IN THE SUPREME COURT OF THE STATE OF NEVADA

APCO CONSTRUCTION, INC., A NEVADA CORPORATION, Appellant, vs. ZITTING BROTHERS CONSTRUCTION, INC., Respondent.	Case No.: 75197 Appeal from the Eighth Judicial District Court, the Honorable Mark Denton Presiding

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APPELLANT'S APPENDIX
(Volume 21, Bates Nos. 4727–4976)

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MAC:05161-019 3698575_1

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01/10/2018	APCO's 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	19	AA 4360–4372
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01/19/2018	Notice of Entry of Order Denying APCO's motion for reconsideration of Peel Brimley Order	19	AA 4469–4473
01/25/2018	Order Denying APCO Construction's Motion for Reconsideration of Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment	19	AA 4474–4475
01/29/2018	Memorandum in Support of APCO Construction, Inc.'s Payment of Attorney's Fees, Costs, and Interest to Zitting Brothers Construction, Inc.	19 20	AA 4476–4487 AA 4488–4689
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07/31/2018	Notice of Entry of Order	26	AA 6055–6063
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EXHIBIT A

ZITTING BROTHERS LEGAL FEES FOR MANHATTAN WEST

OUTLINE OF ITEMS NOT APPLICABLE TO APCO CONSTRUCTION CASE

Date	Attorney	Hours	Rate	Amount	Description
06/10/09	Cawley R	0.10	225.00	22.50	Review Sierra Reinforcing's Notice of Foreclosure of Mechanic's Lien
06/10/09	Cawley R	0.20	225.00	45.00	Review Notice to Lien Claimants to file and Serve Statements of Facts Constituting their Liens
06/16/09	Cawley R	0.20	225.00	45.00	Review statement of facts Constituting Lien claim by Executive Plastering
06/19/09	Cawley R	0.20	225.00	45.00	Phone call with counsel for Uintah Investments regarding protocol for filing statement of facts & efforts to consolidate all cases
06/22/09	Cawley R	0.20	225.00	45.00	Review progress of service of Complaint
06/26/09	Cawley R	0.40	225.00	90.00	Review creative home theatre's statement of facts constituting Lien claim and multiple exhibits
07/08/09	Cawley R	0.10	225.00	22.50	Review Camcos Pacific's Notice of Hearing regarding Motion to Dismiss the third party complaint of Dave Peterson Framing
07/08/09	Cawley R	0.20	225.00	45.00	Review correspondence and attachments from Sunstate Equipment regarding Zitting Brother's Notice of Foreclosure and prior settlement of Sunstate's lien claim
07/10/09	Cawley R	0.20	225.00	45.00	Review Ahern Rentals First Amended Statement of Fact Constituting Lien and Complaint in Intervention
07/22/09	Cawley R	0.10	225.00	22.50	Review Ahern Rental's Notice of Voluntary Dismissal of Heinaman Contracting and Neal Roffer.
07/24/09	Cawley R	0.10	225.00	22.50	Review Camco Pacific's Renotice of Hearing of Motion to Dismiss the Third-Party Complaint of Date Peterson Framing
07/24/09	Cawley R	0.10	225.00	22.50	Review Stipulation and Order to Dismiss of Hydro Pressure Cleaning's claim for Unjust Enrichment Against Nevada Construction Services
07/24/09	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Stipulation and Order to Dismiss of Hydro Pressure Cleaning's claim for Unjust Enrichment against Nevada Construction Services
07/24/09	Parker S	0.40	225.00	90.00	Review and analyze pleadings on file in preparation for attending hearing on Motion to Dismiss Third-Party Complaints
07/24/09	Cawley R	0.20	225.00	45.00	Review Camco Pacific's Statement of Facts & Complaint in Intervention
07/24/09	Cawley R	0.10	225.00	22.50	Review Scott Financials Answer to Patent Construction's Statement of Facts and Complaint in Intervention.
07/24/09	Cawley R	0.10	225.00	22.50	Review Ahern's Order for Service by Publication
07/24/09	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Ahern's Order Granting Service by Publication
07/29/09	Cawley R	0.30	225.00	67.50	Review client file materials to obtain information requested by counsel for Sunstate Construction
08/04/09	Cawley R	0.20	225.00	45.00	Review Las Vegas Pipeline's Three Day Notice of Intent to Take Default of Gemstone Development
08/13/09	Cawley R	0.20	225.00	45.00	Receive and send e-correspondence to and from counsel for Executive Plastering regarding service of Notice of Foreclosure
09/01/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Las Vegas Pipeline's Statement of Facts Constituting Lien and Complaint in intervention
09/01/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Granite Construction's Statement of Facts Constituting Lien Claims and Complaint in Intervention
09/02/09	Cawley R	0.10	225.00	22.50	Review correspondence from counsel for Gemstone regarding Gemstone's Answers to Interrogatories of Hasco
09/02/09	Cawley R	0.30	225.00	67.50	Review Gemstone's Answers to Harsco's First Set of Interrogatories
09/03/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Granite Construction's Statement of Facts Constituting Lien Claim and Complaint in Intervention
09/03/09	Cawley R	0.20	225.00	45.00	Review Gemstone Notice of Consolidation of New Cases
09/04/09	Cawley R	0.40	225.00	90.00	Review multiple Answers of APCO to various subcontractors Statement of Facts Constituting Lien
09/04/09	Cawley R	0.40	225.00	90.00	Review multiple Answers of Scott Financial to various subcontractors Statement of Facts Constituting Lien
09/10/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Hydropressure Cleaning's Statement of Facts Constituting Lien and Complaint in Intervention
09/10/09	Cawley R	0.10	225.00	22.50	Review Gemstone's answer to Masonry Group of Nevada's Statement of Facts Constituting Lien and Complaint in Intervention

Date	Attorney	Hours	Rate	Amount	Description
09/14/09	Cawley R	0.20	225.00	45.00	Review Gemstone's Answer to Camco Pacific's Statement of Facts Constituting Lien and Complaint in Intervention
09/14/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to WRG Design's Statement of Facts Constituting Lien and Complaint in Intervention
09/14/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Tri-City Drywall's Statement of Facts Constituting Lien and Complaint in Intervention
09/15/09	Cawley R	4.30	225.00	967.50	Draft Partial Motion to Dismiss Club Vistas Counterclaim
09/15/09	Ramirez J	0.60	225.00	135.00	Supplement & revise Motion to Dismiss to include additional factual allegations & legal arguments
09/17/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to HD Supply Waterworks Statement of Facts Constituting Lien and Complaint in Intervention
09/17/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Helix Electric's Amended Statement of Facts Constituting Lien and Complaint in Intervention
09/17/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Creative Home Theater's Statement of Facts Constituting Lien and Complaint in Intervention
09/17/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Granite Construction's Statement of Facts Constituting Lien and Complaint Intervention
09/18/09	Cawley R	0.30	225.00	67.50	Review Nevada Construction Services' Motion for Sanctions Against Camco Pacific Pursuant to NRCP 11 and numerous Exhibits
09/19/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendant's statement of lien and answer
09/19/09	Edwards MM	0.10	225.00	22.50	Analysis of Co-defendants notice of filing for bankruptcy
09/21/09	Cawley R	0.20	225.00	45.00	Telephone conference with counsel for Select Build Nevada regarding Notice of Bankruptcy Filing and Automatic Stay
09/21/09	Cawley R	0.30	225.00	67.50	Telephone conferences with counsel for Buchele Inc regarding Notice of Consolidation
09/21/09	Cawley R	0.40	225.00	90.00	Review and analyze Scot financials Motion to Dismiss Club Vista's Counterclaim
09/21/09	Cawley R	0.10	225.00	22.50	Review Buchele's Notice of Case Consolidation
09/22/09	Edwards MM	0.20	225.00	45.00	Notice of co-defendant's reply to counter claim.
09/22/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's motion for sanctions
09/22/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Accuracy Glass & Mirror's Statement of Facts Constituting Lien and Complaint in Intervention
09/22/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to the Masonry Group of Nevada's Statement of Facts Constituting Lien and Complaint in Intervention
09/25/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's motion regarding attachment and writ of garnishment.
09/26/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's statement of facts constituting lien
09/28/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Atlas Construction's Statement of Facts Constituting Lien and Complaint in Intervention
09/30/09	Cawley R	0.30	225.00	67.50	Review Camco Pacific's Motion for Reconsideration of Order Granting Executive Plastering's Application for Order to Show Cause and attached exhibits.
10/01/09	Cawley R	0.10	225.00	22.50	Review Dave Peterson Framing's Reply to Camco's Counterclaim
10/01/09	Cawley R	0.30	225.00	67.50	Review Gemstone's Notice of Consolidation with new case and supporting exhibits
10/01/09	Cawley R	0.10	225.00	22.50	Review Custom Select's Notice of Initial Appearance
10/01/09	Cawley R	0.10	225.00	22.50	Review Custom Select's Statement of Facts Constituting Lien and Complaint in Intervention
10/02/09	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding service of pleadings
10/02/09	Cawley R	0.10	225.00	22.50	Review Fast Glass Reply to Camco's Counterclaim
10/02/09	Cawley R	0.20	225.00	45.00	Review Camco's Opposition to Nevada Construction Services Motion for Sanctions
10/02/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Custom Select's Statement of Facts Constituting Lien and Complaint in Intervention
10/02/09	Cawley R	0.10	225.00	22.50	Review APCO's Answer to Buchele's Complaint for Damages and to Foreclosure of Mechanic's Lien
10/02/09	Cawley R	0.10	225.00	22.50	Review Select Build Nevada's Notice of Bankruptcy Filing and Automatic Stay
10/02/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Fast Glass's Statement of Facts Constituting Lien
10/02/09	Cawley R	0.10	225.00	22.50	Review Scott Financials Answer to Statement of Facts Constituting Lien of Buchele
10/02/09	Cawley R	0.10	225.00	22.50	Review Scott Financials Answer to the Masonry Group Nevada's Statement of Facts Constituting Lien and Complaint in Intervention
10/04/09	Edwards MM	0.20	225.00	45.00	Analysis and review of co-defendant's limited opposition to the motion to deem mater complex
10/05/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's opposition to the motion for sanctions
10/05/09	Cawley R	0.30	225.00	67.50	Review and analyze Club Vista's Opposition to Scott Financials Motion to Dismiss Counterclaim

Date	Attorney	Hours	Rate	Amount	Description
10/05/09	Cawley R	0.30	225.00	67.50	Review APCO's Motion to Associate Counsel Martin A Aronson and supporting documentation attached
10/05/09	Cawley R	0.10	225.00	22.50	Review Ferguson Fire & Fabrication Notice of Change of Firm Address
10/05/09	Cawley R	0.10	225.00	22.50	Review Nevada Construction Service' Answer to Camco's Statement of Facts and Complaint in Intervention
10/06/09	Cawley R	0.20	225.00	45.00	Review and analyze Scott Financials Reply in Support of Motion to Dismiss Club Vista's Counterclaim
10/06/09	Cawley R	0.10	225.00	22.50	Review Correspondence from counsel for Scott financial regarding Reply in Support of Motion to Dismiss Club Vista's Counterclaim
10/06/09	Cawley R	0.30	225.00	67.50	Review APCO Construction Limited Opposition to Scott Financials Motion to Designate the Case Complex and Set rule
10/07/09	Cawley R	0.10	225.00	22.50	Review Select Build Nevada's Notice of Change of Address
10/07/09	Cawley R	0.10	225.00	22.50	Review Camco's Answer to Las Vegas Pipeline's Statement of facts Constituting and Complaint in Intervention and Counterclaim
10/08/09	Cawley R	0.30	225.00	67.50	Telephone conference with counsel for Club Vista regarding negotiations for stipulation and order to dismiss conspiracy cause of action in lieu of opposing motion to dismiss
10/08/09	Cawley R	0.10	225.00	22.50	Review the Masonry Group Nevada's Answer to Club Vista's Counterclaim
10/08/09	Cawley R	0.10	225.00	22.50	Review Alex Edelstein's Answer to Ahern's First Amended Statement of Facts Constituting Lien and Complaint in Intervention
10/09/09	Cawley R	0.10	225.00	22.50	Review Masonry Group Nevada's Answer to Camco's Counterclaim
10/09/09	Cawley R	0.10	225.00	22.50	Review Masonry Group Nevada's Errata to Certificate of Mailing
10/09/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Executive Plastering's First Amended Complaint
10/10/09	Cawley R	0.20	225.00	45.00	Review & Respond to correspondence with client regarding new matter
10/13/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendant's joinder in the motion to dismiss
10/13/09	Cawley R	0.10	225.00	22.50	Analysis and review of co-defendant's motion to withdraw as counsel
10/13/09	Cawley R	0.20	225.00	45.00	Analysis of co-defendant's answer to counter claim
10/13/09	Cawley R	0.10	225.00	22.50	Analysis of co-defendant's motion to dismiss
10/13/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's reply in support of motion for sanctions
10/13/09	Cawley R	0.10	225.00	22.50	Review Amended Notice of Scott Financials Motion to Dismiss Counterclaim of Club Vista's
10/14/09	Cawley R	0.20	225.00	45.00	Review Nevada Construction Service' s reply in support of Motion for Sanctions and numerous supporting documentation
10/15/09	Edwards MM	0.20	225.00	45.00	Analysis of correspondence from co-defendant regarding representation
10/16/09	Cawley R	0.30	225.00	67.50	Multiple telephone conferences with counsel for Club Vista regarding stipulation and order to dismiss conspiracy cause of action against Zitting Brothers and Vacating hearing for the same
10/16/09	Cawley R	0.10	225.00	22.50	Review correspondence with attachments from counsel for club Vista regarding proposed stipulation and order to dismiss conspiracy cause of action against Zitting Brothers
10/16/09	Cawley R	0.20	225.00	45.00	Review and analyze proposed stipulation and order to dismiss Club Vista's conspiracy cause of action against Zitting Brothers
10/16/09	Cawley R	0.20	225.00	45.00	Telephone conference with law clerk for Department 25 regarding agreement among counsel to take hearing for motion to dismiss off calendar
10/16/09	Cawley R	0.10	225.00	22.50	Review Republic Crane's Answer to Club Vista's Counterclaim
10/16/09	Cawley R	0.10	225.00	22.50	Review Uintah Investments' Answer to Club Vista's Counterclaim
10/19/09	Cawley R	0.10	225.00	22.50	Review Professional Door and Millworks' Joinder to Scott Financials Motion to Dismiss Counterclaim of Club vista
10/19/09	Cawley R	0.10	225.00	22.50	Review Professional Door and Millworks' Joinder to Scott financials motion to Dismiss Counterclaim of Club Vista
10/19/09	Cawley R	0.10	225.00	22.50	Review Dave Peterson Framing's Joinder to Scott Financial's Motion to Dismiss Counterclaim of Club Vista
10/19/09	Cawley R	0.10	225.00	22.50	Motion to Dismiss Counterclaim on Club Vista
10/19/09	Cawley R	0.20	225.00	45.00	Review Republic Crane's Motion to Withdraw as Counsel & supporting documents
10/19/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's joinder in the motion to dismiss counter claim
10/21/09	Cawley R	0.10	225.00	22.50	Review correspondence from counsel for Gemstone regarding protocol for meeting among all counsel in preparation for Rule 16 conference with Court
10/21/09	Cawley R	0.30	225.00	67.50	Phone conference with counsel for Gemstone regarding protocol for meeting amount counsel in preparation for Rule 16 conference with Court
10/21/09	Cawley R	0.10	225.00	22.50	Review Noorda Sheet Metal's Joinder to Scott Financial's Motion to Dismiss Counterclaim of Club Vista
10/21/09	Cawley R	0.10	225.00	22.50	Review E&E Protection's Joinder to Scott Financial's Motion to Dismiss Counterclaim of Club Vista

Date	Attorney	Hours	Rate	Amount	Description
10/22/09	Cawley R	0.10	225.00	22.50	Review Fast Glass's Joinder to Scott Financial's Motion to Dismiss Counterclaim of Club Vista
10/26/09	Cawley R	2.30	225.00	517.50	Attend hearing on Scott Financial's Motion to Dismiss Club Vista's Counter-Claim & related matters
11/02/09	Cawley R	0.20	225.00	45.00	Phone conference with counsel for OZ Architecture regarding service of Reply to Club Vista's Counterclaim
11/02/09	Cawley R	0.20	225.00	45.00	Review correspondence from counsel for Scott Financial confirming protocol for conference for counsel in preparation for Rule 16 Conference
11/02/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendant's answer and counter claim
11/02/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendant's reply to counter claim
11/02/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants motion to associate counsel
11/02/09	Edwards MM	0.20	225.00	45.00	Analysis of opposition to co-defendant's motion to dismiss
11/02/09	Edwards MM	0.40	225.00	90.00	Analysis of co-defendants replies to co-defendants counter claim
11/02/09	Edwards MM	0.20	225.00	45.00	Analysis of plaintiffs response to motion to deem matter complex
11/03/09	Cawley R	0.30	225.00	67.50	Phone Conference with counsel for Cell-Crete Fireproofing regarding service of Answer to Club Vista's Counterclaim
11/03/09	Cawley R	0.20	225.00	45.00	Phone Conference with counsel for Las Vegas Pipeline regarding service of Answer to Club Vista's Counterclaim
11/03/09	Cawley R	0.30	225.00	67.50	Phone Conference with counsel for Granite Construction regarding service of Reply to Club Vista's Counterclaim
11/03/09	Cawley R	0.40	225.00	90.00	Prepare for conference with all counsel in preparation for Rule 16 Conference
11/04/09	Cawley R	0.20	225.00	45.00	Phone Conference with counsel for John Deere Landscape regarding service of Reply to Club Vista's Counterclaim
11/05/09	Edwards MM	0.10	225.00	22.50	Analysis, review and amend client answer to the third party complaint
11/09/09	Cawley R	0.20	225.00	45.00	Review Motion to Withdraw as Counsel filed by counsel for Cabinetec
11/09/09	Cawley R	0.10	225.00	22.50	Review Cabinetec's Reply to Club Vista's Counterclaim
11/09/09	Cawley R	0.10	225.00	22.50	Phone conference with counsel for Cabinetec regarding service of Reply to Club Vista's Counterclaim
11/09/09	Cawley R	0.10	225.00	22.50	Review Motion to Withdraw as Counsel filed by attorneys for Cabinetec
11/09/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Uintah Investments' Complaint Review Scott Financial's Answer to Hydropressure Cleaning's Statement of Facts Constituting Lien & Complaint in Intervention
11/10/09	Cawley R	0.10	225.00	22.50	Phone conference with counsel for Scott Financial regarding service of Answer to Hydropressure Cleaning's Statement of Facts Constituting Lien & Complaint in Intervention
11/10/09	Cawley R	0.10	225.00	22.50	Review Scott Financial's Answer to Custom Select Billing's Statement of Facts Constituting Lien & Complaint in Intervention
11/11/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Buchele's Complaint for damages and to foreclose mechanic's lien
11/11/09	Cawley R	0.30	225.00	67.50	Review multiple correspondence from counsel for Scott Financial regarding Order granting Motion to Dismiss Club Vista's Counter Claim
11/11/09	Cawley R	0.10	225.00	22.50	Review order granting motion to dismiss Club Vista's counter claim
11/11/09	Cawley R	0.10	225.00	22.50	Review order setting Rule 16 Conference, Designated the case complex, and continuing hearing on Scott Financials Motion to Diss Club Vista's Counterclaim
11/11/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to Ready Mix, Inc's Statement of Facts Constituting Complaint & Foreclosure of Mechanic's Lien
11/13/09	Cawley R	0.20	225.00	45.00	Review Ferguson Fire's Notice of Entry of Order dismissing claims against Camco & attached documents
11/13/09	Cawley R	0.20	225.00	45.00	Review Atlas Constructions Amended Notice of Lien & supporting documents
11/13/09	Cawley R	0.30	225.00	67.50	Review Atlas Construction's Initial NRCP 16.1 Disclosure
11/17/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants motion with withdrawal as counsel
11/17/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants reply to counter claim
11/17/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants dismissal
11/17/09	Edwards MM	0.20	225.00	45.00	Analysis of correspondence from co-defendant with proposed case management order
11/18/09	Cawley R	0.30	225.00	67.50	Review detailed correspondence from counsel for Scott Financial regarding dispute with counsel for Club Vista pertaining to Proposed Order Granting Scott Financials Motion to Dismiss Club Vista's Counterclaim
11/18/09	Cawley R	0.10	225.00	22.50	Review Order Granting Camco's Renewed Motion for Clarification & Reconsideration & Vacating Executive Plastering's Pre-Judgment Writ of Attachment

Date	Attorney	Hours	Rate	Amount	Description
11/18/09	Cawley R	0.10	225.00	22.50	Review Notice of Entry Granting Camco's Renewed Motion for Clarification & Reconsideration & Vacating Executive Plastering's Pre-Judgment Writ of Attachment
11/18/09	Cawley R	0.30	225.00	67.50	Scott Financial's Motion to Dismiss Club Vista's Counterclaim Review Order Granting Camco's Renewed Motion for Clarification & Reconsideration & Vacating Executive Plastering's Pre-Judgement Writ of Attachment
11/18/09	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Order Granting Camco's Renewed Motion for Clarification & Reconsideration & Vacating Executive Plastering's Pre-Judgement Writ of Attachment
11/18/09	Cawley R	0.10	225.00	22.50	Review Nevada Prefab's Reply to Camco's Counterclaim
11/18/09	Cawley R	0.10	225.00	22.50	Review Stipulation & Order for Dismissal of Steel Structures Complaint against Camco
11/18/09	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Stipulation & Order for Dismissal of Steel Structures Complaint against Camco
11/24/09	Cawley R	0.10	225.00	22.50	Review Gemstone's Answer to PCI Group's Complaint
11/25/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants answer to plaintiff's complaint
12/01/09	Edwards MM	0.30	225.00	67.50	Analysis & review of co-defendants initial production of job file documents & list of witnesses
12/02/09	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants answer to the third party complaint
12/03/09	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants answer to the third party complaint
12/04/09	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from defendant regarding interpleading bond
12/08/09	Edwards MM	0.20	225.00	45.00	Analysis of file & supplement status letter to client
12/08/09	Edwards MM	0.20	225.00	45.00	DOUBLE BILLED Analysis of file. Supplement status letter to client
12/09/09	Edwards MM	0.20	225.00	45.00	Analysis of correspondence from client's insurer regarding tender of defense
12/10/09	Edwards MM	0.20	225.00	45.00	DOUBLE BILLED Review & respond to correspondence with client regarding tender of defense, underlying facts & plans for immediate handling.
12/11/09	Cawley R	0.30	225.00	67.50	Phone conference with counsel for Cathay Bank regarding Acceptance of Service, filing Answer, & sale of Mantova units to new owner.
12/18/09	Cawley R	0.10	225.00	22.50	Review order granting motion to withdraw as counsel filed by counsel for Republic Crane
12/18/09	Cawley R	0.10	225.00	22.50	Review Substitution of Counsel for APCO Construction
12/28/09	Cawley R	0.10	225.00	22.50	Review Uintah Investments' Substitution of Attorney's Review Motion to Withdraw on Order Shortening Time & Attachments filed by counsel Executive Plastering
12/31/09	Edwards MM	0.10	224.00	22.50	Analysis of correspondence from defendant regarding motion to withdraw
01/04/10	Cawley R	0.10	225.00	22.50	Review order granting motion to withdraw as counsel filed by counsel for Cabinetec
01/04/10	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Order Granting Motion to Withdraw as Counsel filed by counsel for Cabinetec
01/06/10	Cawley R	0.20	225.00	45.00	Analysis of correspondence from defendant regarding filing of bankruptcy
01/07/10	Cawley R	0.10	225.00	22.50	Review correspondence from counsel for Executive Plastering regarding notice of suggestion of bankruptcy
01/07/10	Cawley R	0.10	225.00	22.50	Review Executive Plastering's notice of suggestion of bankruptcy
01/11/10	Cawley R	0.20	225.00	45.00	Telephone conference with counsel for Scott Financial regarding file the Case Management Order
01/11/10	Cawley R	0.20	225.00	45.00	Analysis of co-defendants answer to counter claim
01/12/10	Edwards MM	0.10	225.00	22.50	Analysis of Co-defendants notice of filing bankruptcy
01/28/10	Cawley R	0.10	225.00	22.50	Review General Supply & Services Second Notice of Compliance
02/08/10	Cawley R	0.10	225.00	22.50	Review the Pressure Grout Company's Substitution of Attorney
02/15/10	Cawley R	0.10	225.00	22.50	Review Stipulation & Order Dismissing Hydropressure Cleaning's Claims against Nevada Construction Services
02/16/10	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding status of case & substitution of attorney
02/16/10	Edwards MM	0.10	225.00	22.50	Analysis of stipulation for dismissal for co-defendant
02/19/10	Edwards MM	0.40	225.00	90.00	Analysis of co-defendants written discovery to developer
02/19/10	Edwards MM	0.20	225.00	45.00	Analysis of correspondence from co-defendant regarding proposed written discovery to developer
02/23/10	Cawley R	0.30	225.00	67.50	Review Custom Select Billing's First Set of Interrogatories to Gemstone
02/23/10	Cawley R	0.20	225.00	45.00	Review Custom Select Billing's First Set of Request for Production to Gemstone
03/01/10	Edwards MM	0.30	225.00	67.50	Analysis & review of co-defendants written discovery to developer
03/01/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants suggestion of bankruptcy
03/01/10	Edwards MM	0.10	225.00	22.50	Analysis & review of co-defendants initial production of job file documents
03/04/10	Edwards MM	0.30	225.00	67.50	Analysis of co-defendant's multiple written discovery to plaintiff

Date	Attorney	Hours	Rate	Amount	Description
03/04/10	Edwards MM	0.20	225.00	45.00	Analysis of Plaintiff's written discovery to co-defendant
03/04/10	Cawley R	0.10	225.00	22.50	Review Atlas Construction's Certificate of Service of Notice of Motion for Partial Summary Judgement of Atlas Construction's Complaint Against Gemstone Development
03/05/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants written discovery to plaintiff
03/05/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants motion for partial summary judgement against Gemstone
03/09/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants responses to multiple written interrogatories
03/09/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants substitution of attorney
03/09/10	Edwards MM	0.40	225.00	90.00	Analysis of co-defendants voluminous responses to requests for production of documents
03/09/10	Cawley R	0.10	225.00	22.50	Review Ahern's Notice of Hearing on Motion for Partial Summary Judgment
03/09/10	Cawley R	0.10	225.00	22.50	Review Executive Plastering's Suggestion of Bankruptcy
03/09/10	Cawley R	0.10	225.00	22.50	Review APCO Construction's Three Day Notice of Intent to Default HA Fabricators
03/11/10	Edwards MM	0.20	225.00	45.00	Analysis of plaintiffs written discovery to co-defendants
03/12/10	Edwards MM	0.20	225.00	45.00	Analysis of plaintiffs written discovery to co-defendants
03/19/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants opposition to the motion to compel settlement
03/22/10	Cawley R	0.10	225.00	22.50	Review Scott Financial's Third-Errata to Order to Show Cause
03/23/10	Cawley R	0.60	225.00	135.00	Draft Joinder to Scott Financial's Opposition to Atlas Supply's Motion for Partial Summary Judgement
03/23/10	Cawley R	0.30	225.00	67.50	Review client file materials to obtain information needed for Joinder to Scott Financial's Opposition to Atlas Supply's Motion for Partial Summary Judgment
03/23/10	Cawley R	0.20	225.00	45.00	Review & analyze Scott Financial's Opposition to Atlas Supply's Motion for Partial Summary Judgment
03/25/10	Cawley R	0.10	225.00	22.50	Review Ahern's Reply in Support of Motion for Partial Summary Judgment
03/25/10	Cawley R	0.60	225.00	135.00	Review, analyze & formulate strategy for addressing issues of whether a legal basis exists to assert formal claims against Camco Pacific
03/26/10	Edwards MM	0.20	225.00	45.00	Analysis of plaintiffs responses to co-defendants written discovery
03/26/10	Cawley R	0.90	225.00	202.50	Review client file materials to obtain information needed for written discovery to Camco Pacific
03/26/10	Cawley R	1.20	225.00	270.00	Draft Requests for Production to Camco Pacific
03/29/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants opposition to the motion for partial summary judgment
03/29/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants supplemental notice of order to show cause
03/29/10	Edwards MM	0.20	225.00	45.00	Analysis & review of plaintiffs responses to co-defendants request for production of documents
03/29/10	Cawley R	1.40	225.00	315.00	Draft Requests for Admissions to Camco Pacific
03/30/10	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding change of representation
03/30/10	Edwards MM	0.30	225.00	67.50	Analysis of co-defendants response to written discovery & production of documents
03/30/10	Cawley R	1.40	225.00	315.00	Draft Interrogatories to Camco Pacific
03/30/10	Cawley R	0.10	225.00	22.50	Review APCO Construction's Default Against HA Fabricators
04/01/10	Cawley R	0.20	225.00	45.00	Revise & supplement Interrogatories to Camco
04/01/10	Cawley R	0.20	225.00	45.00	Revise & supplement Requests for Production to Camco
04/01/10	Cawley R	0.30	225.00	67.50	Revise & supplement Requests for Admissions to Camco
04/01/10	Cawley R	0.20	225.00	45.00	Phone conferences with client regarding to written discovery
04/01/10	Cawley R	0.30	225.00	67.50	Review Atlas Construction's Reply in Support of Motion for Partial Summary Judgment
04/02/10	Cawley R	0.30	225.00	67.50	Prepare for hearing on Atlas Construction's Motion for Partial Summary Judgment
04/03/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants response to written discovery
04/05/10	Cawley R	2.10	225.00	472.50	Attended hearing on Atlas Construction's Motion for Partial Summary Judgment
04/09/10	Edwards MM	0.30	225.00	67.50	Analysis & review of multiple co-defendants responses to written discovery & production of documents
04/12/10	Edwards MM	0.70	225.00	157.50	Analysis of multiple co-defendants extensive production of documents & witnesses
04/12/10	Cawley R	0.10	225.00	22.50	Review Camco Pacific's First Supplemental 16.1 Disclosure
04/12/10	Cawley R	0.30	225.00	67.50	Review Camco Pacific's Answers to Lender's Standard Interrogatories
04/13/10	Cawley R	2.60	225.00	585.00	Attend hearing Atlas Construction's Partial Motion for Summary Judgment & Scott Financial's Order to Show Cause as to Non-Appearing Lien Claimants
04/13/10	Edwards MM	0.40	225.00	90.00	Analysis of co-defendants answers to written discovery & production of documents
04/14/10	Cawley R	0.10	225.00	22.50	Review Camco Pacific's Notice to All Parties regarding electronic service

