. agreement. This is both logical and fair. They were behind \$38 million when started their work and still are. To interpret the agreement otherwise would be to provide them with a windfall. They are not parties to the subordination agreement. They received the benefit of the construction funding.

Amsouth relies on the definition of subordination, saying it does not contemplate raising a lien in priority. The *Bratcher* case more accurately describes the problem as a circuitry of liens in that, discussing A, B, and C in order of priority, subordinating A to C does not result in subordinating A to B. Rather, A and C have switched places in priority but only to the amount of A's lien. B is neither benefitted nor burdened by this result. This reasoning was adopted by neighboring AZ in 2002 in *Price Waterhouse v. Decca*. This appears to be the majority view.

COURT ORDERED, Scott Financial's Reconsidered Motion For Partial Summary Judgment as to Priority of Liens is GRANTED. COURT FURTHER ORDERED, accordingly, Scott Financial Corporation's \$110,000,000.00 is in first position in the amount of \$38,000,000.00 only, the mechanic's liens are in second position, the remainder of Scott Financial Corporation's \$110,000,000.00 Trust Deed is in third position, and the Mezzanine Deeds of Trust are in fourth position.

At the request of Counsel, COURT ADDITIONALLY ORDERED, a STAY is GRANTED pending a Writ Petition to the Supreme Court, no Bond is required. COURT ORDERED, matter SET for a Status Check.

5/9/12 10:00 AM STATUS CHECK: CURRENT CASE STATUS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 05, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**April 05, 2012 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** Phoenix Building Courtroom -
11th Floor**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Motion To Withdraw As Attorney Of Record For Atlas Construction Supply, Inc. And Order Shortening Time is GRANTED, Attorney Anthony Ager, Bar No. 7969, to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 09, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

May 09, 2012	10:00 AM	Status Check: Status of Case
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HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Dobberstein, Eric	Attorney
		Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Reade, Robert C.	Attorney
	Shapiro, James E.	Attorney
	Walters, Brian K.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, also present for United Subcontractors Inc..

Attorney Dana Kim, Bar No. 8826, appearing for National Wood Products, and participating

PRINT DATE: 02/21/2018

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Minutes Date: May 12, 2009

telephonically.

Attorney Rachel Donn, Bar No. 10568, also appearing for the Defendant.

Attorney David Merrill, Bar No. 6060, present for Intervenor Alex Edelstein.

Attorney Dobberstein participated telephonically through CourtCall.

Upon the Court's inquiry, Attorney Gouchnour advised everything is on track proceeding to Trial. Colloquy regarding pending Writ regarding the Decision of Priority Liens before the Supreme Court. COURT ORDERED, matter CONTINUED until 11/7/12, unless the Supreme Court comes back sooner, and Counsel wants to set something on Calendar.

11/7/12 9:00 AM STATUS CHECK: STATUS OF CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 06, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

June 06, 2012 **9:00 AM** **Motion**

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Carol Foley

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Domina, Cary	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Jones, Jon Randall	Attorney
	Jones, Mark Merrill	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Scott, Bradley J	Defendant
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Counsel also present: Brian Berman for Ready Mix, Inc., and David Merrill for Alexander Edelstein.
Counsel on speakerphone: Eric Dobberstein for Insulpro Projects, Inc.

Counsel specially appearing today: David Carroll present for WGH Acquisitions, Jeff Steffan for Bond Rok, and Daniel Polsenberg for writ issues of various lien claimants represented by Peel Brimley.

Mr. Zimbelman noted his concern regarding prejudice of hearing matter on shortened time. Argument by Mr. Jones regarding urgency. Arguments by counsel. Court noted it agrees more information and authority and an evidentiary hearing is necessary. Discussion regarding available dates. Counsel agreed on 7/2 and the afternoon of 7/3 if necessary. Mr. Gochnour requested two two-hour depositions. Court granted the request.

7/2/12 9:30 AM EVIDENTIARY HEARING: SCOTT DEFENDANTS' MOTION TO LIFT STAY, ALLOW SALE TO PROCEED WITH DEPOSIT OF FUNDS PENDING FURTHER COURT ORDER, AND FOR POSTING OF BOND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 02, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 02, 2012 9:30 AM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gebhart, Michael T.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Jones, Jon Randall	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Scott, Bradley J	Defendant

JOURNAL ENTRIES

- Attorney Andrew Kessler participated telephonically through CourtCall.

Attorney Michael Ernst, Bar No. 11957, appearing for Nevada Prefab Engineers.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Rebecca Mastrangelo, Bar No. 5417, appearing for Grubb & Ellis Co.

Court convened for the scheduled Evidentiary Hearing. Opening arguments by Counsel. Testimony and exhibits presented (see worksheets). Due to time restraints, COURT ORDERED, matter CONTINUED.

7/3/12 1:00 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 09, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 09, 2012 9:30 AM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Jones, Jon Randall	Attorney
	Meier, Glenn F	Attorney
	Williams, Donald H	Attorney
		Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Jeffrey Steffen, Bar No. 9912, also present.

Court convened for the continuation of the Evidentiary Hearing. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter CONTINUED for Closing Arguments.

08A571228

7/10/12 2:00 PM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 10, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 10, 2012 2:00 PM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Rebecca Mastrangelo, Bar No. 5417, appearing for Grubb & Ellis Co.

Attorney Jeffrey Steffen, Bar No. 9912, present for Bond Rok.

Following closing arguments by Counsel, COURT ORDERED, the following:

An Order To Show Cause Hearing shall ISSUE, to have the lien claimants appear. Pursuant to NRS 108.239, a schedule shall be SET on how to proceed, and hear all claims in a summary way. Attorney Gochnour has agreed to prepare the Order, with a Court date of 7/18/12, and the time will be

determined later. Counsel, parties, and principles are to be present. COURT FURTHER ORDERED, any party not appearing for the Hearing, shall be deemed consenting to a sale.

Court needs the information from Counsel regarding what the lender's Deed of Trust says as to the appointment of a Receiver, and the selling of the property pursuant to the Deed of Trust. Attorney Meier to submit the information to Chambers. Court is contemplating entering an Order of Sale.

COURT ADDITIONALLY ORDERED, Motion To Sale is DENIED WITHOUT PREJUDICE at this point. Court FINDS, there is waste on this property. Attorney Peel, on behalf of his clients, may submit in camera their proposal regarding the sale.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 18, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 18, 2012 2:00 PM Show Cause Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Phyllis Irby

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Dobberstein, Eric	Attorney
		Attorney
	Dreitzer, Richard I	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Hayes, Garry L.	Attorney
	Haze, Airene	Attorney
	Jones, Jon Randall	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Little, Martin A.	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Peel, Richard L.	Attorney
	Reade, Robert C.	Attorney
	Shapiro, James E.	Attorney
	Truman, T. James	Attorney
		Attorney

Varricchio, Philip Thomas	Attorney
Walters, Brian K.	Attorney
Williams, Donald H	Attorney
	Attorney

JOURNAL ENTRIES

- Attorney Mr. Andrew J. Kessler bar No. 10640 participated by Court Call.

COURT NOTED, last week at the evidentiary hearing the Court determined the property which is incomplete is suffering waste, the longer the time that goes on because its a incomplete property the worse it will get. Mr. Jones brought the motion because he had a buyer for the property that was willing to pay \$18,000,050.00 and we had testimony from another interested party he was willing to pay \$21,000,000.00 Various arguments have been made if its possible to sell the property until a judgment has been made in the case. Court stated if the property is sold all the liens the claims will attach to the property, there is a appeal before the Supreme Court to determine who has priority in this case, the lien claimants or the lenders. Pending the determination by the Supreme Court, the proceeds from the sale of the property will be distributed to the successful party. In the meantime to have the property sit there subject to weather, vandalism its accumulating property taxes there is over \$1 Million in unpaid property taxes, the lenders have determine that since this case has been going on now for 4 years, they don't want to spend the money anymore to preserve the property; the property is now in offense condition. The property taxes isn't being paid, the insurance isn't being paid the collateral will not improve in a physical sense. In terms of fair market value, the appraiser testified the property is worth less than the amount of \$16,000,000.00 conclusion of the appraiser was he indicated this property will not improve in value, therefore, COURT ORDERED, SALE OF THE PROPERTY. rather to allow the determination to continue its better to sell the property now.

Mr. Berman stated there are reasons his clients are opposed to the sale, there are some lien claimants that are ready to take over this project. We would condition the approval of the sale, that is to be sent to a mandatory settlement conference. Mr. Berman suggested Senior Judge Stewart Bell for the settlement conference proceedings.

Mr. Meier stated they would be willing to participate in a settlement conference, that in order to have people ready to participate he will need 60 days.

Mr. Jones stated his client (Mr. Scott) is in favor of a settlement conference with the condition of an order from the Court it is going to sell this property in the near future. Mr. Ferrario stated he would agree to the sale of the property with the sale that was offered in court prior to this hearing taking place quickly, there is a buyer confirmed at \$21,500,000.00, we would also agree in the settlement conference and agree to Judge Bell presiding over the settlement conference. Further, Mr. Ferrario stated the process that was outlined in Mr. Jones motion is we would create the fund of \$21,500,000.00 and the liens would transfer to that fund.

Mr. Peel stated Apco's opposition to the sale going forward, the Court requested us to present a in-

camera review a proposal to the Court. Mr. Peel submitted in open court a copy of the proposal to the court. Mr. Peel advised his clients object to the sale of the property going forward the concerns are the process and the Court needs to follow the laws that exist in the mechanic's lien statute, we will agree to the sale subject to what is in the proposal.

Mr. Jones stated he is entitled to a copy of the proposal. Further, he understands the concerns of Mr. Peel to not publish the letter but, we need a copy and will keep it strictly confidential and not publish it to another party.

MATTER TRAILED.

MATTER RECALLED.

Mr. Peel stated he has had time to speak with his lien claimants and they are in the same position as stated in the proposal.

Mr. Gochmour stated we do not believe the Court has the authority to proceed with the sale of the property but will propose a settlement to allow a sale to go forward.

Mr. Peel stated what he presented to the Court was a confidential settlement proposal.

Mr. Kessler stated he also agrees with the terms of the proposal from the lien claimants.

Mr. Peel requested to have a Protective Order in place. COURT SO ORDERED. Mr. Peel to prepare Order.

FURTHER ORDERED, SETTLEMENT CONFERENCE. Parties to contact Judge Bell to start the process.

COURT ORDERED, STAY LIFTED, MATTER SET FOR HEARING.

7-26-12 2:00 PM HEARING: SALE OF PROPERTY (DEPT. XXIX)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 31, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

July 31, 2012 2:00 PM Hearing

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gebhart, Michael T.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Haze, Airene	Attorney
	Jones, Jon Randall	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Reade, Robert C.	Attorney
	Sechrist, Jared M.	Attorney

JOURNAL ENTRIES

- Attorney John Langeveld, Bar No. 11628, appearing for Accuracy Glass & Mirror Company Inc.

Attorney Michael Ernst, Bar No. 11957, present for Nevada Prefab Engineers Inc.

Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Andrew Kessler participated through CourtCall.

Attorney Jones provided the Court with an update, noting the parties have been working hard to get the matter resolved, advising principle parties met as late as last night. Attorney Ferrario stated he got a Bankruptcy Order and re-tooled it, has prepared a Sale Order, and it has been distributed for signatures. Attorney Gephart reiterated his ongoing objection, questioning the Court's authority to order a sale, and citing NRS 108. Attorney Peel concurred that the parties have been working together to get the matter resolved. Attorney Ferrario stated that within a week he will submit a Sale Agreement Order. Counsel questioned if forty-five days is the current status of the Court's Order. Court NOTED, it is inclined to keep the forty-five days, and if the time was extended, it would not be for ninety days, maybe just another fifteen. COURT ORDERED, parties to attend the Settlement Conference arranged by Attorney Gochnour. COURT FURTHER ORDERED, matter SET for a Status Check. COURT ADDITIONALLY ORDERED, any drafts of proposed orders to be presented before the Status Check.

8/10/12 3:00 PM STATUS CHECK: STATUS OF CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 16, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 16, 2012 3:00 PM Status Check: Status of Case

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Jones, Jon Randall	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Peel, Richard L.	Attorney
	Rutar Mullins, Gwen	Attorney
		Attorney

JOURNAL ENTRIES

- Attorney John Langeveld, Bar No. 11628, appearing for Accuracy Glass & Mirror Company Inc.

Attorney Michael Ernst, Bar No. 11957, present for Nevada Prefab Engineers Inc.

Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Mark Hawkins, Bar No. 5490, present for Bond Rok Partners.

Attorney Andrew Kessler participated through CourtCall.

Colloquy regarding pending Mediation before Judge Bell scheduled for 9/4/12. Counsel concurred they are willing proceed with the Mediation. Court NOTED, it received competing Orders for the sale. Discussion regarding paragraph 1, page 2, lines 5 and 22. Attorney Peel requested the language, "even though a majority of the line claimants have objected to the Court's authority to sell the property in the manner contemplated herein," be allowed, and the COURT SO ORDERED. Further discussion regarding page 3 line 6. Attorney Peel requested to strike the words, "involving lien priority," and the COURT FURTHER ORDERED. Court NOTED, some confusion with the wording on page 6 lines 11 and 12. Attorney Ferrario advised he would clean up the language. Court further CLARIFIED, a typo on page 7 line 14, should now be Courtroom 12B. Attorney Jones stated that on page 5 lines 9 through 11, it will now indicate Attorney Mark Hawkins' name. Attorney Ferrario advised he will make the changes to the Order and submit. COURT ADDITIONALLY ORDERED, sale date SET, approximately 45 days from the signing of the Order.

7/9/12 1:30 PM HEARING: MANHATTAN WEST AUCTION SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 21, 2012

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

August 21, 2012 10:00 AM Telephonic Conference

HEARD BY: Scann, Susan

COURTROOM: Phoenix Building Courtroom -
11th Floor

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Cowden, Tami D., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Rutar Mullins, Gwen	Attorney
		Attorney

JOURNAL ENTRIES

- Attorney Moorea Katz, Bar No. 12007, also present for Counter Claimant Tharaldson.

Attorney Mark Hawkins, Bar No. 5490, present for Bond Rok Partners.

All parties participated telephonically. Court QUESTIONED, bidding requirements, page 5 of Exhibit 1 to the Order, sub part iv. Attorney Katz advised she believed that in the purchase agreement there would be a forfeiture clause of the deposit. Attorney Peel stated he would like to see it addressed in the Order, and the Court AGREED. Colloquy regarding the Listing Agreement and Purchasing Agreement. Attorney Katz stated she is working on the Purchase Agreement, and will be circulating it amongst the parties. Court NOTED, it wants to see the Purchase Agreement. Court

QUESTIONED, Attorney Peel, asking if the Lien Claimants would be willing to sell the property at 23.1 Million, and he concurred. Court SUGGESTED, that Bond Rok consider that before the Purchase Agreement is finalized. Further discussion regarding the upcoming Mediation on 9/4/12, and the possibility of people being on vacation. Counsel suggested that maybe at the initial Mediation Conference, clients/party representatives be allowed to participate telephonically, and the COURT SO ORDERED. COURT ADDITIONALLY ORDERED, Counsel to submit the revised Bidding Procedures and the Contract as well.

10/9/12 1:30 PM MANHATTAN WEST AUCTION SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****September 26, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 26, 2012 2:00 PM Telephonic Conference

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Tiffany Lawrence

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Scott, Bradley J	Defendant

JOURNAL ENTRIES

- Court noted she received the Order but not the proposed Purchasing Agreement. Colloquy regarding inability to qualify Bond Rock. Mr. Peel stated desire of counsel to evaluate the possibility of sale of the property at an acceptable price; request to vacate the auction and set a hearing on an order to show cause to approve or disapprove the sale. Colloquy regarding present parties being in accord with the request. Upon inquiry of Mr. Scott, counsel stated reluctance to mention the potential buyer(s) and/or possible purchase price on the record. Upon request of counsel, COURT ORDERED, Auction VACATED and matter SET; Mr. Gochmour to prepare the Order to Show Cause ("OSC") including notice to all parties and language, similar to the last OSC, advising that failure to appear would be deemed as consent and agreement to the sale.

Colloquy regarding expected outcome of the hearing; court advised she couldn't provide a preliminary ruling without hearing the argument; however, if the parties are agreeable to the sale the

08A571228

Court would be inclined to grant the request.

10/09/12 1:30 PM - HEARING: ORDER TO SHOW CAUSE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 09, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 09, 2012 1:30 PM Hearing

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Haze, Airene	Attorney
	Katz, Morrea	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Peel, Richard L.	Attorney
	Reade, Robert C.	Attorney
	Scott, Bradley J	Counter Defendant
	Truman, T. James	Attorney
		Attorney
	Walters, Brian K.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney David Carroll, Bar No. 7643, present for WGH Acquisitions.

Attorney Andrew Kessler participated through CourtCall.

Attorney Jorge Rameriz, Bar No. 6787, appearing for Zitting Brothers Construction.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC.

James Barker, representative of Las Vegas Paving Corp., present.

Stan Johnson, representative of Steel Structures Inc., also present.

Barbara Mendoza, office manager of Cellcrete Fireproofing of Nevada Inc., present.

Upon the Court's inquiry, Attorney Peel stated there was a Conference Call a couple of weeks ago that talked about having today be an Order To Show Cause Hearing in lieu of an auction. Attorney Peel advised WGH Acquisitions has offered to purchase the property for 20 Million Dollars, and it is an offer we should seriously look at. Attorney Peel further noted an Order To Show Cause was prepared which indicated that any Lien Claimant or person of interest should appear today to object or approve the sale. Attorney Peel advised an Order was circulated, and an amendment has been proposed between Scott Financial and WGH Acquisitions. Attorney Carter explained that difficulties were encountered with qualifying Bond Roc, document request were never followed up by Bond Roc. Attorney Carter stated the deal with WGH is a rock solid offer, and just waiting for a Court Order regarding the sale. Attorney Peel stated the basic terms are set, but there are few provisions that still need to be cleared up, noting the PSA was made void by the Court's prior Order, and the document will need to be reinstated by a new Court Order; the Amendment asks that a representative of the Lien Claimants sign the Amendment, and that is not going to happen; there is still contingency wording; and Scott Financial is signing as the First Priority Deed Of Trust Holder.

Attorney Meier further advised that it is the consensus of Counsel at the front tables, that there is not a reasonable likelihood that an auction would lead to a better offer. Attorney Ferrario indicated that the next step is to get in touch with the Title Company, and find out what they are going to require from the Court. Attorney Ferrario further advised they need to get a Title Commitment. Court ASKED of the parties present, if there were any objections to the sale proceeding. Attorney Berman and Stan Johnson stated they did not stipulate to the sale procedure, but want to go forward with the sale, and would not appeal a Court Order.

Attorney Peel addressed the Lien Claimants and parties off the record, and explained what has transpired,.

LATER: Hearing resumed. Attorney Gochmour requested a continuance to conduct more due

diligence, and make some direct inquiries.

Court CLARIFIED, it is not a question of are we going to sell the property, it is just "when" we are going to sell the property.

Attorney Meier stated that during the week, the Title issues could be addressed. Court ADVISED, it sees no need to put in the signature block Scott Financial being the first party lender. Court INVITED, anyone who had an objection to return next week, and anyone who sent a lawyer to speak on their behalf, does not need to be present next week. Colloquy regarding continuing the Mediation scheduled for Thursday. Attorney Meier advised there is a tentative replacement date of 11/28/12, and he will get Notice out to everyone about the Mediation not going forward on Thursday.

COURT ORDERED, matter CONTINUED.

10/16/12 1:30 PM HEARING: SALE OF THE PROPERTY

pushed back on a couple of those changes so they will have to work it out. Mr. Meier noted there has also been a form of order that was agreed to by all parties, and he spoke with the title officer and they need to have order to send to underwriters to have them comment, and he expects they will want some changes that will necessitate further conversation. Court noted it has a list of the four people with an objection last time: Mr. Berman, Mr. Gochmour, Mr. Stan Johnson and Mr. Kessler. Mr. Gochmour advised he had concerns but is fine with everything at this point and Court can remove him from that list. Mr. Zimbelman and Mr. Gochmour noted it was made clear at the last hearing that those who have objections could come back after additional seven days to express concerns, but if they didn't come back their objections would not be pursued. Court noted now that Mr. Gochmour removed his name from the list, Mr. Berman is the only one here from that list. Mr. Berman noted his objection. Court advised the trial can be set for Mr. Berman's client right away. Upon Court's inquiry, Mr. Berman advised his case should take half a day. Mr. Gochmour noted the trial should be two days at the most. COURT ORDERED, trial date set on the October stack only for Ready Mix, Inc. Mr. Gochmour requested expedited discovery schedule of 15 days for discovery responses and one calendar week for deposition notices. COURT SO ORDERED. Upon Court's inquiry, counsel requested another status hearing in one week. COURT ORDERED, status check set. Mr. Meir to present proposed order to title company and get feedback and go from there.

