



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

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Electronically Filed
Mar 07 2018 11:04 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Acting Court Division Administrator

March 7, 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
S.C. CASE: 75197
D.C. CASE: 08A571228 (LEAD CASE)

Dear Ms. Brown:

On February 21, 2018 our office submitted a Notice of Appeal packet for the above referenced case noting that the minutes from January 19, 2018 were not included. The minutes have now been completed and are enclosed. Please contact our office at (702) 671-0512 if you have any questions.

Sincerely,

STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann", written over a horizontal line.

Heather Ungermann, Deputy Clerk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court**COURT MINUTES****January 19, 2018**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

January 19, 2018**9:00 AM**

**Plaintiff's Motion to Stay Pending Entry of Final
Judgment Pursuant to NRCP 62(B) and 62 (H) on
Order Shortening Time**

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Elizabeth Vargas**RECORDER:** Jennifer Gerold

PARTIES PRESENT:	Lai, I-Che Mounter, Cody S.	Attorney for Counter Defendant Zitting Brothers Construction Inc. Attorney for Plaintiff Apco Construction
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JOURNAL ENTRIES

- Mr. Mounter stated the original motion was brought during a time when there were pending motions for reconsideration, and conceded the issue was moot, however the rule was still operative; further noted there were multiple parties and multiple claims, this was a large consolidation action Zitting was part of, requested a temporary stay pending the conclusion of trial, amongst all parties, with no bond; stated should the stay be granted, the bond would be in place to protect Zitting. Mr. Lai opposed the Motion; stated Zitting was trying to perfect the final judgment and once final judgment was entered can move forward with collection. Court noted there was no final judgment. Mr. Mounter stated it his position that there was no final judgment and did not believe collection efforts could start. Court reviewed Rule 62 and stated it believes Apco was seeking to stay execution on the judgment. Mr. Moutneer requested if the motion was denied, it be stated in the order that there was no final judgment at that time. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE to renewal once there has been entry of final judgment or certification. Court noted it did not consider the Findings of Fact, Conclusions of Law Granting Zitting Brothers Construction Inc.'s Motion for Partial Summary Judgment Against Apco entered on January 2, 2018 to be a judgment subject to execution. Court directed Mr. Moutneer to prepare the Order.