Date	Attorney	Hours	Rate	Amount	Description
04/14/10	Cawley R	0.20	225.00	45.00	Phone conference with counsel for Camco Pacific regarding service of Zitting Brothers' written discovery to Camco Pacific
04/14/10	Cawley R	0.10	225.00	22.50	Send & receive e-correspondence with attachments to & from counsel for Camco Pacific regarding Zitting Brothers' written discovery to Camco Pacific
04/15/10	Edwards MM	0.60	225.00	135.00	Analysis & review of multiple co-defendants responses to interrogatories & supplemental production of voluminous job file documents
04/16/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants answer to counter claim
04/16/10	Cawley R	0.10	225.00	22.50	Review Camco Pacific's Notice to All Parties
04/16/10	Cawley R	0.10	225.00	22.50	Review Scott Financials Production of Documents Pursuant to Case Management Order
04/19/10	Edwards MM	0.30	225.00	67.50	Analysis & review of co-defendants motion for summary judgement against Gemstone
04/19/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants answer to plaintiffs written discovery
04/19/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants answer to counter claim
04/20/10	Cawley R	0.10	225.00	22.50	Review Stipulation & Order Regarding Order to Show Cause & Cactus Rose
04/20/10	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Stipulation & Order Regarding Order to Show Cause & Cactus Rose
04/21/10	Cawley R	0.10	225.00	22.50	Review stipulation and order regarding order to show cause and interstate plumbing
04/21/10	Cawley R	0.10	225.00	22.50	Review notice of entry of order regarding order to show cause and interstate plumbing
04/21/10	Cawley R	0.10	225.00	22.50	Review Camco Pacific's Notice of Intent to Default Multiple Parties
04/22/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants stipulation regarding expunged lien
04/22/10	Cawley R	0.10	225.00	22.50	Review APCO Construction's Default Against HA Fabricators
04/23/10	Edwards MM	0.20	225.00	45.00	Analysis of correspondence from co-defendant regarding production of documents supporting lien
04/26/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants initial disclosure of witnesses & documents
04/26/10	Edwards MM	0.40	225.00	90.00	Analysis of co-defendants multiple answers to written discovery
04/26/10	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from plaintiff regarding service of written discovery
04/26/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants answer to complaint
04/28/10	Edwards MM	0.30	225.00	67.50	Analysis & review of multiple co-defendants written discovery to lien claimants
04/29/10	Edwards MM	0.30	225.00	67.50	Analysis of co-defendants supplemental production of job file documents
04/29/10	Edwards MM	0.20	224.00	45.00	Analysis of co-defendants answer to the third party complaint
04/29/10	Edwards MM	0.30	225.00	67.50	Analysis of co-defendants cross claim to the third party complaint
05/02/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants notice of dismissal
05/06/10	Cawley R	0.30	225.00	67.50	Review & analyze Findings of Fact & Conclusions of Law, & Partial Summary Judgment in Favor of Atlas Construction & Against Gemstone Development
05/06/10	Cawley R	0.10	225.00	22.50	Review & analyze Notice of Entry of Findings of Fact & Conclusions of Law, & Partial Summary Judgement in Favor of Atlas Construction & Against Gemstone Development
05/12/10	Cawley R	0.40	225.00	90.00	Cursory review of numerous Minions for Summary Judgment Against Gemstone filed by other parties
05/13/10	Cawley R	0.20	225.00	45.00	Review Harco's Ex Parte Motion for Order Shortening Time on Motion for Partial Summary Judgment
05/13/10	Cawley R	0.60	225.00	135.00	Cursory of review of Scott Financials numerous Oppositions to Motions for Summary Judgment Against Gemstone
05/14/10	Cawley R	0.30	225.00	67.50	Prepare for hearing with Court regarding numerous motions for summary judgment filed by lien claimants
05/14/10	Cawley R	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding default against HA Fabricators
05/21/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants motion for summary judgment against developer
05/21/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants production of documents constituting lien
05/29/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants motion for summary judgment against developer
06/04/10	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding setting of depositions
06/04/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants motion for good faith settlement
06/04/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants supplemental production of documents
06/05/10	Edwards MM	0.20	225.00	45.00	Analysis of court order striking Gemstones answer & cross claim
06/11/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants production of documents regarding lien claim
06/16/10	Cawley R	0.20	225.00	45.00	Draft correspondence to client regarding Scott Financials opposition to lien claimants motions for summary judgment
06/21/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants application for default judgment against Gemstone
06/21/10	Edwards MM	0.30	225.00	67.50	Analysis of co-defendants motion for summary judgment against Gemstone
06/21/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants motion for good faith settlement

Date	Attorney	Hours	Rate	Amount	Description
06/23/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants motion for good faith settlement
07/01/10	Cawley R	0.30	225.00	67.50	Review Club Vista's Response to Scott Financials Motion for Partial Summary Judgment
07/01/10	Cawley R	0.40	225.00	90.00	Review Scott Financials Motion for Partial Summary Judgment as to Priority of Liens
07/02/10	Edwards MM	0.20	225.00	45.00	Analysis of various co-defendants motions regarding lien
07/02/10	Edwards MM	0.10	225.00	22.50	Analysis of codefendants opposition to the motion for partial summary judgment on lien property
07/07/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants reply in support of the motion for summary judgment
07/07/10	Cawley R	0.10	225.00	22.50	Review APCO's & Scott Financials Joint Motion for Continuation of Hearing on Motions for Summary Judgment
07/07/10	Cawley R	0.10	225.00	22.50	Review Findings of Fact & Conclusions of Law Granting & Denying in Party Arch Aluminum's Motion for Partial Summary Judgement
07/07/10	Cawley R	0.10	225.00	22.50	Review Notice of Entry of Findings of Fact & Conclusions of Law Granting & Denying in Party Arch Aluminum's Motion for Partial Summary Judgment
07/13/10	Edwards MM	0.10	225.00	22.50	Analysis of additional joinders in the motion for summary judgment regarding priority of liens
07/20/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants joinder in the Motion for Summary Judgment on lien priority
07/21/10	Edwards MM	0.10	225.00	22.50	Analysis of correspondence from co-defendant regarding dismissals
07/24/10	Edwards MM	0.10	225.00	22.50	Analysis of plaintiffs interventions notice of default
07/30/10	Edwards MM	0.20	225.00	45.00	Analysis of co-defendants response to written discovery & production of documents
07/31/10	Edwards MM	0.20	225.00	45.00	Analysis & review of co-defendants answers to counter claims & supplemental responses to requests for production of documents
07/31/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants motion for summary judgment against Gemstone
08/04/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants notice of default against Gemstone
08/13/10	Edwards MM	0.10	225.00	22.50	Analysis of court order on co-defendants motion for good faith settlement
09/04/10	Edwards MM	0.20	225.00	45.00	Analysis of multiple defendants responses to written discovery
09/05/10	Edwards MM	0.20	225.00	45.00	Analysis & review of plaintiffs production of documents regarding claimed damages
09/10/10	Cawley R	0.30	225.00	67.50	Phone conferences with counsel for Theraldson regarding issues pertaining to subcontractors purchasing condo units from Gemstone
09/28/10	Edwards MM	0.10	225.00	22.50	Analysis of court order regarding co-defendant representation
09/28/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants supplemental disclosure of documents
09/28/10	Edwards MM	0.10	225.00	22.50	Analysis of co-defendants responses to written discovery
11/21/10	Cawley R	0.70	225.00	157.50	Review client file materials to obtain information needed for proposed Findings of Fact, Conclusion of Law & Order Granting Zitting Brothers' Motion for Summary Judgment Against Gemstone
11/21/10	Cawley R	2.10	225.00	472.50	Draft proposed Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers Motion for Summary Judgment Against Gemstone
11/21/11	Cawley R	0.70	225.00	157.50	Review client file materials to obtain information needed for proposed findings of fact, conclusions of law, & order granting Zitting Brothers Motion for summary Judgement against Gemstone
11/21/11	Cawley R	2.10	225.00	472.50	Draft proposed findings of fact, conclusions of law, and order granting Zitting Brothers Motion for Summary Judgment against Gemstone
01/12/12	Cawley R	0.20	225.00	45.00	Review & analyze Insulpro's Opposition to Scott Financials Motion for Reconsideration
07/23/12	Ramirez J	0.10	225.00	22.50	Analyze correspondence from Developers counsel regarding complaint filed by WGH Acquisitions
01/16/13	Cawley R	2.80	225.00	630.00	Attend continued hearing on lien claimants motion to approve revised purchase & sale agreement and other relevant items.
03/01/13	Cawley R	4.30	225.00	967.50	Attend portion of evidentiary hearing regarding commission to be paid to broker for Manhattan West Sale
03/07/13	Cawley R	4.40	225.00	990.00	Attend portion of continued evidentiary hearing on commission of broker for sale of Manhattan West
04/04/13	Cawley R	0.30	225.00	67.50	Review & analyze Courts decision on evidentiary hearing as to commission of real estate broker
05/18/16	Ramirez J	0.10	225.00	22.50	Analyze Las Vegas Pipeline's Counsel Motion to withdraw
05/18/16	Ramirez J	0.10	225.00	22.50	Analyze Application for Order Shortening Time RE: Motion to Withdraw
05/18/16	Ramirez J	0.80	225.00	180.00	Analyze Insulpro Projects renewed motion for partial summary judgment to determine if joinder is required

Date	Attorney	Hours	Rate	Amount	Description
05/20/16	I-Che L	0.20	225.00	45.00	Review & evaluate Smith & Shapiro, PLLC's application for order shortening time on motion to withdraw and the underlying motion
05/23/16	Ramirez J	0.10	225.00	22.50	Analyze Notice of Entry of Order granting Movant's Application for Order Shortening Time on Its Motion to withdraw
05/24/16	I-Che L	0.20	225.00	45.00	Review order granting Smith & Shapiro PLLC's application for order shortening time and setting June 2, 2016 status check and analyze preparation needed for status check
05/31/16	I-Che L	0.30	225.00	67.50	Analyze Peel Brimley Lien Claimants' & Insulpro Project's limited oppositions to APCO Construction's motion to appoint special master for need & grounds for a response
05/31/16	I-Che L	0.20	225.00	45.00	Draft joinder to Peel Brimley Claimants' limited opposition to motion to appoint special master
05/31/16	I-Che L	0.20	225.00	45.00	Draft joinder to Insulpro Projects, Inc.'s renewed motion for partial summary judgment
06/01/16	I-Che L	0.80	225.00	180.00	Analyze Steel Structures, Inc. & Nevada Prefab Engineers, Inc. joinder to Peel Brimley Lien Claimants' limited opposition to appoint special master & APCO Construction's reply in support of appointment for need to respond to their filings.
06/02/16	I-Che L	0.10	225.00	22.50	Review & evaluate June 2, 2016 order regarding Smith & Shapiro LLC motion to withdraw
06/02/16	Ramirez J	0.10	225.00	22.50	Analyze Steel Structures' Joinder to Peel Brimley's Limited Opposition to APCO's Motion to Appoint Special Master
06/03/16	I-Che L	0.20	225.00	45.00	Analyze Scott Financial Corp's limited opposition to Insulpro's renewed motion for partial summary judgment for need for further response.
06/06/16	Ramirez J	0.80	225.00	180.00	Analyze APCO opposition to renewed Motion for Partial Summary Judgment & Joinder thereto: and countermotion to dismiss and/or for summary judgment against Insulpro
06/06/16	Ramirez J	0.50	225.00	112.50	Analyze CAMCO's opposition to Insulpro's renewed motion for partial summary judgment
06/15/16	Ramirez J	0.80	225.00	180.00	Analyze Reply in Support of Renewed Motion for Partial Summary Judgement RE: Camco Opposition
06/15/16	Ramirez J	1.20	225.00	270.00	Analyze Reply in Support of Renewed Motion for Partial Summary Judgement RE: APCO Opposition
06/18/16	I-Che L	1.00	225.00	225.00	Review & analyze Insulpro's reply to oppositions to motion for partial summary judgment by APCO & Camco to prepare for hearing on motion
06/20/16	I-Che L	1.20	225.00	270.00	Attend hearing on Insulpro's motion for summary judgment
06/27/17	I-Che L	0.10	225.00	22.50	Review & evaluate APCO's June 23, 2016 letter attaching and discussing proposed order denying Insulpro's motion for summary judgment
08/31/16	Ramirez J	1.00	225.00	225.00	Analyze Fast Glass, Inc's initial disclosures Pursuant to NRCP 16.1
09/01/16	Ramirez J	2.00	225.00	450.00	Review & analyze Camco's 16.1 Disclosure
09/01/16	Ramirez J	0.10	225.00	22.50	Review & analyze Insulpro Project's Sixth Notice of Compliance
09/01/16	Ramirez J	0.50	225.00	112.50	Review & analyze Uintah Investments' Initial Disclosures Pursuant to NRCP 16.1
09/01/16	Ramirez J	0.50	225.00	112.50	Review & analyze SWPPP Compliance Solutions' Initial Disclosures
09/01/16	Ramirez J	0.10	225.00	22.50	Review & analyze Interstate Plumbing's Initial Disclosures
09/01/16	Ramirez J	0.50	225.00	112.50	Review & analyze Accuracy Glass & Mirror Company's Initial Disclosures
09/01/16	Ramirez J	0.10	225.00	22.50	Review & analyze Notice of Appearance of Counsel for Plaintiff Uintah Investments
09/02/16	Ramirez J	0.50	225.00	112.50	Review & analyze Buchele, Inc's Initial Disclosures
09/02/16	Ramirez J	1.00	225.00	225.00	Review & analyze Cactus Rose Construction's Initial Disclosures
09/02/16	Ramirez J	1.00	225.00	225.00	Review & analyze Helix Electric's Initial Disclosures
09/02/16	Ramirez J	1.00	225.00	225.00	Review & analyze Heinaman Contract Glazing's Initial Disclosures
09/02/16	Ramirez J	0.10	225.00	22.50	Review & analyze Cardno WRG's Initial Disclosures
09/14/16	Maile	0.10	125.00	12.50	Reviewed & responded to email correspondence from Steve Morris, attorney for Defendant/Counterclaimant Camco RE: 16.1 disclosure documents
09/20/16	Maile	1.40	125.00	175.00	Review & analyzed documents produced by Camco & provided same to I. Lai for Special Master's questionnaire response
09/20/16	Ramirez J	4.00	225.00	900.00	Analyze other parties disclosures to identify documents to prepare for upcoming conference with client
09/20/16	Ramirez J	2.50	225.00	562.50	Attend conference with client to go over other parties disclosures
09/21/16	I-Che L	2.00	225.00	450.00	Review the parties initial disclosures and evaluates answers to the Special Master's questionnaire
09/22/16	Ramirez J	0.90	225.00	202.50	Analyze multiple (x16) responses to Special Master Questionnaires from various parties

Date	Attorney	Hours	Rate	Amount	Description
09/22/16	Ramirez J	0.10	225.00	22.50	Analyze Noorda Sheet Metal's Notice of Compliance
09/22/16	Maile	0.20	125.00	25.00	Revised Zitting Brothers' response to Special Master's questionnaire & provided same to attorney for review
09/23/16	Ramirez J	0.10	225.00	22.50	Review & analyze National Wood Products Response to Special Master Questionnaire
09/30/16	Ramirez J	1.00	225.00	225.00	Analyze request for leave to Special Master for approval of late filing and service of Rule 16.1 disclosures by National Wood, Judgment Creditor of Claimant, Cabinetec
10/03/16	Ramirez J	0.10	225.00	22.50	Review and analyze Special master Order Authorizing National Wood to file and serve disclosure
10/05/16	Ramirez J	1.00	225.00	225.00	Analyze Plaintiff Intervention National Wood Products Initial Disclosures
10/06/16	Ramirez J	0.10	225.00	22.50	Analyze United Subcontractors Motion to Approve and Accept as timely incorrectly filed and served NRCP 16.1 disclosures and Special Master Questionnaire.
10/13/16	Ramirez J	0.10	225.00	22.50	Review & analyze United Subcontractor's Re-Filed Supplemented & Consolidated Disclosure
10/10/16	Ramirez J	0.10	225.00	22.50	Analyze correspondence from Tri-City Drywall's counsel regarding motion to approve & accept late filing
10/17/16	Ramirez J	0.10	225.00	22.50	Analyze Special Master's Approval for Tri-City Drywall to serve questionnaire late
12/07/16	I-Che L	0.40	225.00	90.00	Review & evaluate other plaintiffs requests to file late initial disclosures and responses to Special Masters Questionnaire and Special Masters order approving late filings and setting case agenda
12/15/16	Ramirez J	0.20	225.00	45.00	Analyze APCO's First Set of Requests for Production of Documents and Things to various co-plaintiffs (x4)
12/15/16	Ramirez J	0.20	225.00	45.00	Analyze APCO's first Set of Interrogatories to Helix Electric
12/23/16	Ramirez J	0.10	225.00	22.50	Analyze Insulpro Projects Second Set of Interrogatories to Camco
12/23/16	Ramirez J	0.10	225.00	22.50	Analyze Insulpro Projects Second Set of Request for Admissions to Camco
12/23/16	Ramirez J	0.10	225.00	22.50	Analyze Insulpro Projects Second Set of Request for Production of Documents to Camco
01/03/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention National Wood Products' Request for Production of Documents to APCO Construction
01/03/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention National Wood Products' Interrogatories to APCO Construction
01/03/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention to National Wood Products' Request for Admissions to APCO Construction
01/04/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention to National Woods Products' Request for Admission to Camco Pacific Construction Company
01/04/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention National Wood Products' Request for Production of Documents to Camco Pacific Construction Company
01/04/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff in Intervention National Wood Products' Interrogatories to Camco Pacific Construction Company
01/13/17	Ramirez J	0.40	225.00	90.00	Analyze Tharaldson Parties' Motion for Order to Show Cause Why Grubb & Ellis Should Not be Held in Contempt of Court to Determine if joinder is warranted
01/18/17	Ramirez J	0.10	225.00	22.50	Analyze Steel Structure's First Supplemental Disclosure Statement
01/18/17	Ramirez J	0.10	225.00	22.50	Analyze Nevada Prefab First Supplemental Disclosure Statement
01/19/17	Ramirez J	0.10	225.00	22.50	Analyze Steel Structures Response to APCO Construction's First Set of Request for Production of Documents & Things
01/19/17	Ramirez J	0.10	225.00	22.50	Analyze Nevada Prefab's Response to APCO Construction's First Set of Request for Production of Documents & Things
01/19/17	Ramirez J	0.10	225.00	22.50	Analyze Uintah Investments' Response to APCO Construction's First Set of Request for Production of Documents & Things
01/23/17	Ramirez J	0.10	225.00	22.50	Review & analyze Prefab Answers to APCO's First Set of Interrogatories
01/23/17	Ramirez J	0.10	225.00	22.50	Review & analyze Steel Structures' Answers to APCO's First Set of Interrogatories
01/24/17	Ramirez J	0.10	225.00	22.50	Review & analyze United Subcontractors' Responses to APCO's First Request for Production of Documents
01/30/17	I-Che L	3.00	225.00	675.00	Review APCO's interrogatories to Interstate Plumbing, National Wood Products, Buchele, Noorda Sheet Metal, Cardno WRG, Steel Structure, NV Prefab, Insulpro, Uintah Investments, United Subcontractors, Accuracy Glass & Zitting Bros & evaluate for response needed in Zitting Brothers' interrogatory responses.
01/30/17	I-Che L	2.00	225.00	450.00	Review APCO's request for production to Helix, Interstate Plumbing, National Wood, Uintah Investments, Noorda Sheet Metal, United Subcontractors, Accuracy Glass, WRG & Zitting Brothers & evaluate for response needed in Zittings Brothers responses to request for production.

Date	Attorney	Hours	Rate	Amount	Description
01/30/17	I-Che L	1.80	225.00	405.00	Review discovery responses for United Subcontractors, Steel Structure, NV Prefab, Unitah & first supplement NRCP 16.1 disclosure form Steel Structures, NV Prefab & evaluate for use in response in Zitting Brothers interrogatory responses.
02/01/17	Maile J	0.10	125.00	12.50	Preparation of email correspondence to Litigation Services to request Manhattan West General Construction Agreement between Gemstone and APCO produced by Nevada Prefab Engineers, Inc. for use In discovery efforts
02/02/17	Ramirez J	0.30	225.00	67.50	Analyze Chapter 7 Trustee's Motion to Associate Counsel for Interstate Plumbing & Air Conditioning
02/03/17	I-Che L	1.50	225.00	337.50	Review & evaluate Chapter 7 Trustee's motion to associate counsel for Interstate Plumbing
02/08/17	I-Che L	1.00	225.00	225.00	Review & evaluate Unitah Investments responses to APCO's Interrogatories
02/23/17	Ramirez J	1.30	225.00	292.50	Analyze Newmark Grubb Knight Frank's Opposition to Motion for Order to Show Cause
02/28/17	I-Che L	0.70	225.00	157.50	Review & evaluate APCO's February 27 letter to Special Master objecting to parties NRS 108 claims, Peel Brimley's & Special Master's responses to APCO's letter & Special Master's Feb. 27 report on the active claims
03/01/17	Ramirez J	1.40	225.00	315.00	Analyze reply in Support of Order to Show cause why Grubb & Ellis should not be held in Contempt of Court
03/01/17	Ramirez J	0.10	225.00	22.50	Analyze Special Master Report Regarding remaining parties to the litigation & discovery status
03/03/17	Ramirez J	0.10	225.00	22.50	Analyze APCO's response to National Wood's request for Admission
03/03/17	Ramirez J	0.10	225.00	22.50	Analyze Plaintiff National Wood Products First Supplemental Disclosures
03/03/17	Ramirez J	0.20	225.00	45.00	Analyze APCO's answers to National Wood Products Request for Interrogatories
03/03/17	Ramirez J	0.10	225.00	22.50	Analyze APCO's answers to National Wood Products request for production of documents
03/03/17	Ramirez J	0.10	225.00	22.50	Analyze National Wood's Answers to APCO's Fist Set of Requests for Production of Documents
03/03/17	Ramirez J	0.20	225.00	45.00	Analyze National Wood Products Answers to APCO's First Set of Interrogatories
03/15/17	Ramirez J	0.30	225.00	67.50	Analyze Court's decision & order regarding Motion for Order to Show Cause
03/17/17	Ramirez J	1.00	225.00	225.00	Review & evaluate APCO's motion for summary judgement against Unitah Investments
03/17/17	Ramirez J	1.00	225.00	225.00	Analyze APCO's Motion for Summary Judgement against Unitah Investments
03/20/17	Ramirez J	0.10	225.00	22.50	Review & evaluate notice & entry of order denying motion requesting civil contempt against Grubb & Ellis
04/03/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of National Wood Products
04/03/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Interstate Plumbing & Air
04/03/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Helix Electric of Nevada
04/03/17	Ramirez J	0.10	225.00	22.50	Analyze Uintah Investments LLC d/b/a Sierra Enforcing's Opposition to APCO Constructions Motion for Summary Judgement
04/04/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Steel Structures, Inc.
04/04/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Nevada Prefab
04/04/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Insulpro Projects
04/04/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of United Subcontractors
04/04/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Taking 30(b)(6) Deposition of Accuracy Glass & Mirror
04/10/17	I-Che L	1.20	225.00	270.00	Motion for Summary Judgment against Uintah investments, LLC. Review Apso Construction's NRCP 30(bX6) deposition notice and evaluate objections to deposition topics and appropriate witness
04/13/17	I-Che L	0.90	225.00	202.50	Review and evaluate Steel Structures', Nevada Prefab Engineers, Uintah Investments' First Supplemental Initial Disclosures
04/13/17	I-Che L	0.40	225.00	90.00	Review and evaluate Apso Construction's March 29,2017 deposition notices for Insulpro Projects, Nevada Prefab Engineers, Steel Structures, Helix Electric, Interstate Plumbing and Air Conditioning, National Wood Products, United Subcontractors, Accuracy Glass & Mirror Company.
04/13/17	I-Che L	0.50	225.00	112.50	Review and evaluate Apso Construction's responses to National Wood Product's requests for admission, interrogatories, and requests for production
04/13/17	I-Che L	0.60	225.00	135.00	Review and evaluate National Wood Products' First Supplemental Initial Disclosures and responses to Apso Construction's requests for production, interrogatories, and requests for admission.
04/13/17	Ramirez J	0.20	225.00	45.00	Analyze Interstate Plumbing and Air Conditioning's written discovery (x4) to both APCO and CAMCO.
04/13/17	I-Che L	0.30	225.00	67.50	Review and evaluate Helix Electric of Nevada's requests for admission, interrogatories, and requests for production to Apso Construction and CAMCO

Date	Attorney	Hours	Rate	Amount	Description
04/14/17	I-Che L	0.90	225.00	202.50	Review and evaluate Cactus Rose Construction, Inc.'s, Fast Glass, Inc.'s, and Heninaman Contract Glazing , Inc.'s requests for admission, interrogatories, and requests for production to CAMCO.
04/14/17	Ramirez J	0.10	225.00	22.50	Analyze other parties (x3) first set of interrogatories to CAMCO.
04/14/17	Ramirez J	0.10	225.00	22.50	Analyze other parties (x4) first set of requests for production of documents to CAMCO.
04/14/17	Ramirez J	0.10	225.00	22.50	Analyze Helix Electric's First Set of Interrogatories to APCO.
04/14/17	Ramirez J	0.10	225.00	22.50	Analyze Helix Electric's First Set of Request for Admissions to APCO.
04/14/17	Ramirez J	0.10	225.00	22.50	Analyze other parties (x2) First Set of Requests for Admissions to CAMCO.
04/14/17	Ramirez J	0.20	225.00	45.00	Analyze Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing
04/18/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Entry of Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing.
04/18/17	Ramirez J	0.10	225.00	22.50	Analyze APCO Construction's Notice of Taking Rule 30(b)(6)Deposition of Unitah Investments
04/20/17	Ramirez J	0.10	225.00	22.50	Analyze Notice of Bankruptcy of Accuracy Glass & Mirror.
04/21/17	Ramirez J	0.20	225.00	45.00	Analyze National Wood Products' Notice of Deposition of APCO Construction and Request for Production of Documents.
04/21/17	Ramirez J	0.20	225.00	45.00	Analyze National Wood Products' Notice of Deposition of CAMCO Pacific Construction Company and Request for Production of Documents
05/01/17	Ramirez J	0.10	225.00	22.50	Analyze National Wood Products' Motion to Associate Counsel.
05/01/17	Ramirez J	0.10	225.00	22.50	Analyze Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time.
05/01/17	Ramirez J	0.10	225.00	22.50	Analyze United Subcontractors' Amended Notice of 30(b)(6) Deposition of APCO Construction.
05/04/17	I-Che L	1.00	225.00	225.00	Review United Subcontractors' amended deposition notice to APCO Construction, including deposition topics, and evaluate changes to Zitting Brothers' draft deposition notice to APCO Construction to address additional topics
05/11/17	I-Che L	0.10	225.00	22.50	Review and evaluate May 11, 2017 order granting withdrawal of Accuracy Glass & Mirror's counsel.
05/23/17	I-Che L	0.20	225.00	45.00	Review and evaluate Helix Electric's deposition notice to CAMCO, deposition subpoena to David Parry, and amended deposition notices to CAMCO and APCO.
05/23/17	I-Che L	0.20	225.00	45.00	Review and evaluate Heinaman's, Cactus Rose Construction's and Fast Glass's amended deposition notices to CAMCO, including referenced documents
05/23/17	Ramirez J	0.10	225.00	22.50	Analyze Court's Order regarding Motion for Summary Judgment against Uintah
05/25/17	I-Che L	0.10	225.00	22.50	Review and evaluate order granting APCO's motion for summary judgment against Uintah Investments LLC.
05/30/17	I-Che L	0.10	225.00	22.50	Review APCO's Notice of Entry of Order Granting Summary Judgment against Uintah Investments and evaluate for need to respond to any comments by APCO
05/30/17	I-Che L	0.40	225.00	90.00	Review and evaluate APCO Construction's NRCP 30(b)(6) deposition notice to Uintah Investments, amended NRCP 30(b)(6) deposition notices to Nevada Prefab Engineers, Steel Structures Inc., and Helix Electric.
05/30/17	I-Che L	0.20	225.00	45.00	Review APCO Construction's responses to Interstate Plumbing and Air Conditioning's interrogatories and requests for production and evaluate for preparation of APCO Construction's deposition.
05/31/17	I-Che L	0.20	225.00	45.00	Review and evaluate CAMCO's responses to Fast Glass' requests for admission
06/08/17	I-Che L	0.20	225.00	45.00	Review and evaluate bankruptcy trustee's deposition notice to CAMCO and APCO Construction
06/09/17	Ramirez J	0.10	225.00	22.50	Analyze APCO Construction's Substitution of Attorney's
06/21/17	I-Che L	0.20	225.00	45.00	Review stipulation and order to dismiss Insulpro Projects with prejudice and evaluate need to respond for purpose of preserving potential settlement funds for Zitting Brothers.
06/26/17	Ramirez J	0.50	225.00	112.50	Analyze Steel Structure's Motion to Substitute Counsel
06/26/17	Ramirez J	1.30	225.00	292.50	Analyze Motion to Substitute [Gerdau Reinforcing Steel ("Gerdau")] and Notice of Entry of Order Admitting to Practice
06/28/17	Ramirez J	0.10	225.00	22.50	Analyze Order granting Monica Caffarati's Motion to Withdraw as Counsel for Gemstone Development.