10/23/12 1:30 PM STATUS CHECK RE: SALE OF PROPERTY

10/24/12 10:30 AM CALENDAR CALL

10/29/12 10:30 AM TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 23, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 23, 2012 1:30 PM Status Check

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Kessler, Andrew J., ESQ	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Upon the Court's inquiry, Attorney Meier advised he made contact with the Title Company, noting they reviewed the proposed form Order, and got back to him with some changes, which should not be problematic. Attorney Meier advised they want a list of all the liens, and something stating all parties consent. Attorney Meier explained he is looking at different alternatives, but the position taken by Nevada Ready Mix, may cause the Underwriter to not right the policy. Statements by Attorney Peel. Upon the Court's further inquiry, Attorney Kessler stated he has no objection with Court's Order regarding the selling of the property, but expressed his concern regarding not having seen the terms of the proposed agreement, including price and other details. Attorney Carter advised people are still getting on board, and the property continues to deteriorate. Attorney Ferrario stated he cannot wait any longer, and suspects foreclosure will be initiated promptly. Court CLARIFIED, Attorney Berman is the only objection, and there is a Calendar Call scheduled for tomorrow. Court FINDS, we need to get a Title policy. At the request of Counsel, COURT ORDERED, Status Check CONTINUED.

10/24/12 10:30 AM CALENDAR CALL

11/6/12 10:00 AM STATUS CHECK: REGARDING SALE OF THE PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 24, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 24, 2012 10:30 AM Calendar Call

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder
Carol Foley**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Meier, Glenn F	Attorney

JOURNAL ENTRIES

- Counsel announced ready for trial. Mr. Berman advised he has one witness and he believes his case will take half a day. Mr. Gochmour noted he does not anticipate bringing his own witness and he thinks trial can be done in less than one day. Discussion regarding availability next week. COURT ORDERED, trial reset 10/30 at 1:30 p.m. Pretrial memos due the morning of 10/30.

10/30/12 1:30 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 30, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 30, 2012 1:30 PM Bench Trial

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney

JOURNAL ENTRIES

- Court convened for the scheduled Bench Trial.

Upon the Court's inquiry, Attorney Berman advised the matter is mostly resolved, but will still need to put some testimony and exhibits into the Record. Attorney Berman stated the Ten Causes of Action cited in his Complaint. Attorney Berman further advised that pursuant to negotiations, parties have agreed that Ready Mix will abandon their Tenth Cause of Action. Attorney Gochmour explained that based on negotiations, Scott Financial and APCO have agreed not to contest any points, either the amounts submitted or validity of the lien, in exchange for Ready Mix agreeing to the sale. Attorney Meier further clarified: the consenting of the sale to release the lien from the property, and the transfer of the lien to the sale proceeds, and the COURT SO ORDERED. Testimony and exhibits presented (see worksheets). COURT FURTHER ORDERED, the principal amount of the mechanics lien, \$683,771.68, plus reserving Interest and Attorney Fees under statute, are hereby AWARDED. Attorney Berman stated he will prepare an Order as to the Mechanics Lien, and a Judgment for the other Eight Causes of Action, COURT SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****November 06, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Andrew Kessler participated through CourtCall.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Charles Michalek, Bar No. 5721, appearing for Grubb & Ellis.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Meier advised they have been focusing on Title, noting he talked with the Title Officer and Escrow Officer this morning. Attorney Meier advised progress is being made, and they asked for proof of service on the Order to Show Cause Orders, which have been provided. Mr. Meier stated that by the end of the day, he is suppose to get a list of the liens they are ok clearly off on based on the information they now have, and the ones they need additional information on. Attorney Meier reiterated that things are moving in the right direction.

Upon the Court's inquiry, Attorney Carter stated he estimates Escrow closing possibly in February. Attorney Gochmour advised the Fontainebleau Decision has come down, and he has been in discussions with Attorney Meier's office about the Writ proceedings going on before the Supreme Court, and they are going to jointly ask the Court for an updated Briefing Schedule, to allow them to supplement their original Writ, before they have to file their Answer and Reply Brief. Attorney Gochmour further explained that he believes the Ruling will substantially resolve a good portion of the case, if not all, and requested a Stay in this case pending a Decision on the Writ. Colloquy regarding the Five Year Rule running. Attorney Gochmour noted that technically with the Trial proceedings taking place last week with Nevada Ready Mix, the Trial has already commenced. Attorney Meier and Attorney Berman concurred. Attorney Berman advised he would also indicate such in his Order. COURT ORDERED, STAY is GRANTED except for any matters regarding the SALE. COURT FURTHER ORDERED, matter CONTINUED.

12/6/12 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 29, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**November 29, 2012 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Having considered T. James Truman, Esq.'s Motion to Withdraw as Counsel of Record for Dave Petersen Framing, and noting no opposition thereto, this Court hereby GRANTS IN PART and DENIES IN PART said motion.

Specifically, the Motion is Granted as to allowing James T. Truman, Esq. to withdraw. The Order, to be prepared by Attorney Truman within 10 days, shall include the Name, Last Known Address, and Last Known Telephone Number of Dave Petersen Framing; and include future hearing dates.

The remainder of the motion, namely the 1) Notice of the Attorneys Lien, 2) Foreclosing on the Attorneys Lien, and 3) Reducing the Lien to Judgment, is hereby Denied Without Prejudice. NRS 18.015(4) allows this Court to adjudicate attorneys liens only after all interested parties have had 5 days notice. The submitted papers do not have any evidence showing perfection of the lien by certified mailing to Dave Petersen Framing, nor has T. James Truman, Esq. provided a detailed breakdown of the billings. Accordingly, this portion of the Motion is DENIED without Prejudice.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 06, 2012**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 06, 2012 10:00 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney John Langeveld, Bar No. 11628, appearing for Las Vegas Pipeline LLC, and also participating through CourtCall.

Attorney Jay Shafer, Bar No. 9184, also appearing for Cellcrete Fireproofing of Nevada.

Attorney Dana Kim also appearing for Intervenor, National Wood Products, also participating through CourtCall.

Attorney Nathanael R. Rulis, Bar No. 11259, appearing for Attorney Matthew Carter, on behalf of Defendant Bradley Scott.

Attorney Meier provided the Court with an update, and advised there is a signed agreement, with a 2/28/13 closing date. Attorney Meier stated he is still working with the Title Company, and is in the process of answering another series of questions. Attorney Meier noted he did not anticipate needing the Court's assistance unless there is someone out there that has not been expunged yet, then there might need to be another Show Cause Hearing set. Colloquy regarding an article in the Las Vegas Review Journal which contained false information, which stated this case was in Bankruptcy Court. Attorney Berman asked if there is another Order To Show Cause Hearing, that is be limited to just things that need to be cleared up, and the COURT SO ORDERED. COURT FURTHER ORDERED, matter CONTINUED for another Status Check, and everyone's presence is excused, but Attorney Meier.

2/7/13 10:00 AM STATUS CHECK: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 03, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 03, 2013 1:30 PM Motion

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Long, Rhonda R.	Attorney
	Maskas, Marisa	Attorney
	Peel, Richard L.	Attorney

JOURNAL ENTRIES

- Attorney Bradley Slighting, Bar No. 10225, appearing for United Subcontractors Inc.

Attorney Rachel Donn, Bar No. 10568, appearing for Defendant Scott Financial Corp.

Statements by Attorney Peel in support of the relief requested, noting issues regarding the pending sale, including the commission being paid, an open-ended sale period, and not being able to review and state concerns about the two Amendments and Order. Attorney Carter advised the Title process has taken longer than expected, and stating there has been a bit of a disconnect. Attorney Carter requested a continuance in order to review the Motion, and speak with his client. COURT ORDERED, matter CONTINUED.

08A571228

1/16/13 10:30 AM HEARING TO DISCUSS ORDER APPROVING PRIVATE SALE, PURCHASE
AND SALE AGREEMENT, AND RELATED ISSUES

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 16, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 16, 2013 10:30 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D

COURT CLERK: Dulce Romea
 Ying Pan

RECORDER: Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Long, Rhonda R.	Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of non-party, Grubb & Nellis.

Arguments by counsel regarding the Purchase and Sale Agreement (PSA). Issues raised as to the second amendment, closing date, permit, and commission. Plaintiff's counsel provided the Court the proposed Order with revisions. COURT ORDERED, Closing Date of the Private Sale is May 1, 2013. COURT FURTHER ORDERED, Pre-Trial Conference, Calendar Call, and Trial Date VACATED. Further discussions regarding other lien holders' responses and arguments regarding the

commission. Mr. Michalek advised his client has a different understanding about the commission and requested an Evidentiary Hearing be set. COURT SO ORDERED. Court DIRECTED Plaintiff's counsel to revise and submit proposed Order before the next Status Check.

2/7/13 10:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 05, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 05, 2013 10:00 AM Show Cause Hearing

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Larry Snyder**RECORDER:** Angie Calvillo**REPORTER:****PARTIES**

PRESENT:	Carter, Matthew S.	Attorney
	Hayes, Garry L.	Attorney
	Meier, Glenn F	Attorney

JOURNAL ENTRIES

- Attorney Marcus Risman (Bar No. 2455) present on behalf of Creative Home Theatre, LLC.

Mr. Hayes and Mr. Risman stated their appearances. After a discussion, counsel advised they have no objections to the sale going forward. Mr. Meier advised HD Supply and Whitecap Construction Supply has previously settled with Mr. Edelstein and requested its lien be expunged, COURT SO ORDERED. Following Status Report regarding Services on interested parties, COURT FURTHER ORDERED, all parties' claims RELEASED except Jordon & Skala Engineers, Inc. Mr. Meier to prepare proposed Order.

2/7/13 10:00 AM EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE
SALW ... STATUS CHECK: RE: SALE OF PROPERTY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 07, 2013

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

February 07, 2013 10:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Berman, Brian Keith	Attorney
	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Maskas, Marisa	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE
COMMISSION FOR THE PRIVATE SALE

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allop and Benjamin Millis, also present.

Court NOTED, it has reviewed the Declaration of Bradley J. Scott which was filed yesterday. Mr. Michalek advised the key witness, Bradley Scott, cannot appear today; however, Evidentiary Hearing can proceed as the Declaration is sufficient. Arguments between counsel regarding the validity of the

commission contract between Mr. Scott and G & E, binding parties of this case, and whether Mr. Scott should be present for the Evidentiary Hearing. Further discussions regarding how the hearing shall proceed, and whether it is appropriate for counsel to testify as witnesses. Court FINDS counsel will be allowed to testify as witnesses. COURT ORDERED, matters CONTINUED. COURT FURTHER ORDERED, simultaneous briefs will be due by 2/25/13, including witnesses and documents.

3/1/13 9:00 AM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 14, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 14, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Gochmour, Wade B. Attorney
 Attorney
 Meier, Glenn F Attorney

JOURNAL ENTRIES

- DEFENDANT SCOTT FINANCIAL CORPORATION'S MOTION TO DISMISS AND EXPUNGE LIENS ON ORDER SHORTENING TIME...ORDER TO SHOW CAUSE

Attorney Dana Y. Kim, participated telephonically through CourtCall, on behalf of Intervenor, National Wood Products.

Statements by Counsel. COURT ORDERED, Order To Show Cause is GRANTED. COURT FURTHER ORDERED, Jordan & Skala Engineers Inc. failed to appear,, and their Lien is hereby EXPUNGED. Order signed in Open Court this date, 2/14/13.

COURT ADDITIONALLY ORDERED, Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens is GRANTED. COURT ORDERED, the liens held by Atlas Construction Supply, Republic Crane Services, HA Fabricators and Executive Plastering against the Manhattan West Project are hereby EXPUNGED.

Colloquy regarding case status. Attorney Meier advised things are currently on track. COURT

08A571228

FURTHER ORDERED, Evidentiary Hearing date STANDS.

3/1/13 9:00 AM EVIDENTIARY HEARING

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 01, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 01, 2013 9:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Ying Pan

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110) present on behalf for Attorney Glenn Meier, on behalf of Defendant, Scott Financial Corporation.

Attorney Andrew Kessler (Bar No. 10640) present telephonically, on behalf of Plaintiff, Uintah Investments, LLC.

Attorney Reuben Cawley (Bar No. 9384) present on behalf of Plaintiff, Zitting Brothers Construction, Inc.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allop and Benjamin Millis, also present.

Testimonies and exhibits presented (see worksheets). Colloquy as to Mr. Bradley Scott's potential additional testimony, and a continuance date. COURT ORDERED, matter CONTINUED.

3/7/13 1:00 PM STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 07, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 07, 2013 1:00 PM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Meier, Glenn F	Attorney
	Peel, Richard L.	Attorney
	Williams, Donald H	Attorney
		Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- STATUS CHECK: RE: SALE OF PROPERTY ... EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE

Attorney Peter Dunkley (Bar No. 11110), appearing on behalf of Defendant, Scott Financial Corporation.

Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curt Allsop and Benjamin Millis, also present.

Court convened for the continuation of the Evidentiary Hearing and Status Check. Testimony and exhibits presented (see worksheets). COURT ORDERED, Evidentiary Hearing CONTINUED for Closing Arguments.

3/12/13 2:00 PM EVIDENTIARY HEARING (CLOSING ARGUMENTS)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 12, 2013

08A571228 Apco Construction, Plaintiff(s)
vs.
Gemstone Development West Inc, Defendant(s)

March 12, 2013 2:00 PM Evidentiary Hearing

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney
	Peel, Richard L.	Attorney
	Zimbelman, Eric B.	Attorney

JOURNAL ENTRIES

- Attorney Charles Michalek (Bar No. 5721) present on behalf of Non-Party, Grubb & Ellis.

Representatives for Grubb & Ellis (G & E), Curtis Allsop and Benjamin Millis, also present.

Attorney Kade Baird (Bar No. 8362), also present for Grubb & Ellis, assisting in the Court's proceedings.

Attorney Rachel Donn (Bar No. 10568), appearing for Scott Financial Corporation.

Court convened for continuation of the Evidentiary Hearing. Closing arguments by Attorney Carter and Attorney Michalek on behalf of the Defendants. Closing argument by Attorney Zimbelman and Attorney Katz who joined in Attorney Zimbelman's argument. Further rebuttal argument by Attorney Carter and Attorney Michalek.

COURT ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 26, 2013

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 26, 2013 10:00 AM Decision

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Larry Snyder

RECORDER: Angie Calvillo

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED matter CONTINUED.

CONTINUED TO 4/3/13 3:00 AM DECISION (CHAMBER CALENDAR)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 10, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**April 10, 2013 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:****COURT CLERK:** Larry Snyder**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having considered Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corp., and noting no opposition thereto, this Court hereby GRANTS said Motion. Attorney Williams to prepare the Order within 10 days. The Order shall include the Name, Last Known Address, and Last Known Telephone Number of Harsco Corp. and include future hearing dates.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

May 30, 2013 9:00 AM Motion to Set Aside

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Larry Snyder
 Dania Batiste

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT: Weiland, Jason, ESQ Attorney
 Williams, Donald H Attorney
 Attorney

JOURNAL ENTRIES

- Colloquy between the Court and counsel regarding proper service of the parties. Mr. Weiland advised Ahern Rentals is the party who has a Judgment against the Defendant. COURT ORDERED, matter OFF CALENDAR, noting Ahern Rentals has not been served.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 13, 2013**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 13, 2013 10:00 AM Motion

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Larry Snyder
Dania Batiste**RECORDER:** Sandra Pruchnic**REPORTER:****PARTIES**

PRESENT:	Berman, Brian Keith	Attorney
	Cawley, Reuben	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Katz, Morrea	Attorney

JOURNAL ENTRIES

- Rachel Donn, Esq., Bar Number 10568 also present.

Colloquy between Court counsel regarding the language of the Order. Mr. Gochmour stated he will send Defendant s counsel a revised Order to approve as to form and content. Ms. Donn advised the property has closed and a Notice of Sale will be filed. COURT ORDERED, Motion GRANTED with the qualifications made by counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 15, 2014**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 15, 2014 9:00 AM Motion

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Katrina Hernandez

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Dobberstein, Eric	Attorney
		Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Morris, Steven L.	Attorney
		Attorney

JOURNAL ENTRIES

- Jonathan Salls, Attorney for Insulpro Projects Inc, Taylor Waite on behalf of Accuracy Glass & Mirror Company Inc.

Arguments by Mr. Gochmour contending Insulpro's main objective is to lift the stay in order to file a Motion for Summary Judgment, further stated there are factual issues. Mr. Waite argued whether or not there are factual issues, the court can later determine. Further arguments by counsel as to lifting the Stay. Court stated its findings and ORDERED, Motion DENIED. Plaintiff to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****August 19, 2015**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**August 19, 2015 3:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- This Court, having considered Pezzillo Lloyd s Motion to Withdraw as Counsel of Record for Northstar Concrete, Inc., and noting no opposition, GRANTS said Motion. Jennifer R. Lloyd, Esq. or George E. Robinson, Esq., to prepare the order. The Order shall include the Last Known Address and Last Known Telephone Number of Northstar Concrete, and include future hearing dates.

*CLERK'S NOTE: The above minute order was distributed via electronic mail to: jl@h2law.com./kh
8-20-15

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 21, 2015**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 21, 2015 9:30 AM Status Check

HEARD BY: Scann, Susan**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Katrina Hernandez**RECORDER:** Angie Calvillo**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Parties present: Michael Ernest, Esq., Wade Gochmour, Esq., Matthew Carter, Esq., Eric Doberstein, Esq., Reuben Cawley, Esq., Steven Morris, Esq., Mark Ferrario, Esq., and Eric Zimbelman, Esq. present via Court Call.

Mr. Gochmour advised of the status and upon Court's inquiry noted there is still a significant amount to do. Colloquy regarding how to proceed and whether to lift the stay on discovery. Arguments by Mr. Gochmour in supposition of lifting the stay and arguments by Mr. Dobberstein in support. COURT ORDERED, oral Motion to Lift Stay, DENIED and status check CONTINUED.

4/20/16 9:30 AM (CONTINUED STATUS CHECK)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 14, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 14, 2016 9:00 AM Motion to Release Funds

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Jennifer Kimmel

RECORDER: Martha Szramek

REPORTER:

PARTIES

PRESENT:	Carter, Matthew S.	Attorney
	Ferrario, Mark E., ESQ	Attorney
	Gochmour, Wade B.	Attorney
		Attorney
	Juan, Chen M.	Attorney

JOURNAL ENTRIES

- Mr. Ferrario, Esq. advised this matter is resolved and counsel have STIPULATED that the net proceeds from the sale, as defined in the Sale Order, shall be released from escrow and delivered to Scott Financial Corp., or its designee, within FIVE (5) business days from filed date of the Notice of Entry of the Order and the COURT SO ORDERED.

Court signed the Order and returned it to Mr. Ferrario.

CLERK'S NOTE: Correction made to include counsel's agreement to vacate the upcoming Status Check set for 4/21/16. jk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 21, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 21, 2016 9:00 AM Status Check

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc
 Eric Zimbelman, Esq., appearing on behalf of SWPPP Compliance Solutions LLC, S R Bray Corp,
 Cactus Rose Construction, Inc., and Interstate Plumbing & Air Condition Inc.

At Status Check: Disbursement of Sale Proceeds and any other Matters Remaining following the S. CT. Decision 131Nev., Adv. Op. 70, Court noted the matter came before it on April 14, 2016 regarding the proceeds of the sale, today's proceedings should have been vacated, but remained on calendar. Mr. Zimbelman stated he did not receive any notice of the hearing being vacated, noting some parties feel the case is over and for some it's not because they continue to have contract claims that were stayed while the parties pursued the lien claims.

Mr. Dobberstein noted a stay issued by Judge Scann while the Supreme Court hearing was pending and requested this Court allow him to proceed with their lien claims.

After hearing from Mr. Zimbelman and Mr. Dobberstein, the Court stated it would issue an order setting a status check with notice to all counsel. Additional comments made by counsel as to preparing a motion to lift the stay and obtaining a trial date. COURT SO NOTED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 02, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 02, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., and Chen Jack Juan, Esq., appeared on behalf of Plaintiff
 Andrew Blaylock, Esq., appeared on behalf of Las Vegas Pipeline
 Eric Dobberstein, Esq., appeared on behalf of Counter Claimant, Insulpro Projects Inc
 Steve Morris, Esq., appeared on behalf of Counter Claimant, Camco Pacific Construction Company Inc
 Morrea Katz, Esq., appeared on behalf of the Tharalldson Entities
 Ronald Cox, Esq., appeared on behalf of Counter Defendant, Accuracy Glass & Mirror Company Inc,
 Buchele Inc, Bruin Painting Corp, Cactus Rose Construction Inc, Fast Glass Inc, HD Supply
 Waterworks LP, Heinaman Contract Glazing, Helix Electric of Nevada LLC, Interstate Plumbing &
 Air Conditioning, SWPPP Compliance Solutions LLC, and WRG Design Inc
 I-che Lai, Esq., appeared on behalf of Counter Defendant, Zitting Brothers Constructions Inc
 Michael Ernst, Esq., appeared on behalf of Steel Structures Inc and Nevada Prefab Engineers Inc

STATUS CHECK SMITH & SHAPIRO, PLLC s MOTION TO WITHDRAW

There being no opposition and cause appearing, COURT ORDERED, the Motion to Withdraw
 GRANTED.