Date	Attorney	Hours	Rate	Amount	Description
07/05/17	Ramirez J	0.10	225.00	22.50	Review and analyze Stipulation and Order for Dismissal with Prejudice of Insulpro Projects.
07/27/17	I-Che L	1.10	225.00	247.50	Review Interstate Plumbing's joinder to Helix Electric's opposition to APCO's motion for partial summary judgment on NRS 108 claim and evaluate need for response to joinder.
08/07/17	Ramirez J	0.40	225.00	90.00	Analyze National Wood Products' Joiner to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements.
08/11/17	Ramirez J	0.10	225.00	22.50	Analyze Helix Electric's Pre-Trial Disclosures
08/11/17	Ramirez J	0.30	225.00	67.50	Analyze un related subcontractors (x6) Pre-Trial Disclosures
08/11/17	Ramirez J	0.30	225.00	67.50	Analyze CAMCO's Pre-Trial Disclosures.
08/11/17	Ramirez J	0.10	225.00	22.50	Analyze United Subcontractors' Supplemental Disclosure and Special Master Order
08/14/17	Ramirez J	0.20	225.00	45.00	Analyze United Subcontractor's Pre-Trial Disclosures
08/17/17	Ramirez J	0.80	225.00	180.00	Analyze Cameo's Opposition to Lien Claimants' Motions for Partial Summary Judgment.
08/18/17	Ramirez J	0.80	225.00	180.00	Review Cameo's opposition to Peel Brimley Lien Claimants' motion for partial summary judgment on pay-if-paid defense and evaluate need for response
09/20/17	Ramirez J	0.10	225.00	22.50	Analyze Order Granting Plaintiff's Motion to Dismiss Accuracy Glass and Mirror Company, Noorda Sheet Metal and Tri-City Drywall.
09/21/17	I-Che L	0.10	225.00	22.50	Review order granting APCO's oral motion to dismiss subcontractors and evaluate need to challenge order
11/06/17	Ramirez J	1.80	225.00	405.00	Analyze Helix Electric's Motions in Limine Nos. 1-4 Against APCO to determine if joinder is warranted.
11/06/17	Ramirez J	1.20	225.00	270.00	Analyze National Wood Products' Motions in Limine to Exclude Documents and Things Not Properly Produced By APCO During Discovery to determine if joinder is warranted.
11/08/17	I-Che L	0.30	225.00	67.50	Call with Eric Zimbelman to discuss APCO Construction's arguments against retention payment.
11/13/17	Ramirez J	0.10	225.00	22.50	Analyze National Wood Products' Notice of Deposition of Nicholas Cox.
11/13/17	Ramirez J	0.10	225.00	22.50	Analyze National Wood Products' Notice of Deposition of Kurt Micek.
11/13/17	Ramirez J	0.20	225.00	45.00	Analyze National Wood Products' Second Supplemental Disclosure.
11/14/17	Ramirez J	0.40	225.00	90.00	Analyze Buchele, Inc.'s Opposition to APCO Construction's Omnibus Motion in Li mine to determine if joinder is necessary.
11/14/17	Ramirez J	0.40	225.00	90.00	Analyze Camco's Opposition to Lien Claimants' Motions in Limine Nos. 1-6.
11/14/17	Ramirez J	0.50	225.00	112.50	Analyze 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.
11/14/17	Ramirez J	0.80	225.00	180.00	Analyze Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine to determine if joinder is warranted.
11/14/17	Ramirez J	0.50	225.00	112.50	Analyze National Wood Products, Inc.'s Opposition to APCO Construction's Omnibus Motion In Limine Nos. 3, 6 and 7A to determine if joinder is warranted.
11/14/17	I-Che L	0.60	225.00	135.00	Review other lien claimants' oppositions to APCO Construction's omnibus motion in limine and evaluate need for response.
11/14/17	Ramirez J	0.20	225.00	45.00	Analyze APCO's Objection to National Wood Products' November 13, 2017 Notices of Deposition.
11/14/17	Ramirez J	0.60	225.00	135.00	Analyze Apco Construction, Inc.'s Opposition to Helix Electric's Motion in Limine to Exclude Nos. 1-4 to determine if joinder is warranted.
12/12/17	Ramirez J	0.10	225.00	22.50	Analyze Court's Minute Order granting Client's Motion in Limine.
12/13/17	Ramirez J	0.10	225.00	22.50	Analyze Court's Minute Order addressing APCO Construction's Motions in Limine.
12/13/17	Ramirez J	0.10	225.00	22.50	Analyze Court's Minute Order addressing other Helix Electric's Motions in Limine.
12/13/17	Ramirez J	0.10	225.00	22.50	Analyze Court's Minute Order addressing Peel Brimley Lien Claimants' Motions in Limine.
01/12/18	I-Che L	0.21	225.00	48.00	Construction's motion to stay enforcement of judgment. Analyze Order Granting Apso Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time.
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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 Date of Hearing: March 1, 2018 Time of Hearing: 9:00 a.m.
AND ALL RELATED MATTERS	

ZITTING BROTHERS CONSTRUCTION, INC.'S REPLY IN SUPPORT OF ITS MEMORANDUM IN SUPPORT OF APCO CONSTRUCTION, INC.'S PAYMENT OF ATTORNEYS' FEES, COSTS, AND INTEREST

Zitting Brothers Construction, Inc. ("Zitting"), a lien claimant, submits this reply in support of its memorandum in support of APCO Construction, Inc.'s payment of attorneys' fees, costs, and interest. The following memorandum of points and authorities provides the basis for Zitting's reply and is further supported by the record of this case and any oral argument that this Court may entertain at the March 1, 2018 hearing on this issue.

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. . .

Dated: February 26, 2018

WILSON ELSER MOSKOWITZ
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MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

A. Although Nev. R. Civ. P. 54(d)(2)(C) exempts Zitting from the attorney affidavit requirement, Zitting has produced sufficient substitute evidence supporting reasonableness of Zitting's attorney fee request.

APCO Construction, Inc. ("APCO") argues that Zitting's attorney fee request is procedurally deficient because Zitting did not include an attorney affidavit required by Nev. R. Civ. P. 54(d)(2)(B). (Opp'n[1] 3:2-11.) But there is no requirement for this affidavit.

Under Nev. R .Civ. P. 54(d)(2)(C), the attorney affidavit requirement does not apply to "an action in which the substantive law provided for the recovery of ... attorney fees." *See Etherton v. Owners Ins. Co.*, 82 F. Supp. 3d 1190, 1196 (D. Colo. 2015) (applying the federal counterpart to Nev. R. Civ. P. 54).[2] This includes a breach of contract action providing for recovery of attorney's fees under the contract and actions where a statute provides attorney's fees to a prevailing party. *See, e.g.*, *Murphy v. Lazarev*, No. 3:10-CV-0530, 2015 WL 1868496, at *4 (M.D. Tenn. Apr. 23, 2015) (recognizing "recovery of attorney's fees under a contract in which a showing of material breach is

[1] Zitting cites APCO's opposition to its memorandum in support of APCO's payment of attorneys' fees, costs, and interest, filed on February 16, 2018, as "Opp'n."

[2] "Federal cases interpreting the Federal Rules of Civil Procedure 'are strong persuasive authority, because the Nevada Rules of Civil Procedure are based in large part upon their federal counterparts.'" *Exec. Mgmt., Ltd. v. Ticor Title Ins. Co.*, 118 Nev. 46, 53, 38 P.3d 872, 876 (2002).

required); *Audi AG v. D'Amato*, No. 04-CV-70665, 2007 WL 313537, at *2 (E.D. Mich. Jan. 30, 2007) (exempting a party from complying with the federal counterpart to Nev. R. Civ. P. 54(d) because the trademark statute provides for reasonable attorney's fees to a prevailing party). Here, this Court has already concluded that Nev. Rev. Stat. 108.237(1) and Zitting's contract with APCO justified the award of attorney's fees to Zitting. (MSJ Order[3] 9:17-23.) These substantive bases for recovery of attorney's fees exempt Zitting from complying with the attorney affidavit requirement of Nev. R. Civ. P. 54(d)(2)(B).

Nevertheless, Zitting has provided an adequate substitute for the Nev. R. Civ. P. 54(d)(2)(B) attorney affidavit. Because the attorney affidavit requirement arises from the "content" provision of Nev. R. Civ. P. 54(d)(2)(B), substantial compliance with the requirement is sufficient. *Markowitz v. Saxon Special Servicing*, 129 Nev. Adv. Op. 69, 310 P.3d 569, 572 (2013) (indicating that "content-based rules are typically directory and may be satisfied by substantial compliance"). Therefore, the absence of an attorney affidavit in support of an attorney's fee request is not fatally deficient so long as there is other "appropriate evidence" to show the reasonableness and necessity of the work. *See, e.g.*, *Clasberry v. Albertsons, LLC*, No. 2:14-cv-00774-JAD-NJK, 2016 WL 107943, at *1 (D. Nev. Jan. 7, 2016) (citing Nev. R. Civ. P. 54(d)(2)(B) and *Miller v. Wilfong*, 121 Nev. 619, 623, 119 P.3d 727, 730 (2005)).

Here, Zitting provided such evidence. It provided a detailed time sheet from its attorneys indicating the work done and a declaration its president indicating that Zitting was billed the requested amount. (*See* Mem.,[4] Exs. A and B.) A declaration from Zitting's attorney simply stating that the time spent was reasonable and necessary will not provide additional information for this Court and APCO to assess the reasonableness and necessity of the fees. Therefore, this Court should not penalize Zitting for not providing an attorney affidavit.

[3] Zitting cites this Court's Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction, filed on December 29, 2017, as "MSJ Order."

[4] Zitting cites its Memorandum in Support of APCO Construction, Inc.'s Payment of Attorneys' Fees, Costs, and Interest to Zitting Brothers Construction, Inc., filed on January 29, 2018, as "Mem."

B. APCO fails to show that Zitting's attorney fee request is unreasonable under the *Brunzell* factors.

APCO only challenges the reasonableness of Zitting's attorney fee request under the second, third, and fourth *Brunzell* factors. (Opp'n 3:15-7:13.) It has conceded that the first *Brunzell* factor favors Zitting's fee request. As discussed below, there is no merit to APCO's challenge under the second, third, and fourth *Brunzell* factors.

1. By overlooking the complexity of this case, APCO fails to show that the second *Brunzell* factor did not favor the amount requested by Zitting.

In addressing the second *Brunzell* factor, APCO oversimplifies the complexity of Zitting's work in this case. The parties agree that the second factor addresses "the character of the work to be done: its difficulty, its intricacy, its importance, time and skill required, the responsibility imposed and the prominence and character of the parties where they affect the importance of the litigation." *Brunzell v. Golden Gate Nat. Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Although APCO admits that its conduct forced Zitting to focus on the enforceability of the pay-if-paid provision, (*see* Opp'n 3:24-4:8), it overlooks the complexity created by the pay-if-paid provision.

Prior to this Court's November 21, 2017 decision invalidating the pay-if-paid provision, Zitting must accept and prepare for the possibility that this Court could find the provision valid. If the provision was valid and enforceable, Zitting and APCO's other subcontractors can only recover from the Manhattan West Project sale proceeds. *See* Nev. Rev. Stat. 108.236. The recovery process involves this Court's prioritizing of each subcontractor's lien. *See id*. APCO does not dispute that this issue of priority was complex, as exemplified by a published decision from the Nevada Supreme Court. *See generally In re Manhattan W. Mech.'s Lien Litig*., 131 Nev. Adv. Op. 70, 359 P.3d 125 (2015). With Zitting's fear that the net proceeds from the project's sale would not satisfy all of the subcontractor's claims, it is important for Zitting to evaluate the other subcontractor's claims. This includes a review of the documents in the other subcontractors' cases to ascertain the strength of the subcontractors' respective claims, their claimed damages, and the priority of their claims. The description of Zitting's work reflects. (*See* Mem., Ex. B.) Limiting Zitting's efforts to a joinder to APCO's writ petition and the preparation of a motion for summary judgment against APCO

improperly disregards the substantial time needed to properly evaluate all issues, including the decision to pursue an independent writ petition or a joinder.

Had APCO timely disclosed its defenses early on in discovery, the fees requested would have substantially exceeded the fees sought in this case, as Zitting will be spending more time on documents pertaining to the construction of the project. In other words, even a limited defense still required substantial attorney time. APCO failed to explain how the requested fees were unreasonable other than address how any of those times incurred were unreasonable other than $45,520.50. (*See* Opp'n 6:27-7:1.) Therefore, the second *Brunzell* factor favors Zitting's fee request.

2. The third *Brunzell* factor does not favor a reduction of the attorney fee request by $45,520.50.

APCO fails to show that the third *Brunzell* factor favors a reduction of Zitting's attorney fee request. This factor addresses "the work actually performed by the lawyer: the skill, time and attention given to the work." *Brunzell*, 85 Nev. at 349, 455 P.2d at 33. Here, APCO does not dispute that Zitting's attorney performed all of the work identified in the detailed time sheet. (*See* Opp'n 5:7-7:1.) Instead, APCO seeks a $45,520.50 reduction of Zitting's fee request by arguing the unnecessary nature of the work or the vague description of the work. (*See id.* 6:27-7:1.) But a reduction is not warranted.

First, APCO improperly claims that Zitting's attorneys unnecessarily billed $36,408.00 to review documents without any relationship to Zitting's claims. (*See id*. 5:9-6:7.) A review of the fee description shows a clear relationship between a portion of attorney work and Zitting's claims. For example, APCO challenges the fee incurred to review the briefing on Insulpro Projects, Inc.'s motion for summary judgment. (*See id*., Ex. A at 8-9.) But APCO ignores Zitting's joinder to the motion to support Zitting's claims. (*See id*.) APCO fails to explain how the disputed fees involved work unrelated to Zitting's claims. (*See id*. 5:9-6:7.)

In any event, Zitting needed to review those documents first to confirm whether there is a connection with its claims against APCO, including any impact of a subcontractor's claim on Zitting's claim. As discussed above, there is a nexus between the subcontractors' claims. For example, a review of those subcontractors' filing had led to Zitting's use of those documents to

support its claims against APCO, such as Zitting's review and later joinder of Insulpro Projects, Inc.'s motion for summary judgment. (*See id*., Ex. A at 8-9.) Zitting cannot simply ignore the filings by the other parties.

Second, the amount of $9,112.50 billed for "trial preparation" was appropriate. To place the amount billed in context, the work underlying the bill amount occur after APCO had raise new defenses and before this Court had granted Zitting's motion for summary judgment. Until the issuance of that decision, Zitting had to do its best to prepare for trial on the issues raised the parties' briefing on the motion. 11 hours for analysis and selection of trial exhibits is not enough. As APCO must concede, trial preparation is more than just trial exhibit selection, especially for Jorge Ramirez as Zitting's lead trial counsel. At a minimum, it involves developing or preparing the following: theory of the case, arguments to address in a trial brief, objections to raise at trial, witness examination, opening statement, and closing argument. 40.5 hours of trial preparation is therefore reasonable. APCO fails to explain how 40.5 hours of trial preparation by Zitting's lead trial counsel is unreasonable.

The description given for the trial preparation is also appropriate. Courts have allowed description of "smaller tasks … [to] be subsumed within a larger overarching task, such as trial preparation…" *See, e.g.*, *Ciolino v. Eastman*, No. CV 13-13300-ADB, 2016 WL 6246757, at *3 (D. Mass. Oct. 25, 2016). APCO can review the description for the other work billed around the time of trial preparation to ascertain the nature of the "trial preparation." *See Triplett v. N. Carolina Dep't of Pub. Safety*, No. 5:15-cv-00075-RLV-DCK, 2017 WL 3840422, at *8 (W.D.N.C. Sept. 1, 2017) (rejecting "the notion that entries such as 'trial preparation' are unduly vague" since the court was able to "discern[] the nature of [the] … work during those hours"); *Insolvency Servs. Grp., Inc. v. Meritage Homes Corp.*, No. 2:11-CV-01364-PMP, 2014 WL 317750, at *5 (D. Nev. Jan. 28, 2014) (awarding attorneys' fees after accepting a time entry with a vague description for a hearing preparation). Therefore, this Court should reject APCO's proposed fee reduction.

3. APCO cannot dispute that the fourth *Brunzell* factor supports the reasonableness of Zitting's attorney fee request.

APCO's arguments regarding the fourth *Brunzell* factor miss their mark. This factor focuses solely on "whether [Zitting's] attorney was successful and what benefits were derived" from the attorney's efforts. *Brunzell*, 85 Nev. at 349, 455 P.2d at 33. Here, APCO concedes that Zitting's attorney succeeded in obtaining all the relief sought by Zitting and cannot dispute that this was a substantial benefit to Zitting, as it also avoids further trial expenses. (*See* Opp'n 7:2-13.) This alone resolves the fourth factor in Zitting's favor.

Nevertheless, APCO argues that the fees were unreasonable because Zitting could have avoided those fees by resolving this case "very early in the discovery process" by filing a motion for summary judgment. (*Id*. 7:2-13.) But APCO's own conduct undermines this argument. For example, by APCO's own admission, the stay order obtained by APCO has barred Zitting from seeking summary judgment for 1,028 days. (*See id*. 7:26-28.)

Further, APCO has sought to delay a decision on Zitting's motion for summary judgment. Under Nev. R. Civ. P. 56(f), a party may defeat a motion for summary judgment or defer ruling on the motion based on the party's need to conduct discovery. Here, APCO has previously convinced this Court to continue the hearing on Zitting's motion for summary judgment—even though discovery had closed—so that APCO can depose Zitting's Nev. R. Civ. P. 30(b)(6) witness. (*See* Mins. (Oct. 25, 2017).) Zitting has acted reasonably in waiting until discovery has closed to avoid unfair surprises in its effort to obtain summary judgment against APCO.

To the extent that Zitting was able to seek early summary judgment, it had done so. Specifically, once Zitting determined that Gemstone Development West, Inc. had abandoned all of its defenses, it moved for and obtained summary judgment in 2011. (*See, e.g.*, Mins., Nov. 15, 2011.) There is therefore no evidence that Zitting acted against its own interest by paying more than $200,000.00 in unnecessary attorney's fees.

APCO has also unfairly distilled Zitting's attorney's fees down to the fees to prepare a single motion for summary judgment. (*See* Opp'n 7:2-10.) Courts have recognized the fatal flaw with APCO's position:

> [A]lthough "hindsight might suggest that fewer hours were needed," the time actually spent was reasonable and reflected good legal judgment, particularly because plaintiffs "were never assured of early success."

E.g., *Dennis v. Chang*, 611 F.2d 1302, 1308 (9th Cir. 1980). Here, APCO's reliance on hindsight is inappropriate.

It improperly assumes that Zitting did not need to do anything in this case other than prepare the motion for summary judgment against APCO. (*See* Opp'n 7:3-10.) Until this Court granted Zitting's motion for summary judgment in December 2017, Zitting must prepare as if it needed to try this case, particularly with the issues raised by APCO in its opposition to Zitting's motion for summary judgment.

C. APCO concedes that Zitting is entitled to $8,475.95 in costs.

APCO does not dispute that Zitting is entitled to $8,475.95 in costs. (Opp'n 7:14-15.) Therefore, this Court should grant such costs.

D. APCO fails to justify the reduction of interest based on the stay.

APCO disputes the accrual of prejudgment interest while the case was stayed.[5] (Opp'n 7:16-19.) But based on Zitting's argument in its motion for summary judgment, (*see* MSJ[6] 11:1-12), this Court has already concluded that prejudgment interest accrues from filing date of Zitting's complaint without any reduction. (*See* MSJ Order 9:5-10:5, 10:17-18.) APCO fails to raise this argument in its original and supplemental opposition to Zitting's motion for summary judgment or even in its briefing in support of its motion for reconsideration. APCO therefore waives this dispute and cannot collaterally challenge this Court's prior order. *See Chowdry v. NLVH, Inc.*, 111 Nev. 560, 563, 893 P.2d 385, 387 (1995) (stating that a party's failure to make arguments in prior proceedings constitutes a waiver of such arguments).

In any event, the requested reduction is not warranted. APCO cites no authority indicating that prejudgment interest would not accrue during the stay. (Opp'n 7:16-19.) This is unsurprising.

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[5] Assuming *arguendo* that this Court reduces the prejudgment interest based on the stay, APCO's calculation is incorrect. This Court should apply the reduction to the difference between the filing date of Zitting's complaint (April 30, 2009) and the entry date of the final judgment. APCO's proposed reduction only accounts for a duration of 3,165 days (the sum of 1,759 accrual days and 1,406 non-accrual days. (*See* Opp'n 7:17-28) This proposed reduction only provides for prejudgment interest until December 29, 2017, which shortchanges Zitting.

[6] Zitting cites its Motion for Partial Summary Judgment Against APCO Construction, filed on July 31, 2017, as "MSJ."

First, the statutes governing prejudgment interest does not contain an exception for abatement of prejudgment interest during a stay. *See, e.g.*, Nev. Rev. Stat. 108.237(1). Second, the two orders cited by APCO as support does not indicate a stay of accrual. (*See* Opp'n 7:26-28.) The December 10, 2010 order only stays activities in the case. (Order, Dec. 13, 2010 2:8-10.) The November 29, 2012 order addresses a stay under Nev. R. Civ. P. 62 and Nev. R. App. P. 8, which concern a stay of enforcement of judgment during appeal. (*See* Order, Nov. 29, 2012 2:8-12.) Notably, courts that have addressed accrual of interest during stays have rejected APCO's argument for a reduction of interest.

For example, during a stay under the federal counterpart to Nev. R. App. P. 8, courts have held that interest on the amount owed continued to accrue. *See, e.g.*, *U.S. v. Gorman*, 859 F.3d 706, 714 n. 4 (9th Cir. 2017) (indicating that the disputed funds continue to accrue interest despite stay of judgment pending an appeal of the disputed funds); *Shukla v. Sharma*, No. 07-CV-2972 CBA CLP, 2014 WL 7366184, at *5 (E.D.N.Y. Dec. 24, 2014) (indicating that "[c]ourts in [the Second Circuit] have found that post-judgment interest continues to accrue on a judgment after a supersedeas bond is posted and have even required that the supersedeas bond include the amount of interest that will accrue during the pendency of an appeal); *Procter & Gamble Co. v. Haugen*, No. 1:95-CV-94 TS, 2008 WL 3192137, at *1 (D. Utah Aug. 6, 2008) (indicating that "post-judgment interest accrues … 'to the date of payment'" notwithstanding a stay of enforcement of judgment pending appeal). There is sound reasoning for not reducing prejudgment based on a stay:

> Prejudgment interest … merely compensates the plaintiff for being denied the opportunity to invest and earn interest on the amount of damages.... A [reduction of interest] would not enhance full and fair compensation because the plaintiff is still deprived of the use of his funds for which he deserves full recompense.... In the event a plaintiff unnecessarily delays resolution of the case, the defendant has several tools to force the case to trial such as objecting to the granting of continuances, objecting to the passing of the case, and moving for a special trial setting.

Matthews v. DeSoto, 721 S.W.2d 286, 287 (Tex.1986) (denying a reduction of prejudgment interest despite plaintiff's alleged tactics to delay resolution of case). Therefore, this Court should not reduce prejudgment interest based on the prior stays.

II. CONCLUSION

Based on the foregoing reasons, this Court should award the following to Zitting:

1. $213,376.00 in attorney's fees,
2. $8,475.95 in costs,
3. pre-judgment interest at a rate of 8.25% that accrues without interruption on the lien amount of $750,807.16 from April 30, 2009, until the entry date of the final judgment (regardless of any stay), and
4. post-judgment interest at an initial annual rate of 8.25%--subject to change under Nevada law—from the entry date of the final judgment to the date the judgment amount owed to Zitting is completely paid.

Dated: February 26, 2018

WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP

/s/I-Che Lai

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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 26th day of February, 2018, I served a true and correct copy of the foregoing **ZITTING BROTHERS CONSTRUCTION, INC.'S REPLY IN SUPPORT OF ITS MEMORANDUM IN SUPPORT OF APCO CONSTRUCTION, INC.'S PAYMENT OF ATTORNEYS' FEES, COSTS, AND INTEREST** 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;
- ☐ 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.

BY: */s/Annemarie Gourley*
An Employee of WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

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Steven D. Grierson
CLERK OF THE COURT

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

NOAS
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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

Docket 75197 Document 2018-07692

Case Number: 08A571228

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

DATED: February 16th, 2018.

SPENCER FANE

By: *\/s/ Mary E. Bacon, Esq.*
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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

Electronically Filed
1/2/2018 6:01 PM
Steven D. Grierson
CLERK OF THE COURT

NEO
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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
AND ALL RELATED MATTERS	Hearing Date: November 16, 2017 Hearing Time: 9:00 a.m.

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

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

Dated this 2nd day of January, 2018.

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Jorge A. Ramirez, Esq.
I-Che Lai, Esq.
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Las Vegas, Nevada 89101
Attorneys for Lien Clamant,
Zitting Brothers Construction, Inc.

1236578v.2

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
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CLERK OF THE COURT

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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
AND ALL RELATED MATTERS	Hearing Date: November 16, 2017 Hearing Time: 9:00 a.m.

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. Mounteer 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.

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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.

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

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

B. ZBCI's Work under the Subcontract

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

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

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

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

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

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

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

C. Procedural History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Preclusion of APCO's Defenses

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

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

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

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

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

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

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

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

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

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

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

E. Attorney's Fees, Costs, and Interest

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

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

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

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

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

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

ORDER

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

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

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

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

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

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

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

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

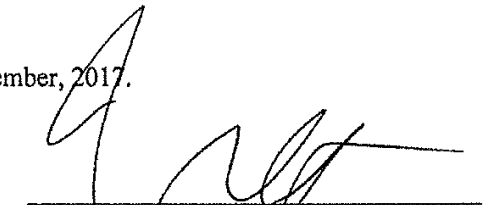
IT IS FURTHER ORDERED that this Court will address the sole issue of whether ZBCI is entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on January 18, 2018 at 9:00 a.m.

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

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

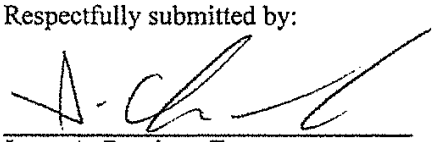
IT IS SO ORDERED.

Dated this 26th day of December, 2017.



DISTRICT COURT JUDGE

Respectfully submitted by:



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Zitting Brothers Construction, Inc.

Approved as to form and content by:

declined to sign
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Mary E. Bacon, Esq.
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and

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Exhibit B

Electronically Filed
1/25/2018 5:11 PM
Steven D. Grierson
CLERK OF THE COURT

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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,

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DISTRICT COURT DEPT. 14

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

Dated this 24th day of January, 2018.

DISTRICT COURT JUDGE

Respectfully submitted by:

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Zitting Brothers Construction, Inc.

Approved as to form and content by:

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Electronically Filed
2/16/2018 4:58 PM
Steven D. Grierson
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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)
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-and-

Jack Chen Min Juan, Esq. (NV Bar No. 6367)
Micah Echols, Esq. (NV Bar No. 8437)
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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, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
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Telephone: (702) 727-1400
Email: Jorge.ramierez@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,

2009.

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

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

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

APCO is appealing: (1) the Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Consruction entered on January 2, 2018[1] and (2) the Order Denying APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment entered on January 25, 2018.[2] The Findings of Fact, Conclusions of Law, and Order Granting Zitting Brothers

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

Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Consruction 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.

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

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

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

SPENCER FANE

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CERTIFICATE OF SERVICE

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

Counter Claimant: Camco Pacific Construction Co Inc

Steven L. Morris (steve@gmdlegal.com)

Intervenor Plaintiff: Cactus Rose Construction Inc

Eric B. Zimbelman (ezimbelman@peelbrimley.com)

Intervenor Plaintiff: Interstate Plumbing & Air Conditioning Inc

Jonathan S. Dabbieri (dabbieri@sullivanhill.com)

Intervenor: National Wood Products, Inc.'s

Dana Y Kim (dkim@caddenfuller.com)

Richard L Tobler (rltltdck@hotmail.com)

Richard Reincke (rreincke@caddenfuller.com)

S. Judy Hirahara (jhirahara@caddenfuller.com)

Tammy Cortez (tcortez@caddenfuller.com)

Other: Chaper 7 Trustee

Elizabeth Stephens (stephens@sullivanhill.com)

Gianna Garcia (ggarcia@sullivanhill.com)

Jennifer Saurer (Saurer@sullivanhill.com)

Jonathan Dabbieri (dabbieri@sullivanhill.com)

Plaintiff: Apco Construction

Rosie Wesp (rwesp@maclaw.com)

Third Party Plaintiff: E & E Fire Protection LLC

TRACY JAMES TRUMAN (DISTRICT@TRUMANLEGAL.COM)

Other Service Contacts

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Taylor Fong . (tfong@marquisaurbach.com)
Terri Hansen . (thansen@peelbrimley.com)
Timother E. Salter . (tim.salter@procopio.com)
Wade B. Gochnour . (wbg@h2law.com)

/s/ Taylor Fong
an employee of Marquis Aurbach Coffing

DISTRICT COURT

CASE SUMMARY

CASE NO. 08A571228

Apco Construction, Plaintiff(s)	§	Location:	**Department 13**
vs.	§	Judicial Officer:	**Denton, Mark R.**
Gemstone Development West Inc, Defendant(s)	§	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** *Retained* 7023820711(W)
Defendant	**Commonwealth Land Title Insurance Co**	
	Edelstein, Alexander Removed: 12/23/2011 Dismissed	**Merrill, David J** *Retained* 702-566-1935(W)
	First American Title Insurance Co	
	Gemstone Development West Inc	
	Nevada Construction Services Removed: 02/12/2010 Dismissed	**Aurbach, Phillip S.** *Retained* 7029422155(W)
	Scott Financial Corporation	**Meier, Glenn F** *Retained* 702-791-0308(W)
	Scott, Bradley J	**Jones, Jon Randall** *Retained*

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.**

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

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

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

		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*

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

Employers Mutual Casualty Co
Removed: 01/11/2010
Dismissed

Employers Mutual Casualty Company
Removed: 04/29/2010
Dismissed

Fidelity & Deposit Co Of Maryland — **Morris, Steven L.**
Removed: 12/09/2009 — *Retained*
Data Entry Error — 702-938-2244(W)

Fidelity & Deposit Company Of Maryland — **Morris, Steven L.**
Retained
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Fidelity & Deposit Company Of Maryland
Removed: 12/09/2009
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Retained
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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
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Gemstone Development West Inc
Removed: 12/09/2009
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Gemstone Development West Inc
Removed: 12/09/2009
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Gemstone Development West Inc — **Gilbert, Greg S.**
Removed: 12/09/2009 — *Retained*
Data Entry Error — 702-669-4600(W)

Gemstone Development West Inc
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Gemstone Development West Inc
Removed: 12/09/2009
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Gemstone Development West Inc
Removed: 01/11/2010
Dismissed

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Development West Inc

Gemstone Develpment West Inc
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Jeff Heit Plumbing Co LLC — **Gregory, Keith E.**
Retained
7023823636(W)

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 — **Gregory, Keith E.**
Retained
7023823636(W)

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

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

Scott Financial Corp — **Meier, Glenn F**
Removed: 02/14/2013
Dismissed
Retained
702-791-0308(W)

Scott Financial Corporation — **Jones, Mark Merrill**
Removed: 12/09/2009
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7023856000(W)

Scott Financial Corporation — **Meier, Glenn F**
Removed: 02/14/2013
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Retained
702-791-0308(W)

Scott Financial Corporation — **Meier, Glenn F**
Retained
702-791-0308(W)

Scott Financial Corporation — **Meier, Glenn F**
Removed: 02/14/2013
Dismissed
Retained
702-791-0308(W)

Tharaldson Motels II Inc — **Muckleroy, Martin A.**
Retained

		702-907-0097(W)
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Intervenor Plaintiff	**Ahern Rental Inc** Removed: 01/24/2013 Dismissed	**Clifford, D. Shane, ESQ** *Retained* 435-613-1010(W)
	Arch Aluminum And Glass Co	**Albregts, Jeffrey R.** *Retained* 702-483-5026(W)
	Cabinetec Inc	
	Cactus Rose Construction Inc	**Wayment, Dallin T.** *Retained* 7029907272(W)
	Camco Pacific Construction Co Inc	**Morris, Steven L.** *Retained* 702-938-2244(W)
	Harsco Corporation	
	Inquipco Removed: 01/11/2010 Dismissed	**Lloyd-Robinson, Jennifer R.** *Retained* 702-257-1483(W)
	Interstate Plumbing & Air Conditioning Inc	**Gebhart, Michael T.** *Retained* 702-324-8341(W)
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	Selectbuild Nevada Inc	**Schumacher, Robert E.** *Retained* 702-577-9300(W)
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	SWPPP Compliance Solutions LLC	**Peel, Richard L.** *Retained* 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	

	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)
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	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*

702-806-6561(W)

Noorda Sheet Metal Company — **Truman, T. James** *Retained* 702-256-0156(W)

Professional Doors & Millworks LLC — **Truman, T. James** *Retained* 702-256-0156(W)

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03/16/2009	Notice of Department Reassignment *NOTICE OF DEPARTMENT REASSIGNMENT 00594900360500631000 3146FC*	*08A5712280064.tif pages*
03/16/2009	Initial Appearance Fee Disclosure Filed By: Counter Claimant Camco Pacific Construction Co Inc *CAMCO PACIFIC CONSTRUCTION COMPANY INCS INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19*	*08A5712280074.tif pages*
03/16/2009	Amended Filed By: Counter Defendant Noord Sheet Metal Company *AMENDED THIRD PARTY SUMMONS CIVIL*	*08A5712280075.tif pages*
03/16/2009	Answer Filed By: Plaintiff Apco Construction *APCO CONSTRUCTIONS ANSWER TO CABINET INCS STATEMENT OF FACTS CONSTITUTING LIEN CLAIM AND COMPLAINT IN INTERVENTION*	*08A5712280080.tif pages*
03/17/2009	Statement Filed by: Intervenor Defendant Gemstone Development West Inc *GEMSTONE DEVELOPMENT WESET INCS ANSWER TO AHERN RENTAL INCS STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION*	*08A5712280076.tif pages*
03/17/2009	Stipulation and Order Filed by: Intervenor Defendant Scott Financial Corporation *STIPULATION AND ORDER*	*08A5712280077.tif pages*
03/17/2009	Stipulation and Order Filed by: Intervenor Plaintiff Ahern Rental Inc *STIPULATION AND ORDER ALLOWING AHERN RENTALS INC TO INTERVENE PURSUANT TO NRCP 24*	*08A5712280088.tif pages*
03/18/2009	Certificate Filed By: Intervenor Defendant Gemstone Development West Inc *AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WEST INCS ANSWER TOCABINETEC INCS STATEMENT OF FACTS CONSTITUTING LIEU CLAIM AND COMPLAINT IN INTERVENTION*	*08A5712280083.tif pages*
03/18/2009	Certificate Filed By: Intervenor Defendant Gemstone Development West Inc *AMENDED CERTIFICATE OF SERVICE OF GEMSTONE DEVELOPMENT WESTS INCS ANSWERTO STEEL STRUCTURES INC AND NEVADA PREFAB ENGINEERS INCS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION*	*08A5712280087.tif pages*
03/18/2009	Certificate of Mailing Filed By: Intervenor Tri-City Drywall Inc *CERTIFICATE OF MAILING OF STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION*	*08A5712280089.tif pages*
03/18/2009	Disclaimer of Interest	*08A5712280091.tif pages*

	Filed By: Defendant Commonwealth Land Title Insurance Co *COMMONWEALTH LAND TITLE INSURANCE COMPANY'S DISCLAIMER OF INTEREST*	
03/19/2009	Notice of Entry of Order Filed By: Intervenor Plaintiff Ahern Rental Inc *NOTICE OF ENTRY OF ORDER*	*08A5712280090.tif pages*
03/20/2009	Stipulation and Order *STIPULATION AND ORDER RE FILING AND SERVICE OF STEEL STRUCTURES INC ANDNEVADA PREFAB ENGINEERS INCS SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION*	*08A5712280092.tif pages*
03/20/2009	Answer Filed By: Intervenor Defendant Gemstone Develpment West Inc *GEMSTONE DEVELOPMENT WEST INCS ANSWER TO NOORDA SHEET METAL COMPANYS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPLAINT AND THIRD PARTY COMPLAINT*	*08A5712280093.tif pages*
03/20/2009	Statement of Facts Constituting Lien Filed By: Intervenor Steel Structures Inc *SECOND AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION Steel Structures Inc Nevada Prefab Engineers Inc*	
03/23/2009	Motion *AHERN'S MTN TO AMEND STATEMENT OF FACTS/1*	*08A5712280084.tif pages*
03/24/2009	Statement of Facts Constituting Lien Filed By: Intervenor Insulpro Projects Inc *Insulpro Projects*	
03/24/2009	Certificate of Mailing *CERTIFICATE OF MAILING*	*08A5712280095.tif pages*
03/24/2009	Notice Filed By: Intervenor Insulpro Projects Inc *NOTICE OF LIS PENDENS*	*08A5712280096.tif pages*
03/24/2009	Notice of Entry of Order Filed By: Defendant Scott Financial Corporation *NOTICE OF ENTRY OF STIPULATION AND ORDER*	*08A5712280098.tif pages*
03/24/2009	Initial Appearance Fee Disclosure Filed By: Intervenor Insulpro Projects Inc *INITIAL APPEARANCE FEE DISCLOSURE NRS CHAPTER 19*	*08A5712280099.tif pages*
03/25/2009	Amended Filed By: Intervenor Plaintiff Harsco Corporation *HARSCO CORPORATIONS AMENDED STATEMENT OF FACTS CONSTITUTING LIEN AND COMPLAINT IN INTERVENTION*	*08A5712280097.tif pages*
03/27/2009	Appearance Filed By: Intervenor E & E Fire Protectiong LLC *E & E FIRE PROTECTION LLC 'S STATEMENT OF FACTS CONSTITUTING LIEN CLAIM COMPALINT AND THIRD PARTY COMPLAINT*	*08A5712280100.tif pages*

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

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

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

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

04/24/2009 Initial Appearance Fee Disclosure
Filed By: Intervenor Pressure Grout Co
Initial Appearance Fee Disclosure

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
Dave Peterson Framing Inc's Three Day Notice of Intent to Take Default on Gemstone Development West Inc

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
Professional Doors and Millworks LLCs Three Day Notice of Intent to Take Default

04/29/2009 Opposition to Motion
Filed By: Intervenor Plaintiff Ahern Rental Inc
Ahern Rental's Limited Opposition to Motion to consolidate

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; Intervenor Defendant APCO Construction; Counter Defendant APCO Construction
APCO Construction's Answer to Cell-Crete Fireproofing of Nevada, Inc's Statement of Facts Constituting Lien and Complaint in Intervention and Cross-Claim

04/29/2009 Affidavit of Service
Affidavit of Service

04/30/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West, Inc.'s Answer to Professional Doors and Millworks, LLC's Statement of Facts Constituting lien Claim, Complaint and Third Party Complaint

04/30/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West, Inc.'s Answer to E&E Fire Protection, LLC's Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint

04/30/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West, Inc.'s Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint

04/30/2009 Certificate of Mailing
Filed By: Intervenor Pressure Grout Co

04/30/2009 Certificate of Mailing
Filed By: Intervenor Pressure Grout Co
Certificate of Mailing

04/30/2009 Summons

Filed by: Plaintiff Apco Construction

05/01/2009 Joinder
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Moinder 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 Notion 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

05/05/2009 Motion to Intervene
Party: Other The Masonry Group Nevada, Inc.
The Masonry Group Nevada Inc.'s Motion to Intervene

05/05/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Noorda Sheet Metal Companys Third Party Complaint and Camco Pacific Constructions Counterclaim

05/05/2009 Answer to Third Party Complaint
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to E&E Fire Protection LLC's Third Party Complaint and Camco Pacific Constructions Counterclaim

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
Answer to Professional Doors and Millworks LLC's Third Party Complaint and Camco Paficic Construction's Counterclaim

05/05/2009 Answer to Counterclaim
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Answer to Cabintec Inc's Complaint in Intervention and Camco Pacific Construction Company Inc's Counterclaim

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 Campco 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
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

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
Noorda Sheet Metal Companys Reply to Camco Pacific Constructions 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
Professional Doors and Millworks LLCs Reply to Camco Pacific Constructions

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
E&E Fire Protection LLCs Reply to Camco Pacific Constructions Counterclaim

05/08/2009 Joinder
Scott Financial Corporation's Amended Partial Joinder in Apco Construction's Motion to Consolidate

05/08/2009 Answer
Scott Financial Corporation's Answer to Noorda Sheet Metal Company's Amended Statement of Facts Con

05/08/2009 Answer
Scott Financial Corporation's Answer to Professional Doors and Millworks, LLC's Statement of Facts

05/08/2009 Answer
Scott Financial Corporation's Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Fact

05/08/2009 Opposition
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

05/11/2009 Opposition to Motion
Bradley J. Scott and Scott Financial Corporation's Opposition to APCO Construction's Motion to Cons

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
Ahern Rental Incs Second Supplemental Motion to Amend Statement of Facts Constituting Lien and Complaint-In-Intervention

05/12/2009 **Motion to Amend** (9:00 AM) (Judicial Officer: Walsh, Jessie)
Events: 03/23/2009 Motion
AHERN'S MTN TO AMEND STATEMENT OF FACTS/1
Motion Granted;
Motion Granted

05/12/2009 Acceptance of Service
Filed By: Interpleader Hydropressure Cleaning Inc
Party Served: Defendant Nevada Construction Services
Nevada Construction Services Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention

05/12/2009 Joinder to Opposition to Motion

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
Joinder in Hydropressure Cleaning Inc's Motion to Intervene & Tri-City Drywall Inc's Request to Intervene

05/13/2009 Certificate of Mailing
Certificate of Mailing

05/13/2009 Answer
Scott Financial Corporation's Answer to Nevada Prefab Engineers, Inc.'s Amended Statement of Facts

05/13/2009 Answer
Scott Financial Corporation's Answer to Harsco Corporation's Amended Statement of Facts Constitutin

05/13/2009 Notice
Notice of Withdrawal of Opposition to Motion to Consolidate

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
Certificate of Mailing of Joinder in Hydropressure Cleaning, Inc.'s Motion to Intervene and Tri-County Drywall, Inc.'s Request to Intervene

05/15/2009 Answer
Scott Financial Corporation's Answer to Dave Peterson Framing, Inc.'s Statement of Facts Constituting Lien Claim, Complaint and Third Party Complaint

05/15/2009 Opposition to Motion
Filed By: Intervenor Dave Peterson Framing Inc; Third Party Plaintiff Dave Peterson Framing Inc
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

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
Answer to Insulpro Projects Incs Third Party Complaint and Camco Pacific Constructions Counterclaim

05/18/2009 Answer
Gemstone Development West, Inc.'s Answer to Harsco Corporation's Amended Statement of Facts Constit

05/19/2009 Certificate of Service
Filed by: Attorney Rutar Mullins, Gwen
Certificate of Service

05/20/2009 Answer
Gemstone Development West, Inc.'s Answer to The Pressure Group Company's Statement of Facts Constituting Lien and Complaint in Intervention

05/20/2009 **Motion to Intervene** (3:00 AM) (Judicial Officer: Walsh, Jessie)
Events: 04/15/2009 Conversion Case Event Type
DEFT'S MOTION TO INTERVENE /2
Motion Granted;
Motion Granted

05/20/2009 Reply
APCO Construction's Reply in Support of its Motion to Consolidate with Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168

05/21/2009 Notice
Filed By: Plaintiff Apco Construction
Notice of Joinder in APCO Constructions Motion to Consolidate by Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D Tharaldson

05/22/2009 Answer
Scott Financial Corporation's Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien

05/22/2009 Three Day Notice of Intent to Default
Filed by: Intervenor Insulpro Projects Inc
Three Day Notice of Intent to Default

05/26/2009 Joinder to Opposition to Motion
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

05/27/2009 *CANCELED* **Motion to Consolidate** (3:00 AM) (Judicial Officer: Walsh, Jessie)
Vacated
matter continued

05/27/2009 *CANCELED* **Joinder** (3:00 AM) (Judicial Officer: Walsh, Jessie)
Vacated
matter continued

05/27/2009 Answer
Gemstone Development West, Inc.'s Answer to Insulpro Projects, Inc.'s Statement of Facts Constituting Lien

05/28/2009 Joinder To Motion
Filed By: Intervenor Steel Structures Inc; Intervenor Steel Structures Inc
Steel Structures, Inc. and Nevada Prefab Engineers Inc's Joinder to Apco Construction's Motion to Consolidate

05/28/2009 Stipulation and Order for Dismissal
Filed by: Defendant Nevada Construction Services
Stipulation and Order for Dismissal Without Prejudice of APCO Construction's Unjust

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
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

05/29/2009 Statement of Facts Constituting Lien
Filed By: Intervenor Plaintiff Pape Material Handling
Statement of Facts Constituting Lien and Complaint in Intervention

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.
Amended Certificate of Service

06/02/2009 Notice of Entry of Stipulation and Order
Notice of Entry of Stipulation and Order

06/02/2009 Answer to Amended Complaint
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

06/02/2009 Answer
Gemstone Development West, Inc.'s Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention

06/02/2009 Answer
Gemstone Development West, Inc.'s Answer to Tri-City Drywall, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

06/02/2009 Answer
Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

06/02/2009 Answer
Gemstone Development West, Inc.'s Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

06/02/2009 Answer
Gemstone Development West, Inc.'s Answer to EZA, P.C. dba Oz Architecture of Nevada, Inc.'s Statement of Facts Constituting Lien

06/02/2009 Answer to Crossclaim
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

06/03/2009	**Motion to Consolidate** (9:00 AM) (Judicial Officer: Walsh, Jessie) Events: 05/28/2009 Joinder To Motion *Apco Construction's Motion to Consolidate With Case Nos. A574391, A574792, A577623, A579963, A583289, A584730, and A587168*
06/03/2009	**Joinder** (9:00 AM) (Judicial Officer: Walsh, Jessie) *Scott Financial Corporation's Joinder in Motion to Consolidate with Case Nos. A574391, A574792, A579963, A583289, A584730 and A587168*
06/03/2009	**All Pending Motions** (9:00 AM) (Judicial Officer: Walsh, Jessie) Granted in Part; *Granted in Part*
06/03/2009	Reply to Counterclaim Filed by: Intervenor Insulpro Projects Inc *Reply to Camco Pacific Construction's Counterclaim*
06/04/2009	Answer to Counterclaim *Counterdefendant Cabinetec, Inc.'s Answer to Counterclaimant Camco Pacific Construction Company, Inc.'s Counterclaim*
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 *Patent Construction Systems a Division of Harsco Corporations Notice of Lis Pendens*
06/04/2009	Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems; Intervenor Plaintiff Harsco Corporation *Patent Construction Systems a Division of Harsco Corporations Statement of Facts Constituting Lien and Complaint in Intervention*
06/05/2009	Reply *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*
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 *Proof of Service*
06/08/2009	Motion for Default Judgment Filed By: Intervenor Plaintiff Harsco Corporation *Motion for Default Judgment*
06/10/2009	Answer to Complaint *APCO Construction's Answer to Zitting Brothers Construction, Inc.'s Complaint*
06/10/2009	*CANCELED* **Motion to Intervene** (3:00 AM) (Judicial Officer: Walsh, Jessie)

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

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
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.

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
Order Granting Ex Parte motion to Enlarge Time to Allow for Service of Summons and Complaint Upon Defendant Edelstein

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
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

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
Statement of Facts Constituting Lien and Complaint-In-Intervention

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
Scott Financial Corporations' Acceptance of Service of Statement of Facts Constituting Lien and Complaint in Intervention

06/24/2009 Lis Pendens
Accuracy Glass & Mirror Company, Inc.'s Amended Notice of Lis Pendens

06/24/2009 Amended Complaint
First Amended Complaint Re Foreclosure (A571792, A574391, A577623, A583289,

A584730, A587168)

06/24/2009 Lis Pendens
Bruin Painting Corporation's Amended Notice of Lis Pendens

06/24/2009 Statement
Bruin Painting's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

06/24/2009 Lis Pendens
HD Supply Waterworks, LP's Amended Notice of Lis Pendens

06/24/2009 Statement
HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

06/24/2009 Lis Pendens
Helix Electric's Amended Notice of Lis Pendens

06/24/2009 Statement
Helix Electric's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

06/24/2009 Lis Pendens
Heinaman's Amended Notice of Lis Pendens

06/24/2009 Statement
Heinaman Contract Glazing's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

06/24/2009 Lis Pendens
WRG Design, Inc.'s Amended Notice of Lis Pendens

06/24/2009 Statement
WRG Design, Inc.'s Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint (A571792, A574391, A577623, A583289, A584730, A587168)

06/26/2009 Statement of Facts Constituting Lien
Filed By: Intervenor Plaintiff Ahern Rental Inc
Ahern Rental Inc.'s First Amended Statement of Facts Constituting Lien and Complaint-in-Intervention

06/29/2009 Order
Order to Consolidate this action with Case A574391, A574792, A577623, A583289, A584730, A587168, A580889 & A589195

06/30/2009 Answer to Amended Complaint
Gemstone Development West, Inc.'s Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention

06/30/2009 Answer
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

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

07/07/2009	Statement of Facts Constituting Lien *Masonry Group Nevada Inc Statement of Facts Constituting Lien and Complaint in Intervention*
07/09/2009	Statement of Facts Constituting Lien Filed By: Intervenor Plaintiff Northstar Concrete, Inc. *Northstar Concrete Inc Statement of Facts Constituting Lien and Complaint -In-Intervention*
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 *Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention*
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 *Three Day Notice of Intent to Take Default*
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 *Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claim for Unjust Enrichment Against Nevada Construction Services Only*
07/15/2009	Notice of Dismissal Filed By: Intervenor Patent Construction Systems *Patent Construction Systems a Division of Harsco Corporations Notice of Dismissal of Platte River Insurance Company*

07/15/2009	Notice of Voluntary Dismissal Filed By: Intervenor Plaintiff Ahern Rental Inc *Ahern Rentals' Notice of Voluntary Dismissal of Heinaman Contract Glazing and Neal Roffer Only*
07/15/2009	Order Granting Filed By: Intervenor Tri-City Drywall Inc *Order Granting Tri- City Drywall Inc's Request to Intervene*
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 *Notice of Entry of Stipulation and Order*
07/17/2009	Statement of Facts Constituting Lien Filed By: Intervenor Patent Construction Systems *Patent Construction Systems A Division of Harsco Corporation's Statement of Facts Constituting Lien and Amended Complaint in Intervention*
07/20/2009	**Motion for Default Judgment** (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 06/10/2009 Notice of Motion *Harsco Corp's Motion for Default Judgment* Off Calendar; Harsco Corporation's Motion for Default Judgment *Off Calendar*
07/20/2009	Answer *Scott Financial Corporation's Answer to Patent Construction's Statement of Facts Constituting Lien*
07/21/2009	Order for Service by Publication Filed By: Intervenor Plaintiff Ahern Rental Inc *Order for Service by Publication*
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

07/21/2009 Affidavit of Due Diligence

07/22/2009 Statement of Facts Constituting Lien
Filed By: Intervenor Granite Construction Company
Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention

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
Notice of Entry of Order Granting Tri- city Drywall Inc's Request to Intervene

07/22/2009 Notice of Entry of Order
Filed By: Intervenor Plaintiff Ahern Rental Inc

07/23/2009 Response
Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention

07/23/2009 Early Case Conference List of Witnesses & Production of Docs
Early Case Conference List of Witnesses and Production of Documents

07/23/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West, Inc.'s Answer to Atlas Construction Supply, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

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
Three Day Notice of Intent to Take Default and Default Judgment Against Gemstone Development West Inc

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
Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention

07/23/2009 Answer to Complaint
Filed by: Intervenor Defendant Gemstone Development Inc
Gemstone Development West, Inc.'s Answer to Supply Network, Inc. dba Viking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention

07/27/2009 *CANCELED* **Motion to Dismiss** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated - On In Error
Duplicate Entry

07/27/2009 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
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

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
Denied

07/27/2009 Notice of Entry of Order
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

07/28/2009 Notice of Change of Address
Filed By: Intervenor Insulpro Projects Inc
Notice of Change of Firm's Address

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 Develpment 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
Gemstone Development West, Inc.'s Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and Complaint in Intervention

07/30/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention

07/30/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien Claim and Complaint in Intervention

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 Develpment 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
Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention

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
Acceptance of Service of Statement of Facts Constituting Lien and Amended Complaint in Intervention

07/30/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Answer

07/31/2009 Summons
Filed by: Intervenor Granite Construction Company
Summons - Apco Construction

08/03/2009 Summons
Filed by: Intervenor Patent Construction Systems
Party served: Intervenor Plaintiff Northstar Concrete, Inc.
Summons (Amended Complaint)

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
Summons (Amended Complaint)

08/03/2009 Voluntary Dismissal
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

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
APCO Construction's Answer to Accuracy Glass & Mirror Company's First Amended Complaint re Foreclosure

08/05/2009 Answer
APCO Construction's Answer to Creative Home Theatre, LLC's State of Facts Constituting Lien

08/05/2009 Answer
APCO Construction's Answer to Granite Construction Company's Statement of Facts Constituting Lien Claim and Complaint in Intervention

08/05/2009 Answer
APCO Construction's Answer to HD Supply Waterwork's Amended Statement of Facts Constituting a Notice of Lien and Third-Party Complaint

08/05/2009 Answer
APCO Construction's Answer to Helix Electric's Amended Statement of Facts Constituting Notice of Lien and Third-Party Complaint

08/05/2009 Answer

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

- Gemstone Development West Inc.

08/11/2009 Summons
Filed by: Plaintiff Apco Construction
Party served: Intervenor Defendant Concrete Visions Inc
- Concrete Visions Inc.

08/13/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

08/13/2009 Summons
Filed by: Intervenor Patent Construction Systems
Summons (Amended Complaint) -Richard Thornton

08/14/2009 Answer
Scott Financial Corporation's Answer to Creative Home Threatre, LLC's Statement of Facts Constituting Lien

08/14/2009 Answer
Scott Financial Corporation's Answer to Supply Network dba Vking Supplynet's Statement of Facts Constituting Lien and Complaint in Intervention

08/14/2009 Answer
Scott Financial Corporation's Answer to The Pressure Grout Company's Statement of Facts Constituting Lien and Complaint in Intervention

08/14/2009 Answer
Scott Financial Corporation's Answer to Pape Material Handling dba Pape Rents' Statement of Facts Constituting Lien and Complaint in Intervention

08/14/2009 Acceptance of Service
Acceptance of Service of Zitting Brothers Constratuion, Inc.'s Complaint Re: Floreclosure

08/18/2009 Answer
Scott Financial Corporation's Answer to Statement of Facts Constituting Lien on Behalf of Buchele, Inc.

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
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

08/18/2009 Order
Filed By: Intervenor Dave Peterson Framing Inc
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

08/19/2009 Answer

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

08/20/2009 Affidavit of Publication
Filed By: Plaintiff Apco Construction

08/21/2009 Notice
Defendant Gemstone Development West, Inc.'s Notice of Consolidation with Case No. 08-A571228

08/21/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Fast Glass, Inc.'s Statement of Facts Constituting Lien

08/21/2009 Notice
Filed By: Intervenor Defendant Gemstone Development West Inc
Defendant Gemstone Development West Incs Notice of Consolidation With Case No 08-A571228

08/24/2009 Notice of Bankruptcy
Selectbuild Nevada, Inc.'S Notice Of Bankruptcy Filing And Automatic Stay

08/25/2009 Notice
Notice of Consolidation with Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889 and A589195

08/25/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s Statement of Facts Constituting Lien Claim

08/25/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Executive Plastering, Inc.'s First Amended Complaint

08/25/2009 Answer to Interpleader
Gemstone Development West, Inc.'s Answer to Zitting Brothers Construction, Inc.'s Complaint re: Foreclosure

08/26/2009 Answer
Defendant, Nevada Construction Services' Answer to Camco Pacific Construction Company, Inc.'s Statement of Facts and Complaint in Intervention

08/26/2009 Initial Appearance Fee Disclosure
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
Ferguson Fire and Fabrication, Inc's Initial Appearance Fee Disclosure

08/26/2009 Answer
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
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

08/28/2009 Initial Appearance Fee Disclosure
Initial Appearance Fee Disclosure

08/28/2009 Statement of Facts Constituting Lien
Custom Select Billing, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

09/02/2009 Answer to Counterclaim
Filed By: Counter Defendant Masonry Group Nevada Inc
Masonry Group Nevada Inc's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim

09/03/2009 Three Day Notice of Intent to Default
Filed by: Intervenor Patent Construction Systems

09/08/2009 Answer to Interpleader
Alex Edelstein's Answer to Ahern Rental, Inc.'s First Amended Statement of Facts Constituting Lien and Complaint in Intervention

09/08/2009 Motion to Dismiss
Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim

09/09/2009 Motion
Motion to Designate this Action as Complex Pursuant to NRCP 16.1(f), and Motion to Set a Discovery Conference Pursuant to NRCP 16

09/09/2009 Answer and Counterclaim
Answer to Las Vegas Pipeline, LLC's Statement of Facts Constituting Lien and 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

09/10/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Answer to Tri-City Drywall Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim

09/10/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Dave Peterson Framing Incs Statement of Facts Constituing Lien and Complaint in Intervention and Camco Pacific Construction Companys Incs Counterclaim

09/10/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Northstar Concrete Incs Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Companys Inc Counterclaim

09/10/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Counter Defendant Ferguson Fire and Fabrication Inc
Answer to Fast Glass Incs Statement of Facts Constituting Lien and Camco Pacific Construction Company Incs Counterclaim

09/10/2009 Answer

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 Construciton 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 Construciton'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

09/23/2009 Motion to Dismiss
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

09/23/2009 Amended Summons
Filed By: Doing Business As Helix Electric
Party Served: Intervenor Defendant APCO Construction
Amended Summons - APCO Construction

09/23/2009 Amended Summons
Amended Summons - APCO Construction (as defendant ?? claim)

09/24/2009 Amended Summons
Amended Summons

09/24/2009 Amended Summons
Amended Summons

09/24/2009 Amended Summons
Amended Summons

09/24/2009 Amended Summons
Amended Summons

09/24/2009 Certificate of Mailing

09/25/2009 Opposition to Motion to Dismiss
Filed By: Plaintiff Apco Construction
Opposition to Scott Financial Corporation Motion to Dismiss Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim

09/25/2009 Answer
Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc
Answer to Steel Structures, Inc. Second Amended Statement of Facts Constituting Lien and Complaint in Intervention

09/25/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Co Of Maryland
Answer to Nevada Prefab Engineers, Inc.'s Second Amended Statement of Facts Constituting Lien and Complaint in Intervention

09/25/2009 Answer
Filed By: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc
Answer to the Masonry Group Nevada, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention and Camco Pacific Construction Inc.'s Counterclaim

09/25/2009 Answer to Complaint
Filed by: Intervenor Defendant Fidelity & Deposit Co Of Maryland; Counter Claimant Camco Pacific Construction Co Inc
Answer to Buchele, Inc.'s Complaint for Damages and to Foreclosure Mechanic's Lien

and Camco Pacific Construction Company Inc.'s Counterclaim

09/25/2009 Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Answer to Ferguson Fire & Fabrication, Inc.'s Statement of Facts Constituting Lien and Complaint-in-Intervention and Camco Pacific Construction Company Inc.'s Counterclaim

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 Campco 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
Reply to Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim

09/28/2009 Opposition to Motion to Dismiss
Filed By: Plaintiff Apco Construction
Opposition toScott Financial Corporation's Motion to Dismiss Club Vista Fiancial Services, L.L.C. and Tharaldson Motels II, Inc.'s Counterclaim

09/28/2009 Response
Filed by: Plaintiff Apco Construction
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

09/29/2009 Reply
Fast Glass, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Counterclaim

09/29/2009 Opposition
Apco Construction's Limited Opposition to Scott Financial Corporation's Motion to Designate as Complex and Set a Rule 16 Conference

09/29/2009 Reply to Counterclaim
Filed by: Intervenor Tri-City Drywall Inc
Tri-City Drywall, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim

09/29/2009 Reply to Counterclaim
Filed by: Intervenor Plaintiff Inquipco
Inquipco's Reply to Club Vista Financial Services LCC and Tharaldson Motel II, Inc.'s Counterclaim

09/29/2009 Reply to Counterclaim
Filed by: Intervenor Plaintiff Northstar Concrete, Inc.
Northstar Concrete, Inc.'s Reply to Club Vista Financial Services LCC and Tharaldson Motels II, Inc.'s Counterclaim

09/29/2009 Notice of Change of Firm Name
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc

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
Camco Pacific Construction Company, Inc,'s Opposition to Nevada Construction Services' Motion for Sanctons Pursuant to NRCP 11

09/30/2009 Answer to Amended Complaint
Filed By: Counter Defendant Camco Pacific Construction Inc; Counter Claimant Camco Pacific Construction Co Inc
Answer to first amended complaint and counterclaim

10/01/2009 Answer to Complaint
Filed by: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West Inc's Answer to Complaint for Damages and to Foreclose Mechanic's Lien

10/01/2009 Answer
Filed By: Intervenor Defendant Gemstone Development West Inc
Gemstone Development West, Inc.'s Answer to Custom Select Billing, Inc.'s Statement of Facts constitution Lien and Complaint in Intervention

10/02/2009 Motion to Associate Counsel
Motion to Associate Counsel Christine R. Taradash

10/02/2009 Motion to Associate Counsel
Motion to Associate Counsel John T. Moshier

10/05/2009 Motion to Associate Counsel
Motion to Associate Counsel Martin A. Aronson

10/06/2009 Reply
Reply in Support of Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services, LLC and Tharaldson Motels, II, Inc.'s Counterclaim

10/06/2009 Answer to Counterclaim
Filed By: Plaintiff Apco Construction
Plaintiff/Counter-Defendant's Answer to Defendant's First Amended Counterclaim