ORDER SIGNED IN OPEN COURT and returned to counsel for processing.

Thereafter, colloquy held regarding upcoming motion practice. If the Motion to Appoint Special Master currently set, June 9, 2016 is resolved, the Court will be notified or an order will be presented.

Court noted the status of the case reported.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 09, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 09, 2016**9:00 AM****Motion****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 12A**COURT CLERK:** Marwanda Knight**RECORDER:** Martha Szramek**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Chen M. Juan, Esq., and Wade Gochnour, Esq., appearing on behalf of Plaintiff, Apco Construction
Ronald Cox, Esq., appearing on behalf of Counter Defendant
I-Che Lai, Esq., appearing on behalf of Counter Defendant Zitting Brothers Construction Inc
Eric Dobbertstein, Esq., appearing on behalf of Third Party Plaintiff

At Plaintiff's Motion to Appoint Special Master, Mr. Juan advised that counsel resolved their issue and provided the Court with an order that the parties had agreed on. COURT SO NOTED and ORDERED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****June 20, 2016**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

June 20, 2016 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 12A

COURT CLERK: Marwanda Knight
 Olivia Black

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., Cody Mounter, Esq., and Chen 'Jack' Juan, Esq., appearing on behalf of Plaintiff

Rachel Donn, Esq., appearing on behalf of Defendant, Scott Financial Corporation

Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc

Steven Morris, Esq., appearing on behalf of Camco Pacific Construction Company Inc

I-Che Lai, Esq., appearing on behalf of Zitting Brothers Construction Inc

RENEWED MOTION FOR PARTIAL SUMMARY JUDGMENT...ZITTING BROTHERS
 CONSTRUCTION, INC'S JOINDER TO INSULPRO PROJECTS, INC'S RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT...APCO'S OPPOSITION TO RENEWED MOTION FOR
 PARTIAL SUMMARY JUDGMENT AND JOINDER THERETO; AND COUNTERMOTION TO
 DISMISS AND/OR FOR SUMMARY JUDGMENT AGAINST INSULPRO

Court queried counsel whether the motions on today's calendar should be referred to the Special Master.

Mr. Dobberstein argued why he opposed the motions going before the Special Master, noting the only thing that should be decided by the Special Master would be as to the responsibilities of Apco or

Camco.

Mr. Mounteer argued it would be best the motions go before the Special Master to work out any additional discovery issues and then they would be able to decide if there are any lien claims. Mr. Morris added that to his knowledge the only matters that have been decided are the claims against Gemstone and not the contractors. Further, Mr. Morris noted no opposition to the motions being referred to the Special Master. Additional comments by Mr. Mounteer as to the amount Insulpro is claiming.

Court stated that in its preparation, it appeared that having appointed a Special Master and given the subject matter that's involved, given the fact that there has been a foreclosure that has wiped out the junior liens, and given the fact that claims are still being made, it's important that the right hand knows what the left hand is doing, and ORDERED, motions REFERRED to the Special Master.

Mr. Juan to submit a proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 06, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 06, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Wade Gochmour, Esq., appeared on behalf of Pltf
 Mark Ferrario, Esq. and Kara Hendricks, Esq., appeared on behalf of the Tharaldson Parties
 Patrick Sheehan, Esq., appeared on behalf of Non-Parties, Newmark Grub
 Elizabeth Stephens, Esq., appeared on behalf of Intervnor Pltf, Interstate Plumbing

PLAINTIFF'S MOTION TO ASSOCIATE COUNSEL - JONATHAN S. DABBIERI, ESQ.

COURT stated everything appears to be in order, and ORDERED, Motion GRANTED. COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. Court noted if the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next hearing. However, if the record does not show the State Bar has been notified counsel will have to appear to explain why.

CLUB VISTA FINANCIAL SERVICES, LLC AND THARDLDSON MOTELS II, INC'S MOTION FOR ORDER TO SHOW CAUSE WHY GRUBB & ELLIS, NOW KNOWN AS NEWMARK GRUBB, SHOULD NOT BE HELD IN CONTEMPT OF COURT

Counsel argued regarding the merits of the Motion. After hearing from counsel, COURT stated it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

08A571228

04/03/2017 9:00 A.M. | STATUS CHECK RE: SCR 42 COMPLIANCE (JONATHAN S. DABBIERI, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****March 15, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

March 15, 2017 11:45 AM Decision

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- After review and consideration of the pleadings on file herein and the arguments of counsel at the time of the March 6, 2017 hearing, COURT ORDERS, Motion for Order to Show Cause Why Grubb & Ellis, Now Known as Newmark Grubb, Should Not be Held in Contempt DENIED.

Counsel for Grubb is directed to provide prompt written notice of entry hereof. Please see the Court's written Decision and Order filed March 15, 2017 for full context.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 20, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**March 20, 2017 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Monica Caffaratti, Esq., appeared on behalf of Deft., Gemstone Development West Inc.

Cause appearing and there being no opposition, COURT ORDER, Motion GRANTED and directed Ms. Caffaratti to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 03, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 03, 2017 9:00 AM Motion

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Stephen Kopolow, Esq., appeared on behalf of Counter Deft, Ahern Rentals Inc
Selina Cisneros, Esq., Pro Se Deft

Following representations made by Ms. Cisneros and Mr. Kopolow, COURT STATED it would
revei w the matter further before issuing its ruling, and ORDERED, matter taken UNDER
ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****April 18, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

April 18, 2017 2:00 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed the record pertaining to Plaintiff's (sic) Motion to Set Aside Judgment filed herein on February 28, 2017, and being now fully advised in the premises, the Court is not persuaded that the Motion has merit and it is DENIED.

Counsel for Plaintiff Ahern Rentals, Inc. (Consolidated Case No. A-08-574792) is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK S NOTE - A copy of this minute order was distributed via E-Service Master List. / mk
04/18/2017

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 11, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**May 11, 2017 9:00 AM Motion to Withdraw as
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Eric B. Zimbelman, Esq., appeared on behalf of Pltf, Accuracy Glass and Mirror Co Inc (A587168)

There being no opposition, COURT ORDRED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 15, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**May 15, 2017 9:00 AM Motion for Summary
 Judgment**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Chen "Jack" Juan, Esq., appeared on behalf of Pltf
Martin Little, Esq., appeared on behalf of Counter Defendant, Unitah Investments LLC

Following argument, COURT STATED ITS FINDINGS, and ORDERED, Motion for Summary Judgment GRANTED as to the ability of Unitah Investments LLC being able to continue to pursue this action, or have the action pursued in its name WITHOUT PREJUDICE to a Motion to substitute Pacific Coast Steel.

Mr. Juan directed to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****May 30, 2017**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

May 30, 2017**9:00 AM****Motion to Associate
Counsel****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

JOURNAL ENTRIES

- Court stated that the Motion appeared to be in order, and with there being no oppositon ORDERED, Motion GRANTED.

COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. If the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next status check. However, iff the record does not show the State Bar has been notified then counsel will have to appear to explain why.

Order SIGNED IN OPEN COURT and will be available for counsel to pickup; the Court's Law Clerk will notify counsel.

07/31/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (S. Judy Hirahara, Esq.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 24, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 24, 2017 9:00 AM Motion to Continue

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- APPEARANCES: Cody Munteer, Attorney for Pltf
I-Che Lai, Attorney for Counter Defendant, Zitting Brothers Construction, Inc

Cause appearing and there being no opposition, COURT ORDERED, Motion GRANTED and directed counsel to submit a proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

July 25, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 25, 2017 5:35 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Martha Szramek

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Cause appearing, and pursuant to EDCR 2.20(e) and 2.23(c), the Court GRANTS Gerdau Reinforcing Steel's Motion to Substitute without oral argument and ORDERS such Motion removed from its civil motion calendar of July 27, 2017. Counsel for moving party to submit a proposed order.

IT IS SO ORDERED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****July 31, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

July 31, 2017 9:00 AM Status Check

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

At call of case, Court noted no appearances, and ORDERED, MATTER TRAILED.

MATTER RECALLED - Court stated that the matter was on for status check regarding SCR 42 Compliance to show that the State Bar has been notified of the pro hac vice admission of S. Judy Hirahara, Esq. Further, Court stated that the record does not show that the State Bar has been notified of such admission, and ORDERED, status check CONTINUED thirty (30) days. Counsel is directed to notify the State Bar of the pro hac vice admission.

CONTINUED TO: 08/31/17 9:00 a.m.

CLERK'S NOTE: The above minute order has been distributed to:

Richard Tobler, Esq.
Fax: (702) 256-2248

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

August 10, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

August 10, 2017 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Juan Jack Chen, Attorney for Pltf
Joe Palin, Principal of Apco Construction
Steve Morris, Attorney for Deft, Camco Pacific Construction Company Inc
Elizabeth Stephens, Attorney for Trustee
Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, Fast Glass Inc., and Cactus Rose Construction Inc
I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc., A589195

Following argument by counsel, COURT stated its FINDINGS, noting there are some genuine issues that need to be further developed, and treating the Motion as a Motion for Summary Judgment ORDERED, Motion DENIED WITHOUT PREJUDICE to counsels' contentions.

As a housekeeping matter, counsel discussed moving the motions currently calendared for August 24, 2017 to September 5, 2017. COURT SO ORDERED. Additional colloquy regarding trial setting, parties not participating in the case, and the parties having a settlement conference.

Mr. Zimbelman indicated he would submit the proposed order after passing the same by opposing counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

**September 05, 2017 9:00 AM Motion to Associate
 Counsel**

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: John B. Taylor and Rich Tobler, Attorneys for National Wood Products and Cabinetec

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED and FURTHER ORDERED status check regarding SCR 42 compliance SET October 5, 2017 at 9:00 am.

10/05/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (JOHN B. TAYLOR, ESQ.)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 05, 2017 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Jack Chen Min Juan and Cody Mounteer, Attorney for Pltf
Elizabeth Stephens, Attorney for IPAC, Chapter 7 Trustee
John Taylor and Rich Tobler, Attorneys for National Wood Products
I-Che Lai, Attorney for Zitting Brothers
Eric Zimbelman, Attorney for Helix Electric of Nevada LLC, Heinaman Contract Glazing, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc
Benjamin Johnson, Attorney for United Subcontractors Inc d/b/a Skyline
William Urga and Michael R. Ernst, Attorneys for Gerdau Reinforcing Steel, Steel Structures Inc, Nevada Prefab Engineers Inc, and Unitah
Tracy Truman, Attorney for E & E Fire
Steve Morris, Camco Pacific Construction Company Inc

Court noted the settlement conference scheduled September 21, 2017. Mr. Juan requested that the calendar call and trial be continued so the parties can proceed with settlement. Further, Mr. Juan stated that the only parties that should remain are those that have complied with the Special Master's questionnaire and have filed their pre-trial disclosures.

Mr. Johnson noted confusion with the number of parties in the case, knowing what's going on

procedurally, and the Motion for Summary Judgment and Joinders being moved to October. Further, Mr Johnson noted his objection to the striking of his client's claims. Colloquy regarding parties left in the case with claims and proceeding with negotiations.

COURT ORDERED deadline for parties who have not complied with the Special Master's questionnaire and have not filed their pretrial disclosures SET Friday, September 8, 2017 by 5:00 pm and FURTHER ORDERED hearing SET Monday, September 11, 2017 on Pltf's Oral Motion to Dismiss Pursuant to Rule 7(b).

COURT FURTHER ORDERED the current trial setting VACATED and status check SET October 5, 2017 at 9:00 am to discuss resetting the trial.

HEARING ON PLTF'S ORAL MOTION TO DISMISS PURSUANT TO RULE 7(b): 09/11/2017 9:00 AM

STATUS CHECK RE:RESETTING TRIAL: 10/05/2017 9:00 AM

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 11, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 11, 2017 9:00 AM Hearing

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Jack Juan, Attorney for Pltf
Brad Slighting, Attorney for Deft, United Subcontractors
Michael Ernst, Attorney for Deft, Gerdau Reinforcing Steel
Elizabeth Stephens, Attorney for the Trustee
I-Che Lai, Attorney for Deft Zitting Brothers Construction

Following representations made by counsel, COURT ORDERED case dismissed as to the parties that did not comply with the Court's ruling to make their filings. All of the other parties who have made a pre-trial filings will soon get a letter from Mr. Juan or a schedule from the settlement judge regarding the September 21, 2017 settlement conference.

Mr. Juan to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

September 21, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

September 21, 2017 9:00 AM Settlement Conference

HEARD BY: **COURTROOM:**

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Judge David Barker met with the parties for the purpose of a settlement conference at Esquire Solutions, the case did not settle.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****October 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

October 05, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

-

APPEARANCES: Jack Juan, Cody Munteer, John Mowbray, and Mary Bacon, Attorneys for Apco
 Steven Morris, Attorney for Camco Pacific Construction Co Inc
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele
 Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing
 Benjamin Johnson, Attorney for United Subcontractors Inc
 John Taylor and Rich Tobler, Attorneys for National Wood Products
 Elizabeth Stephens, Attorney for Trustee
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc.
 Tracy Truman, Attorney for E & E Fire
 Michael Ernst, Attorney for Gerdau Reinforcing Steel, Steel Structures Inc, and Nevada Prefab
 Engineers

CONFERENCE AT BENCH: Court disclosed that the wife of its current Law Clerk, Andrew Lajoie, is the niece of Steven Morris. Counsel acknowledged their agreement to proceed in light of the Court's disclosure. Further, Court advised that Mr. Lajoie would be screened from this case.

Mr. Juan advised that at the settlement conference no global settlement was reached; however, progress was made with some. Further, Mr. Juan requested discovery be extended another 45 days to finish up depositions, which resulted in colloquy as to deferring the hearing on the motions pending depositions. Mr. Zeimbelman noted his opposition. COURT ORDERED, matter TRAILED for counsel to discuss the matter further.

MATTER RECALLED - Court noted that there are some different points as to what should happen relative to scheduling of trial and/or hearing the motions that are before the Court today. Mr. Juan advised that the key concern is for those who are opposed to having their clients deposed and the trial being delayed. Court advised the case could be placed on the November 28, 2017 stack, which lead to further discussion as to that date changing any of the parties' position, the case having a date certain on the stack, the amount of time trial would require, and the specific depositions that would be taken. It was estimated that each subcontractor would take a day.

After hearing from counsel, COURT ORDERED trial date SET November 28, 2017 at 9:00 am; new trial order to issue and a calendar call date will be set as well.

COURT FURTHER ORDERED that the Motions on today's calendar CONTINUED to November 16, 2017 at 9:00 am.

COURT FURTHER ORDERED that the deadline for taking depositions is October 30, 2017.

COURT FURTHER ORDERED that any motions in limine be filed by November 5, 2017 will be SET for hearing on November 16, 2017 at 9:00 am; no more motions for summary judgment can be filed.

Additional colloquy.

Mr. Juan to prepare and circulate an order reflecting what has been done today.

CLERK'S NOTE: This Minute Order has been amended to reflect that motions in liminie will be SET for hearing on November 16, 2107 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

November 16, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 16, 2017 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Ernst, Michael R. Attorney
 Jefferies, John R. Attorney
 Lai, I-Che Attorney
 Morris, Steven L. Attorney
 Attorney
 Munteer, Cody S. Attorney
 Ramirez, Jorge A. Attorney
 Truman, T. James Attorney
 Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Rich Tobler and John Taylor, Attorneys for Deft, Nation Wood Products

Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

ZITTING BROTHERS CONSTRUCTION INC'S MOTION FOR PARTIAL SUMMARY JUDGEMENT
AGAINST APCO CONSTRUCTION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS AND EX PARTE
APPLICATION FOR ORDER SHORTENING TIME

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ZITTING BROTHERS CONSTRUCTION, INC.'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS'
MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-
PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

STEEL STRUCTURES, INC., NEVADA PREFAB ENGINEERING, AND GERDAU REINFORCING
STEEL'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' OPPOSITION TO APCO'S MOTION
FOR SUMMARY JUDGMENT RE: LIEN CLAIMS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

WILLIAM A. LEONARD, JR.'S JOINDER OF INTERSTATE PLUMBING AND AIR CONDITIONING
LLC TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

NATIONAL WOOD PRODUCTS INC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY IF PAID AGREEMENTS AND EX PARTE APPLICATION SHORTENING TIME; AND MEMORANDUM OF POINT AND AUTHORITIES IN SUPPORT THEREOF

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

E & E FIRE PROTECTION, LLC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ERIC B. ZIMBELMAN, ESQ.'S MOTION TO WITHDRAW AS COUNSEL FOR BUCHELE, INC. AND FOR ORDER SHORTENING TIME

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED.

Mr. Zimbelman to submit the proposed order.

ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION IN LIMINE TO LIMIT THE DEFENSES OF APCO CONSTRUCTION TO THE ENFORCEABILITY OF PAY-IF-PAID PROVISION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S OMNIBUS MOTION IN LIMINE

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTIONS IN LIMINE NOS. 1-4 (AGAINST APCO CONSTRUCTION)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTIONS IN LIMINE NOS. 1-6 (AGAINST CAMCO PACIFIC CONSTRUCTION, INC.)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTION IN LIMINE NOS. 1-4 AGAINST APCO CONSTRUCTION

Court stated the matter had been well briefed and would stand submitted; advised it would review

the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC'S MOTION IN LIMINE TO EXCLUDE EVIDENCE TESTIMONY, DOCUMENTS AND THINGS NOT PROPERLY PRODUCED BY DEFENDANT APCO CONSTRUCTION IN DISCOVERY; DECLARATION OF S. JUDY HIRAHARA; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****November 20, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

November 20, 2017 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Hirahara, S Judy, ESQ	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Eric Zimbelman, Attorney for Defts, Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, Heinaman Contract Glazing

Richard Dreitzer, Attorney for Deft, Zitting Bros

Brad Slighting, Attorney for Deft, United Subcontractors

Upon inquiry of the Court as to the number of days expected for trial, noting rulings the Court has to make on motions in limine and partial summary judgment, Mr. Munteer advised counsel met today for pretrial; advised they expect 12 days full trial days, noting they are trying to have the parties go in a chronological order as the project would have progressed. Requested the Court continue this matter

to the January 2018 stack and put the case during the weeks of January 15, 2018 and January 22, 2018 to try the case. Colloquy regarding placement on the next stack and the age of this case. COURT ORDERED, the current trial setting VACATED to be RESET on the January 9, 2018 stack; new order to issue.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed APCO Construction, Inc.s Omnibus Motion in Limine and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court makes the following rulings:

The Court DENIES Motion in Limine No. 1 without prejudice to objections made to evidentiary proffers at trial that the Court can consider in context.

The Court GRANTS Motion in Limine No. 2 IN PART to the extent that it addresses parties which, as APCO puts it, have chosen not to participate in trial (Reply, p. 4, ll. 21-22), but it is DENIED IN PART as to parties which have participated.

The Court DENIES Motion in Limine No. 3 regarding unjust enrichment as it essentially seeks a summary adjudication without reference to any specific evidence. Furthermore, unjust enrichment is commonly pleaded in the alternative and its viability relates to development of the evidence.

The Court DENIES Motion in Limine No. 4 without prejudice to objections to specific evidence

proffered.

The Court DENIES Motion in Limine No. 5 without prejudice to objections to specific evidence proffered.

The Court GRANTS Motion in Limine No. 6 to the extent that it seeks to preclude witnesses who should have been, but were not, properly disclosed. Of course, making any such determination requires a witness-by-witness inquiry.

The Court GRANTS Motion in Limine No. 7 to the extent that it seeks to preclude evidence that should have been, but was not, properly disclosed. Of course, making any such determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for Helix Electric is directed to submit a proposed order consistent with the foregoing and which sets forth the underpinnings of the same. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Plaintiff-in-Intervention, National Wood Products, Inc. s Motion in Limine to Exclude Evidence, Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS the same to the extent that proffered evidence was not properly produced in discovery. Of course, this determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for National Wood Products is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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HAVING further reviewed Peel Brimley Lien Claimants Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.), and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the same. The Motion relates to disclosures and evidence. The Opposition relates to legal contentions.

Counsel for Peel Brimley Lien Claimants is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****December 05, 2017**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Zitting Brothers Construction, Inc. s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-if-Paid Provision and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the Motion as it is persuaded by the same.