10/09/2009 Initial Appearance Fee Disclosure
Initial Appearance Fee Disclosure Statement

10/09/2009 Joinder
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

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

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

10/12/2009 Summons
Filed by: Plaintiff Apco Construction

10/13/2009 Certificate of Mailing
Filed By: Counter Defendant Masonry Group Nevada Inc
Errata to Certificate of Mailing

10/14/2009 Reply
Reply in Support of NCS' Motion for Sanctions Pursuant to NRCP 11

10/14/2009 Notice
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

10/14/2009 Joinder
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

10/14/2009 Answer to Complaint
Filed by: Counter Defendant Executive Plastering Inc
Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim

10/15/2009 Joinder
Filed By: Intervenor Plaintiff Ahern Rental Inc
Ahern Rental Inc.'s Joinder to Scott Financial Corporation's Motion to Dismiss Club Vista Financial Services LLC and Theraldson Motel II, Inc.'s Counterclaim

10/15/2009 Motion to Withdraw As Counsel
Richard A Koch's Motion to Withdraw as Counsel

10/15/2009 Reply to Counterclaim
Filed by: Intervenor Plaintiff Northstar Concrete, Inc.; Counter Defendant Northstar Concrete Inc; Counter Defendant Northstar Concrete Inc
Plaintiff in Intervention Northstar Concrete Incs Reply to Camco Pacific Company Incs Counterclaim

10/15/2009 Reply to Counterclaim
Filed by: Intervenor Tri-City Drywall Inc
Plaintiff in Intervention Tri-City Drywall Incs Reply to Camco Pacific Company Incs Counterclaim

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
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

10/16/2009 Answer to Counterclaim
Uintah Investments, LLC's Reply to Club Vista Financial Services, LLC's, Tharaldson Motels II, Inc.'s and Gary D. Tharaldson's Counterclaim

10/16/2009 Acceptance of Service

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
Las Vegas Pipeline's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim

10/16/2009 Notice
Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Notice of Consolidation With Case Numbers A571228, A574391, A574792, A577623, A583289, A584730, A587168, A580889, A589195 and A597089

10/16/2009 Notice
Filed By: Counter Defendant Noord Sheet Metal Company; Intervenor Professional Doors & Millworks LLC
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

10/16/2009 Reply to Counterclaim
Filed by: Counter Defendant Granite Construction Company
Counterdefendant Granite Construction Company's Reply to Club Vista Financial Services, LLC's Counterclaim

10/16/2009 Joinder To Motion
Filed By: Third Party Plaintiff Dave Peterson Framing Inc
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

10/16/2009 Joinder To Motion
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

10/16/2009 Joinder To Motion
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

10/16/2009 Joinder
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

10/19/2009 **Motion for Sanctions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 09/18/2009 Motion for Sanctions
DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11
Denied; DEFT NEVADA CONSTRUCTION SERVICES MOTION FOR SANCTIONS PURSUANT TO NRCP 11
Denied

10/19/2009 Answer to Counterclaim
Filed By: Counter Defendant Republic Crane Service LLC
Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim

10/19/2009 Answer to Counterclaim
Republic Crane Service LLC's Answer to Club Vista Financial Services LLC and Tharaldson Motels II Inc's Counterclaim

10/19/2009 Amended Notice
Filed By: Defendant Scott Financial Corporation
Amended Notice of Scott financial Corporation's Motion to Dismiss Club Vista Financial Services, L.L.C. and Tharaldson Motels II, INC's Counterclaim

10/21/2009 Stipulation for Dismissal
Stipulation for Dismissal Without Prejudice of Count Nine (Acting in Concert/Civil Conspiracy) Against Zitting Brothers Construction Inc

10/21/2009 Opposition to Motion
Filed By: Counter Defendant Executive Plastering Inc
Opposition to Renewed Motion to Clarify and to Reconsider April 6 2009 Ruling Re Executive Plastering Incs Application for Prejudgment Writ of Attachment

10/21/2009 **Order of Dismissal Without Prejudice** (Judicial Officer: Delaney, Kathleen E.)
Debtors: Zitting Brothers Construction Inc (Counter Defendant)
Creditors: Club Vista Financial Sevices 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
Reply of Counterdefendant John Deere Landscape Inc to Counterclaim of Club Vista Financial Services LLC Tharaldson Motels II Inc and Gary D. Tharaldson

10/21/2009 Certificate of Service
Filed by: Counter Defendant Supply Network Inc
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

10/21/2009 Certificate of Service
Filed by: Counter Defendant John Deere Landscape Inc
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

10/23/2009 Acceptance of Service

10/26/2009 *CANCELED* **Motion to Dismiss** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Stipulation and Order
Stip and Order received 10/19/09

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
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)
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)
Matter Continued

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/09/2009 Joinder
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
Granted;
Granted

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/12/2009 Joinder
LIEN CLAIMANT REPUBLIC CRANE'S JOINDER IN SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II'S COUNTERCLAIM
Granted;
Granted

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/15/2009 Joinder
PLTF AHERN RENTAL'S JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THERALDSON MOTEL II'S COUNTERCLAIM

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/16/2009 Joinder To Motion
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
Granted;
Granted

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/16/2009 Joinder To Motion
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
Granted;
Granted

10/26/2009 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 10/16/2009 Joinder To Motion
LIEN CLAIMANT DOORS AND MILLWORKS' JOINDER TO SCOTT FINANCIAL CORP'S MOTION TO DISMISS CLUB VISTA FINANCIAL SERVICES AND THARALDSON MOTELS II' COUNTERCLAIM

10/26/2009 *CANCELED* **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Stipulation and Order
Stip and Order received 10/19/09

10/26/2009 *CANCELED* **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)

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 Campco 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

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

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

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
Scott Financial Corporation's Answer to Hydropressure Cleaning, Inc.'s Statement of Facts Constituting Lien and Complaint in Intervention

11/06/2009 Motion to Amend Complaint
Filed By: Intervenor Plaintiff Harsco Corporation
Harsco Corporation's Proposed Second Amended Complaint in Intervention

11/10/2009 Order
Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCP 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

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
Notice of Entry of Order Setting Rule 16 Conference, Designating the Case as Complex Pursuant to NRCP 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

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
Stipulation and Order for Dismissal of Steel Structures, INC.'s Complaint Against Camco Pacific Construction, and Camco's Counterclaim Against Steel Structures, INC.

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 *Nevada Prefab's Reply to Camco's Counterclaim*
11/16/2009	*CANCELED* **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) *Vacated* *Order signed*
11/16/2009	Notice of Entry of Order *Notice of Entry of Order for Dismissal of Steel Structures Complaint against Camco Pacific Construction and Camcos Counterclaim Against Steel Structures*
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 *Scott Financial Corporation's Answer to HD Supply Waterworks' Amended Statement of Facts Constituting a Notice of Lien and Third Party Complaint*
11/19/2009	**Mandatory Rule 16 Conference** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.) Matter Heard; *Matter Heard*
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 *KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC* Correct date to 11/23/09 Granted; KOCH'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR REPUBLIC CRANE SERVICES LLC *Granted*
11/23/2009	Answer to Interpleader *Gemstone Development West Inc's Answer to PCI Group LLC's Complaint*
11/23/2009	Errata Filed By: Counter Defendant Republic Crane Service LLC *Errata to Motion to Withdraw as Counsel*
11/25/2009	Order Granting Motion *Order Granting Motion to Withdraw as Counsel*

11/25/2009 Order Granting Motion
Filed By: Counter Defendant Republic Crane Service LLC
Order Granting Motion to Withdraw as Counsel

12/01/2009 Substitution of Attorney
Substitution of Attorneys

12/07/2009 Errata
Errata to Affidavit in Support of Motion to Withdraw as Counsel

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
WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC
Granted; WATKINS' MOTION TO WITHDRAW AS ATTORNEY OF RECORD FOR INTERVENOR/LIEN CLAIMANT CABINETEC, INC
Granted

12/07/2009 Notice of Entry
Notice of Entry of Order

12/08/2009 **Motion to Amend Complaint** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 11/06/2009 Motion to Amend Complaint
HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION
Granted; HARSCO CORP'S MOTION FOR SECOND AMENDED COMPLAINT IN INTERVENTION
Granted

12/09/2009 Motion to Withdraw As Counsel

12/09/2009 Notice of Hearing
Filed By: Counter Defendant Executive Plastering Inc
Notice of Hearing Re Motion to Withdraw as Counsel on an Order Shortening Time

12/16/2009 Order Granting Motion
Order Granting Harsco Corporation's Motion to Amend Complaint in Intervention

12/18/2009 Summons
Subtitution of Attorney

12/21/2009 Order Granting Motion
Filed By: Intervenor Plaintiff Cabinetec Inc
Order Granting Motion to Withdraw as Counsel

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
CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR PLTF EXECUTIVE PLASTERING INC

Conditionally Granted; CALLISTER'S MOTION TO WITHDRAW AS COUNSEL OF

RECORD FOR PLTF EXECUTIVE PLASTERING INC
Conditionally Granted

12/23/2009 Motion to Withdraw As Counsel
Motion to Withdraw As Counsel

12/23/2009 Amended Complaint
Filed By: Intervenor Plaintiff Harsco Corporation
Harsco Corporations Second Amended Complaint in Intervention

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
Errata to Motion to Withdraw as Counsel on an Order Shortening Time

01/08/2010 Answer to Counterclaim
Plaintiff/Counter-Defendant HA Fabricators, Inc.'s Answer to APCO Construction's Counterclaim

01/11/2010 Notice of Dismissal
Filed By: Intervenor Plaintiff Inquipco
Plaintiff In Intervention Inquipco's Notice of Dismissal

01/11/2010 Notice of Bankruptcy
Filed By: Counter Defendant Masonry Group Nevada Inc
Notice of Chapter 7 Bankruptcy Filing and Automatic Stay as to the Masonry Group Nevada Inc

01/11/2010 Release of Lis Pendens
Filed By: Intervenor Plaintiff Inquipco
Plaintiff in Intervention Inquipco's Release of Lis Pendens

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
Order Re Motion to Withdraw as Counsel on an Order Shortening Time

01/22/2010 Notice of Entry of Order
Filed By: Counter Defendant Executive Plastering Inc
Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time

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
GILBERT AND THUESON'S MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN

MINUTES

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
Amended Certificate of Mailing Re Notice of Entry of Order Re Motion to Withdraw as Counsel on an Order Shortening Time

01/28/2010 Order
Case Management Order

01/29/2010 Notice
Notice of Entry of Case Management Order

02/01/2010 Certificate
Amended Certificate of Service

02/02/2010 Order
Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc.; Gemstone Devement, LLC; and Alexander Edelstein

02/03/2010 Notice of Entry
Notice of Entry of Order Granting Motion to Withdraw as Counsel for Gemstone Development West, Inc., Gemstone Development, LLC, and Alexander Edelstein

02/03/2010 Consent to Service By Electronic Means
Pape Rents' Consent to Service by Electronic Means

02/04/2010 Consent
Harsco Corporation and EZ, P.C. dba Oz Architecture of Nevada, Inc.'s Consent to Service by Electronic Means

02/05/2010 Substitution of Attorney
Substitution of Attorney for The Pressure Grout Company

02/12/2010 Suggestion of Bankruptcy
Suggestion of Bankruptcy Petition Amicus Curiae

02/12/2010 Stipulation and Order
Stipulation and Order of Dismissal of Defendant Nevada Construction Services Without Prejudice

02/12/2010 **Order of Dismissal Without Prejudice** (Judicial Officer: Delaney, Kathleen E.)
Debtors: Nevada Construction Services (Defendant)
Creditors: Apco Construction (Plaintiff)

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

02/12/2010 Stipulation and Order for Dismissal
Filed by: Interpleader Hydropressure Cleaning Inc
Stipulation and Order for Dismissal without Prejudice of Hydropressure Cleaning, Inc.'s Claims Against Nevada Construction Services Only

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
Consent to Service By Electronic Means

02/22/2010 **Status Check** (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; STATUS CHECK: CONFIRMATION OF COUNSEL FOR DEFTS GEMSTONE DEVELOPMENT WEST INC, GEMSTONE DEVELOPMENT LLC, AND EDELSTEIN
Matter Heard

02/23/2010 Interrogatories
Lenders' Standard Interrogatories to Lien Claimants

02/23/2010 Consent to Service By Electronic Means
Consent to Service by Electronic Means

02/26/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Ahern Rental Inc
Plaintiff Ahern Rentals, Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only

03/01/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Atlas Construction Supply Inc
Atlas Construction Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

03/02/2010 Notice of Hearing
Notice of Hearing on Ahern Rental Inc's Motion for Partial Summary Judgment Against Defendant Alex Edelstein Only

03/02/2010 Certificate of Service
Certificate of Service of Notice of Motion for Partial Summary Judgment of Atlas Construction Supply, Inc. Against Gemstone Development West, Inc.

03/04/2010 Ex Parte Motion
Ex Parte Motion for Order to Show Cause on Order Shortening Time

03/05/2010 Errata
Errata To Order To Show Cause

03/05/2010 Notice of Intent to Take Default
Three Day Notice of Intent to Enter Default Against HA Fabricators, Inc. on

Counterclaim Asserted by APCO Construction

03/05/2010 Notice of Intent to Take Default
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.

03/08/2010 Substitution of Attorney
Substittion of Attorney

03/08/2010 Objection
Scott Financial Corporation's Objection To Written Discovery Requests To Gemstone Development West., Inc.

03/09/2010 Affidavit of Service
Affidavit of Service

03/09/2010 Affidavit of Service
Affidavit of Due Diligence

03/09/2010 Affidavit of Service
Affidavit of Due Diligence

03/09/2010 Affidavit of Service
Affidavit of Due Diligence

03/09/2010 Affidavit of Service
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit of Service
Affidavit of Due Diligence

03/09/2010 Affidavit of Due Diligence
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit of Service
Affidavit of Service

03/09/2010 Affidavit of Service
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service re: Arch Aluminum c/o The Corporation trust Company of Nevada as Resident Agent

03/09/2010 Joinder
Zitting Brothers Construction, Inc.'s Joinder to APCA Construction's Objection to Lenders' Standard Interrogatories to Lien Claimants

03/09/2010 **Show Cause Hearing** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 03/04/2010 Ex Parte Motion
HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT
Granted in Part; HEARING RE: SHOW CAUSE WHY LIENHOLDERS NOT PARTICIPATING IN CONSOLIDATED ACTION SHOULD NOT BE HELD IN CONTEMPT
Granted in Part

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit ofService

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Due Diligence

03/09/2010 Affidavit
Affidavit of Service

03/09/2010 Errata
Filed By: Defendant Scott Financial Corporation
Errata To Order To Show Cause

03/10/2010 Early Case Conference Disclosure Statement
Early Case Conference Disclosure Statement

03/10/2010 Affidavit
Affidavit of Service

03/10/2010 Affidavit
Affidavit of Service

03/10/2010 Notice of Change of Address
Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP
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

03/17/2010 Opposition
Scott Financial Corporation's Opposition To Atlas Construction Supply, Inc.'s Motion For Partial Summary Judgment Against Gemstone Development West, Inc.

03/17/2010 Opposition

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
Defendant's Opposition to Ahern Rental Inc.'s Motion For Partial Summary Judgment Against Alex Edelstein Only

03/22/2010 Errata
Filed By: Defendant Scott Financial Corporation
Third Errata to Order to Show Cause

03/23/2010 Answer to Third Party Complaint
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Answer to Northstar Concrete, Inc.'s Statement of Facts Constituing Lien and Complaint in Intervention

03/23/2010 Substitution of Attorney
Filed by: Intervenor Cell Crete Fireproofing Of NV Inc; Counter Defendant Cellcrete Fireproofing of Nevada Inc
Substitution of Counsel

03/25/2010 Joinder
Zitting Brothers Construction, Inc.'s Joinder to Scott Financial corporation's Oppostion to Atlas Supply, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

03/25/2010 Reply to Opposition
Reply to Scott Financial Corporation's Opposition to Ahern's Motion for Partial Summary Judgment

03/25/2010 Reply to Opposition
Reply to Defendant Edelstein's Opposition to Ahern's Motion for Partial Summary Judgment

03/25/2010 Answer to Crossclaim
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Answer to Renaissance Pools & Spas, Inc.'s Statement of Facts Constituting Lien Claim

03/26/2010 Default
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

03/26/2010 Certificate of Mailing
Certificate of Mailing

03/26/2010 Default
(set aside 04-28-10) Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction

03/29/2010 Order Granting
Filed By: Intervenor Defendant Scott Financial Corp
Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause

03/30/2010 Reply
Filed by: Plaintiff Apco Construction
Atlas Construction Supply, Inc.'s Reply Brief In Support of Its Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

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
Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only
Granted in Part; Pltf. Ahern Rentals Inc.'s Motion for Partial Summary Judgment Against Deft. Edelstein Only
Granted in Part

03/31/2010 Motion for Substitution
Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25

04/01/2010 Notice of Lis Pendens
Cactus Rose Construction's Notice of Lis Pendens

04/01/2010 Statement of Facts Constituting Lien
A587168 Cactus Rose Construction's Statement of Facts Constituting Notice of Lien and Complaint

04/02/2010 Certificate of Service
Certificate of Service of Arch Aluminum's Motion to Substitute Proper Party Pursuant to NRCP 25

04/05/2010 Voluntary Dismissal
HD Supply Waterworks LLP's Voluntary Dismissal of Platte River Insurance Company Only Without Prejudice

04/05/2010 Consent to Service By Electronic Means
Consent to Service by Electronic Means

04/05/2010 Response
Filed by: Plaintiff Apco Construction
Atlas Construction Supply, Inc.'s Answers to Lenders' Standard Interrogatories to Lien Claimants

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
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.
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

04/05/2010

Notice of Lis Pendens
Interstate Plumbing & Air Conditioning's Notice of Lis Pendens

04/05/2010 Statement of Facts Constituting Lien
A587168 Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complaint

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
Ferguson Fire & Fabrication, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimants

04/07/2010 Consent to Service By Electronic Means
Consent for Service by Electronic Means

04/07/2010 Notice of Compliance
Insulpro Projects, Inc.'s First Notice of Compliance

04/07/2010 Production of Documents
Filed by: Plaintiff Apco Construction
Scott Financial Corporation's Production of Documents Pursuant to Case Management Order

04/07/2010 Consent to Service By Electronic Means
Consent to Service by Electronic Means

04/07/2010 Miscellaneous Filing
APCO Construction's Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority

04/07/2010 Response
Filed by: Plaintiff Apco Construction
Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

04/07/2010 Response
Filed by: Plaintiff Apco Construction
Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

04/07/2010 Response
Filed by: Plaintiff Apco Construction
Scott Financial Corporation's Responses to Lien Claimant's Standard Request for Admissions

04/07/2010 Early Case Conference Disclosure Statement
Early Case Conference Disclosure Statement

04/08/2010 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1
Lien Claimant Cell-Crete Fireproofing's Initial Disclosure of Documents and Witnesses

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

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

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
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
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 Initial Appearance Fee Disclosure
Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Initial Appearance Fee Disclosure

04/13/2010 Initial Appearance Fee Disclosure
Filed By: Intervenor Plaintiff Sunstate Companies Inc
Initial Appearance Fee Disclosure (NRS Chapter 19)

04/13/2010 Notice of Appearance
Party: Intervenor Plaintiff Sunstate Companies Inc
Notice of Appearance and Response to Order Granting Defendant Scott Financial Corporation's Application for Order to Show Cause

04/13/2010 Answer and Counterclaim
Filed By: Third Party Defendant Camco Pacific Construction Co Inc; Third Party Defendant Fidelity & Deposit Co Of Maryland
A587168 Answer to Cactus Rose's Statemant of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company Inc's Counterclaim

04/13/2010

Answer and Counterclaim
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

04/14/2010 Verification
Verification of Lien Claimant, Wiss, Janney, Elstner Associates, Inc.'s Response to Lenders' Standard Interrogatories to Lien Claimants

04/14/2010 Verification
Filed by: Plaintiff Apco Construction
Verification of Scott Financial Corporation's Responses to Lien Claimant's Standard Interrogatories

04/14/2010 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service Re: Westward Ho, LLC

04/14/2010 Affidavit of Service
Filed By: Plaintiff Apco Construction
Affidavit of Service Re: Jensen Enterprises, Inc.

04/14/2010 Receipt of Copy
Filed by: Plaintiff Apco Construction
Receipt of Copy

04/15/2010 Answer to Counterclaim
Accuracy Glas & Mirror Company, Inc's Answer to Camco Pacific Construction Company's Counterclaim

04/15/2010 Answer to Counterclaim
Buchele, Inc's Answer to Camco Pacific Construction Company's Counterclaim

04/15/2010 Answer to Counterclaim
WRG Design, Inc.'s Answer to Camco Pacific Construction Company, Inc's Counterclaim

04/15/2010 Answer to Counterclaim
Heinaman Contract Glazing's Answer to Camco Pacific Construction Company, Inc.'s Counterclaim

04/15/2010 Amended
E&E Fire Protection, LLC's Amended Notice of Pendency of Action

04/15/2010 Amended
Noorda Sheet Metal Company's Second Amended Notice of Pendency of Action

04/15/2010 Amended
Professional Doors and Millworks, LLC's Amended Notice of Pendency of Action

04/15/2010 Amended
The Pressure Grout Company's Amended Notice of Pendency of Action

04/15/2010 Amended

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
Lien Claimant Fast Glass, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc.

04/16/2010 Statement of Facts Constituting Lien
Filed By: Intervenor Plaintiff Sunstate Companies Inc
Sunstate Companies, Inc.'s Statement of Facts Constituting Lien

04/19/2010 Consent to Service By Electronic Means
Consent to Service by Electronic Means

04/19/2010 Notice
Filed By: Consolidated Case Party HD Supply Waterworks LP; Counter Defendant HD Supply Waterworks LP
Notice to All Parties

04/20/2010 Stipulation and Order
Filed by: Plaintiff Apco Construction
Stipulation and Order

04/20/2010 Stipulation and Order
Filed by: Plaintiff Apco Construction
Stipulation and Order

04/21/2010 Answer to Third Party Complaint
Filed By: Plaintiff Apco Construction
Answer to Harsco Corporation's Second Amended Complaint

04/21/2010 Order to Show Cause
Order to Show Cause

04/21/2010 Consent to Service By Electronic Means
Ahern Rentals, Inc's Consent to Service by Electronic Means

04/21/2010 Notice of Entry
Notice of Entry of Stipulation and Order

04/21/2010 Notice of Entry
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation and Order

04/22/2010 Miscellaneous Filing
Hydropressure Cleaning, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construciton and Lien Priority

04/22/2010 Miscellaneous Filing
Custom Select Billing, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority

04/22/2010 Reply to Counterclaim
Selectbuild Nevada, Inc.'s Reply to Counterclaim of Camco Pacific Construction

Company, Inc.

04/23/2010 Verification
Filed by: Intervenor Tri-City Drywall Inc
Verification of Tri-City Drywall, Inc.'s Responses to Lenders' Standard Interrogatories to Lien Claimants

04/23/2010 Statement of Facts Constituting Lien
Filed By: Intervenor Plaintiff S R Bray Corp
S.R. Bray Corp.'s Statement of Facts and Complaint in Intervention

04/23/2010 Statement
Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC
SWPPP Compliance Solutions, LLC's Statement of Facts and Complaint

04/23/2010 Initial Appearance Fee Disclosure
Filed By: Intervenor Plaintiff S R Bray Corp
Initial Appearance Fee Disclosure

04/26/2010 Initial Appearance Fee Disclosure
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Initial Appearance Fee Disclosure

04/26/2010 Answer to Third Party Complaint
Filed By: Third Party Defendant Fidelity & Deposit Co Of Maryland
Answer to HD Supply & Waterworks' LPs Statement of Facts Constituting Lien and Third-Party Complaint and Camco Pacific Construction Company Incs Counterclaim

04/27/2010 Stipulation and Order
Filed by: Intervenor Cell Crete Fireproofing Of NV Inc
Stipulation and Order for Extension of Time

04/27/2010 Response
Filed by: Intervenor Defendant Gemstone Development West Inc; Intervenor Defendant Edelstein, Alex
Defendant's Response to Order to Show Cause

04/28/2010 Answer and Counterclaim
Filed By: Plaintiff Apco Construction
APCO Construction's Answer to Interstate Plumbing & Air Conditioning's Statement of Facts Constituting Notice of Lien and Complaint; Counterclaim and Cross-Claim

04/28/2010 Amended Answer
Filed By: Third Party Defendant Camco Pacific Construction Co Inc
Camco's Amended Answer to HD Supply & Waterworks' LP's Statement of Facts Constituting Lien and Third Party-Complaint

04/28/2010 Stipulation and Order
Filed by: Plaintiff Apco Construction
Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction

04/29/2010 Notice of Change of Address
Filed By: Counter Defendant Uintah Investments LLC
Notice of Change of Address

04/29/2010 Notice of Voluntary Dismissal With Prejudice
Filed By: Intervenor Plaintiff Pape Material Handling
Notice of Voluntary Dismissal of Accuracy Glass & Mirror Company and Employers Mutual Casualty Company With Prejudice

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
APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action

05/03/2010 **Motion for Substitution** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 03/31/2010 Motion for Substitution
LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25
Granted; LIEN CLAIMAINT ARCH ALUMINUM AND GLASS COMPANY'S MOTION TO SUBSTITUTE PROPER PARTY PURSUANT TO NRCP 25
Granted

05/04/2010 Notice of Entry of Order
Filed By: Intervenor Plaintiff Ahern Rental Inc
Notice of Entry of Order

05/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Interstate Plumbing & Air Conditioning, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Bruin Painting Corporation
Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West, Inc

05/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Buchele Inc
Buchele, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff S R Bray Corp
S.R. Bray Corp. D/B/A Power Plus' Motion for Partial Summary Judgment Against

Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Heinaman Contract Glazing
Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant HD Supply Waterworks LP
HD Supply Waterworks, LP's Motion for Summary Judgment Against Gemstone Development West, Inc.

05/04/2010 Order
Filed By: Plaintiff Apco Construction
Order Partially Granting Plaintiff/Lien Claiment Ahern Rentals, Inc.'s Motion for Partial Summary Judgment Against Alex Edelstein Only

05/04/2010 Motion to Consolidate
Filed By: Counter Claimant Camco Pacific Construction Co Inc
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

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
Consent to Service by Electronic Means

05/05/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant WRG Design Inc
WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/05/2010 Motion for Partial Summary Judgment
Filed By: Doing Business As Helix Electric
Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

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
Hearing Re: Show Cause Why Default Judgment Should Not be Entered Against Gemstone Develpment 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 Entered Against Gemstone Develpment 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 Develpment 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

Entered Against Gemstone Develpment 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 Develpment 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 ompany, 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 Jdugment Against Gemstone Development West, Inc.

05/06/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
SWPP Complaince 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

05/07/2010 Opposition
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Fast Glass, Inc.'s Motion for Summary Judgment against Gemstone Development, West, Inc.

05/08/2010 Substitution of Attorney
Filed by: Plaintiff Apco Construction
Substitution of Attorney A571228

05/10/2010 Notice of Lis Pendens
Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC
SWPP Compliance Solutions, LLC's Notice of Lis Pendens

05/10/2010 Statement of Facts Constituting Lien
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
SWPPP Compliance Solutions, LLC's Amended Statement of Facts and Complaint

05/10/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Renaissance Pools & Spas Inc
Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment

05/10/2010 Order Shortening Time
Application for Order Shortening Time for Hearings on Certain Motions for Partial Summary Judgment

05/11/2010 Ex Parte Motion for Enlargement of Time
Filed By: Intervenor Plaintiff Harsco Corporation
Ex Parte Motion for Enlargement of Time to Serve Defendant Selin Cisneros and Petition for Service by Publication

05/11/2010 Order Granting Motion
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25

05/12/2010 Notice of Entry
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Notice of Entry of Order Granting Arch Aluminum & Glass Company's Motion to Substitute Proper Party Pursuant to NRCP 25

05/13/2010 Notice of Entry of Stipulation and Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation and Order Setting Aside Default Against HA Fabricators, Inc. on Counterclaim Asserted by APCO Construction

05/13/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum And Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/13/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass, LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/13/2010 Order
Filed By: Other PCI Group, LLC
Order Deconsolidating and Remanding Case No. A584960

05/13/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Selectbuild Nevada Inc
Selectbuild Nevada, Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West, Inc.

05/13/2010 Ex Parte Motion
Filed By: Intervenor Plaintiff Harsco Corporation
Ex Parte Motion for Order Shortening Time Re: Harsco Corporatio's Motion for Partial Summary Judgment and Joinders Thereto

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Accuracy Glass & Mirror Company, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Bruin Painting Corporation's Motion for Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Buchelle, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Cactus Rose Construction, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to HD Supply Waterworks LP's Motion for Partial Summary Judgment West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Helix Elecric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion

Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to S.R. Bray Corp.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to SWPPP's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to WRG Design, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/14/2010 Application
Filed By: Counter Defendant Renaissance Pools & Spas Inc
Application for Order Shortening Time for Hearing on Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment (and Order Granting Application)

05/17/2010 Answer
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Answer to Interstate Plumbing & Ait Conditioning's Statement of Facts Constituting Lien Claim

05/17/2010 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 04/15/2010 Motion for Summary Judgment
Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Lien Claimant Fast Glass Inc.'s Motion for Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Interstate Plumbing & Air Conditioning LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Buchele Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part; Accuracy Glass & Mirror Company Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc.

Granted in Part; Bruin Painting Corporation's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.

Granted in Part; Cactus Rose Construction Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc.

Granted in Part; S.R. Bray Corp's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc.

Granted in Part; Heinaman Contract Glazing's Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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

Granted in Part; HD Supply Waterworks LP's Motion for Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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
WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.