Counsel for the Zitting Brothers is directed to submit a proposed order consistent herewith and with its briefing/argument. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 05, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 05, 2017 5:03 PM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- HAVING further reviewed Helix Electric of Nevada s Motions in Limine Nos. 1-4 and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS Motions Nos. 1-3 and DENIES Motion No. 4 without prejudice to objections at trial.

Counsel for Helix Electric is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

December 21, 2017

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

December 21, 2017 9:00 AM Motion

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Bacon, Mary E. Attorney

JOURNAL ENTRIES

- Following representations made by counsel, COURT ORDERED, Motion GRANTED; counsel for Buchele to submit notice of appearance ten (10) days from today.

Ms. Bacon to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 02, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 02, 2018 2:00 PM Calendar Call

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Ramirez, Jorge A.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Court noted having trial down for twelve (12) days, which Mr. Zimbelman thought would be a little light with the number of parties. Mr. Morris noted discussions had at the pre-trial conference as to how the trial would proceed with APCO going first and then CAMCO; advised the Court he would be out of the country January 8-22, 2018. Mr. Zimbelman stated counsel discussed proceeding

without Mr. Morris and the claims against CAMCO being set when he is available. Mr. Morris concurred, noting he did not have to be present for the APCO portion of the trial; colloquy.

Mr. Mounter addressed pending orders; advised APCO plans to file a motion for reconsideration on a few of those orders. Further, Mr. Mounter requested a trial setting on the February stack to allow the parties a chance to file motions and respond. Colloquy held between the Court and counsel regarding the age of the case, the case being a consolidated action, the current position of the parties, and proceeding with the trial in part.

On behalf of APCO, Mr. Jefferies requested the trial begin the latter half of January to get the motion for reconsideration in front of the Court for its review and for fairness to the parties. Mr. Jefferies further noted, that once the Zitting order is resolved counsel would be in a position to file the motion. Mr. Lai advised he received the final order earlier today.

Court queried counsel as to the parties having a settlement conference; however, no settlement conference was requested. COURT ORDERED, MATTER TRAILED.

MATTER RECALLED - COURT ORDERED, non-jury trial date SET Wednesday, January 17, 2017 at 10:00 am; pretrial memorandum due January 12, 2018 by 5:00 pm.

Mr. Tobler provided the Court with an amended order that APCO and Helix had consented to that pertained to the Omnibus Motion filed by APCO. Order SIGNED IN OPEN COURT and returned to counsel for processing.

01/17/2018 10:00 AM | NON-JURY TRIAL BEGINS

CLERK'S NOTE - This Minute Order was amended to reflect that Brad Slighting, Attorney for United Subcontractors, was present at calendar call.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 11, 2018**

08A571228	Apco Construction, Plaintiff(s)
	vs.
	Gemstone Development West Inc, Defendant(s)

January 11, 2018 9:00 AM All Pending Motions**HEARD BY:** Denton, Mark R. **COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT:	Bacon, Mary E.	Attorney
	Lai, I-Che	Attorney
	Munteer, Cody S.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney

JOURNAL ENTRIES

- ALSO PRESENT - Eric Zimbleman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

NOTE: Mr. Zimbelman appeared by telephone.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL
BRIMLEY LIEN CLAIMANTS PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE
DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Peel Brimley to submit the proposed order.

CAMCO'S JOINDER TO APCO'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL BRIMLEY LIEN CLAIMANT'S PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC'S PARTIAL MOTION FOR SUMMARY JUDGMENT AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND TO EXCEED PAGE LIMIT

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Zitting Brothers Construction to submit the proposed order.

COURT advised it signed an order shortening time of the Motion for Stay, setting it for Tuesday, January 16, 2018. Mr. Zimbleman requested he receive a courtesy copy of the Motion.

Mr. Taylor requested that he be allowed to appear without Mr. Tobler for purposes of trial. There being no objections, COURT SO ORDERED.

At the request of counsel, COURT ORDERED that the Hearing Re: ZBCI Attorney's Fees and Costs currently set for January 18, 2018 is CONTINUED to March 1, 2018 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

January 16, 2018

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 16, 2018 9:00 AM Motion to Stay

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, Motion CONTINUED pursuant to Stipulation and Order.

CONTINUED TO: 01/19/18 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 17, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 17, 2018 10:00 AM Bench Trial Day 1

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Bacon, Mary E.	Attorney
	Hirahara, S Judy, ESQ	Attorney
	Jefferies, John R.	Attorney
	Taylor, John B., ESQ	Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Jefferies noted the structure of the pleadings, which lists APCO as Pltf and Gemstone as Deft. Further, Mr. Jefferies advised that Gemstone's default was entered and their Answer and Counterclaim stricken, and APCO's Motion for Summary Judgement was granted in June 2013; however, counsel is unable to locate the order. Colloquy between the Court and counsel regarding the procedural posture of the case and the scope of cross not being limited to direct so the parties can call witnesses one time.

Opening statements by Mr. Zimbelman on behalf of Helix; Mr. Taylor on behalf of National Wood;

and Mr. Jefferies on behalf of APCO.

Testimony and exhibits presented. (See worksheets)

Colloquy between the Court and counsel regarding the submission of a stipulation regarding exhibits and trial schedule. COURT ORDERED, trial would resume tomorrow, Thursday, January 18, 2018 at 1:00 p.m.

Testimony and exhibits presented. (See worksheets)

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/18/2018 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA****Business Court****COURT MINUTES****January 18, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 18, 2018 1:00 PM Bench Trial Day 2

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Hirahara, S Judy, ESQ Attorney
 Jefferies, John R. Attorney
 Taylor, John B., ESQ Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Zimbelman advised of a problem with a witness and requested he be allowed to call a witness out of order tomorrow relative to Fast Glass, noted the witness would be out of the country; no objections from Mr. Jefferies or Mr. Taylor. COURT SO ORDERED.

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence SIGNED IN OPEN COURT and returned to counsel for processing; objections noted.

Order Denying Reconsideration of the Motion for Summary Judgment SIGNED IN OPEN COURT and returned to counsel for processing.

Testimony and exhibits presented. (See worksheets)

Colloquy regarding trial procedures and calling of witnesses.

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/19/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 23, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 23, 2018 9:00 AM Bench Trial Day 4

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Bacon, Mary E.	Attorney
	Taylor, John B., ESQ	Attorney
	Truman, T. James	Attorney
		Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn, Apco Representative

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Ms. Bacon advised of an e-mail Mr. Jefferies received from Mr. Morris, which indicated that Mr. Morris is back in the country and back in the office today and that he intends to be here tomorrow. Colloquy between the Court and counsel as to how the trial would proceed, scheduling, closing arguments, calling witnesses, and the submission of the post trial briefs.

Testimony and exhibits presented. (See worksheets).

Mr. Zimbelman advised that there were no witnesses to present for Cactus Rose and SWPP. Additional colloquy between the Court and counsel regarding witnesses that will be called tomorrow, closing arguments, and the e-mail contact had with Mr. Morris. Following the discussion,

COURT excused counsel and the parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/24/2018 9:00 A.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 24, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

January 24, 2018 9:00 AM Bench Trial Day 5

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Bacon, Mary E.	Attorney
	Jefferies, John R.	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Taylor, John B., ESQ	Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Brad Slighting, Attorney for United Subcontractors Inc

Colloquy between the Court and counsel with respect to the claims against Camco Pacific and Camco's defenses to those claims, the trial proceeding in Mr. Morris's absence, the claims presented, and witnesses being available by telephone for cross-examination.

Court referenced the letter sent to counsel and advised of its availability to hear Camco's case, which resulted in additional colloquy regarding the amount of time needed for argument followed by the submission of proposed findings of fact and conclusions of law. COURT ORDERED the tentative

date of January 31, 2018 for cross- examination of witnesses that were called regarding Camco; additional evidence will be presented on February 6, 2018.

Testimony and exhibits presented. (See worksheets)

APCO RESTS; Helix RESTS; and National Wood RESTS.

Closing arguments by Mr. Zimbleman on behalf of Helix; Mr. Taylor on behalf of National Wood, and Mr. Jefferies on behalf of APCO, which concluded the APCO portion of the trial.

COURT ORDERED submission of briefs and proposed findings of fact and conclusions of law DEFERRED until after the Camco portion of the trial is closed.

CONTINUED TO: 01/31/2018 (TENTATIVE DATE FOR CROSS EXAMINATION); 02/06/2018 9:00 A.M. (ADDITIONAL EVIDENCE)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****February 06, 2018**

08A571228 Apco Construction, Plaintiff(s)
 vs.
 Gemstone Development West Inc, Defendant(s)

February 06, 2018 9:00 AM Bench Trial Day 6

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Marwanda Knight
 Kory Schlitz

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Morris, Steven L. Attorney
 Attorney
 Taylor, John B., ESQ Attorney
 Truman, T. James Attorney
 Attorney

JOURNAL ENTRIES

- APPEARANCES CONT'D: Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Benjamin Johnson, Attorney for United Subcontractors

Josef Rodarti, Attorney for Camco

Mr. Morris advised Camco reached a settlement with United Subcontractors and that the stipulation regarding dismissal would be forthcoming. At the request of counsel and there being no objection, COURT ORDERED, Mr. Johnson EXCUSED.

Further, Mr. Morris noted counsel entered into a stipulation regarding the cross examination of witnesses who testified in his absence; advised that stipulation would also be forthcoming.

Testimony and exhibits presented. (See worksheets)

Pltf E&E Fire RESTS.

Mr. Morris moved for a directed verdict as to claimants, SWPP, Cactus Rose, and Interstate Plumbing who have not presented their case; objections argued by Mr. Zimbelman. Following arguments by counsel, Court stated its FINDINGS, noting that once the evidence is closed it would be able to make a decision; however, relative to Interstate Plumbing, COURT ORDERED, Motion GRANTED.

Testimony and exhibits presented. (See worksheets)

(1:30 p.m. Kory Schlitz, Court Clerk) Minutes ...

Mr. Zimbelman indicated he did not offer Exhibit 718 during examination, however he has discussed it with Mr. Morris and the exhibit has been stipulated to. Closing arguments by Mr. Truman on behalf of E&E Fire; Mr. Zimbelman on behalf of Heinaman; and Mr. Morris on behalf of Camco. Mr. Zimbelman indicated he spoke with counsel and parties have agreed to submit their FFCL by February 28, 2017. Court advised parties have two weeks to file responding briefs. COURT ORDERED, Exhibits not admitted RETURNED to Counsel.

PLAINTIFF'S EXHIBITS 1-13 RE: EVIDENTIARY HEARING

EXHIBIT	DESCRIPTION	Offered	Objected	Accepted
Exhibit 1	Letter dated January 20, 2012 from Kemp Jones & Coulthard re: Proposed stipulate sale of the Manhattan West Property	7/2/12 ✓	no	7/2/12 ✓
Exhibit 2	Letter dated February 10, 2012 from Kemp Jones & Coulthard to Wade B. Gochnour of Howard & Howard Attorneys PLLC	↑	↑	↑
Exhibit 3	Letter dated April 25, 2012 from Kemp Jones & Coulthard to all parties in re: Sale of Manhattan West Property	↑	↑	↑
Exhibit 4	Letter dated April 26, 2012 from Brian K. Berman to Kemp Jones & Coulthard re Sale of Manhattan West Property	↑	↑	↑
Exhibit 5	Letter dated April 27, 2012 from Pezzillo Robinson to all counsel re Sale of Manhattan West Property	↑	↑	↑
Exhibit 6	Letter dated April 27, 2012 from Wilson Elser Moskowitz Edelman & Dicker LLP to Randall Jones re Proposed Sale of the Manhattan West Property	↑	↑	↑
Exhibit 7	Letter dated April 27, 2012 from Jolley Urga Wirth Woodbury & Standish to Randall Jones re Sale of Manhattan West Property	↑	↑	↑
Exhibit 8	Letter dated April 27, 2012 from Howard & Howard Attorneys PLLC to Randall Jones re Sale of the Manhattan West Property	↑	↑	↑
Exhibit 9	Letter dated May 1, 2012 from Watt Tieder Hoffar & Fitzgerald LLP to Randall Jones re Proposed Sale of the Manhattan West Property	↑	↑	↑
Exhibit 10	Exhibit 10 – Letter dated May 23, 2012 from Kemp Jones & Coulthard to all parties re sale of the Manhattan West Property	↑	↑	↑
Exhibit 11	Exhibit 11 – Letter dated May 24, 2012 from Peel Brimley LLP to Randall Jones re Sale of the Manhattan West Property	↑	↑	↑
Exhibit 12	Purchase and Sale Agreement and Escrow Instructions		✓	✓
Exhibit 13	Email dated April 27, 2012 from Curt Allsop to Wayne@assurancelv.com re Offer Deadline May 2, 2012 – Manhattan West	7/2/12 ✓	NO	7/2/12 ✓

EXHIBITS

CASE NO. 08A51228

[illegible]

Dept. No. XXIX

Page 1 of 3
Revised: 6/29/2012

IN RE:

MANHATTAN WEST MECHANIC'S LIEN LITIGATION

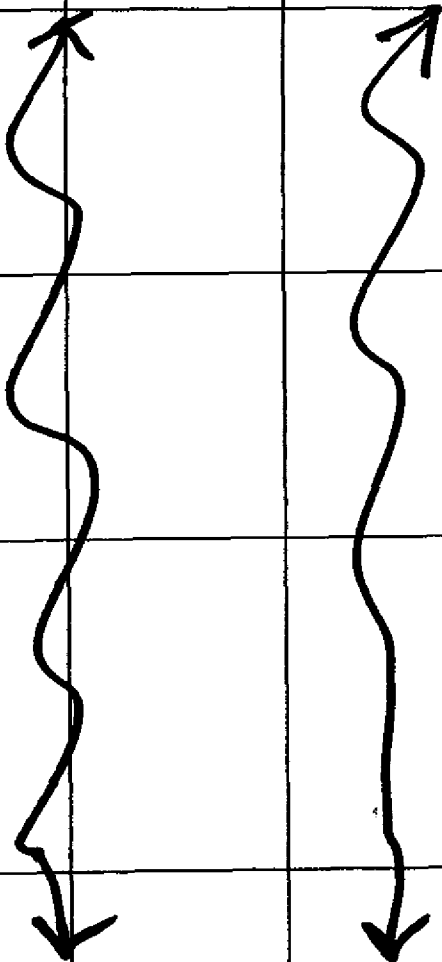
And All Related And Consolidated Claims

CASE NO.: A571228

DEPT. NO.: XXIX

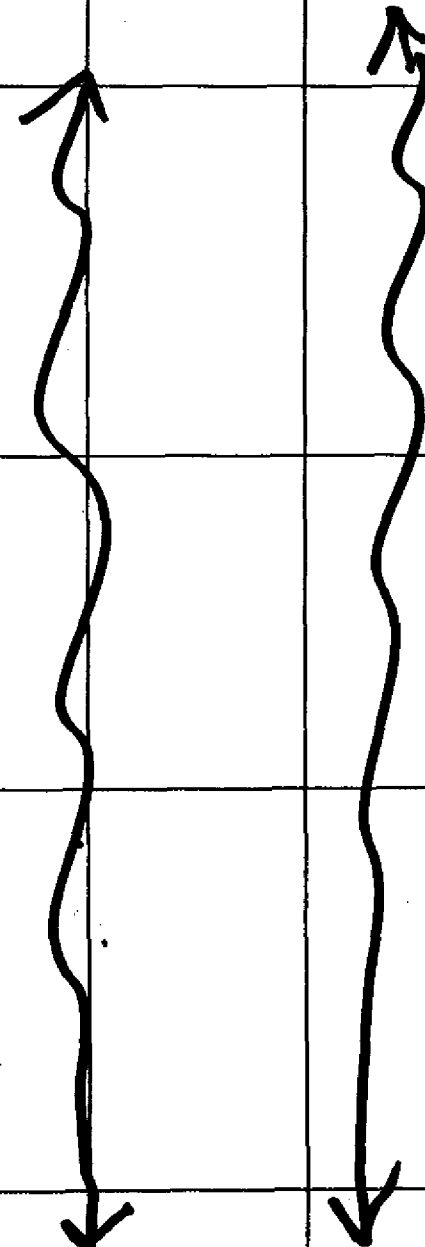
TRIAL EXHIBIT LIST

NO.	DESCRIPTION	OFFERED	ADMITTED	DENIED	DATE
1	Nevada State Contractors Board Licence search of Concrete Visions, Inc. - Bate Stamp No. RMI000001- RMI000002	10/30/12	✓		10/30/12
2	Nevada Secretary of State entity details of Concrete Visions, Inc. - Bate Stamp No. RMI000003- RMI000004	NOT USED			
3	Nevada State Contractors Board Licence search of Apco Construction - Bate Stamp No. RMI000005-RMI000006				
4	Nevada Secretary of State entity details of Apco Construction - Bate Stamp No. RMI000007-RMI000009				
5	Nevada Secretary of State entity details of Gemstone Development West, Inc. - Bate Stamp No. RMI000010- RMI000011	NOT USED			

6	Clark County Assessor real property details of Gemstone Development West, Inc. - Bate Stamp No. RMI000012	NOT USED			
7	Copy of email correspondence from Janine Lawrence to subcontractors dated August 12, 2008 - Bate Stamp No. RMI000013-RMI000015				
8	Copy of proof copy of publication of Notice of Foreclosure of Claims of Lien - Bates Stamp No. RMI000016				
9	RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0269 receipts -Apco Construction - Bate Stamp Nos. RMI000017-RMI000018				
10	RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0306 receipts -Apco Construction - Bate Stamp Nos. RMI000019-RMI000020	NOT USED			



11	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7091 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000021-RMI000022				
12	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7046 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000023-RMI000024				
13	RMI's Notice of Intent to Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 - Bate Stamp Nos. RMI000025-RMI000026				
14	RMI's Notice of Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 recorded 10/06/2008 and Receipt of Conformed Copy - Bate Stamp Nos. RMI000027-RMI000031				
15	RMI's Notice of Lis Pendens dated 4/12/2010 APN 163-32-010-019 - Bate Stamp Nos. RMI000032-RMI000035				

NOT USED







NOT USED



OFFERED ADMITTED DENIED DATE

16	Original Notice to Lien Claimants to File and Serve Statement of Facts Constituting their Liens filed on 4/16/09 - Bates Stamp Nos. RMI000036-RMI000042	NOT	USED		
17	Concrete Vision's Statement of Account to Concrete Visions, Inc. dated 4/8/10 and interest calculation work sheets - Bates Stamp Nos. RMI000043-RMI000047	10/30/12	✓		10/30/12
18	RMI's Credit Application and Purchase Agreement dated 9/15/06 - Bates Stamp Nos. RMI0000048-RMI000050	10/30/12	✓		10/30/12
19	RMI's Invoice No. 109644 re: Manhattan West/Building 2 - Bates Stamp No. RMI000051-RMI000054	NOT	USED		
20	RMI's Invoice NO. 101404 re: Manhattan West 2 - Bates Stamp Nos. RMI000055-RMI000058				
21	RMI's Invoice NO. 101405 re: Manhattan West Bldg 7 - Bates Stamp No. RMI000059				
22	RMI's Invoice NO. 101532 re: Manhattan West 7 - Bates Stamp Nos. RMI000060-RMI000061				
		NOT	USED		



23	RMI's Invoice NO. 101700 re: Manhattan West - Bates Stamp Nos. RMI000062- RMI000064			
24	RMI's Invoice NO. 101763 re: Manhattan West - Bates Stamp No. RMI000065			
25	RMI's Invoice NO. 1012217 re: Manhattan West 3 - Bates Stamp Nos. RMI000066-RMI000069			
26	RMI's Invoice NO. 102684 re: Manhattan West - Bates Stamp Nos. RMI000070- RMI000071			
27	RMI's Invoice NO. 103117 re: Manhattan West 7/3 - Bates Stamp Nos. RMI000071-RMI000073			
28	RMI's Invoice NO. 103119 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI000074-RMI000076			
29	RMI's Invoice NO. 103121 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000077			
30	RMI's Invoice NO. 103184 re: Manhattan West - Bates Stamp No. RMI000078			
31	RMI's Invoice NO. 103215 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000079			

32	RMI's Invoice NO. 103257 re: Manhattan West - Bates Stamp No. RMI000080	NOT USED			
33	RMI's Invoice NO. 103306 re: Manhattan West - Bates Stamp No. RMI000081				
34	RMI's Invoice NO. 103443 re: Manhattan West - Bates Stamp No. RMI000082				
35	RMI's Invoice NO. 103481 re: Manhattan West - Bates Stamp Nos. RMI000083- RMI000087				
36	RMI's Invoice NO. 107212 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000088				
37	RMI's Invoice NO. 107661 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000089-RMI000091				
38	RMI's Invoice NO. 107703 re: Manhattan West - Bates Stamp No. RMI000092				
39	RMI's Invoice NO. 107796 re: Manhattan West - Bates Stamp No. RMI000093				
40	RMI's Invoice NO. 108266 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000094-RMI000095	NOT USED			