Granted in Part; WRG Design Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West Inc.
Granted in Part

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

Granted in Part; Helix Electric's Motion for Partial Summary Judgment Against Gemstone Development West, Inc.
Granted in Part

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Delaney, Kathleen

05/17/2010	E.) Events: 05/06/2010 Motion for Partial Summary Judgment *Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only* Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only *Granted in Part*
05/17/2010	**Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion *Patent Construction Systems' Joinder to Harsco Corporation's Motion for Partial Summary Judgment* Granted in Part; Harsco Corporation's Motion for Partial Summary Judgment as to Causes of Action I, III, and IV Only *Granted in Part*
05/17/2010	**Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Joinder To Motion *EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment* Granted in Part; EZA, P.C.'s Joinder to Harsco Corporation's Motion for Partial Summary Judgment *Granted in Part*
05/17/2010	**Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/06/2010 Motion for Partial Summary Judgment *SWPP Complaince Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc.* Granted in Part; SWPP Complaince Solutions' Motion for Partial Summary Judgment against Gemstone Development West Inc. *Granted in Part*
05/17/2010	**Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/10/2010 Motion for Partial Summary Judgment *Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment* Granted in Part; Renaissance Pools and Spas, Inc.'s Motion for Partial Summary Judgment *Granted in Part*
05/17/2010	**Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) Events: 05/13/2010 Motion for Partial Summary Judgment *Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc.* Granted in Part; Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Against Gemstone Development West Inc. *Granted in Part*
05/17/2010	*CANCELED* **Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) *Vacated - On In Error* *duplicate*
05/17/2010	**All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.) *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

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

54(B)

05/20/2010 Certificate of Service
Filed by: Interpleader Hydropressure Cleaning Inc
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)

05/21/2010 Errata
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Errata to SWPPP Compliance Solutions' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/21/2010 Errata
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Errata to S.R. Bray Corp. d/b/a Power Plus' Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

05/21/2010 Certificate of Mailing
Filed By: Intervenor Plaintiff Harsco Corporation
Certificate of Mailing

05/21/2010 Opposition
Filed By: Plaintiff Apco Construction
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

05/21/2010 Order Granting Motion
Filed By: Intervenor Plaintiff Harsco Corporation
Order Granting Harsco's Ex Parte Motion for Enlargement of Time to Serve Defendant Selina Cisneros and Petition for Service By Publication

05/24/2010 Miscellaneous Filing
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

05/25/2010 Notice of Entry of Order
Filed By: Other PCI Group, LLC
Notice of Entry of Order

05/26/2010 Order
Order Striking Defendant Gemstone Development West, Inc.'s Answer and Counterclaims, and Entering Default

05/26/2010 Certificate of Service
Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Certificate of Service

05/28/2010 Motion for Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
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)

06/01/2010

Stipulation and Order
Filed by: Plaintiff Apco Construction
Stipulation and Order to Continue Hearing on APCO Construction's Motion to Consolidate Case No. A-10-608717 with Pending Action

06/02/2010 Notice of Entry
Filed By: Plaintiff Apco Construction
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

06/03/2010 Miscellaneous Filing
Filed by: Intervenor Plaintiff Pape Material Handling
Pape Matrial Handling Designation of Documents Supporting Petrfection of Lien

06/03/2010 Miscellaneous Filing
Filed by: Intervenor Steel Structures Inc
Steel Structures Designation of Documents Supporting Perfection of Lien

06/03/2010 Miscellaneous Filing
Filed by: Intervenor Nevada Prefab Engineers Inc
Nevada Prefab Engineers Designation of Documents Supporting Perfection of Lien

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
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

06/08/2010 Motion for Summary Judgment
Filed By: Counter Defendant Atlas Construction Supply Inc
Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien

06/08/2010 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Notice of Entry of Stipulation and Order

06/08/2010 Amended Answer
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland
Second Amended Answer to Nevada Prefab Engineers' Statement of Facts Constituting Notice of Lien and Complaint and Camco Pacific Construction Company's Counterclaim

06/09/2010 Miscellaneous Filing
Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Designation of Documents Supporting the Perfection of Lien, Commencement of Construction and Lien Priority

06/10/2010 Motion for Partial Summary Judgment
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien

06/10/2010 Motion for Summary Judgment
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC

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 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

Pursuant to NRCP 54(b)

06/11/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
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)

06/11/2010 Notice of Hearing
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 Devlopment West, Inc.

06/11/2010 Errata
Filed By: Defendant Scott Financial Corporation
Errata to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

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
Pltf. Selectbuild Nevada Inc.'s Motion for Partial Summary Judgment Against Defendant Gemstone Development West Inc.

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;
Matter Continued

06/14/2010 Acceptance of Service
Acceptance of Service by Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland

06/15/2010 Supplement
Filed by: Defendant Scott Financial Corporation
Scott Financial Corporation's Omnibus Supplement to its Opposition to the Motions for Summary Judgment against Gemstone Development West, Inc.

06/16/2010 Notice of Hearing
Filed By: Defendant Scott Financial Corporation
Amended Notice of Motion for Partial Summary Judgment as to Priority of Liens

06/16/2010 **Motion to Consolidate** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 04/30/2010 Motion to Consolidate

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 **Motion to Consolidate** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 05/04/2010 Motion to Consolidate
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
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
Granted

06/16/2010 **Status Check** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Status Check: Set Date Certain
Matter Heard; Status Check: Set Date Certain
Matter Heard

06/16/2010 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
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.
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.
Matter Heard

06/18/2010 Notice of Change of Hearing
Filed By: Counter Defendant Atlas Construction Supply Inc
Notice of Change of Hearing

06/18/2010 Findings of Fact, Conclusions of Law and Order
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
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.

06/18/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time

06/18/2010 Application for Entry of Default
Filed By: Counter Defendant Selectbuild Nevada Inc
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Application for Entry of Default Against Defendant Gemstone Development West, Inc.

06/18/2010 Affidavit in Support
Filed By: Counter Defendant Selectbuild Nevada Inc
Affidavit of Brian K. Walters in Support of Application for Default Against Defendant Gemstone Development West, Inc.

06/18/2010 Certificate of Mailing
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
Certificate of Mailing

06/18/2010 Notice
Filed By: Counter Defendant Zitting Brothers Construction Inc
Notice of Change of Address, Telephone Number and Facsimile Number

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
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

06/21/2010 Order Granting
Joint Order Granting, in Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West

06/22/2010 Joinder to Motion For Summary Judgment
Filed By: Counter Defendant Atlas Construction Supply Inc
Atlas Construction Supply, Inc.'s Joinder To APCO's Motion For Summary Judgment On Priority

06/22/2010 Joinder To Motion
Filed By: Intervenor Insulpro Projects Inc
Insulpro Projects, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

06/22/2010 Order Granting
Filed By: Defendant Scott Financial Corporation
Order Granting Scott Financial Corporation's Order to Show Cause

06/22/2010 Motion for Summary Judgment
Filed By: Plaintiff Apco Construction
Apco's Motion for Summary Judgment on Priority

06/23/2010 Joinder to Motion For Summary Judgment
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Granite Construction Company's Joinder to APCO's Motion for Summary Judgment on Priority

06/23/2010 Affidavit of Publication
Affidavit of Publication

06/23/2010 Notice of Entry of Order
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Notice of ENtry of Joint Order Granting, In Part, Various Lien Claimants' Motions for Partial Summary Judgment Against Gemstone Development West

06/24/2010 Joinder to Motion For Summary Judgment
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc

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/Plainitff 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

06/28/2010 Opposition to Motion For Summary Judgment
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Opposition to Insulpro's Motion for Summary Judgment

06/28/2010 Joinder to Motion For Summary Judgment
Filed By: Counter Defendant Fast Glass Inc
Fast Glass, Inc.'s Joinder to APCO's Motion for Summary Judgment on Priority

06/28/2010 Joinder to Motion For Summary Judgment
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Las Vegas Pipeline's Joinder in Apco's Motion for Summary Judgment on Priority

06/29/2010 Joinder to Motion For Summary Judgment
Filed By: Other Wiss, Janney, Elstner Associates, Inc.
Plaintiff, Wiss, Janney, Elstner Associates, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

06/29/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Cell-Crete Fireproofing of Nevada, Inc.'s Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

06/29/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
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

06/29/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Tri-City Drywall, Inc.'s Motion for Summary Judgment Against Gemstone Development West, Inc.

06/29/2010 Summons
Filed by: Intervenor Plaintiff Cactus Rose Construction Inc
Summons - Civil

06/29/2010 Acceptance of Service
Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Acceptance of Service by Scott Financial Corporation

06/29/2010 Summons
Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Summons - Civil

06/29/2010 Acceptance of Service
Filed By: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Acceptance of Service by Scott Financial Corporation

06/29/2010 Summons
Filed by: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Summons - Civil

06/29/2010

Acceptance of Service
Filed By: Intervenor Plaintiff SWPPP Compliance Solutions LLC
Acceptance of Service by Scott Financial Corporation

06/29/2010 Summons
Filed by: Intervenor Plaintiff S R Bray Corp
Summons - Civil

06/29/2010 Acceptance of Service
Filed By: Intervenor Plaintiff S R Bray Corp
Acceptance of Service by Scott Financial Corporation

06/29/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Opposition to Las Vegas Pipeline, LLC's Motion for Summary Judgment Against Gemstone Development West, Inc.

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
Camco's Answer to SWPPP's Amended Complaint

07/01/2010 Joinder to Opposition to Motion
Granite Construction Company's Joinder to APCO's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/01/2010 Joinder to Opposition to Motion
Las Vegas Pipeline's Joinder in Apco's Opposition to Scott Financial's Motion for Partial Summary Judgment as to Priority of Liens

07/01/2010 Joinder to Motion For Summary Judgment
Filed By: Other Graybar Electric Company
Graybar Electric Company's Joinder to Apco's Motion for Summary Judgment on Priority

07/01/2010 Joinder to Motion For Summary Judgment
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Northstar Concrete, Inc.'s Joinder to Apco's Motion for Summary Judgment on Priority

07/01/2010 Opposition to Motion For Summary Judgment
Filed By: Plaintiff Apco Construction
APCO's Opposition to Scott Financial's Motion For Partial Summary Judgment as to Priority of Liens

07/01/2010 Stipulation and Order for Dismissal With Prejudice
Filed By: Plaintiff Apco Construction
Stipulation and Order for Dismissal With Prejudice Of Claims Asserted By Select Build Nevada, Inc. Against APCO Construction

07/01/2010 Notice of Entry of Stipulation & Order for Dismissal
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation & Order for Dismissal with Prejudice of Claims Asserted by Select Build Nevada, Inc. Against APCO Construction

07/02/2010 Response
Filed by: Intervenor Defendant Club Vista Financial Services LLC

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
Order Re-Setting Hearing Dates

07/02/2010 Reply to Motion
Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
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

07/02/2010 Joinder to Opposition to Motion
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

07/02/2010 Joinder to Motion For Summary Judgment
Filed By: Intervenor E & E Fire Protectiong LLC
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

07/02/2010 Reply
Reply to Scott's Opposition to Motions for Partial Summary Judgment Filed on Behlaf of All Lien Claimants

07/02/2010 Joinder to Motion For Partial Summary Judgment
Filed By: Other Graybar Electric Company
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

07/06/2010 Reply
Filed by: Counter Defendant Selectbuild Nevada Inc
Selectbuild Nevada, Inc's Reply Brief in Support of Motion for Partial Summary Judgment against Defendant Gemstone Development West, Inc.

07/06/2010 Brief
Filed By: Intervenor Defendant Scott Financial Corporation
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

07/07/2010 Joinder to Opposition to Motion
Filed by: Counter Defendant Noord Sheet Metal Company
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

07/07/2010 Countermotion For Partial Summary Judgment
Filed by: Plaintiff Apco Construction
APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotion for Summary Judgment

07/07/2010 Joinder to Opposition to Motion

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 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

Notice
Filed By: Intervenor Plaintiff Ahern Rental Inc
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.

07/16/2010 Default
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Default on Defendant-In-Intervention Gemstone Development West, Inc.

07/16/2010 Default
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Default on Defendant-In-Intervention Concrete Visions, Inc.

07/16/2010 Joinder
Filed By: Intervenor Steel Structures Inc
Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Joinder to Apco Construction's Motion for Summary Judgment on Priority

07/16/2010 Joinder
Filed By: Intervenor Steel Structures Inc
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

07/19/2010 Joinder
Filed By: Counter Defendant Atlas Construction Supply Inc
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

07/19/2010 Joinder
Filed By: Counter Defendant Ferguson Fire and Fabrication Inc
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

07/19/2010 Notice of Entry of Default
Party: Intervenor Plaintiff Northstar Concrete, Inc.
Notice of Entry of Default on Defendant-In-Intervention Concrete Visions, Inc.

07/19/2010 Notice of Entry of Default
Party: Intervenor Plaintiff Northstar Concrete, Inc.
Notice of Entry of Default on Defendant-In-Intervention Gemstone Development, Inc.

07/19/2010 Joinder to Motion For Summary Judgment
Filed By: Counter Defendant Renaissance Pools & Spas Inc
Renaissance Pools And Spas s Joinder To Apco s Motion For Summary Judgment On Priority

07/19/2010 Answer to Amended Complaint
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Answer to S.R. Bray dba Power Plus' Amended Statement of Facts and Complaint in Intervention

07/20/2010 Reply in Support

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

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
RENAISSANCE POOLS AND SPAS JOINDER TO APCO S OPPOSITION TO SCOTT FINANCIAL CORPORATION S MOTION FOR SUMMARY JUDGMENT ON PRIORITY

07/22/2010 Joinder to Motion For Partial Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Constructin, inc.'s Joinder to APCO Construction's Motion for Parital Summary Judgment as to Priority of Liens

07/22/2010 Joinder
Filed By: Other The Masonry Group Nevada, Inc.
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

07/22/2010 Response
Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass, LLC's Response to APCO's Motion for Summary Judgment on Priority

07/23/2010 Stipulation and Order
Filed by: Intervenor Plaintiff Ahern Rental Inc
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 Develpment West, Inc.

07/26/2010 Reply to Counterclaim
Filed by: Intervenor Nevada Prefab Engineers Inc
Nevada Prefab Engineers Reply to Camco Pacific Construction's Second Amended Answer and Counterclaim

07/27/2010 Supplement to Motion for Summary Judgment
Filed by: Intervenor Cell Crete Fireproofing Of NV Inc
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.

07/27/2010 *CANCELED* **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Secretary
Vacated on in error

07/27/2010 *CANCELED* **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Vacated - per Secretary
Vacated on in error

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 05/18/2010 Motion for Summary Judgment
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)

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 05/18/2010 Motion for Summary Judgment
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)

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 05/28/2010 Motion for Summary Judgment
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)

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/08/2010 Motion for Summary Judgment
Atlas Construction Supply, Inc.'s Motion For Summary Judgment Regarding The Commencement Of Work And Priority Of Its Mechanic's Lien

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
Ferguson Fire & Fabrication, Inc's Motion for Partial Summary Judgment Regarding Perfection, Validity, and Priority of its Mechanic's Lien

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
Insulpro Projects, Inc.'s Motion for Partial Summary Against Gemstone Development, Inc., Apco Construction and Camco Pacific Construction Co., Inc.

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Partial Summary Judgment
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

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

MINUTES

Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Plaintiff-In-Intervention, Tri-City Drywall, Inc.'s Motion For Summary judgment Against Gemstone Development West, Inc.

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/10/2010 Motion for Summary Judgment
Las Vegas Pipeline's Motion for Summary Judgment Against Gemstone Development West, Inc.

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Motion for Partial Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/18/2010 Motion for Partial Summary Judgment
Arch Aluminum and Glass LLC's Motion for Partial Summary Judgment Regarding Priority Among Lien Claimants Order Shortening Time

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/21/2010 Joinder to Motion For Partial Summary Judgment
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

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/22/2010 Motion for Summary Judgment
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: 06/22/2010 Joinder to Motion For Summary Judgment
Atlas Construction Supply, 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: 06/23/2010 Joinder to Motion For Summary Judgment
Granite Construction 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: 06/24/2010 Joinder to Motion For Summary Judgment
Ferguson Fire And Fabrication, 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: 06/25/2010 Joinder to Motion For Summary Judgment
Plaintiff/Lien Claimant Selectbuild Nevada, Inc.'s Joinder to Apco Construction'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: 06/24/2010 Joinder to Motion For Summary Judgment
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

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/28/2010 Joinder to Motion For Summary Judgment
Fast Glass, 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: 06/28/2010 Joinder to Motion For Summary Judgment
Las Vegas Pipeline's 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: 06/28/2010 Joinder to Motion For Summary Judgment
Camco'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: 06/28/2010 Joinder to Motion For Summary Judgment
Lien Claimant/Plainitff 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

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Joinder** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 06/29/2010 Joinder to Motion For Summary Judgment

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;

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
APCO's Opposition to Insulpro Projects, Inc.'s Motion for Partial Summary Judgment and Countermotion for Summary Judgment

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **Status Check** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
STATUS CHECK: PRIOR HEARINGS

MINUTES
Under Advisement;
Under Advisement

07/27/2010 **All Pending Motions** (10:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Matter Heard;
Matter Heard

07/27/2010 Joinder to Opposition to Motion
Filed by: Counter Defendant Accuracy Glass & Mirror Company Inc
Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Partial Summary Judgment as to Priority of Liens

07/28/2010 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

07/28/2010 Motion to Associate Counsel
Filed By: Counter Claimant Club Vista Financial Sevices LLC
Layne K Morrill Esq

07/28/2010 Motion to Associate Counsel
Filed By: Counter Claimant Club Vista Financial Sevices LLC
Stephanie L Samuelson Esq

08/02/2010 Default
Filed By: Counter Defendant Selectbuild Nevada Inc
Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Default Against Defendant Gemstone Development West, Inc.

08/03/2010 Notice of Entry of Default
Party: Counter Defendant Selectbuild Nevada Inc
Lien Claimant/Plaintiff-in-Intervention Selectbuild Nevada, Inc.'s Notice of Entry of Default Against Defendant Gemstone Development West, Inc.

08/04/2010 Supplement
Filed by: Intervenor Insulpro Projects Inc
Insulpro Project, Inc.'s Supplemental Exhibit to Motion for Partial Summary Judgment

08/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor E & E Fire Protectiong LLC
Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

08/04/2010 Motion for Partial Summary Judgment
Filed By: Intervenor Professional Doors & Millworks LLC
Motion for Partial Summary Judgment Against Gemstone Development West, Inc.

08/10/2010 Certificate of Mailing
Filed By: Counter Defendant Noord Sheet Metal Company
Certificate of Service

08/10/2010 Certificate of Service
Filed by: Counter Defendant Noord Sheet Metal Company
Certificate of Service

08/10/2010 Claim
Filed By: Intervenor Granite Construction Company
Granite Construction Company's Statement of Claim

08/18/2010 Certificate
Filed By: Plaintiff Apco Construction
Certificate of Mailing

08/18/2010 Certificate of Mailing
Certificate of Mailing

08/19/2010 Consent to Service By Electronic Means
Consent to Service by Electronic Means

08/25/2010 Release
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Release of Notice of Pendency of Action (Lis Pendens)

08/30/2010 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/28/2010 Motion to Associate Counsel
Club Vista Financial Services, Tharaldson Motels ii Inc and Gary D. Tharaldsons Motion to Associate Counsel
Granted;
Granted

08/30/2010 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 07/28/2010 Motion to Associate Counsel
Granted;
Granted

08/30/2010 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Data Entry Error
Data Entry Error
Matter Heard;
Matter Heard

09/03/2010 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial's Corporation's Opposition to E & E Fire Protections' Motion for Partial Summary Judgment Against Genstone 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

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

Filed By: Defendant Scott Financial Corporation
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

10/11/2010 Joinder
Filed By: Counter Claimant Insulpro Projects Inc
Insulpro Projects Inc's Joinder to Scott Tinancial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved

10/15/2010 Non Opposition
Filed By: Plaintiff Apco Construction
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

10/15/2010 Non Opposition
Filed By: Intervenor Custom Select Billing Inc
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

10/15/2010 Non Opposition
Filed By: Interpleader Hydropressure Cleaning Inc
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

10/20/2010 Motion to Withdraw As Counsel
Filed By: Other HA Fabricators Inc
Shumway Van & Hansen's Motion to Withdraw as Attorney of Record

10/22/2010 Certificate of Service
Filed by: Other HA Fabricators Inc
Certificate of Service

11/02/2010 **Motion to Stay** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Events: 09/30/2010 Motion to Stay
Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priorty Issue has Been Resolved
Granted;
Granted

11/02/2010 **Joinder** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Insulpro Projects Inc's Joinder to Scott Tinancial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue Has Been Resolved
Granted;
Granted

11/02/2010 **All Pending Motions** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Matter Heard;
Matter Heard

11/22/2010 Order to Withdraw as Attorney of Record
Filed by: Plaintiff Apco Construction
Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record

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
Shumway Van & Hansen's Motion to Withdraw as Attorney of Record

Granted; Shumway, Van & Hansen, CHTD's Motion To Withdraw As Attorney Of

Record for HA Fabricators, Inc.
Granted

11/30/2010 Notice of Entry of Order
Filed By: Other HA Fabricators Inc
Notice of Entry of Order Granting Shumway Van & Hansen's Motion to Withdraw as Attorney of Record

12/09/2010 **Status Conference** (9:00 AM) (Judicial Officer: Delaney, Kathleen E.)
Scheduling
Matter Heard;
Matter Heard

12/13/2010 Order Granting Motion
Filed By: Defendant Scott Financial Corporation
Order Granting Scott Financial Corporation's Motion to Stay Further Activity in this Case Until the Issue of Priority Issue has been Resolved

12/14/2010 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
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

01/04/2011 Order
Order Granting Motion to Withdraw as Attorney of Record

02/02/2011 Notice of Compliance
Party: Intervenor Insulpro Projects Inc
Insulpro Projects, Inc.'s Third Notice of Compliance

02/02/2011 Notice of Compliance
Party: Intervenor Insulpro Projects Inc
Insulpro Projects, Inc.'s Fourth Notice of Compliance

03/18/2011 Change of Address
Filed By: Counter Defendant Masonry Group Nevada Inc
Notice of Change of Address Effective April 11, 2011

04/23/2011 Stipulation and Order
Filed by: Intervenor Insulpro Projects Inc
Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc., d/b/a Sacramento Insulation Contrctors, Inc., for NOn-Appearance

04/27/2011 Notice of Entry of Stipulation and Order
Filed By: Intervenor Insulpro Projects Inc
Notice of Entry of Stipulation and Order to Set Aside Lien Expungement of Insulpro Projects, Inc. D/b/a Sacaramento Insulation Contractors, Inc., for Non-Appearance

05/11/2011 Substitution of Attorney
Filed by: Other Wiss, Janney, Elstner Associates, Inc.
Substitution of Attorneys

05/16/2011 Substitution of Attorney
Filed by: Other Wiss, Janney, Elstner Associates, Inc.
Substitution of Attorney

06/24/2011 Case Reassigned to Department 29
Case reassigned from Judge Kathleen E. Delaney

06/29/2011 Notice of Change of Firm Name
Filed By: Intervenor Insulpro Projects Inc
Notice of Change of Firm Name

08/29/2011 Substitution of Attorney
Substitution of Attorney

09/12/2011 Notice of Dismissal
Filed By: Other Graybar Electric Company
Notice of Dismissal

09/12/2011 Release of Lis Pendens
Filed By: Other Graybar Electric Company
Release of Lis Pendens

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
Certificate of Service of APCO's Motion for Issuanceof an Order on Priority on Order Shortening Time

11/04/2011 Ex Parte Order
Filed By: Plaintiff Apco Construction
Ex Parte Application for Order Shortening Time on APCO Construction's Renewed Motion to Consolidate Case No. A579963

11/04/2011 Motion for Order
Filed By: Plaintiff Apco Construction
APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

11/07/2011 Notice of Non Opposition
Filed By: Intervenor Granite Construction Company
Granite Construction Company's Notice of Non-Opposition to Apco's Motion for Issuance of an Order on Priority on an Order Shortening Time

11/07/2011 Joinder
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963

11/07/2011 Joinder To Motion
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time

11/07/2011 Joinder
Filed By: Other The Masonry Group Nevada, Inc.

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
The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority

11/07/2011 Joinder
Filed By: Intervenor Insulpro Projects Inc
Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

11/07/2011 Joinder
Filed By: Other Wiss, Janney, Elstner Associates, Inc.
Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time

11/07/2011 Joinder
Filed By: Other Wiss, Janney, Elstner Associates, Inc.
Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Renewed Motion To Consolidate Case No. A579963

11/07/2011 Motion to Consolidate
Filed By: Plaintiff Apco Construction
APCO Construction's Renewed Motion to Consolidate Case No. A579963

11/07/2011 Joinder To Motion
Filed By: Intervenor Defendant Gemstone Development West Inc
Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

11/07/2011 Joinder To Motion
Filed By: Intervenor Custom Select Billing Inc
Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time

11/07/2011 Joinder To Motion
Filed By: Counter Defendant Buchele Inc
Joinder to APCO's Renewed Motion to Consolidate Case No. A579963

11/07/2011 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Opposition to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortenting Time

11/07/2011 Joinder To Motion
Filed By: Intervenor Tri-City Drywall Inc
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

11/07/2011 Joinder To Motion
Filed By: Intervenor Cell Crete Fireproofing Of NV Inc
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

11/07/2011 Joinder To Motion
Filed By: Interpleader Hydropressure Cleaning Inc
Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963

11/07/2011 Joinder To Motion
Filed By: Intervenor Custom Select Billing Inc
Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963

11/08/2011 Joinder to Opposition to Motion
Filed by: Defendant Scott Financial Corporation
Joinder to Scott Financial Corporation and Bradley J. Scott's Opposition to APCO Construction's Motion to Consolidate Case No. A579963

11/08/2011 Joinder
Filed By: Counter Defendant Uintah Investments LLC
Unitah Investments, LLC dba Sierra Reinforcing's Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time

11/08/2011 Joinder
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Contruction, Inc.'s Joinder to APCO Construction's Motino for Issuance of an Order on Priority on Order Shortening Time

11/08/2011 Joinder
Filed By: Counter Defendant Atlas Construction Supply Inc
Atlas Construction Supply, Inc.'s Joinder To Apco's Motion For Issuance Of An Order On Priority On Order Shortening Time

11/08/2011 Joinder 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 Corporatio's Joinder to Apco's Motion for Issuance of an Order on Priority on Order Shortening Time

11/08/2011 Opposition
Filed By: Defendant Scott Financial Corporation
Opposition To APCO Construction's Renewed Motion To Consolidate Case No. A579963

11/08/2011 Joinder To Motion
Filed By: Counter Defendant Selectbuild Nevada Inc
SelectBuild Nevada, Inc.'s Joinder to APCO Construction's Motion for Issuance of an Order on Priority on Order Shortening Time

11/09/2011 **Motion** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
APCO's Motion for Issuance of an Order on Priority on Order Shortening Time
Matter Continued;
Decision Made;
Matter Continued;
Decision Made;
Matter Continued

11/09/2011 **Motion to Consolidate** (9:00 AM) (Judicial Officer: Scann, Susan)
Events: 11/07/2011 Motion to Consolidate

APCO construction's Renewed Motion to consolidate Case No. A579963
Granted in Part;
Granted in Part

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
Events: 11/07/2011 Joinder To Motion
Hydropressure Cleaning, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
Custom Select Billing, Inc.'s Joinder to APCO's Motion for Issuance of an Order on Priority on Order Shortening Time
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
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
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
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
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
Arch Aluminum and Glass, LLC's Joinder in Apco's Motion for Issuance of an Order on Priority on Order Shortening Time
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
The Masonry Group Nevada, Inc.'s Joinder to APCO's Motion for Issuance of Order on Priority
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Joinder to APCO's Renewed Motion to Consolidate Case No. A579963
Granted in Part;
Granted in Part

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Events: 11/07/2011 Joinder To Motion
Custom Select Billing, Inc.'s Joinder to APCO Construction's Renewed Motion to Consolidate Case No. A579963
Granted in Part;
Granted in Part

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Hydropressure Cleaning, Inc.'s Joinder to APCO Construction's Renewed Motion to

Consolidate Case No. A579963
Granted in Part;
Granted in Part

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Arch Aluminum and Glass, LLC's Joinder in Apco's Renewed Motion to Consolidate Case No. A579963
Granted in Part;
Granted in Part

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
11/09/2011, 11/15/2011
Insulpro Projects, Inc.'s Joinder in APCO's Motion for Issuance of an Order on Priority on Order Shortening Time
Matter Continued;
Matter Continued

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
The Masonyry Group Nevada, Inc.'s Joinder to APCO's Renewed Motion to Consolidated
Granted in Part;
Granted in Part

11/09/2011 **All Pending Motions** (9:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Wiss Janney Elstner Associates, Inc.'s Joinder In APCO's Motion For Issuance Of AN Order On Priority On Order Shortening Time

11/09/2011 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Wiss Janney Elstner Associates, Inc.'s Joinder in APCO's Renewed Motion to Consolidate Case No. A579963

11/11/2011 Substitution of Attorney
Filed by: Intervenor Defendant Club Vista Financial Services LLC
Substitution of Counsel

11/11/2011 Application for Default Judgment
Party: Intervenor Plaintiff Ahern Rental Inc
Application for Judgment by Default Against Defendant Selina Cicneros

11/14/2011 Memorandum of Costs and Disbursements
Filed By: Intervenor Plaintiff Ahern Rental Inc
Memorandum of Costs and Disbursements

11/15/2011 **Motion for Summary Judgment** (10:00 AM) (Judicial Officer: Scann, Susan)
ZITTING BROTHERS CONSTRUCTION, INC'S MOTION FOR SUMMARY JUDGMENT

11/15/2011 **All Pending Motions** (10:00 AM) (Judicial Officer: Scann, Susan)
11/15/11
Matter Heard;
Matter Heard

11/21/2011 Order Granting Motion
Filed By: Plaintiff Apco Construction
Order Granting APCO Construction s Renewed Motion to Consolidate Case No A579963, In Part

11/21/2011 Findings of Fact, Conclusions of Law and Order
Filed By: Plaintiff Apco Construction
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

11/22/2011 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Granting APCO Construction's Renewed Motion to Consolidate Case No. A579963, In Part

11/22/2011 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
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

12/01/2011 **Mandatory Rule 16 Conference** (9:30 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

12/12/2011 Motion to Reconsider
Filed By: Defendant Scott Financial Corporation
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

12/13/2011 Joinder To Motion
Filed By: Defendant Scott Financial Corporation
Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing

12/14/2011 Change of Address
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Notice of Change of Address and Firm Affiliation

12/14/2011 Consent to Service By Electronic Means
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco Pacific Construction Co., Inc.'s Consent to Service by Electronic Means

12/15/2011 Notice of Hearing
Filed By: Defendant Scott Financial Corporation
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

12/16/2011 Answer
Filed By: Intervenor Defendant Edelstein, Alex
Defendant Alexander Edelstein's Answer to Ready Mix Inc.'s First Amended Complaint

12/19/2011 Initial Appearance Fee Disclosure
Filed By: Intervenor Defendant Edelstein, Alex
Initial Appearance Fee Disclosure

12/21/2011 Order
Filed By: Plaintiff Apco Construction
Order Lifting Stay of any Further Activity in this Case

12/21/2011 Case Management Order
Filed By: Plaintiff Apco Construction
Second Amended Case Agenda Dates and Deadlines

12/23/2011 Stipulation and Order
Filed by: Intervenor Defendant Edelstein, Alex
Stipulation and Order for Dismissal with Prejudice

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
Notice of Entry of Stipulation and Order for Dismissal with Prejudice

12/27/2011 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Lifting Stay of any Further Activity in this Case

12/30/2011 Opposition to Motion
Filed By: Plaintiff Apco Construction
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

01/03/2012 Joinder to Opposition to Motion
Filed by: Intervenor Steel Structures Inc
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

01/03/2012 Opposition
Filed By: Intervenor Insulpro Projects Inc
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 Motino for Priority or in the Alternative Motion for Rehearing

01/04/2012 Joinder
Filed By: Intervenor Granite Construction Company
Granite Construction Company's Joinder to Apco's Opposition to Scott Financial Corporation's Motion for Reconsideration

01/04/2012 Joinder
Filed By: Counter Defendant Zitting Brothers Construction Inc
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

Rehearing

01/04/2012 Joinder To Motion
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
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

01/04/2012 Joinder To Motion
Filed By: Intervenor Plaintiff Tri-City Drywall Inc
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

01/04/2012 Joinder to Opposition to Motion
Filed by: Intervenor Cell Crete Fireproofing Of NV Inc
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

01/04/2012 Joinder
Filed By: Counter Defendant Atlas Construction Supply Inc
Atlas Construction Supply, Inc.'s Joinder To APCO's Opposition To Scott Financial Corporation's Motion For Reconsideration

01/04/2012 Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
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

01/05/2012 Joinder
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 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

01/05/2012 Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Joinder to APCO's Opposition to Scott Financial Corporation's Motion for Reconsideration

01/06/2012 Substitution of Attorney
Filed by: Counter Defendant Selectbuild Nevada Inc
Substitution of Counsel

01/06/2012 Joinder
Filed By: Other Wiss, Janney, Elstner Associates, Inc.