41	RMI's Invoice NO. 108267 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000096-RMI000099	NOT USED			
42	RMI's Invoice NO. 108307 re: Manhattan West - Bates Stamp No. RMI000100				
43	RMI's Invoice NO. 108448 re: Manhattan West - Bates Stamp Nos. RMI000101- RMI000102				
44	RMI's Invoice NO. 108498 re: Manhattan West - Bates Stamp Nos. RMI000103- RMI000106				
45	RMI's Invoice NO. 109249 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000107-RMI000111				
46	RMI's Invoice NO. 109266 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI0000112-RMI000113				
47	RMI's Invoice NO.98729 re: Manhattan West - Bates Stamp Nos. RMI000114-RMI000122				
48	RMI's Invoice NO. 98730 re: Manhattan West - Bates Stamp Nos. RMI000123- RMI000128				
49	RMI's Invoice NO. 98893 re: Manhattan West 2&3 - Bates Stamp Nos. RMI000129-RMI000141	NOT USED			

50	RMI's Invoice NO. 108516 re: Manhattan West 7 - Bates Stamp No. RMI000142	NOT	USED
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52	RMI's Invoice NO. 104345 re: Manhattan West - Bates Stamp No. RMI000145		
53	RMI's Invoice NO. 104397 re: Manhattan West - Bates Stamp Nos. RMI000146- RMI000148		
54	RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151		
55	RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151		
56	RMI's Invoice NO. 104868 re: Manhattan West - Bates Stamp Nos. RMI000152- RMI000154		
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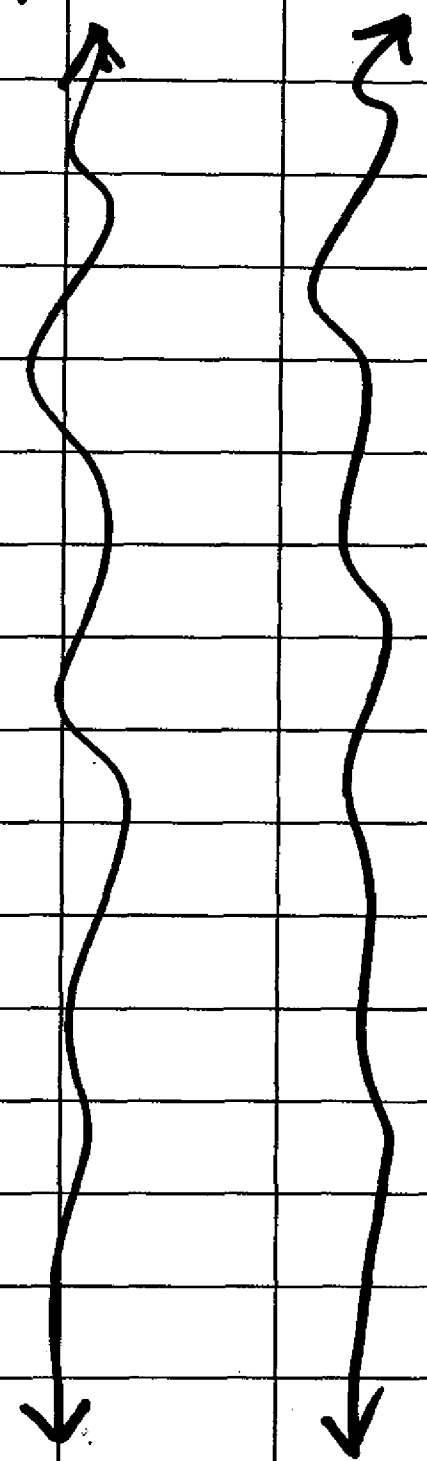
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61	RMI's Invoice NO. 106390 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000161-RMI000163	10/30/12	✓		10/30/12
62	RMI's Statement of Account for Gemstone Development West, Inc. Dated 4/8/2010 - Bates Stamp No. RMI000164		NOT	USED	
63	RMI's Invoice NO. 115412 re: Manhattan West - Bates Stamp No. RMI000165				
64	RMI's Invoice NO. 115513 re: Manhattan West - Bates Stamp No. RMI000166				
65	RMI's Invoice NO. 115659 re: Manhattan West - Bates Stamp No. RMI000167				
66	RMI's Invoice NO. 117557 re: Manhattan West - Bates Stamp No. RMI000168				
67	RMI's Invoice NO. 117812 re: Manhattan West - Bates Stamp No. RMI000169				
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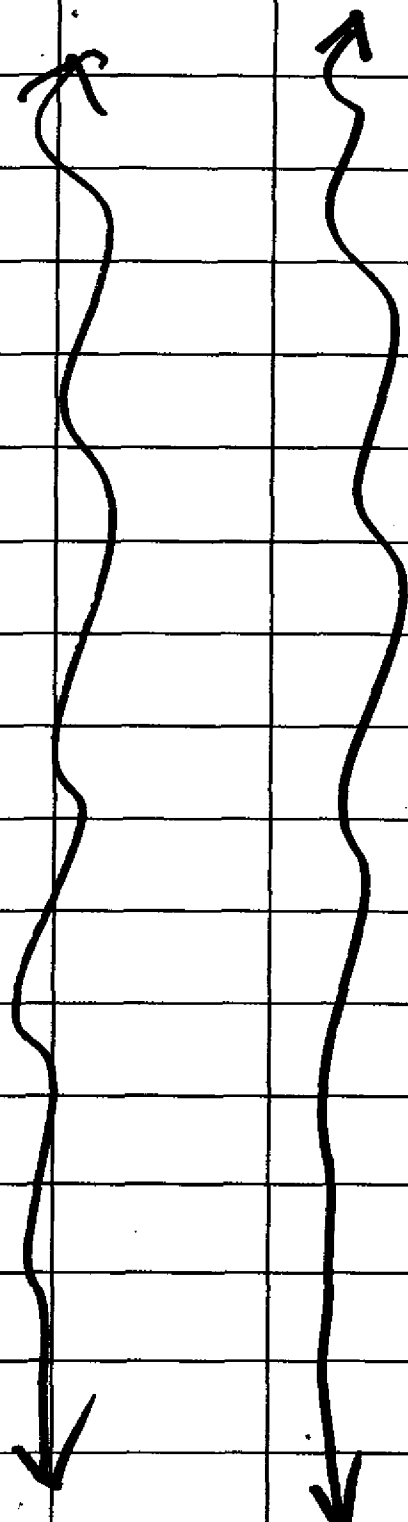
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70	RMI's Invoice NO. 119386 re: Manhattan West - Bates Stamp Nos. RMI000172	NOT	USED	
71	RMI's Invoice NO. 119640 re: Manhattan West - Bates Stamp Nos. RMI000173	NOT	USED	
72	AR Customer Receipt History for Gemstone Development West, Inc. payment for \$29,619.22 - Bates Stamp No. RMI000174	10/30/12	✓	10/30/12
73	Credit Application and Purchase Agreement - Gemstone Development West, Inc. - Bates Stamp Nos. RMI000175- RMI000181	NOT	USED	
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75	RMI Delivery Ticket 469572 - RMI000183			
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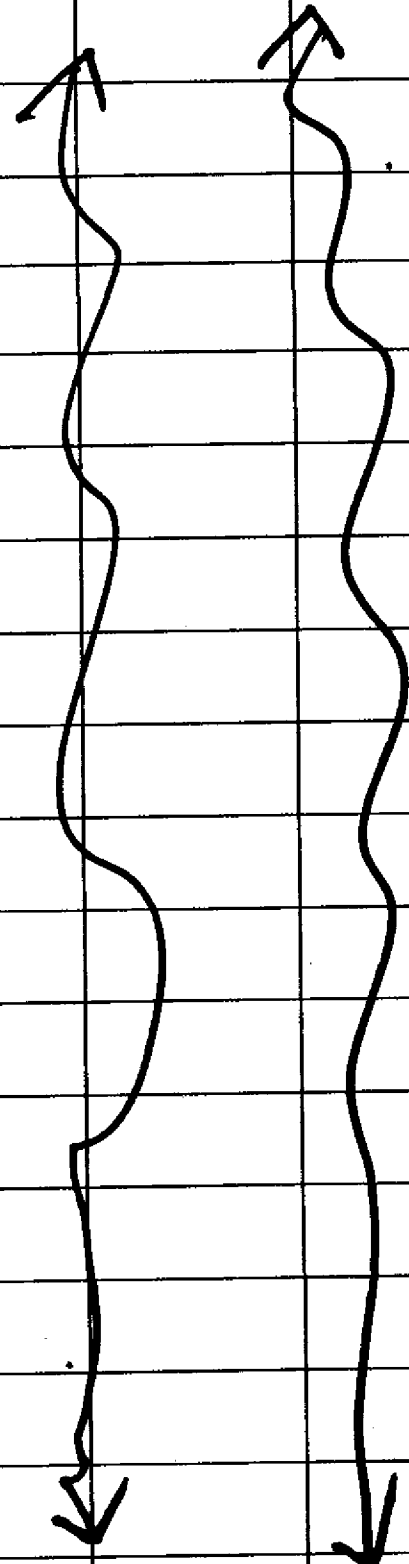
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92	RMI Delivery Ticket 469538 - RMI000200		
93	RMI Delivery Ticket 469537 - RMI000201		
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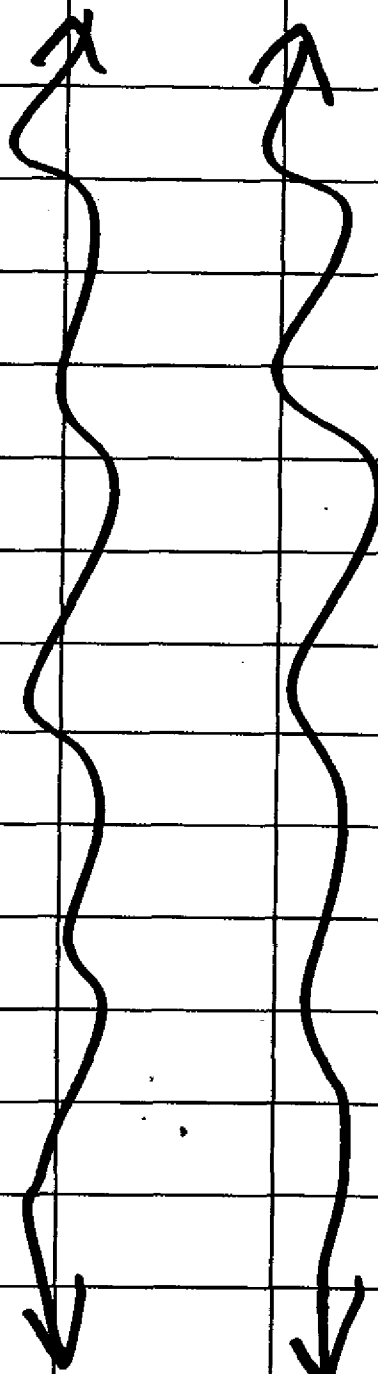
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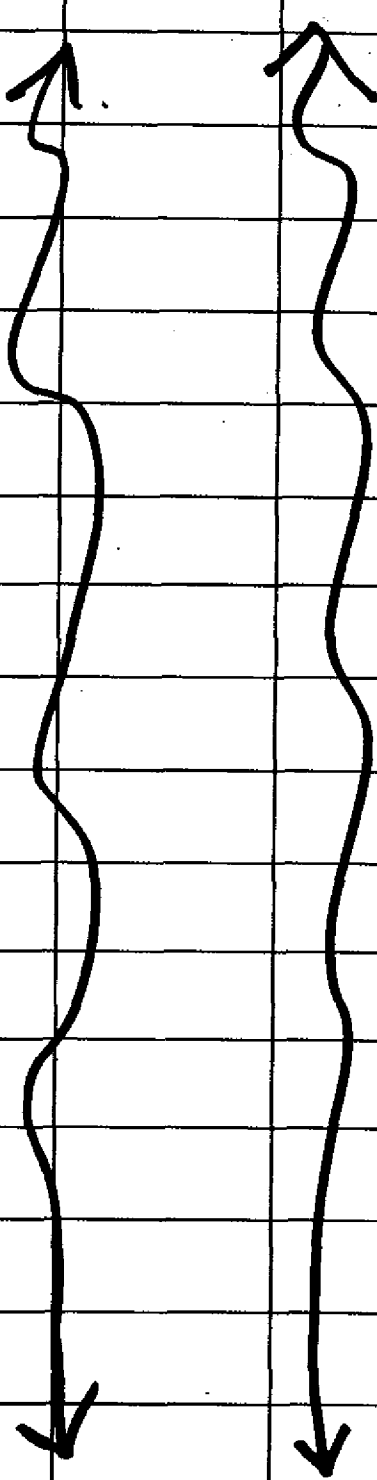
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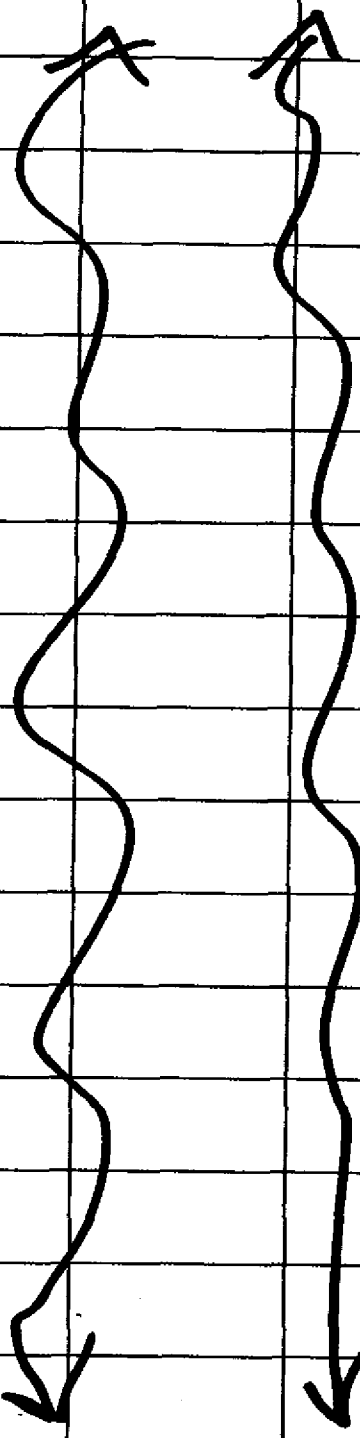
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138	RMI Delivery Ticket 469492 - RMI000246		
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140	RMI Delivery Ticket 477490 - RMI000248		
141	RMI Delivery Ticket 477489 - RMI000249		
142	RMI Delivery Ticket 477488 - RMI000250		
143	RMI Delivery Ticket 477487 - RMI000251		
144	RMI Delivery Ticket 477486 - RMI000252		
145	RMI Delivery Ticket 477485 - RMI000253		
146	RMI Delivery Ticket 477484 - RMI000254		
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149	RMI Delivery Ticket 477481 - RMI000257		
150	RMI Delivery Ticket 477480 - RMI000258		
151	RMI Delivery Ticket 477479 - RMI000259		
152	RMI Delivery Ticket 477478 - RMI000260		
153	RMI Delivery Ticket 477477 - RMI000261	NOT USED	