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
Unitah 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 Construciton, 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

01/11/2012 Substitution of Attorney
Filed by: Counter Defendant Bank of Oklahoma NA
Notice of Substitution of Attorneys for Plaintiff/Counter-Defendant United Subcontractors, Inc. dba Skyline Insulation

01/11/2012 **Status Check** (10:00 AM) (Judicial Officer: Scann, Susan)
01/11/2012, 02/15/2012
STATUS CHECK: PARTIES WITH MATTERS UNDER SUBMISSION
Matter Continued;
Matter Heard;
Matter Continued;
Matter Heard;
Matter Continued

01/12/2012 Motion to Dismiss
Filed By: Intervenor Defendant Edelstein, Alex
Defendant Alexander Edelstein's Motion to Dismiss

01/12/2012 Reply to Motion
Filed By: Defendant Scott Financial Corporation
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

01/12/2012 Joinder to Opposition to Motion
Filed by: Intervenor E & E Fire Protectiong LLC
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

01/12/2012 Statement
Filed by: Plaintiff Apco Construction
United Subcontractors, Inc. dba Skyline Insulation's Statement of Claims

01/13/2012 Statement
Filed by: Counter Defendant Ready Mix Inc
Ready Mix, Inc.'s Statement Of Claim

01/13/2012 Joinder to Opposition to Motion
Filed by: Counter Defendant Selectbuild Nevada Inc
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

01/18/2012 Statement
Filed by: Counter Claimant Insulpro Projects Inc
Insulpro Projects, Inc.'s Statement of Claim

01/19/2012 Notice of Hearing
Filed By: Defendant Scott Financial Corporation
Notice of Hearing on Motion For Reconsideration of Findings of Fact, Conclusions of

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
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

01/25/2012 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
Brad J. Scott's Joinder To Scott Financial Corporation's Motion For Reconsideration Or In The Alternative, Motion For Re-Hearing

01/25/2012 **All Pending Motions** (9:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

01/31/2012 Notice
Filed By: Intervenor Plaintiff Arch Aluminum And Glass Co
Notice of Name Change

01/31/2012 Affidavit
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Affidavit of Attorneys Fees

01/31/2012 Memorandum of Costs and Disbursements
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Memorandum of Costs and Disbursements

02/01/2012 **Hearing** (9:00 AM) (Judicial Officer: Scann, Susan)
HEARING: COURT'S DECISIION
Decision Made;
Decision Made

02/01/2012 Certificate of Service
Filed by: Intervenor Defendant Edelstein, Alex
Certificate of Service

02/01/2012 Certificate of Service
Filed by: Intervenor Defendant Edelstein, Alex
Certificate of Service

02/06/2012 Motion for Partial Summary Judgment
Filed By: Intervenor Steel Structures Inc
Steel Structures, Inc.'s Motion for Partial Summary Judgment

02/06/2012 Motion for Partial Summary Judgment
Filed By: Intervenor Nevada Prefab Engineers Inc
Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment

02/14/2012 Business Court Order
Amended Business Court Scheduling Order Re-Setting Civil Jury Trial, Pre-Trial Conference And Calendar Call

02/14/2012 Substitution of Attorney
Filed by: Counter Defendant Fast Glass Inc
Substitution of Counsel

02/14/2012 Transcript of Proceedings
Party: Plaintiff Apco Construction
Transcript of Proceedings: Motions

02/15/2012 Supplement
Filed by: Defendant Scott Financial Corporation
Scott Financial Corporation's Supplement to Motion for Summary Judgment as to Priority of Liens

02/17/2012 Motion to Intervene
Party: Intervenor National Wood Products, Inc.'s
National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof

02/17/2012 Declaration
Filed By: Intervenor National Wood Products, Inc.'s
Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene Filed Concurrently herewith

02/28/2012 Affidavit in Support
Filed By: Intervenor Plaintiff Ahern Rental Inc
Supplemental Affidavit of Matthew W. Treu in Support of Plaintiff Ahern Rental, Inc.'s Claim for Attorney's Fees

03/05/2012 Order Shortening Time
Filed By: Plaintiff Apco Construction
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

03/06/2012 Opposition to Motion
Filed By: Defendant Scott Financial Corporation
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

03/06/2012 Joinder
Filed By: Intervenor Steel Structures Inc
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

03/06/2012 Opposition to Motion to Dismiss
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Limited Opposition to Alexander Edelstein's Motion to Dismiss

03/06/2012 Joinder
Filed By: Counter Defendant Zitting Brothers Construction Inc
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

03/06/2012

Certificate of Mailing
Filed By: Intervenor National Wood Products, Inc.'s
Certificate of Mailing Declaration of S Judy Hirahara in Support of National Wood Products Incs Motion to Intervene filed Concurrently herewith

03/06/2012 Certificate of Mailing
Filed By: Intervenor National Wood Products, Inc.'s
Certificate of Mailing National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof

03/06/2012 Joinder
Filed By: Counter Defendant Interstate Plumbing & Air Conditioning
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

03/06/2012 Joinder
Filed By: Intervenor Granite Construction Company
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

03/07/2012 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Scann, Susan)
Defendant Alexander Edelstein's Motion to Dismiss
Granted Without Prejudice;
Granted Without Prejudice

03/07/2012 **Objection** (9:00 AM) (Judicial Officer: Scann, Susan)
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
Denied;
Denied

03/07/2012 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
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
Denied;
Denied

03/07/2012 **Joinder** (9:00 AM) (Judicial Officer: Scann, Susan)
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
Denied;
Denied

03/07/2012 **All Pending Motions** (9:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

03/07/2012 Order Granting Motion
Filed By: Intervenor Defendant Edelstein, Alex
Order Granting Defendant Alexander Edelstein's Motion to Dismiss

03/07/2012 Joinder
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 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

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
Scott Financial Corporation's Reply in Support of Supplement To Motion for Summary Judgment as to Priority of Liens

03/19/2012 Joinder to Opposition to Motion
Filed by: Counter Defendant Uintah Investments LLC
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

03/20/2012 Joinder to Opposition to Motion
Filed by: Interpleader Hydropressure Cleaning Inc
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

03/20/2012 Joinder
Filed By: Counter Defendant Zitting Brothers Construction Inc
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

03/20/2012 Joinder to Opposition to Motion
Filed by: Counter Defendant Selectbuild Nevada Inc
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

03/20/2012 Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Arch Aluminum And Glass Co
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

03/20/2012 Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Northstar Concrete, Inc.
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

03/20/2012 Joinder to Opposition to Motion
Filed by: Intervenor Tri-City Drywall Inc
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

03/21/2012 **Hearing** (10:00 AM) (Judicial Officer: Scann, Susan)
HEARING: ARGUMENT - MOTION FOR SUMMARY JUDGMENT
Continued for Chambers Decision;
Continued for Chambers Decision

03/21/2012 **Motion for Partial Summary Judgment** (10:00 AM) (Judicial Officer: Scann, Susan)
Steel Structures, Inc.'s Motion for Partial Summary Judgment
Granted;
Granted

03/21/2012 **Motion for Partial Summary Judgment** (10:00 AM) (Judicial Officer: Scann, Susan)
Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment

Granted;
Granted

03/21/2012 **All Pending Motions** (10:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

03/22/2012 **Motion to Intervene** (3:00 AM) (Judicial Officer: Scann, Susan)
National Wood Products Incs Notice of Motion and Motion to Intervene and Memorandum of Points and Authorities in Support thereof
Granted;
Granted

03/27/2012 Motion to Withdraw As Counsel
Filed By: Counter Defendant Atlas Construction Supply Inc
Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time

03/29/2012 Errata
Filed By: Counter Defendant Atlas Construction Supply Inc
Errata to Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time

03/30/2012 Notice of Entry of Order
Filed By: Intervenor Nevada Prefab Engineers Inc
Notice of Entry of Order

03/30/2012 Notice of Entry of Order
Filed By: Intervenor Steel Structures Inc
Notice of Entry of Order

03/30/2012 Notice of Hearing
Notice of Hearing

03/30/2012 Findings of Fact, Conclusions of Law and Order
Filed By: Intervenor Nevada Prefab Engineers Inc
Findings of Fact, Conclusions of Law and Order Granting Nevada Prefab Engineers, Inc.'s Motion for Partial Summary Judgment

03/30/2012 Findings of Fact, Conclusions of Law and Order
Filed By: Intervenor Steel Structures Inc
Findings of Fact, Conclusions of Law and Order Granting Steel Structure, Inc.'s Motion for Partial Summary Judgment

04/04/2012 **Decision** (11:00 AM) (Judicial Officer: Scann, Susan)
Court's Decision
Decision Made;
Decision Made

04/05/2012 **Motion to Withdraw as Counsel** (3:00 AM) (Judicial Officer: Scann, Susan)
Craig S. Newman, Esq.'s Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc. and Order Shortening Time
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

04/12/2012 Order Granting Motion
Filed By: Counter Defendant Atlas Construction Supply Inc
Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.

04/12/2012 Order Granting Motion
Filed By: Intervenor National Wood Products, Inc.'s
Order Granting National Wood Products Inc's Motion to Intervene

04/16/2012 Recorders Transcript of Hearing
Party: Plaintiff Apco Construction
Recorder's Transcript Re: Court's Decision

04/16/2012 Notice of Entry of Order
Filed By: Counter Defendant Atlas Construction Supply Inc
Notice of Entry of Order Granting Motion to Withdraw as Attorney of Record for Atlas Construction Supply, Inc.

04/16/2012 Attorney Lien
Filed By: Counter Defendant Atlas Construction Supply Inc
Fennemore Craig, P.C's Notice of Attorney's Lien

04/18/2012 *CANCELED* **Motion for Default Judgment** (10:00 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge

04/23/2012 Transcript of Proceedings
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

04/23/2012 Transcript of Proceedings
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

05/04/2012 Notice of Entry of Order
Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of Order Granting National Wood Products, Inc.'s Motion to Intervene

05/04/2012 Certificate of Mailing
Filed By: Intervenor National Wood Products, Inc.'s
Certificate of Mailing

05/07/2012 Decision
Filed By: Defendant Scott Financial Corporation
Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens

05/07/2012 Notice of Entry of Decision and Order
Filed By: Defendant Scott Financial Corporation
Notice of Entry of Decision, Order and Judgment on Defendant Scott Financial Corporation's Motion for Summary Judgment as to Priority of Liens

05/07/2012 **Partial Summary Judgment** (Judicial Officer: Scann, Susan)
Debtors: Apco Construction (Plaintiff)

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)
Status Check: Status of Case
Matter Continued;
On in error.
Matter Continued

05/29/2012 Motion
Filed By: Defendant Scott Financial Corporation
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

05/30/2012 Judgment By Default
A571228

05/31/2012 Receipt of Copy
Filed by: Defendant Scott Financial Corporation
Receipt Of Copy

05/31/2012 Receipt of Copy
Filed by: Defendant Scott Financial Corporation
Receipt Of Copy

05/31/2012 Certificate of Service
Filed by: Defendant Scott Financial Corporation
Certificate Of Service

05/31/2012 Receipt of Copy
Filed by: Defendant Scott Financial Corporation
Receipt Of Copy

06/01/2012 Opposition to Motion
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
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

06/01/2012 Certificate of Service
Filed by: Defendant Scott Financial Corporation
Certificate Of Sevice

06/01/2012 Order Shortening Time
Supplement Affidavit in Support of Application for Order Shortening Time

06/04/2012 Joinder to Opposition to Motion
Filed by: Intervenor Steel Structures Inc
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

06/05/2012 Joinder to Opposition to Motion
Filed by: Intervenor Tri-City Drywall Inc
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

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
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

06/06/2012 **Motion** (9:00 AM) (Judicial Officer: Scann, Susan)
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
Per JEA and OST.
Hearing Set;
Hearing Set

06/11/2012 Joinder to Opposition to Motion
Filed by: Counter Defendant Selectbuild Nevada Inc
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

06/26/2012 Transcript of Proceedings
Transcript Re: Hearing

06/26/2012 Order Granting Motion
Filed By: Plaintiff Apco Construction
Order Granting Scott Financial Corporation's Motion to Reconsider

06/27/2012 Reply in Support
Filed By: Defendant Scott Financial Corporation
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

06/27/2012 Appendix
Filed By: Defendant Scott Financial Corporation
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

06/27/2012 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Granting Scott Financial Corporation's Motion to Reconsider

06/29/2012 Joinder To Motion
Filed By: Counter Claimant Club Vista Financial Sevices LLC
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

07/02/2012 Objection
Filed By: Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Evidentiary Objection to Presentation of Evidence from Representative of Clark County Department of Development Services

07/02/2012

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;
Matter Heard;
Matter Heard;
Matter Heard;
Matter Heard;
Matter Heard;
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

Filed by: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Accuracy Glass & Mirror Co. Inc.'s Second Amended Notice of Lis Pendens

07/03/2012 *CANCELED* **Evidentiary Hearing** (1:00 PM) (Judicial Officer: Scann, Susan)
Vacated - per Clerk

07/05/2012 NRCP 16.1 Disclosure Statement
Filed By: Plaintiff Apco Construction
NRAP 26.1(A) Disclosure

07/10/2012 *CANCELED* **Evidentiary Hearing** (2:00 PM) (Judicial Officer: Scann, Susan)
Vacated - On In Error

07/11/2012 Order to Show Cause
Filed by: Plaintiff Apco Construction
Order to Show Cause re: Summary Determination of Lien Amounts; and the Possible Sale of the Property

07/12/2012 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
NOTICE OF ENTRY OF ORDER TO SHOW CAUSE RE: SUMMARY DETERMINATION OF LIEN AMOUNTS; and THE POSSIBLE SALE OF THE PROPERTY

07/18/2012 **Show Cause Hearing** (2:00 PM) (Judicial Officer: Scann, Susan)
Show Cause Hearing Re: Summary Determination of Lien Amounts; and the Possible Sale of the Property
Matter Heard;
Matter Heard

07/23/2012 Notice of Change of Address
Filed By: Counter Defendant Uintah Investments LLC
Notice of Change of Address and Telephone Number

07/31/2012 **Hearing** (2:00 PM) (Judicial Officer: Scann, Susan)
Hearing Re: Sale of Property
Per Law Clerk.
Matter Heard;
Matter Heard

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
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

08/10/2012 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order

08/16/2012 **Status Check: Status of Case** (3:00 PM) (Judicial Officer: Scann, Susan)
Status Check: Status of Case
Matter Heard;
Matter Heard

08/21/2012 **Telephonic Conference** (10:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

08/29/2012 Substitution of Attorney
Filed by: Other Wiss, Janney, Elstner Associates, Inc.
Substitution of Attorneys

08/29/2012 Order
Filed By: Plaintiff Apco Construction
Order for Mediation

08/29/2012 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order for Mediation

09/04/2012 Receipt of Copy
Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
Receipt of Copy

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
Re: Order
Matter Continued
Matter Heard;
Matter Heard

SCHEDULED HEARINGS

Hearing (10/09/2012 at 1:30 PM) (Judicial Officer: Scann, Susan)
10/09/2012, 10/16/2012
Re: Order
Matter Continued

10/02/2012 Order Vacating
Filed By: Plaintiff Apco Construction
Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property

10/04/2012 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Vacating the Auction Set for October 9, 2012; and Order to Show Cause re: Sale of the Property

10/09/2012 *CANCELED* **Hearing** (1:30 PM) (Judicial Officer: Scann, Susan)
Vacated - per Judge
HEARING: MANHATTAN WEST AUCTION SALE

10/09/2012 **Hearing** (1:30 PM) (Judicial Officer: Scann, Susan)
10/09/2012, 10/16/2012
Re: Order
Matter Continued;
Matter Continued;
Matter Continued;

Matter Continued;
Matter Continued

10/16/2012 Change of Address
Filed By: Other Wiss, Janney, Elstner Associates, Inc.
Notice of Change of Address

10/16/2012 Change of Address
Filed By: Interpleader Hydropressure Cleaning Inc
Notice of Change of Address

10/16/2012 Change of Address
Filed By: Plaintiff Apco Construction
Notice of Change of Address

10/17/2012 Consent to Service By Electronic Means
Filed By: Intervenor National Wood Products, Inc.'s
Consent to Service By Electronic Means

10/23/2012 **Status Check** (1:30 PM) (Judicial Officer: Scann, Susan)
10/23/2012, 11/06/2012, 12/06/2012, 02/07/2013, 03/01/2013, 03/07/2013
Status Check: Re: Sale of Property
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
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Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Heard;
Matter Continued

10/24/2012 **Calendar Call** (10:30 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

10/25/2012 Motion to Withdraw As Counsel
Filed By: Third Party Plaintiff Dave Peterson Framing Inc
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.

10/26/2012 Pre-trial Memorandum
Filed by: Counter Defendant Ready Mix Inc
Ready Mix, Inc.'s Pre-Trial Memorandum

10/29/2012 Pre-trial Memorandum
Filed by: Plaintiff Apco Construction
APCO Construction's Pre-Trial Memorandum for the Ready Mix, Inc. Trial

10/29/2012 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated

10/30/2012 Pre-trial Memorandum
Filed by: Defendant Scott Financial Corporation
Scott Financial Corporation's Pre-Trial Memorandum

10/30/2012 Certificate of Service
Filed by: Intervenor Dave Peterson Framing Inc
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.

10/30/2012 **Bench Trial** (1:30 PM) (Judicial Officer: Scann, Susan)
Bench Trial: Apco Construction and Ready Mix, Inc.
Matter Heard;
Matter Heard

11/05/2012 Stipulation and Order for Dismissal With Prejudice
Filed By: Intervenor Granite Construction Company
Stipulation and Order to Dismiss With Prejudice

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
Notice of Entry of Order

11/29/2012 **Motion to Withdraw as Counsel** (3:00 AM) (Judicial Officer: Scann, Susan)
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.
Granted in Part;

Granted in Part

11/29/2012 Order
Filed By: Plaintiff Apco Construction
Order Staying the Case, Except for the Sale of the Property, Pending Resolution of the Writ Petition Before the Nevada Supreme Court

11/30/2012 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
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

12/14/2012 Stipulation and Order for Dismissal With Prejudice
Filed By: Defendant Edelstein, Alexander
(A577623) Stipulation and Order for Dismissal with Prejudice as to Defendant Alexander Edelstein Only

12/17/2012 Notice of Entry of Stipulation and Order
Filed By: Intervenor Defendant Edelstein, Alex
Notice of Entry of Stipulation and Order for Dismissal With Prejudice as to Defendant Alexander Edelstein Only

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Status Hearing, May 9, 2012

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Status Hearing, August 16, 2012

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Apco Construction's Order to Show Cause Re: Summary Determination of Lien Amounts; Possible Sale of the Property, October 9, 2012

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Hearing Re: Sale of Property, October 16, 2012

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Status Check Re: Sale of Property, November 6, 2012

12/19/2012 Transcript of Proceedings
Transcript of Proceedings: Status Check Re: Sale of Property, December 6, 2012

12/27/2012 Motion
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues

01/02/2013 Order Granting
Filed By: Intervenor Dave Peterson Framing Inc
Order Granting in Part Motion to Withdraw as Counsel of Record for Dave Peterson Framing, Inc.

01/02/2013 Joinder
Filed By: Counter Defendant Zitting Brothers Construction Inc
Joinder to Motion to Set Hearing to Discuss Order Approving Private Sale Agreement and Related Issues

01/03/2013 Notice of Entry of Order
Filed By: Defendant Nevada Construction Services
Notice of Entry of Order Granting in Part Motion to Withdraw As Counsel of Record for Dave Peterson Framing, Inc.

01/03/2013 Request
Filed by: Intervenor Cell Crete Fireproofing Of NV Inc
Lien Claimant/Plaintiff Cellcrete Fireproofing of Nevada Inc's Request and Notice for CourtCall Telephonic Appearance

01/03/2013 **Motion** (1:30 PM) (Judicial Officer: Scann, Susan)
01/03/2013, 01/16/2013
Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues

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
EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE
Matter Continued
Per temporary JEA.
Matter Continued;
Matter Heard;
Per temporary JEA.
Matter Continued;
Matter Heard;
Matter Continued

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
EVIDENTIARY HEARING: REAL ESTATE COMMISSION FOR THE PRIVATE SALE
Matter Continued

01/23/2013 Order
Filed By: Defendant Scott Financial Corporation
Order

01/24/2013 Stipulation and Order for Dismissal With Prejudice
Filed By: Defendant Edelstein, Alexander
Stipulation and Order for Dismissal with Prejudice as to Defendant Alexander Edelstein Only

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
Notice of Entry of Stipulation and Order for Dismissal With Prejudice as to Defendant Alexander Edelstein Only

01/28/2013 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice of Entry of Order

01/29/2013 Application
Filed By: Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Ex Parte Application For Order To Show Cause On Order Shortening Time

01/29/2013 Order to Show Cause
Filed by: Defendant Scott Financial Corporation
Order to Show Cause

01/29/2013 Order to Show Cause
Filed by: Defendant Scott Financial Corporation
Order To Show Cause Regarding Possible Sale Of The Property

01/30/2013 Errata
Filed By: Defendant Scott Financial Corporation
Errata to Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time

01/30/2013 Notice of Entry
Filed By: Defendant Scott Financial Corporation
Notice of Entry of Order Shortening Time

01/31/2013 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice of Entry of Order to Show Cause

01/31/2013 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order To Show Cause Regarding Possible Sale Of Property

02/05/2013 Notice of Hearing
Filed By: Defendant Scott Financial Corporation
Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time

02/05/2013 **Show Cause Hearing** (10:00 AM) (Judicial Officer: Scann, Susan)
Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on OST
Motion Granted;
Motion Granted

02/05/2013 Motion to Dismiss
Filed By: Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time

02/06/2013 Declaration
Filed By: Defendant Scott Financial Corporation
Declaration Of Bradley J. Scott, In Anticipation Of Evidentiary Hearing

02/07/2013 Order to Show Cause
Filed by: Defendant Scott Financial Corporation
Order To Show Cause

02/07/2013

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

02/13/2013 Transcript of Proceedings
Transcript Re: Telephonic Conference, August 21, 2012

02/13/2013 Transcript of Proceedings
Transcript Re: Telephonic Conference, September 26, 2012

02/13/2013 Transcript of Proceedings
Transcript Re: Hearing Re: Sale of Property, October 23, 2012

02/13/2013 Transcript of Proceedings
Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 3, 2013

02/13/2013 Transcript of Proceedings
Transcript Re: Intervenor's Motion to Set Hearing to Discuss Order Approving Private Sale, Purchase and Sale Agreement and Related Issues, January 16, 2013

02/13/2013 Transcript of Proceedings
Transcript Re: Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause, February 5, 2013

02/13/2013 Transcript of Proceedings
Transcript Re: Evidentiary Hearing: Real Estate Commission for the Private Sale, February 7, 2013

02/13/2013 Receipt of Copy
Filed by: Defendant Scott Financial Corporation
Receipt Of Copy Of The Notice Of Hearing On Defendant Scott Financial Corporation's Motion To Dismiss And Expunge Liens On Order Shortening Time

02/14/2013 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Scann, Susan)
Defendant Scott Financial Corporation's Motion to Dismiss and Expunge Liens on Order Shortening Time
Granted;
Granted

02/14/2013 **Show Cause Hearing** (9:00 AM) (Judicial Officer: Scann, Susan)
Order To Show Cause
Granted;
Granted

02/14/2013 **All Pending Motions** (9:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

02/14/2013 Order
Filed By: Defendant Scott Financial Corporation
Order On Defendant Scott Financial Company's Motion To Dismiss And Expunge Liens

02/14/2013 Order
Filed By: Defendant Scott Financial Corporation
Order Regarding Show Cause Hearing

02/14/2013 Order
Filed By: Defendant Scott Financial Corporation

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

02/19/2013 Transcript of Proceedings
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

02/20/2013 Notice of Entry of Order
Filed By: Defendant Scott Financial Corporation
Notice Of Entry Of Order Expunging Liens

02/25/2013 Brief
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief

02/25/2013 Brief
Filed By: Intervenor Defendant Gemstone Development West Inc
Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures

02/25/2013 Brief
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Tharaldson Parties' Evidentiary Hearing Brief and Limited Joinder to Peel Brimley Lien Claimants' Pre-hearing Brief and Disclosures

02/26/2013 Joinder
Filed By: Plaintiff Apco Construction
APCO Construction's Joinder to Peel Brimley Lien Claimants' Pre-Hearing Brief and Disclosures

02/26/2013 Errata
Filed By: Defendant Scott Financial Corporation
Errata To Scott Financial Corporation And Bradley J. Scott's Evidentiary Hearing Brief

03/01/2013 **All Pending Motions** (9:00 AM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

03/05/2013 Motion to Withdraw As Counsel
Filed By: Intervenor Plaintiff Harsco Corporation
Motion to Withdraw as Attorney of Record for Harsco Corporation

03/07/2013 Transcript of Proceedings
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

03/07/2013 **All Pending Motions** (1:00 PM) (Judicial Officer: Scann, Susan)
Matter Heard;
Matter Heard

03/12/2013 Transcript of Proceedings
Transcript of Proceedings: Status Check: RE: Sale of Property, Evidentiary Hearing: Real Estate Commission for the Private Sale, March 1, 2013

03/12/2013 Transcript of Proceedings

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;
Continued

04/03/2013 *CANCELED* **Calendar Call** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated - Superseding Order

04/03/2013 Notice of Entry of Decision and Order
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Notice of Entry of Decision and Order on Motion to Set Hearing

04/03/2013 Decision and Order
Decision and Order

04/04/2013 Amended Notice
Filed By: Intervenor Defendant Gemstone Development West Inc
Amended Notice of Entry of Decision and Order on Motion to Set Hearing

04/04/2013 Stipulation and Order for Dismissal
Filed by: Consolidated Case Party HD Supply Waterworks LP
A587168 Stipulation and Order to Dismiss E&E Fire Protection, LLC Only Pursuant to the Terms Stated Below

04/08/2013 *CANCELED* **Bench Trial** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated - Superseding Order

04/08/2013 Notice of Entry of Stipulation and Order
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
A587168

04/10/2013 **Motion to Withdraw as Counsel** (3:00 AM) (Judicial Officer: Scann, Susan)
Donald H. Williams, Esq's Motion to Withdraw as Attorney of Record for Harsco Corporation
Granted;
Granted

04/23/2013 Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Approving Sale of Property

04/25/2013 Notice of Entry of Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order Approving Sale of Property

04/25/2013 Motion to Set Aside
Filed By: Consolidated Case Party Cisneros, Selina
Notice Of Motion And Motion To Set Aside Order Or Judgment

04/25/2013 Release
Filed By: Defendant Scott Financial Corporation
Ahern Rentals, Inc.'s Partial Release of Judgment Lien

04/30/2013 Ex Parte Application
Party: Defendant Scott Financial Corporation
Defendant Scott Financial Corporation's Ex Parte Appliction for Order To Show Cause on Order Shortening Time

05/02/2013 Order to Show Cause
Filed by: Defendant Scott Financial Corporation
Order to Show Cause

05/07/2013 Order Granting Motion
Filed By: Intervenor Plaintiff Harsco Corporation
Order Granting Donald H. Williams, Esq.'s Motion to Withdraw as Attorney of Record for Harsco Corporation

05/08/2013 Affidavit of Service
Filed By: Consolidated Case Party Cisneros, Selina
Affidavit of Service

05/08/2013 *CANCELED* **Pre Trial Conference** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge

05/09/2013 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

05/09/2013 *CANCELED* **Show Cause Hearing** (10:00 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge
Show Cause Hearing

05/15/2013 *CANCELED* **Calendar Call** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge

05/17/2013 Release
Filed By: Defendant Scott Financial Corporation
PCI Group, LLC's Partial Release of Judgment Lien

05/20/2013 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge

05/22/2013 Release
Filed By: Defendant Scott Financial Corporation
PCI Group LLC's Partial Release of Judgment Lien

05/23/2013 *CANCELED* **Show Cause Hearing** (10:00 AM) (Judicial Officer: Scann, Susan)
Vacated - per Judge
Defendant Scott Financial Corporation's Ex Parte Application for Order to Show Cause on Order Shortening Time

05/30/2013 **Motion to Set Aside** (9:00 AM) (Judicial Officer: Scann, Susan)
Defendant Selina Cisneros' Motion To Set Aside Order or Judgment
Off Calendar;
Off Calendar

06/06/2013 Motion for Judgment
Filed By: Plaintiff Apco Construction

(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

Stipulation and Order
Filed by: Plaintiff Apco Construction
Stipulation and Order to Continue the Hearing on Insulpro Projects Inc.'s Motion to Lift Stay

06/19/2014 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation and Order to Continue Hearing on Insulpro Projects Inc.'s Motion to Lift Stay

06/20/2014 Opposition
Filed By: Defendant Scott Financial Corporation
Opposition of Scott Financial Corporation to Insulpro Project, Inc.'s Motion to Lift Stay

06/20/2014 Reply to Opposition
Filed by: Intervenor Plaintiff Inquipco
Insulpro Projects, Inc.'s Reply to Apco Construction's Opposition to Motion to Lift Stay

06/23/2014 Opposition
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco Pacific Construction Company, Inc.'s Opposition to Insulpro Projects, Inc.'s Motion to Lift Stay

07/02/2014 Reply to Opposition
Filed by: Intervenor Insulpro Projects Inc
Insulpro Projects, Inc.'s Reply to Camco Pacific Construction Company, Inc.'s Opposition to Motion to Lift Stay

07/15/2014 **Motion** (9:00 AM) (Judicial Officer: Scann, Susan)
Insulpro Projects, Inc.'s Motion to Lift Stay
Denied;
Denied

07/28/2014 Order Denying
Filed By: Plaintiff Apco Construction
Order Denying Insulpro Projects Inc.'s Motion to Lift Stay

07/29/2014 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Denying Insulpro Projects Inc.'s Motion to Lift Stay

03/11/2015 Opposition
Filed By: Consolidated Case Party Cisneros, Selina
Opposition to Affidavit of Renewal of Judgment

07/13/2015 Motion to Withdraw As Counsel
Filed By: Intervenor Plaintiff Northstar Concrete, Inc.
Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.