154	RMI Delivery Ticket 477476 - RMI000262	NOT USED	
155	RMI Delivery Ticket 477475 - RMI000263		
156	RMI Delivery Ticket 477474 - RMI000264		
157	RMI Delivery Ticket 477472 - RMI000265		
158	RMI Delivery Ticket 477471 - RMI000266		
159	RMI Delivery Ticket 477470 - RMI000267		
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161	RMI Delivery Ticket 469490 - RMI000269		
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163	RMI Delivery Ticket 469488 - RMI000271		
164	RMI Delivery Ticket 469487 - RMI000272		
165	RMI Delivery Ticket 469486 - RMI000273		
166	RMI Delivery Ticket 469485 - RMI000274		
167	RMI Delivery Ticket 469484 - RMI000275		
168	RMI Delivery Ticket 469483 - RMI000276		
169	RMI Delivery Ticket 469482 - RMI000277		
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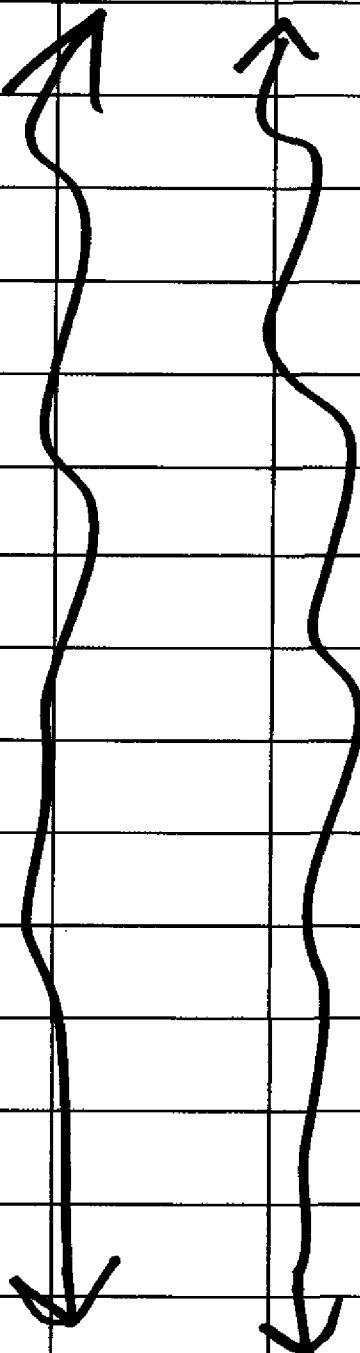
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185	RMI Delivery Ticket 477465 - RMI000293		
186	RMI Delivery Ticket 477464 - RMI000294		
187	RMI Delivery Ticket 477463 - RMI000295		
188	RMI Delivery Ticket 477462 - RMI000296		
189	RMI Delivery Ticket 477461 - RMI000297		
190	RMI Delivery Ticket 477460 - RMI000298		
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194	RMI Delivery Ticket 477456 - RMI000302			
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196	RMI Delivery Ticket 477454 - RMI000304			
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200	RMI Delivery Ticket 477450 - RMI000308			
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205	RMI Delivery Ticket 477445 - RMI000313			
206	RMI Delivery Ticket 477444 - RMI000314			
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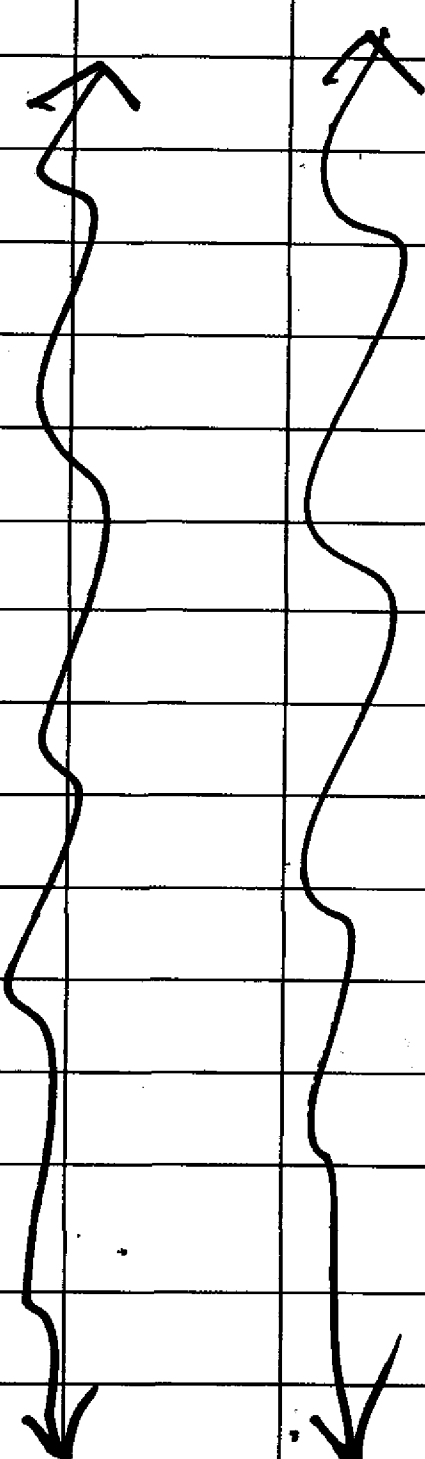
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217	RMI Delivery Ticket 477433 - RMI000325		
218	RMI Delivery Ticket 470971 - RMI000326		
219	RMI Delivery Ticket 470970 - RMI000327		
220	RMI Delivery Ticket 471058 - RMI000328		
221	RMI Delivery Ticket 471057 - RMI000329		
222	RMI Delivery Ticket 471056 - RMI000330		
223	RMI Delivery Ticket 471062 - RMI000331		
224	RMI Delivery Ticket 471061 - RMI000332		
225	RMI Delivery Ticket 471060 - RMI000333		
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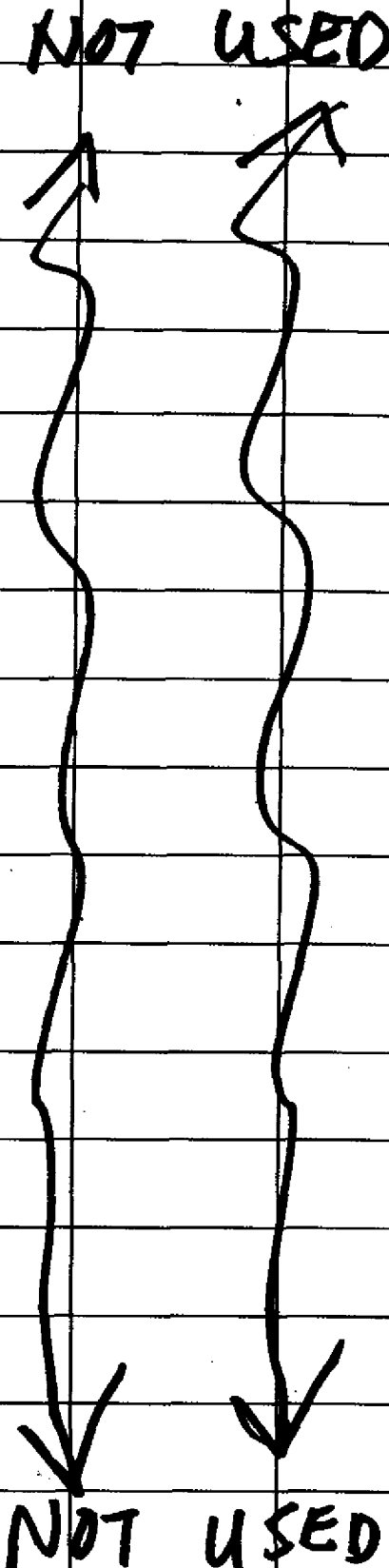
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236	RMI Delivery Ticket 470090 - RMI000344		
237	RMI Delivery Ticket 470089 - RMI000345		
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239	RMI Delivery Ticket 470085 - RMI000347		
240	RMI Delivery Ticket 470084 - RMI000348		
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242	RMI Delivery Ticket 470082 - RMI000350		
243	RMI Delivery Ticket 470079 - RMI000351		
244	RMI Delivery Ticket 470078 - RMI000352		
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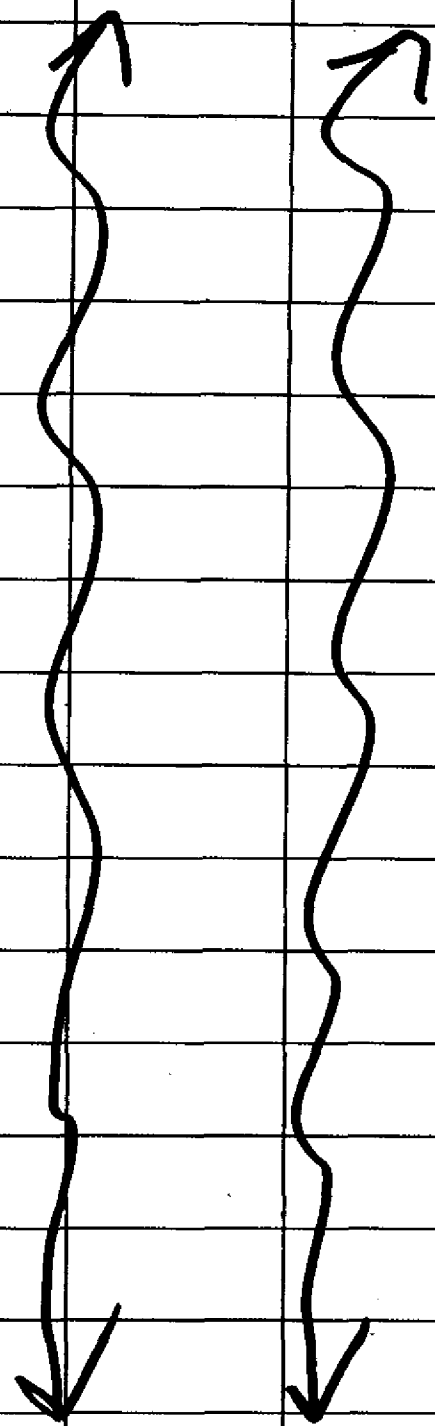
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251	RMI Delivery Ticket 470043 - RMI000359			
252	RMI Delivery Ticket 470042 - RMI000360			
253	RMI Delivery Ticket 470041 - RMI000361			
254	RMI Delivery Ticket 470039 - RMI000362			
255	RMI Delivery Ticket 470038 - RMI000363			
256	RMI Delivery Ticket 470037 - RMI000364			
257	RMI Delivery Ticket 470036 - RMI000365			
258	RMI Delivery Ticket 470034 - RMI000366			
259	RMI Delivery Ticket 470033 - RMI000367			
260	RMI Delivery Ticket 470032 - RMI000368			
261	RMI Delivery Ticket 470029 - RMI000369			
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263	RMI Delivery Ticket 470027 - RMI000371			
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266	RMI Delivery Ticket 470024 - RMI000374		
267	RMI Delivery Ticket 470023 - RMI000375		
268	RMI Delivery Ticket 470022 - RMI000376		
269	RMI Delivery Ticket 470021 - RMI000377		
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271	RMI Delivery Ticket 470019 - RMI000379		
272	RMI Delivery Ticket 470018 - RMI000380		
273	RMI Delivery Ticket 470017 - RMI000381		
274	RMI Delivery Ticket 470016 - RMI000382		
275	RMI Delivery Ticket 470015 - RMI000383		
276	RMI Delivery Ticket 470014 - RMI000384		
277	RMI Delivery Ticket 470013 - RMI000385		
278	RMI Delivery Ticket 470012 - RMI000386		
279	RMI Delivery Ticket 470011 - RMI000387		
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281	RMI Delivery Ticket 470009 - RMI000389		
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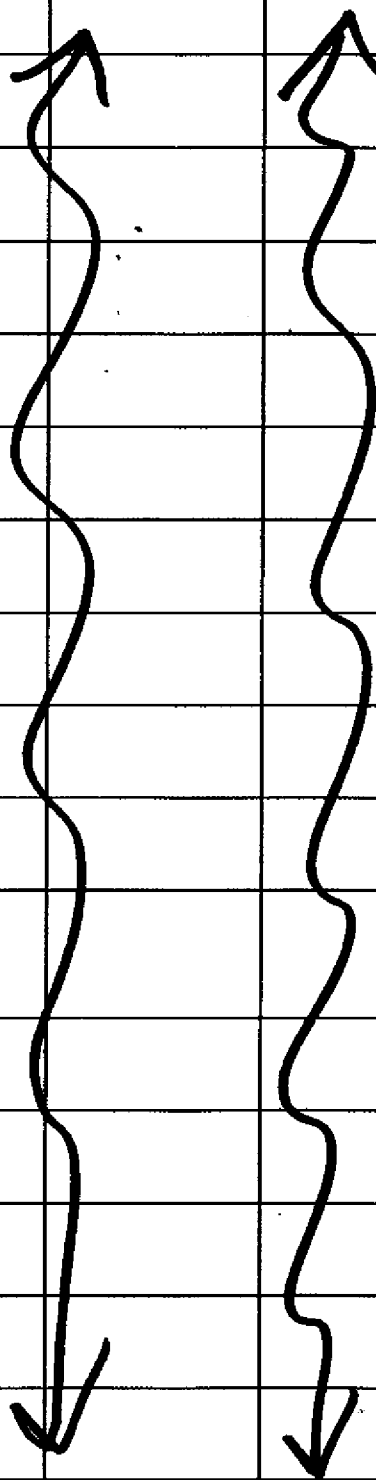
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288	RMI Delivery Ticket 470002 - RMI000396			
289	RMI Delivery Ticket 470001 - RMI000397			
290	RMI Delivery Ticket 470000 - RMI000398			
291	RMI Delivery Ticket 469999 - RMI000399			
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293	RMI Delivery Ticket 469997 - RMI000401			
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296	RMI Delivery Ticket 469994 - RMI000404			
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298	RMI Delivery Ticket 469992 - RMI000406			
299	RMI Delivery Ticket 469991 - RMI000407			
300	RMI Delivery Ticket 469990 - RMI000408	NOT USED		


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315	RMI Delivery Ticket 469975 - RMI000423		
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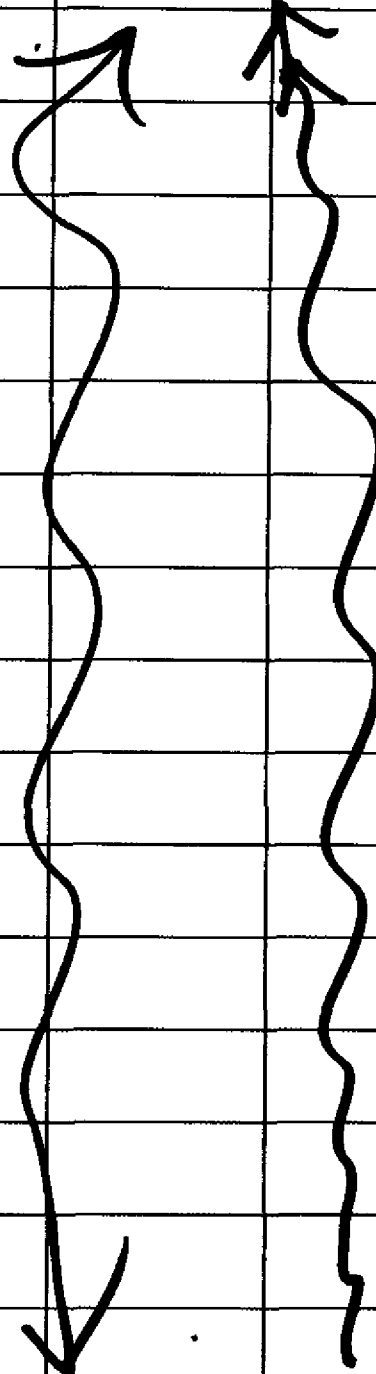
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324	RMI Delivery Ticket 469966 - RMI000432			
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326	RMI Delivery Ticket 469964 - RMI000434			
327	RMI Delivery Ticket 469963 - RMI000435			
328	RMI Delivery Ticket 469962 - RMI000436			
329	RMI Delivery Ticket 469961 - RMI000437			
330	RMI Delivery Ticket 469960 - RMI000438			
331	RMI Delivery Ticket 469959 - RMI000439			
332	RMI Delivery Ticket 469958 - RMI000440			
333	RMI Delivery Ticket 469957 - RMI000441			
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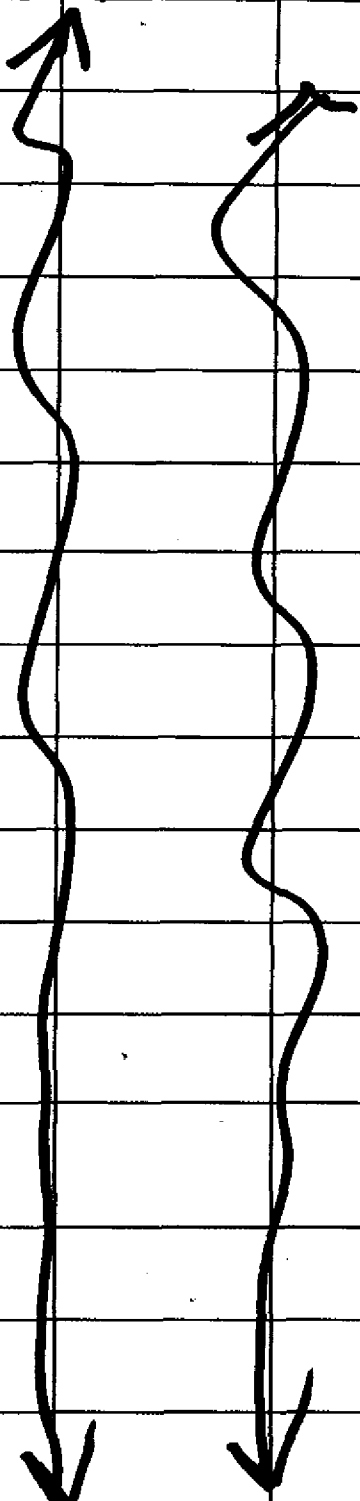
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344	RMI Delivery Ticket 469946 - RMI000452			
345	RMI Delivery Ticket 469945 - RMI000453			
346	RMI Delivery Ticket 469944 - RMI000454			
347	RMI Delivery Ticket 469943 - RMI000455			
348	RMI Delivery Ticket 469942 - RMI000456			
349	RMI Delivery Ticket 469941 - RMI000457			
350	RMI Delivery Ticket 469940 - RMI000458			
351	RMI Delivery Ticket 469939 - RMI000459			
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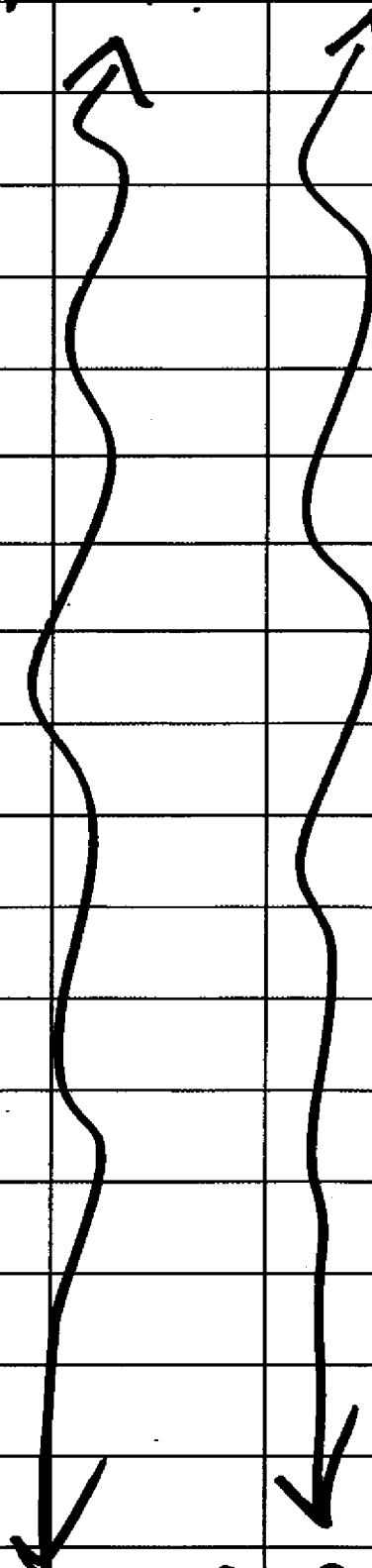
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359	RMI Delivery Ticket 472200 - RMI000467		
360	RMI Delivery Ticket 472197 - RMI000468		
361	RMI Delivery Ticket 472165 - RMI000469		
362	RMI Delivery Ticket 472152 - RMI000470		
363	RMI Delivery Ticket 472151 - RMI000471		
364	RMI Delivery Ticket 472158 - RMI000472		
365	RMI Delivery Ticket 472160 - RMI000473		
366	RMI Delivery Ticket 472161 - RMI000474		
367	RMI Delivery Ticket 472162 - RMI000475		
368	RMI Delivery Ticket 472163 - RMI000476		
369	RMI Delivery Ticket 472168 - RMI000477		
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371	RMI Delivery Ticket 472170 - RMI000479		
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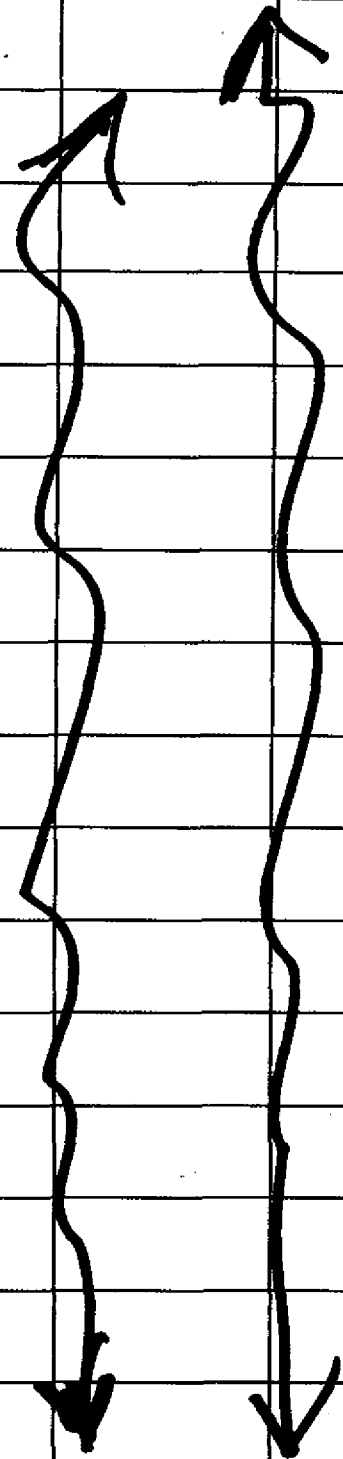
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377	RMI Delivery Ticket 472183 - RMI000485		
378	RMI Delivery Ticket 472157 - RMI000486		
379	RMI Delivery Ticket 472156 - RMI000487		
380	RMI Delivery Ticket 472155 - RMI000488		
381	RMI Delivery Ticket 472154 - RMI000489		
382	RMI Delivery Ticket 472153 - RMI000490		
383	RMI Delivery Ticket 472150 - RMI000491		
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385	RMI Delivery Ticket 472148 - RMI000493		
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387	RMI Delivery Ticket 472146 - RMI000495		
388	RMI Delivery Ticket 472145 - RMI000496		
389	RMI Delivery Ticket 472144 - RMI000497		
390	RMI Delivery Ticket 472143 - RMI000498	NOT USED	

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393	RMI Delivery Ticket 472140 - RMI000501		
394	RMI Delivery Ticket 480683 - RMI000502		
395	RMI Delivery Ticket 472282 - RMI000503		
396	RMI Delivery Ticket 472329 - RMI000504		
397	RMI Delivery Ticket 472326 - RMI000505		
398	RMI Delivery Ticket 472352 - RMI000506		
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405	RMI Delivery Ticket 472477 - RMI000513		
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407	RMI Delivery Ticket 472473 - RMI000515		
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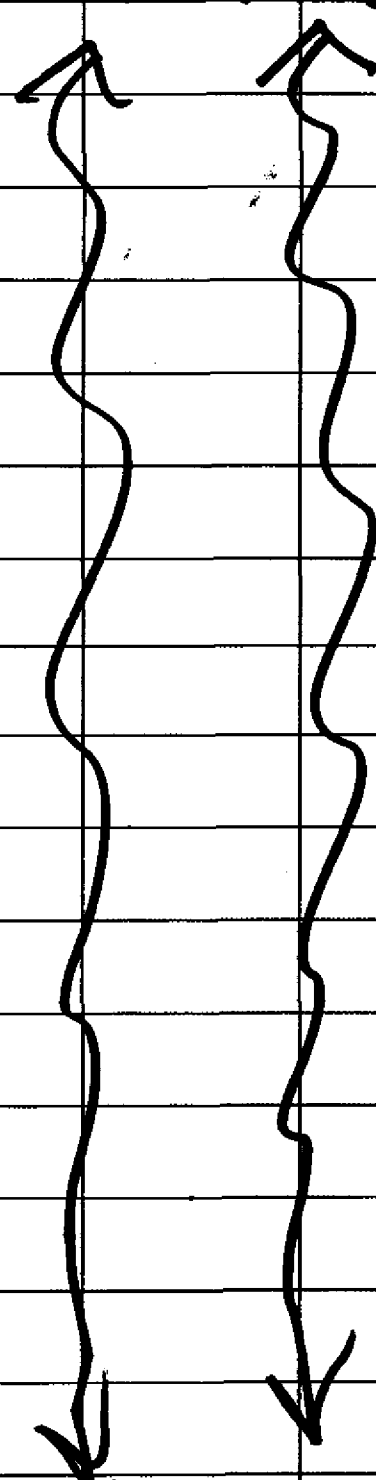
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422	RMI Delivery Ticket 471469 - RMI000530			
423	RMI Delivery Ticket 472468 - RMI000531			
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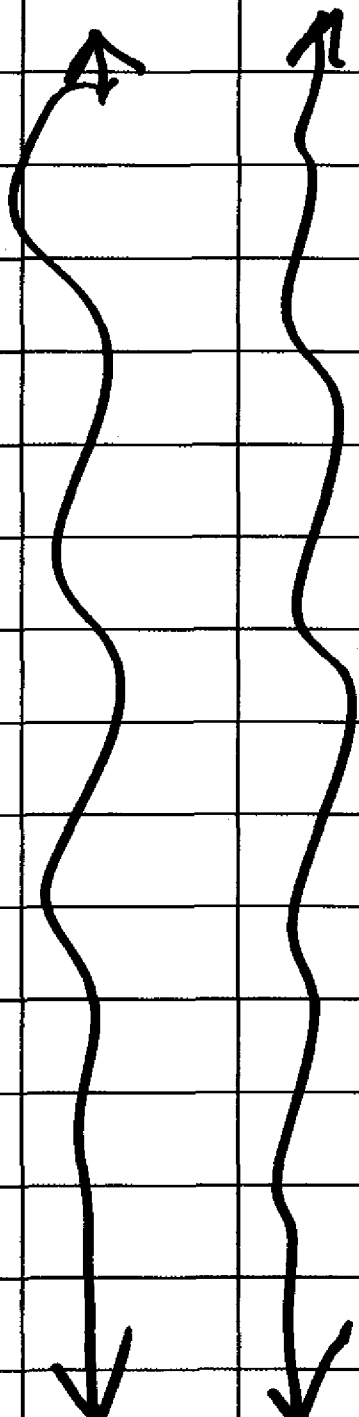

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430	RMI Delivery Ticket 471442 - RMI000538		
431	RMI Delivery Ticket 471440 - RMI000539		
432	RMI Delivery Ticket 471438 - RMI000540		
433	RMI Delivery Ticket 471437 - RMI000541		
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436	RMI Delivery Ticket 471430 - RMI000544		
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438	RMI Delivery Ticket 471428 - RMI000546		
439	RMI Delivery Ticket 471427 - RMI000547		
440	RMI Delivery Ticket 471426 - RMI000548		
441	RMI Delivery Ticket 471425 - RMI000549		
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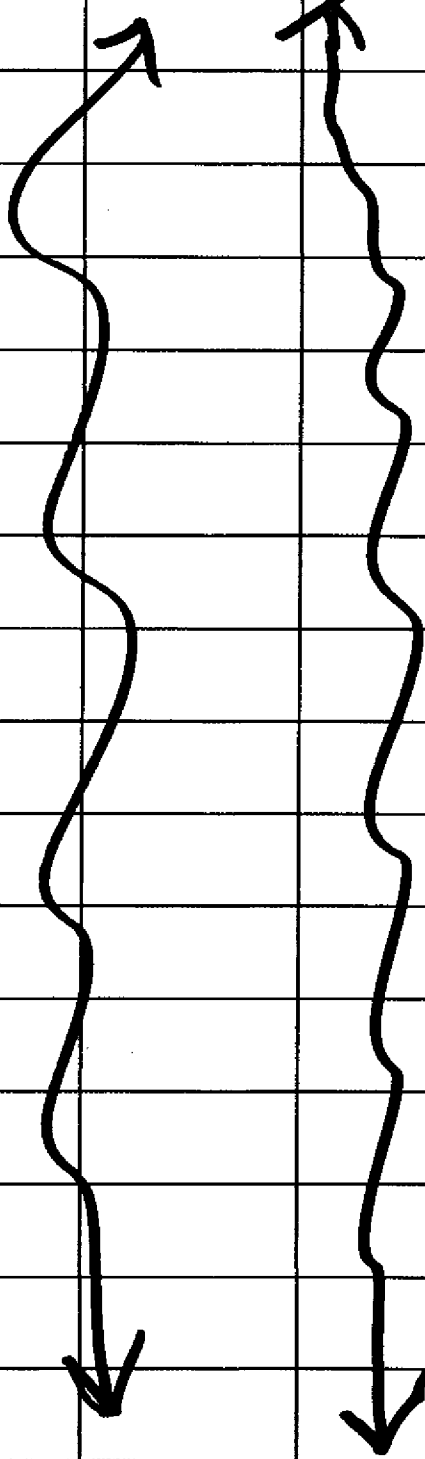
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451	RMI Delivery Ticket 471586 - RMI000559			
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453	RMI Delivery Ticket 471633 - RMI000561			
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461	RMI Delivery Ticket 471615 - RMI000569			
462	RMI Delivery Ticket 471606 - RMI000570			
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473	RMI Delivery Ticket 471591 - RMI000581		
474	RMI Delivery Ticket 479971 - RMI000582		
475	RMI Delivery Ticket 479970 - RMI000583		
476	RMI Delivery Ticket 479969 - RMI000584		
477	RMI Delivery Ticket 479968 - RMI000585		
478	RMI Delivery Ticket 471865 - RMI000586		
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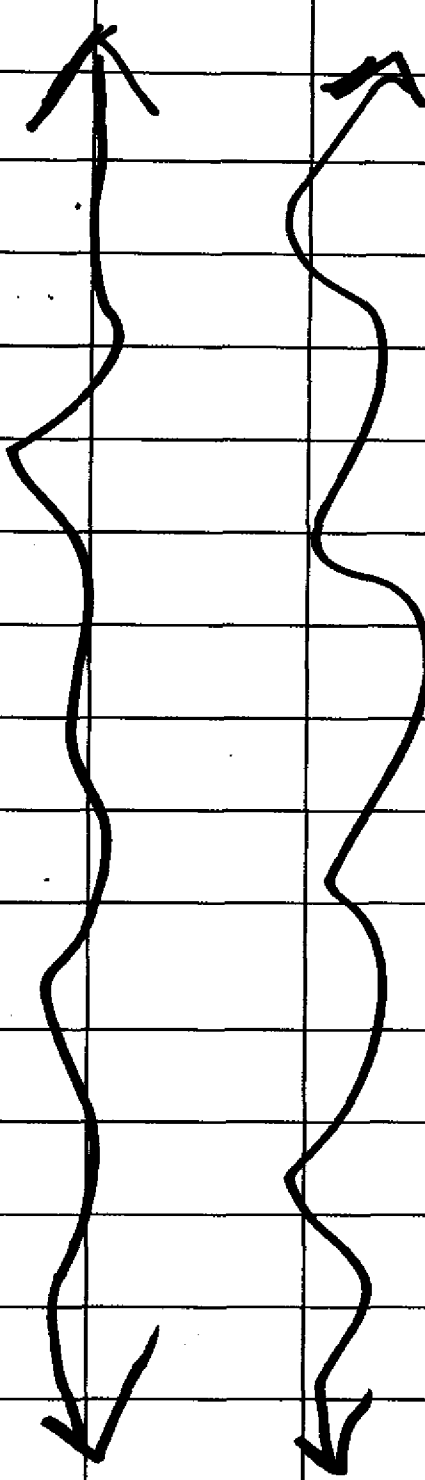
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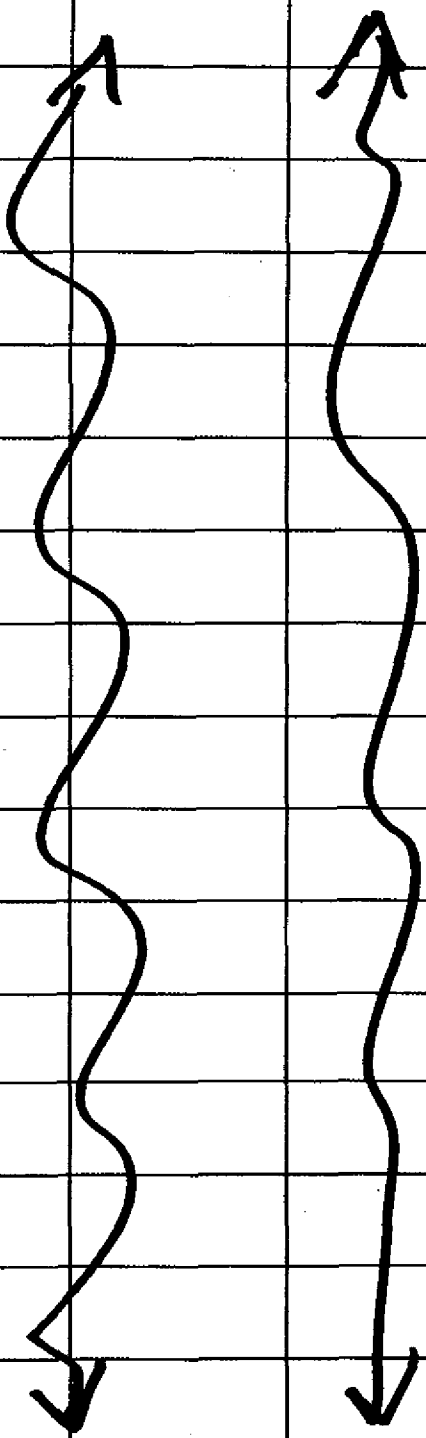
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486	RMI Delivery Ticket 471837 - RMI000594		
487	RMI Delivery Ticket 471805 - RMI000595		
488	RMI Delivery Ticket 471802 - RMI000596		
489	RMI Delivery Ticket 471801 - RMI000597		
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493	RMI Delivery Ticket 471796 - RMI000601		
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506	RMI Delivery Ticket 471776 - RMI000614			
507	RMI Delivery Ticket 471774 - RMI000615			
508	RMI Delivery Ticket 471770 - RMI000616			
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511	RMI Delivery Ticket 471767 - RMI000619			
512	RMI Delivery Ticket 471766 - RMI000620			
513	RMI Delivery Ticket 471765 - RMI000621			
514	RMI Delivery Ticket 471791 - RMI000622			
515	RMI Delivery Ticket 471764 - RMI000623			
516	RMI Delivery Ticket 472010 - RMI000624			
517	RMI Delivery Ticket 472005 - RMI000625	NOT USED		

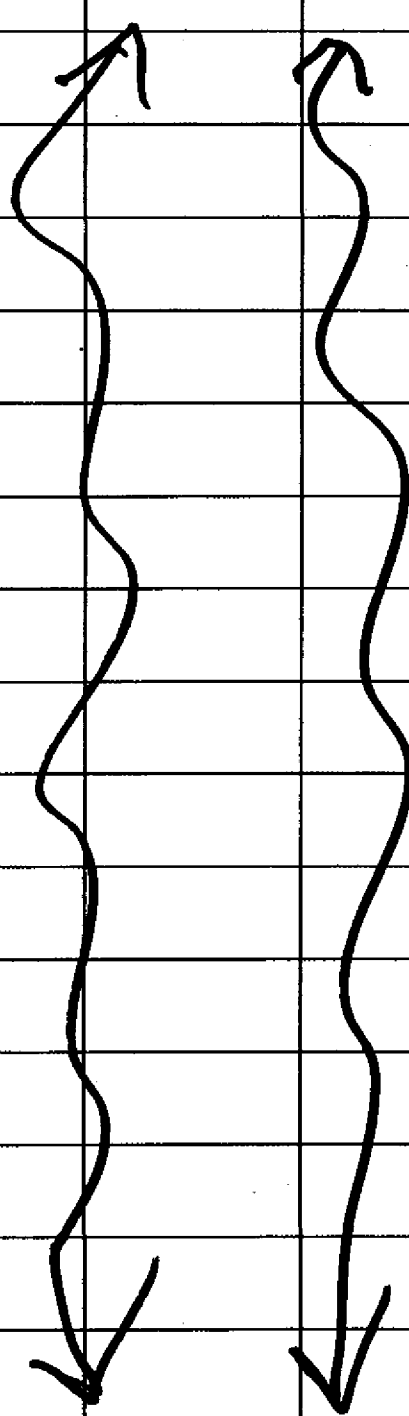
518	RMI Delivery Ticket 472004 - RMI000626	NOT USED		
519	RMI Delivery Ticket 472002 - RMI000627			
520	RMI Delivery Ticket 472000 - RMI000628			
521	RMI Delivery Ticket 471999 - RMI000629			
522	RMI Delivery Ticket 471998 - RMI000630			
523	RMI Delivery Ticket 471997 - RMI000631			
524	RMI Delivery Ticket 471995 - RMI000632			
525	RMI Delivery Ticket 472001 - RMI000633			
526	RMI Delivery Ticket 471994 - RMI000634			
527	RMI Delivery Ticket 472842 - RMI000635			
528	RMI Delivery Ticket 472814 - RMI000636			
529	RMI Delivery Ticket 472808 - RMI000637			
530	RMI Delivery Ticket 472913 - RMI000638			
531	RMI Delivery Ticket 472912 - RMI000639			
532	RMI Delivery Ticket 472911 - RMI000640			
533	RMI Delivery Ticket 472907 - RMI000641			
534	RMI Delivery Ticket 472906 - RMI000642			
535	RMI Delivery Ticket 472905 - RMI000643	NOT USED		

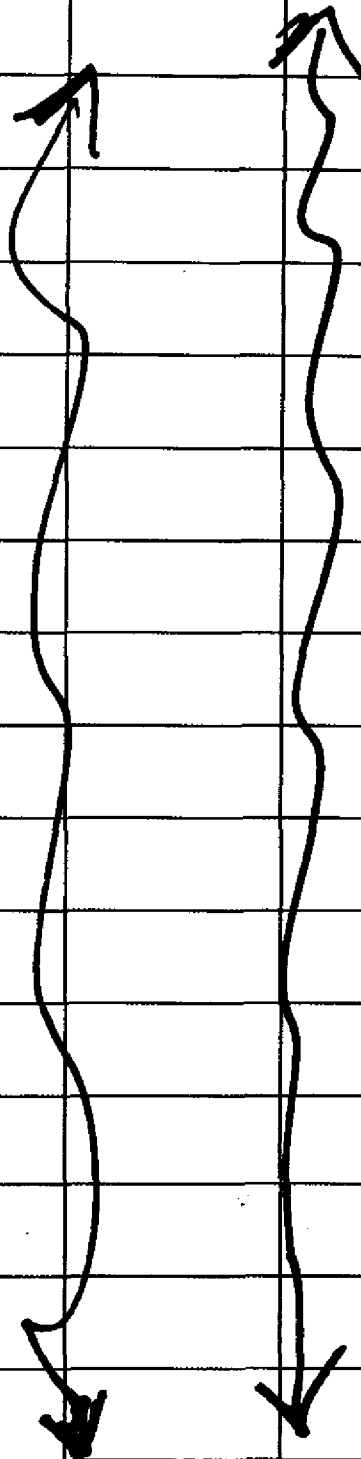
536	RMI Delivery Ticket 472904 - RMI000644	NOT USED	
537	RMI Delivery Ticket 472902 - RMI000645		
538	RMI Delivery Ticket 472900 - RMI000646		
539	RMI Delivery Ticket 472899 - RMI000647		
540	RMI Delivery Ticket 472898 - RMI000648		
541	RMI Delivery Ticket 472897 - RMI000649		
542	RMI Delivery Ticket 472896 - RMI000650		
543	RMI Delivery Ticket 472895 - RMI000651		
544	RMI Delivery Ticket 472894 - RMI000652		
545	RMI Delivery Ticket 472893 - RMI000653		
546	RMI Delivery Ticket 472892 - RMI000654		
547	RMI Delivery Ticket 472891 - RMI000655		
548	RMI Delivery Ticket 472890 - RMI000656		
549	RMI Delivery Ticket 472889 - RMI000657		
550	RMI Delivery Ticket 472975 - RMI000658		
551	RMI Delivery Ticket 472965 - RMI000659		
552	RMI Delivery Ticket 472964 - RMI000660		
553	RMI Delivery Ticket 472957 - RMI000661	NOT USED	

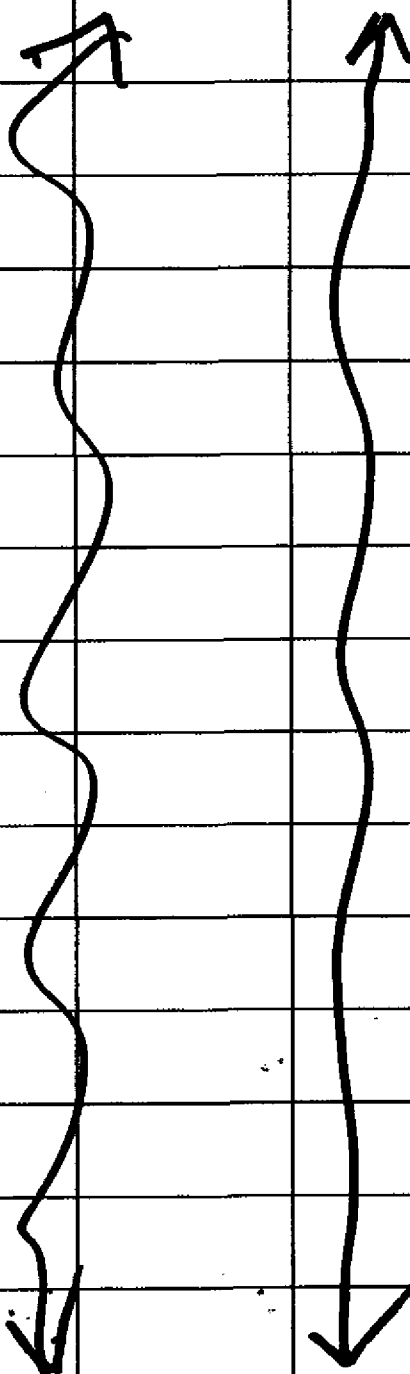
554	RMI Delivery Ticket 472956 - RMI000662	NOT USED	
555	RMI Delivery Ticket 472952 - RMI000663		
556	RMI Delivery Ticket 472949 - RMI000664		
557	RMI Delivery Ticket 472948 - RMI000665		
558	RMI Delivery Ticket 472947 - RMI000666		
559	RMI Delivery Ticket 472945 - RMI000667		
560	RMI Delivery Ticket 472938 - RMI000668		
561	RMI Delivery Ticket 472936 - RMI000669		
562	RMI Delivery Ticket 472931 - RMI000670		
563	RMI Delivery Ticket 472930 - RMI000671		
564	RMI Delivery Ticket 472928 - RMI000672		
565	RMI Delivery Ticket 472927 - RMI000673		
566	RMI Delivery Ticket 472925 - RMI000674		
567	RMI Delivery Ticket 472924 - RMI000675		
568	RMI Delivery Ticket 472922 - RMI000676		
569	RMI Delivery Ticket 472921 - RMI000677		
570	RMI Delivery Ticket 472920 - RMI000678		
571	RMI Delivery Ticket 472916 - RMI000679	NOT USED	

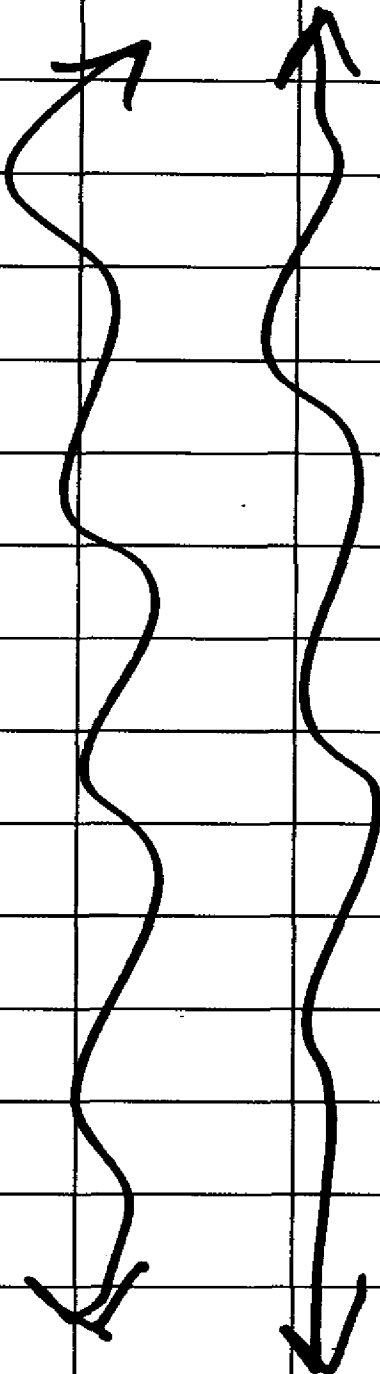
572	RMI Delivery Ticket 473267 - RMI000680	NOT USED	
573	RMI Delivery Ticket 473260 - RMI000681		
574	RMI Delivery Ticket 473259 - RMI000682		
575	RMI Delivery Ticket 473253 - RMI000683		
576	RMI Delivery Ticket 473227 - RMI000684		
577	RMI Delivery Ticket 473225 - RMI000685		
578	RMI Delivery Ticket 473223 - RMI000686		
579	RMI Delivery Ticket 473222 - RMI000687		
580	RMI Delivery Ticket 473215 - RMI000688		
581	RMI Delivery Ticket 473214 - RMI000689		
582	RMI Delivery Ticket 473213 - RMI000690		
583	RMI Delivery Ticket 473212 - RMI000691		
584	RMI Delivery Ticket 473211 - RMI000692		
585	RMI Delivery Ticket 473210 - RMI000693		
586	RMI Delivery Ticket 473209 - RMI000694		
587	RMI Delivery Ticket 473208 - RMI000695		
588	RMI Delivery Ticket 473207 - RMI000696		
589	RMI Delivery Ticket 473206 - RMI000697	NOT USED	

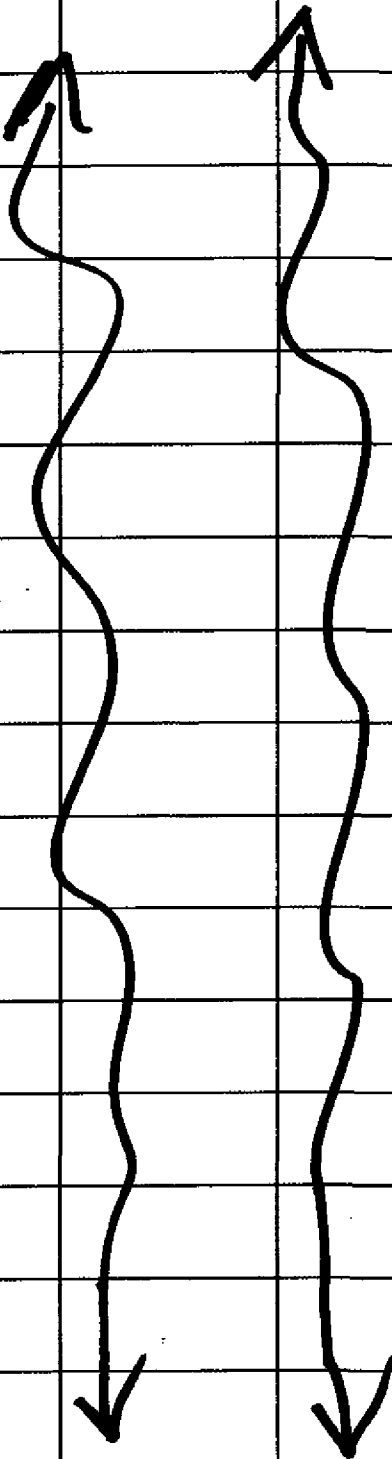
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591	RMI Delivery Ticket 473316 - RMI000699		
592	RMI Delivery Ticket 473321 - RMI000700		
593	RMI Delivery Ticket 473320 - RMI000701		
594	RMI Delivery Ticket 473319 - RMI000702		
595	RMI Delivery Ticket 473318 - RMI000703		
596	RMI Delivery Ticket 473334 - RMI000704		
597	RMI Delivery Ticket 473392 - RMI000705		
598	RMI Delivery Ticket 473383 - RMI000706		
599	RMI Delivery Ticket 473382 - RMI000707		
600	RMI Delivery Ticket 473379 - RMI000708		
601	RMI Delivery Ticket 473375 - RMI000709		
602	RMI Delivery Ticket 473373 - RMI000710		
603	RMI Delivery Ticket 473370 - RMI000711		
604	RMI Delivery Ticket 473357 - RMI000712		
605	RMI Delivery Ticket 473354 - RMI000713		
606	RMI Delivery Ticket 473352 - RMI000714		
607	RMI Delivery Ticket 473350 - RMI000715	NOT USED	

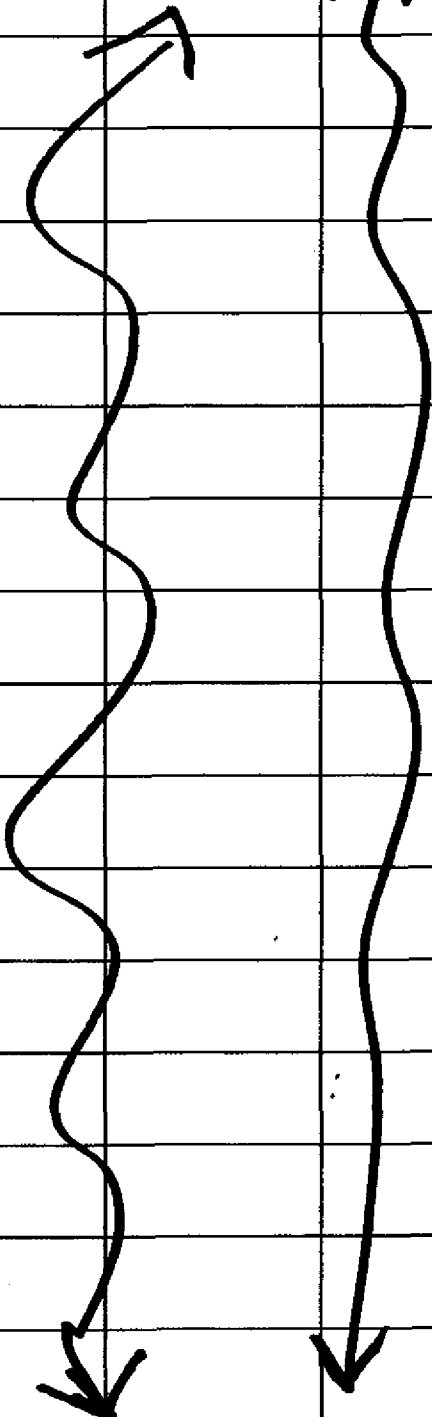
608	RMI Delivery Ticket 473347 - RMI000716	NOT USED		
609	RMI Delivery Ticket 473344 - RMI000717			
610	RMI Delivery Ticket 473342 - RMI000718			
611	RMI Delivery Ticket 473340 - RMI000719			
612	RMI Delivery Ticket 473339 - RMI000720			
613	RMI Delivery Ticket 473338 - RMI000721			
614	RMI Delivery Ticket 473336 - RMI000722			
615	RMI Delivery Ticket 473464 - RMI000723			
616	RMI Delivery Ticket 474092 - RMI000724			
617	RMI Delivery Ticket 474089 - RMI000725			
618	RMI Delivery Ticket 474074 - RMI000726			
619	RMI Delivery Ticket 474073 - RMI000727			
620	RMI Delivery Ticket 474071 - RMI000728			
621	RMI Delivery Ticket 474069 - RMI000729			
622	RMI Delivery Ticket 474066 - RMI000730			
623	RMI Delivery Ticket 474057 - RMI000731			
624	RMI Delivery Ticket 474055 - RMI000732			
625	RMI Delivery Ticket 474046 - RMI000733	NOT USED		

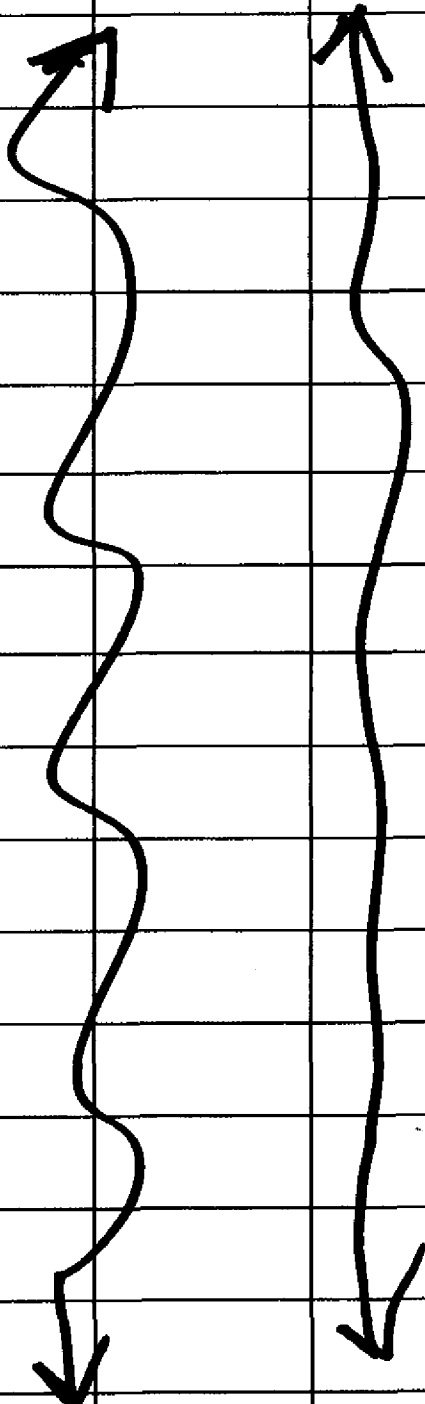
626	RMI Delivery Ticket 474032 - RMI000734	NOT USED	
627	RMI Delivery Ticket 474022 - RMI000735		
628	RMI Delivery Ticket 474019 - RMI000736		
629	RMI Delivery Ticket 474014 - RMI000737		
630	RMI Delivery Ticket 474013 - RMI000738		
631	RMI Delivery Ticket 474012 - RMI000739		
632	RMI Delivery Ticket 474011 - RMI000740		
633	RMI Delivery Ticket 474010 - RMI000741		
634	RMI Delivery Ticket 474003 - RMI000742		
635	RMI Delivery Ticket 474001 - RMI000743		
636	RMI Delivery Ticket 475239 - RMI000744		
637	RMI Delivery Ticket 474709 - RMI000745		
638	RMI Delivery Ticket 474707 - RMI000746		
639	RMI Delivery Ticket 474703 - RMI000747		
640	RMI Delivery Ticket 474702 - RMI000748		
641	RMI Delivery Ticket 474701 - RMI000749		
642	RMI Delivery Ticket 474698 - RMI000750		
643	RMI Delivery Ticket 474697 - RMI000751	NOT USED	


644	RMI Delivery Ticket 474696 - RMI000752	NOT USED		
645	RMI Delivery Ticket 474695 - RMI000753			
646	RMI Delivery Ticket 474694 - RMI000754			
647	RMI Delivery Ticket 474693 - RMI000755			
648	RMI Delivery Ticket 474692 - RMI000756			
649	RMI Delivery Ticket 474691 - RMI000757			
650	RMI Delivery Ticket 474689 - RMI000758			
651	RMI Delivery Ticket 474688 - RMI000759			
652	RMI Delivery Ticket 474687 - RMI000760			
653	RMI Delivery Ticket 474686 - RMI000761			
654	RMI Delivery Ticket 474684 - RMI000762			
655	RMI Delivery Ticket 474681 - RMI000763			
656	RMI Delivery Ticket 474680 - RMI000764			
657	RMI Delivery Ticket 474773 - RMI000765			
658	RMI Delivery Ticket 474765 - RMI000766			
659	RMI Delivery Ticket 474959 - RMI000767			
660	RMI Delivery Ticket 474957 - RMI000768			
661	RMI Delivery Ticket 474954 - RMI000769	NOT USED		

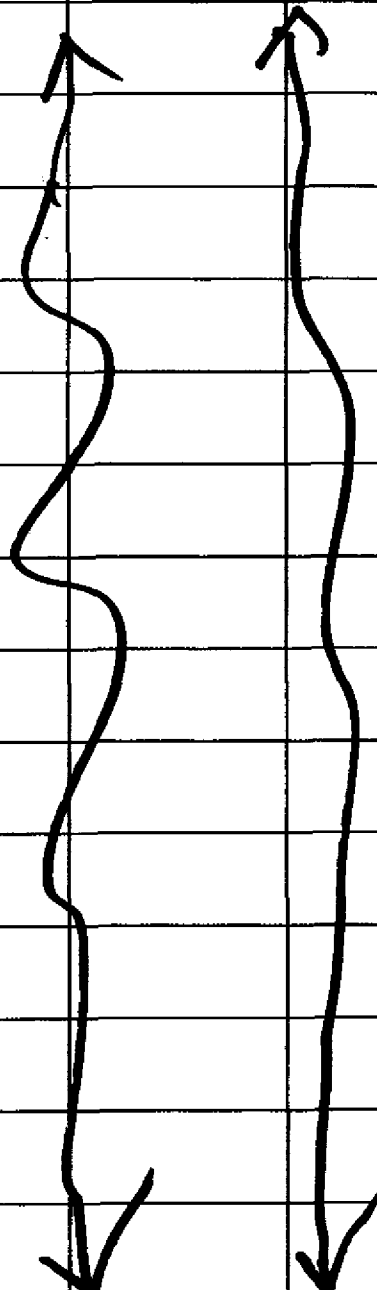
662	RMI Delivery Ticket 474953 - RMI000770	NOT USED	
663	RMI Delivery Ticket 474961 - RMI000771		
664	RMI Delivery Ticket 485001 - RMI000772		
665	RMI Delivery Ticket 484998 - RMI000773		
666	RMI Delivery Ticket 484979 - RMI000774		
667	RMI Delivery Ticket 484977 - RMI000775		
668	RMI Delivery Ticket 484959 - RMI000776		
669	RMI Delivery Ticket 484950 - RMI000777		
670	RMI Delivery Ticket 484942 - RMI000778		
671	RMI Delivery Ticket 484940 - RMI000779		
672	RMI Delivery Ticket 484935 - RMI000780		
673	RMI Delivery Ticket 484934 - RMI000781		
674	RMI Delivery Ticket 475215 - RMI000782		
675	RMI Delivery Ticket 475214 - RMI000783		
676	RMI Delivery Ticket 475213 - RMI000784		
677	RMI Delivery Ticket 475212 - RMI000785		
678	RMI Delivery Ticket 475210 - RMI000786		
679	RMI Delivery Ticket 475207 - RMI000787	NOT USED	

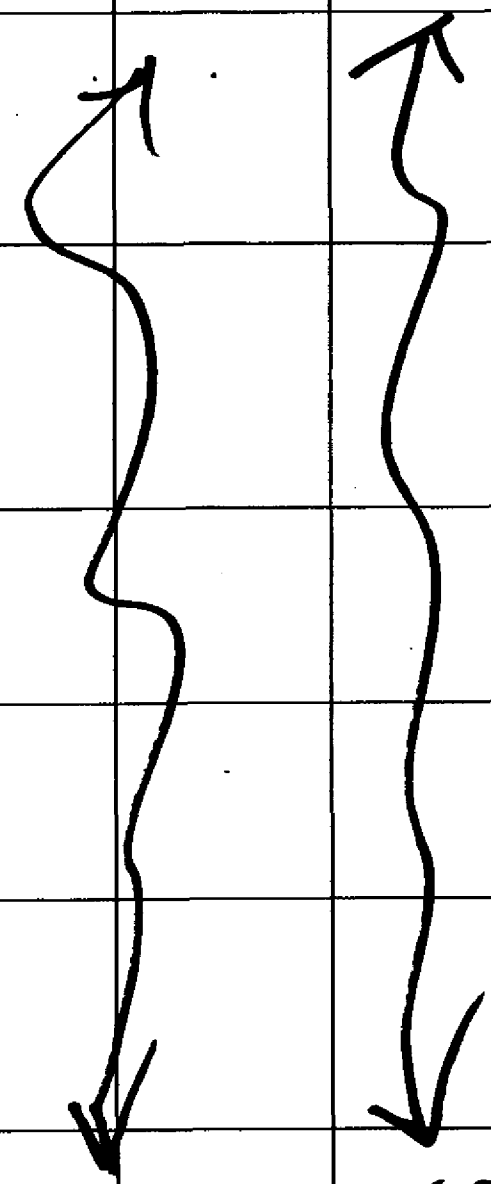
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682	RMI Delivery Ticket 475204 - RMI000790		
683	RMI Delivery Ticket 475203 - RMI000791		
684	RMI Delivery Ticket 475202 - RMI000792		
685	RMI Delivery Ticket 475201 - RMI000793		
686	RMI Delivery Ticket 475200 - RMI000794		
687	RMI Delivery Ticket 475199 - RMI000795		
688	RMI Delivery Ticket 475197 - RMI000796		
689	RMI Delivery Ticket 475195 - RMI000797		
690	RMI Delivery Ticket 475194 - RMI000798		
691	RMI Delivery Ticket 475190 - RMI000799		
692	RMI Delivery Ticket 475189 - RMI000800		
693	RMI Delivery Ticket 475188 - RMI000801		
694	RMI Delivery Ticket 475187 - RMI000802		
695	RMI Delivery Ticket 475186 - RMI000803		
696	RMI Delivery Ticket 475182 - RMI000804		
697	RMI Delivery Ticket 475181 - RMI000805	NOT USED	

698	RMI Delivery Ticket 475173 - RMI000806	NOT USED		
699	RMI Delivery Ticket 475170 - RMI000807			
700	RMI Delivery Ticket 475167 - RMI000808			
701	RMI Delivery Ticket 475166 - RMI000809			
702	RMI Delivery Ticket 475162 - RMI000810			
703	RMI Delivery Ticket 475160 - RMI000811			
704	RMI Delivery Ticket 475159 - RMI000812			
705	RMI Delivery Ticket 475158 - RMI000813			
706	RMI Delivery Ticket 475317 - RMI000814			
707	RMI Delivery Ticket 475316 - RMI000815			
708	RMI Delivery Ticket 475315 - RMI000816			
709	RMI Delivery Ticket 475314 - RMI000817			
710	RMI Delivery Ticket 475313 - RMI000818			
711	RMI Delivery Ticket 475312 - RMI000819			
712	RMI Delivery Ticket 475363 - RMI000820			
713	RMI Delivery Ticket 475358 - RMI000821			
714	RMI Delivery Ticket 475355 - RMI000822	NOT USED		
715	RMI Delivery Ticket 475354 - RMI000823			

716	RMI Delivery Ticket 475349 - RMI000824	NOT USED		
717	RMI Delivery Ticket 475348 - RMI000825			
718	RMI Delivery Ticket 475347 - RMI000826			
719	RMI Delivery Ticket 475345 - RMI000827			
720	RMI Delivery Ticket 475344 - RMI000828			
721	RMI Delivery Ticket 475341 - RMI000829			
722	RMI Delivery Ticket 475340 - RMI000830			
723	RMI Delivery Ticket 475338 - RMI000831			
724	RMI Delivery Ticket 475337 - RMI000832			
725	RMI Delivery Ticket 475336 - RMI000833			
726	RMI Delivery Ticket 475334 - RMI000834			
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728	RMI Delivery Ticket 475332 - RMI000836			
729	RMI Delivery Ticket 475331 - RMI000837			
730	RMI Delivery Ticket 475330 - RMI000838			
731	RMI Delivery Ticket 475327 - RMI000839			
732	RMI Delivery Ticket 475328 - RMI000840			
733	RMI Delivery Ticket 475326 - RMI000841	NOT USED		

734	RMI Delivery Ticket 475325 - RMI000842	NOT USED	
735	RMI Delivery Ticket 475323 - RMI000843		
736	RMI Delivery Ticket 475322 - RMI000844		
737	RMI Delivery Ticket 475321 - RMI000845		
738	RMI Delivery Ticket 475320 - RMI000846		
739	RMI Delivery Ticket 475319 - RMI000847		
740	RMI Delivery Ticket 475318 - RMI000848		
741	RMI Delivery Ticket 475783 - RMI000849		
742	RMI Delivery Ticket 475782 - RMI000850		
743	RMI Delivery Ticket 475781 - RMI000851		
744	RMI Delivery Ticket 475780 - RMI000852		
745	RMI Delivery Ticket 475779 - RMI000853		
746	RMI Delivery Ticket 475778 - RMI000854		
747	RMI Delivery Ticket 475776 - RMI000855		
748	RMI Delivery Ticket 475774 - RMI000856		
749	RMI Delivery Ticket 475773 - RMI000857		
750	RMI Delivery Ticket 475772 - RMI000858		
751	RMI Delivery Ticket 475771 - RMI000859	NOT USED	

752	RMI Delivery Ticket 475770 - RMI000860	NOT USED		
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754	RMI Delivery Ticket 475768 - RMI000862			
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756	RMI Delivery Ticket 475765 - RMI000864			
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762	RMI Delivery Ticket 475841 - RMI000870			
763	RMI Delivery Ticket 475840 - RMI000871			
764	RMI Delivery Ticket 475839 - RMI000872			
765	RMI Delivery Ticket 475838 - RMI000873			
766	RMI Delivery Ticket 475837 - RMI000874			
767	Otis Elevator, Ahern Rentals, Inquipco Certified Mail Receipts -RMI000875	NOT USED		

768	Thyssen Krupp elevator, Gemstone Development, Apco Construction Certified Mail Receipts - RMI000876	NOT USED			
769	Accuracy Glass & Mirror, Paramount Scaffold, Steel Structures Certified Mail Receipts - RMI000877				
770	Nevada Prefab Engineers, The Pressure Grout Company, Noorda Sheet Metal Certified Mail Receipts - RMI000878				
771	Apco Construction, Interstate Plumbing & Air, Carpet-N-More Certified Mail Receipts- RMI000879				
772	Viking Supply, Fast Glass, John Deere Landscapes Certified Mail Receipt - RMI000880				
773	Creative Home Theater, Graybar Electric, Camco Pacific Certified Mail Receipts - RMI000881				
774	Concrete Visions, Able Body Labor, Helix Electric Certified Mail Receipts - RMI000882	NOT USED			