08/19/2015 **Motion to Withdraw as Counsel** (3:00 AM) (Judicial Officer: Scann, Susan)
The Law Firm of Pezzillo Lloyd's Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

08/31/2015 Order Granting Motion
Filed By: Counter Defendant Northstar Concrete Inc
Order Granting Motion to Withdraw as Counsel of Record For Northstar Concrete, Inc.

08/31/2015 Notice of Entry of Order
Notice of Entry of Order Granting Motion to Withdraw as Counsel of Record for Northstar Concrete Inc.

10/07/2015 Notice of Hearing
Notice of Hearing for Status Check

10/21/2015 **Status Check** (9:30 AM) (Judicial Officer: Denton, Mark R.)
10/21/2015, 04/21/2016
Status Check: Disbursement of Sale Proceeds & any other Matters Remaining follwoing the S. CT. Decision 131Nev., Adv. Op. 70
Matter Continued;
Attorney /Judge Conflict -Dept.15
Matter Heard;
Matter Continued;
Attorney /Judge Conflict -Dept.15
Matter Heard;
Matter Continued

11/05/2015 Substitution of Attorney
Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
Substitution of Attorney

03/14/2016 Notice of Department Reassignment
Notice of Department Reassignment

03/14/2016 Case Reassigned to Department 15
Reassigned From Judge Susan Scann - Dept 29

03/28/2016 Motion
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Motion for Order Shortening Time for Hearing on Joint Motion to Release Sale Proceeds from Court-Controlled Escrow Account

03/28/2016 Motion
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Joint Motion to Release Sale Proceeds from Court Controlled Escrow Account on Order Shortening Time

04/05/2016 Notice of Appearance
Party: Plaintiff Apco Construction
Notice of Appearance

04/14/2016 Notice of Entry of Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Notice of Entry of Order Releasing Sale Proceeds from Court-Controlled Escrow Account

04/14/2016 **Motion to Release Funds** (9:00 AM) (Judicial Officer: Denton, Mark R.)
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
Matter Resolved;

Matter Resolved

04/14/2016 Order
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Order Releasing Sale Proceeds from Court-Controlled Escrow Account

05/06/2016 Order
Order RE: Status Check

05/09/2016 Motion
Filed By: Plaintiff Apco Construction
Motion to Appoint Special Master

05/18/2016 Opposition to Motion
Filed By: Third Party Plaintiff Insulpro Projects Inc
Insulpro Project's Limited Opposition to Apco Construction's Motion to Appoint Special Master

05/18/2016 Motion for Summary Judgment
Filed By: Third Party Plaintiff Insulpro Projects Inc
Renewed Motion for Partial Summary Judgment

05/18/2016 Application
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Application for Order Shortening Time Re: Motion to Withdraw

05/18/2016 Motion to Withdraw As Counsel
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Motion to Withdraw

05/20/2016 Order Shortening Time
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw

05/23/2016 Notice of Entry of Order
Filed By: Intervenor Plaintiff Las Vegas Pipeline LLC
Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw

05/24/2016 Certificate of Service
Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
Certificate of Service - Notice of Entry of Order Granting Movant's Application for Order Shortening Time on its Motion to Withdraw

05/25/2016 Opposition to Motion
Filed By: Intervenor Plaintiff Cactus Rose Construction Inc
Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master

05/31/2016 Joinder
Filed By: Intervenor Steel Structures Inc
Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master

05/31/2016 Opposition to Motion
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Limited Opposition to APCO's Motion to Appoint Special Master

05/31/2016 Reply in Support
Filed By: Plaintiff Apco Construction
APCO Construction's Reply in Support of Motion to Appoint Special Master

05/31/2016 Joinder to Motion For Partial Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment

06/01/2016 Initial Appearance Fee Disclosure
Filed By: Counter Defendant Zitting Brothers Construction Inc
Fee Disclosure for Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment

06/02/2016 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Granting Movant's Motion to Withdraw

06/02/2016 Opposition to Motion For Summary Judgment
Filed By: Defendant Scott Financial Corporation
Scott Financial Corporation's Limited Opposition to Lien Claimant Insulpro's Projects, Inc.'s Renewed Motion for Partial Summary Judgment

06/02/2016 **Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Matter Heard;
Matter Heard

06/02/2016 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Smith & Shapiro, PLLC's Motion to Withdraw
Granted;
Granted

06/02/2016 **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Matter Heard;
Matter Heard

06/02/2016 Order to Withdraw as Attorney of Record
Filed by: Intervenor Plaintiff Las Vegas Pipeline LLC
Order Granting Movant's Motion to Withdraw

06/06/2016 Opposition and Countermotion
Filed By: Plaintiff Apco Construction
APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro

06/06/2016 Opposition
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Opposition to Insulpro's Renewed Motion for Partial Summary Judgment

06/07/2016 Initial Appearance Fee Disclosure

Filed By: Plaintiff Apco Construction
Initial Appearance Fee Disclosure

06/09/2016 **Motion** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Plaintiff's Motion to Appoint Special Master
Motion Granted;
Motion Granted

06/09/2016 Order Appointing Special Master
Filed By: Plaintiff Apco Construction
Order: Appointing Special Master

06/13/2016 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

06/15/2016 Reply in Support
Filed By: Intervenor Insulpro Projects Inc
Reply in Support of Renewed Motion for Partial Summary Judgment Re: Apco Opposition

06/15/2016 Reply in Support
Filed By: Intervenor Insulpro Projects Inc
Reply in Support of Renewed Motion for Partial Summary Judgment re: Camco Opposition

06/20/2016 **Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Renewed Motion for Partial Summary Judgment
Referred;
Referred

06/20/2016 **Joinder** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Zitting Brothers Construction, Inc.'s Joinder to Insulpro Projects, Inc.'s Renewed Motion for Partial Summary Judgment
Referred;
Referred

06/20/2016 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Denton, Mark R.)
APCO's Opposition to Renewed Motion for Partial Summary Judgment and Joinder Thereto; and Countermotion to Dismiss and/or for Summary Judgment Against Insulpro
Referred;
Referred

06/20/2016 **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Matter Heard;
Matter Heard

06/22/2016 Notice of Special Master Hearing
Filed By: Special Master Hale, Floyd, ESQ
Notice of Special Master Hearing

06/28/2016 Notice of Special Master Hearing
Filed By: Special Master Hale, Floyd, ESQ
Notice of Rescheduled Special Master Hearing

07/01/2016 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

07/01/2016 Order Denying Motion
Filed By: Plaintiff Apco Construction

07/11/2016 Recorders Transcript of Hearing
Recorder's Trancript of Proceedings Bench Trial: APCO Construction and Ready Mix, Inc., October 30, 2012

08/02/2016 Notice of Special Master Hearing
Filed By: Special Master Hale, Floyd, ESQ
Notice of Special Master Hearing

08/08/2016 Special Master Recommendation and District Court Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Report, Recommendation, and District Court Order

08/23/2016 Notice of Appearance
Party: Counter Defendant Uintah Investments LLC
Notice of Appearance of Counsel for Plaintiff Uintah Investments, LLC dba Sierra Reinforcing

08/31/2016 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's 16.1 Disclosure

09/01/2016 Special Master Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Order Requiring Completion of Questionnaire

09/22/2016 Notice of Compliance
Party: Intervenor E & E Fire Protectiong LLC
E&E Fire Protection, LLC's Notice of Compliance

09/23/2016 Response
Filed by: Intervenor National Wood Products, Inc.'s
National Wood Products Incs Response to Special Master Questionnaire

09/26/2016 Response
Filed by: Other United Subcontractors Inc
United Subcontractors, Inc. DBA Skyline Insulation's Special Master Questionnaire Response

09/27/2016 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1
Filed By: Other United Subcontractors Inc
United Subcontractors, Inc. DBA Skyline Insulation's Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order

09/30/2016 Request
Filed by: Intervenor National Wood Products, Inc.'s
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.

10/03/2016 Special Master Order

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
Special Master Order Authorizing United Subcontractors, Inc. dba Skyline Insulation to File and Serve NRCP 16.1 Disclosures

10/07/2016 Special Master Recommendation and District Court Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amending Case Agenda

10/12/2016 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1
Filed By: Other United Subcontractors Inc
United Subcontractors, Inc. DBA Skyline Insulation's Re-filed, Supplemented and Consolidated Disclosure Pursuant to NRCP 16.1 and Special Master Order

01/06/2017 Substitution of Attorney
Filed by: Intervenor Plaintiff Interstate Plumbing & Air Conditioning Inc
Substitution of Attorney

01/09/2017 Proof of Service
Filed by: Plaintiff Apco Construction
Proof of Service

01/13/2017 Motion for Order to Show Cause
Filed By: Intervenor Defendant Club Vista Financial Services LLC
Motion for Order to Show Cause Why Grubb & Ellis, Now Known As Newmark Grubb, Should Not be Held in Contempt of Court

01/24/2017 Certificate of Service
Filed by: Other United Subcontractors Inc
Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Request for Production of Documents)

01/30/2017 Certificate of Service
Filed by: Other United Subcontractors Inc
Certificate of Service (United Subcontractors, Inc. dba Skyline Insulation's Responses to APCO Construction's First Set of Interrogatories)

01/30/2017 Order Setting Civil Non-Jury Trial
Order Setting Civil Non-Jury Trial And Calendar Call

02/02/2017 Motion to Associate Counsel
Motion to Associate Counsel

02/03/2017 Proof of Service by Mail
Filed by: Other Chaper 7 Trustee
Certificate of Service

02/14/2017 Stipulation and Order
Filed by: Counter Claimant Club Vista Financial Sevices LLC
Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion

for Order to Show Cause

02/15/2017 Motion to Withdraw As Counsel
Filed By: Intervenor Defendant Gemstone Development West Inc
Motion to Withdraw

02/16/2017 Notice of Special Master Hearing
Filed By: Special Master Hale, Floyd, ESQ
Notice of Special Master Hearing

02/16/2017 Notice of Entry of Stipulation and Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation and Order for Amended Briefing Schedule and to Continue Hearing on Motion for Order to Show Cause

02/21/2017 Certificate of Service
Filed by: Plaintiff Apco Construction
Certificate of Service

02/23/2017 Opposition
Filed By: Consolidated Case Party Newmark Grubb Knight Frank
Opposition to Motion for Order to Show Cause

02/27/2017 Special Master Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Report Regarding Remaining Parties to the Litigation and Discovery Status

02/28/2017 Notice of Motion
Filed By: Consolidated Case Party Cisneros, Selina
Notice of Motion for Hearing

02/28/2017 Motion
Filed By: Consolidated Case Party Cisneros, Selina
Plaintiff Motion to Set Aside Judgment

03/01/2017 Reply in Support
Filed By: Counter Claimant Tharaldson Motels II Inc
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

03/06/2017 **Motion for Order** (9:00 AM) (Judicial Officer: Denton, Mark R.)
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

MINUTES
Denied;
Denied

03/06/2017 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Plaintiff's Motion to Associate Counsel - Jonathan S. Dabbieri, Esq.

MINUTES
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.)

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 Chaper 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 Chaper 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

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

04/07/2017 Reply in Support
Filed By: Plaintiff Apco Construction
Plaintiff APCO Construction's Reply In Support of its Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing

04/14/2017 Stipulation and Order
Filed by: Intervenor Steel Structures Inc
Stipulation and Order to Continue Hearing on APCO Construction's Motion for Summary Judgment Against Uintah Investments, LLC dba Sierra Reinforcing

04/17/2017 Notice of Entry of Order
Filed By: Intervenor Steel Structures Inc
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

04/18/2017 **Minute Order** (2:00 PM) (Judicial Officer: Denton, Mark R.)
Decision Made;
Decision Made

04/20/2017 Notice of Bankruptcy
Filed By: Intervenor Defendant Accuracy Glas & Mirror Company Inc
Notice of Bankruptcy of Accuracy Glass & Mirror Co.

04/27/2017 Notice of Deposition
Filed By: Other United Subcontractors Inc
United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of APCO Construction

04/27/2017 Notice of Deposition
Filed By: Other United Subcontractors Inc
United Subcontractors, Inc. d/b/a Skyline Insulation's Notice of 30(b)(6) Deposition of CAMCO Pacific Construction Co. Inc.

04/27/2017 Motion to Associate Counsel
Filed By: Intervenor National Wood Products, Inc.'s
Motion to Associate Counsel

04/28/2017 Motion for Withdrawal
Filed By: Adverse Party Accuracy Glass & Mirror Co.
Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time

05/01/2017 Notice of Deposition
Filed By: Other United Subcontractors Inc
United Subcontractors, Inc. d/b/a Skyline Insulation's Amended Notice of 30(b)(6) Deposition of APCO Construction

05/08/2017 Special Master Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Order

05/08/2017 Special Master Order
Filed by: Special Master Hale, Floyd, ESQ
Special Master Report Regarding Discovery Status

05/11/2017 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Eric B. Zimbelman, Esq.'s Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co and for order Shortening Time
Granted;
Granted

05/11/2017 Order to Withdraw as Attorney of Record
Filed by: Adverse Party Accuracy Glass & Mirror Co.
Order Granting Motion to Withdraw as Counsel for Accuracy Glass & Mirror Co. and for Order Shortening Time

05/12/2017 Notice of Entry of Order
Filed By: Adverse Party Accuracy Glass & Mirror Co.
Notice of Entry of Order

05/15/2017 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Plaintiff APCO Construction's Motion for Summary Judgment Against Uintah Investments LLC dba Sierra Reinforcing
Granted;
Granted

05/25/2017 Order
Filed By: Plaintiff Apco Construction
Order

05/25/2017 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

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.)
Intervenor, National Wood Products INC's Motion to Associate Counsel

MINUTES

Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Status Check Re: SCR 42 Complaince (S. Judy Hirahara, Esq.)
Matter Heard
Granted;
Granted

SCHEDULED HEARINGS

Status Check (07/31/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Status Check Re: SCR 42 Complaince (S. Judy Hirahara, Esq.)
Matter Heard

06/09/2017 Substitution of Attorney
Filed by: Plaintiff Apco Construction
Substitution of Attorneys

06/14/2017 Order Denying
Order Denying Defendant's Motion to Set Aside Judgment

06/16/2017 Order Admitting to Practice
Filed By: Intervenor National Wood Products, Inc.'s
Order Admitting to Practice

06/19/2017 Stipulation and Order for Dismissal With Prejudice
Filed By: Plaintiff Apco Construction
Stipulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.

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
Notice of Entry of Stipulation and Order

06/21/2017 Order Denying Motion
Filed By: Counter Defendant APCO Construction
Order Denying Defendant's Motion to set aside Judgment

06/26/2017 Notice of Entry of Order
Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of ORder

06/26/2017 Motion To Dismiss - Alternative Motion For Summary Judgment
Filed By: Plaintiff Apco Construction
APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien

06/26/2017 Motion
Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Uintah Investments LLC
Motion to Substitute

06/28/2017 Order to Withdraw as Attorney of Record
Order Granting Monica Caffaratti's Motion to Withdraw at Attorney

07/05/2017 Stipulation and Order for Dismissal With Prejudice
Filed By: Intervenor Insulpro Projects Inc
Stippulation and Order for Dismissal With Prejudice of Insulpro Projects, Inc.

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
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

Lien on Order Shortening Time (First Request)

07/24/2017 **Motion to Continue** (9:00 AM) (Judicial Officer: Denton, Mark R.)
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
Granted;
Granted

07/25/2017 **Minute Order** (5:35 PM) (Judicial Officer: Denton, Mark R.)
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

07/26/2017 Opposition to Motion For Summary Judgment
Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment Re: Lien Claims

07/26/2017 Joinder to Opposition to Motion
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

07/26/2017 Opposition
Filed By: Counter Defendant Zitting Brothers Construction Inc
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

07/27/2017 *CANCELED* **Motion** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated - per Judge
Gerdau Reinforcing Steel's Motion to Substitute

07/31/2017 **Status Check** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Status Check Re: SCR 42 Complaince (S. Judy Hirahara, Esq.)
Matter Heard;
Notice of Compliance filed 8/7/17
Matter Heard

07/31/2017 Motion for Partial Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment Against APCO Construction

08/01/2017 Order Granting Motion
Filed By: Counter Defendant Uintah Investments LLC
Order Granting Gerdau Reinforcing Steel's Motion to Substitute

08/01/2017 Reply in Support
Filed By: Plaintiff Apco Construction
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

08/01/2017 Notice of Entry
Filed By: Counter Defendant Gerdau Reinforcing Steel
Notice of Entry of Order Granting Gerdau Reinforcing Steel's Motion to Substitute

08/02/2017 Motion for Partial Summary Judgment
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

08/03/2017 Joinder to Motion For Partial Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Joinder to Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

08/03/2017 Joinder
Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel
Joinder to Peel Brimley Lien Claimants' Opposition to Apco's Motion for Summary Judgment Re: Lien Claims

08/03/2017 Joinder
Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel
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

08/04/2017 Initial Appearance Fee Disclosure
Filed By: Intervenor Nevada Prefab Engineers Inc; Intervenor Steel Structures Inc; Counter Defendant Gerdau Reinforcing Steel
Initial Appearance Fee Disclosure

08/04/2017 Joinder to Motion For Partial Summary Judgment
Filed By: Other Chaper 7 Trustee
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

08/07/2017 Notice
Filed By: Intervenor National Wood Products, Inc.'s
Pro Hac Vice Applicant S. Judy Hirahara's Notice of Compliance with SCR 42

08/07/2017 Notice of Entry of Order
Notice of Entry of Order

08/07/2017 Joinder to Motion For Partial Summary Judgment
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.' Joinder to Peel Brimley Lien Claimants' Opposition to APCO's Motion for Summary Judgment

08/07/2017 Motion to Associate Counsel
Filed By: Intervenor National Wood Products, Inc.'s
Motion to Associate Counsel

08/07/2017 Joinder
Filed By: Intervenor National Wood Products, Inc.'s
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

08/08/2017 Joinder
Filed By: Third Party Plaintiff E & E Fire Protection LLC
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

08/09/2017 Initial Appearance Fee Disclosure
Filed By: Intervenor National Wood Products, Inc.'s
Initial Appearance Fee Disclosure

08/09/2017 Initial Appearance Fee Disclosure
Filed By: Intervenor National Wood Products, Inc.'s
Initial Appearance Fee Disclosure to Join Motion for Partial Summary Judgment

08/10/2017 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Denton, Mark R.)
APCO Construction's Motion to Dismiss or for Summary Judgment on Lien Claimants' NRS Ch 108 Claim for Foreclosure of Mechanic's Lien
Denied Without Prejudice;
Denied Without Prejudice

08/10/2017 Initial Appearance Fee Disclosure
Filed By: Third Party Plaintiff E & E Fire Protection LLC
Initial Appearance Fee Disclosure (NRS Chapter 19)

08/11/2017 Pre-Trial Disclosure
Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure

08/11/2017 Pre-Trial Disclosure
Party: Other Chaper 7 Trustee
Amended Pre-Trial Disclosures of Interstate Plumbing & Air Conditioning, LLC Pursuant to Rule 16(a)(3) of the Nevada Rules of Civil Procedure

08/11/2017 Joinder to Motion For Partial Summary Judgment
Filed By: Other United Subcontractors Inc
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

08/11/2017 Joinder to Motion For Partial Summary Judgment
Filed By: Other United Subcontractors Inc
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

08/11/2017 Pre-Trial Disclosure
Party: Intervenor National Wood Products, Inc.'s
Plaintiff in Intervention National Wood Products, Inc.'s Pre-Trial Disclosure Pursuant to NRCP 16.1(a)(3)

08/17/2017 Opposition
Filed By: Intervenor Defendant Fidelity & Deposit Company Of Maryland; Third Party Defendant Camco Pacific Construction Co Inc
Camco's Opposition to Lien Claimants' Motion for Partial Summary Judgment

08/21/2017 Notice

Notice of Scheduling Settlement Conference

08/21/2017 Opposition
Filed By: Plaintiff Apco Construction
APCO Construction's Opposition to Peel Brimley Lien Claimants' Partial Motion for Summary Judgment Precluding Defenses Based on Pay if Paid Agreements

08/21/2017 Opposition to Motion
Filed By: Plaintiff Apco Construction
APCO Construction's Opposition to Zitting Brothers Construction Inc.'s Partial Motion for Summary Judgment

08/22/2017 Ex Parte Application
Party: Intervenor National Wood Products, Inc.'s
Ex Parte Application for Order Shortening Time on Motion to Associate Counsel

08/30/2017 Order Denying Motion
Order Denying APCO Construction's Motion for Partial Summary Judgment re: Lien Foreclosure Claims

08/30/2017 Notice of Entry of Order
Notice of Entry of Order

08/31/2017 Order Shortening Time
Filed By: Intervenor National Wood Products, Inc.'s
Order Shortening Time on Hearing for Motion to Associate Counsel

08/31/2017 Stipulation and Order
Filed by: Counter Defendant Zitting Brothers Construction Inc
Stiuplation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment

09/01/2017 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Zitting Brothers Construction Inc
Notice of Entry of Stipulation and Order to Continue September 5, 2017 Hearing on Motions for Partial Summary Judgment

09/05/2017 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Intervening Plaintiff, National Wood Products, Inc.'s Order Shortening Time on Hearing for Motion to Associate Counsel (John B. Taylor)

MINUTES
CANCELED **Status Check** (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)

Granted;
Granted

SCHEDULED HEARINGS
CANCELED **Status Check** (10/05/2017 at 9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated
Status Check Re: SCR 42 Compliance (John B. Taylor, Esq.)

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.)

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
Notice of Entry of Order

09/06/2017 Order Admitting to Practice
Filed By: Intervenor National Wood Products, Inc.'s
Order Admitting to Practice

09/06/2017 Notice of Entry of Order
Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of Order Shortening Time on Hearing for Motion to Associate Counsel

09/06/2017 Notice of Entry of Order
Filed By: Intervenor National Wood Products, Inc.'s
Notice of Entry of Order Admitting to Practice

09/07/2017 Pre-trial Memorandum
Filed by: Other United Subcontractors Inc
United Subcontractors, Inc. d/b/a Skyline Insulation's Pre-Trial Statement/Memorandum

09/11/2017 *CANCELED* **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated - Duplicate Entry
National Wood Products Inc Motion to Associate Counsel

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

09/12/2017 *CANCELED* **Bench Trial** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated - per Judge

09/20/2017 Order Granting Motion
Filed By: Plaintiff Apco Construction
Order Granting Plaintiff's Motion to Dismiss

09/20/2017 Notice of Compliance
Party: Intervenor National Wood Products, Inc.'s
Pro Hac Vice Applicant John B. Taylor's Notice of Compliance with SCR 42

09/20/2017 Stipulation and Order for Dismissal
Stipulation and Order of Dismissal of All Claims Relating to Cardno WRG, Inc.

09/21/2017 **Settlement Conference** (9:00 AM)
Not Settled;
Not Settled

09/21/2017 Notice of Entry of Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Order

09/21/2017 Notice of Entry of Stipulation & Order for Dismissal
Notice of Entry of Stipulation and Order for Dismissal

09/28/2017 Reply to Opposition
Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

09/29/2017 Notice of Association of Counsel
Filed By: Plaintiff Apco Construction
Notice of Association of Counsel

09/29/2017 Notice of Appearance
Party: Plaintiff Apco Construction
Notice of Appearance and Request for Notice

09/29/2017 Reply in Support
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Reply In Support of Motion for Partial Summary Judgment Against APCO Construction

10/05/2017 **Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Denton, Mark R.)
10/05/2017, 11/16/2017
Zitting Brothers Construction Inc's Motion for Partial Summary Judgement Against APCO Construction

MINUTES
Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer: Denton, Mark R.)
10/05/2017, 11/16/2017
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

MINUTES
Continued;
Granted;
Continued;
Granted;
Continued

10/05/2017 **Joinder** (9:00 AM) (Judicial Officer: Denton, Mark R.)
10/05/2017, 11/16/2017
Zitting Brothers Construction, Inc.'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 **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

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

Filed By: Counter Defendant Helix Electric of Nevada LLC
Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)

11/06/2017 Motion in Limine
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Motion In Limine To Limit The Defenses of APCO Construction To The Enforceability of Pay-If-Paid Provision

11/06/2017 Omnibus Motion In Limine
Filed by: Plaintiff Apco Construction
APCO Construction Inc.'s Omnibus Motion in Limine

11/06/2017 Notice of Hearing
Filed By: Counter Defendant Helix Electric of Nevada LLC
Notice of Hearing on Helix Electric of Nevada's Motions in Limine Nos. 1-4 (Against APCO Construction)

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
Notice of Hearing on Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)

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
Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)

11/06/2017 Motion in Limine
Filed By: Intervenor National Wood Products, Inc.'s
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

11/07/2017 Notice of Hearing
Filed By: Intervenor National Wood Products, Inc.'s
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

11/13/2017 Notice of Deposition
Filed By: Intervenor National Wood Products, Inc.'s
Plaintiff In Intervention National Wood Products, Inc.'s Notice of Deposition of Deposition of Nicholas Cox, Cabinetec's Representative

11/13/2017 Notice of Deposition
Filed By: Intervenor National Wood Products, Inc.'s
Notice of Deposition of Kurt Micek, National Wood Products, Inc.'s Person Most Knowledgeable

11/14/2017 Objection
Filed By: Plaintiff Apco Construction

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
Notice of Change of Address

11/14/2017 Opposition to Motion in Limine
Filed By: Intervenor National Wood Products, Inc.'s
National Wood Products, Inc.'s Opposition to APCO Construction's Omnibus Motion In Limine Nos. 3, 6 and 7A

11/14/2017 Opposition
Filed By: Plaintiff Apco Construction
Apco Construction, Inc.'s Opposition to Helix Electric of Nevada, LLC's Motions in Limine Nos. 1-4 (Against Apco Construction)

11/14/2017 Opposition
Filed By: Plaintiff Apco Construction
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

11/14/2017 Opposition
Filed By: Plaintiff Apco Construction
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

11/14/2017 Opposition to Motion
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine

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
Peel Brimley Lien Claimants' Joinder to Oppositions to APCO Construction's Omnibus Motion in Limine

11/14/2017 Opposition to Motion in Limine
Filed By: Counter Defendant Buchele Inc
Buchele, Inc.'s Opposition to APCO Construction's Omnibus Motion in Limine

11/14/2017 Opposition to Motion in Limine
Filed By: Doing Business As Helix Electric
Helix Electric of Nevada's Opposition to APCO Construction's Omnibus Motion in Limine

11/14/2017 Joinder
Filed By: Counter Claimant Camco Pacific Construction Co Inc
Camco's Joinder to Apco's Objections t National Wood Products, Inc.'s Notices of Deposition

11/14/2017 Opposition to Motion in Limine

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

11/16/2017	**Motion in Limine** (9:00 AM) (Judicial Officer: Denton, Mark R.) *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* **MINUTES** no Notice of Motion provided by filer Granted; *Granted*
11/16/2017	**Motion in Limine** (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 11/06/2017 Motion in Limine *Helix Electric of Nevada's Motion in Limine Nos. 1-4 Against APCO Construction*
11/16/2017	**All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; *Matter Heard*
11/16/2017	Supplement to Response and Opposition Filed By: Counter Defendant Zitting Brothers Construction Inc *Zitting Brothers Construction, Inc. s Response To APCO Construction s Supplemental Opposition To Zitting Brothers Construction, Inc. s Motion For Partial Summary Judgment*
11/16/2017	Reply in Support Filed By: Counter Defendant Zitting Brothers Construction Inc *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*
11/20/2017	**Calendar Call** (2:00 PM) (Judicial Officer: Denton, Mark R.) Vacated and Reset; *Vacated and Reset*
11/27/2017	Decision *Decision*
11/27/2017	Decision *Decision*
11/28/2017	*CANCELED* **Bench Trial** (9:00 AM) (Judicial Officer: Denton, Mark R.) *Vacated - per Judge*
11/29/2017	*CANCELED* **Motion to Compel** (9:30 AM) (Judicial Officer: Bulla, Bonnie) *Vacated - On in Error* *Plaintiff's Second Motion to Compel Discovery*
11/30/2017	Order Setting Civil Non-Jury Trial *Order Setting Civil Non-Jury Trial and Calendar Call*
12/05/2017	**Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; *Minute Order - No Hearing Held*
12/05/2017	**Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held;

Minute Order - No Hearing Held

12/05/2017 **Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.)
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

12/05/2017 **Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.)
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

12/05/2017 **Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.)
Minute Order - No Hearing Held;
Minute Order - No Hearing Held

12/05/2017 *CANCELED* **Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.)
Vacated - Duplicate Entry

12/06/2017 Motion
Filed By: Plaintiff Apco Construction
Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time

12/07/2017 *CANCELED* **Minute Order** (5:03 PM) (Judicial Officer: Denton, Mark R.)
Vacated

12/18/2017 Certificate of Service
Filed by: Plaintiff Apco Construction
Certificate of Service

12/21/2017 **Motion** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time
Granted;
Granted

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
Order Granting Peel Brimley Lien Claimants' Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.)

12/28/2017 Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Order Granting in Part and Denying in Part Helix Electric of Nevada, LLC's Motions in Limine (Against APCO Construction)

12/28/2017 Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Order Granting in Part and Denying in Part APCO Constructions's Omnibus Motion in Limine

12/29/2017 Notice of Entry of Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Notice of Entry of Order

12/29/2017 Notice of Entry of Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Notice of Entry of Order

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
Notice of Entry of Order

12/29/2017 Findings of Fact, Conclusions of Law and Order
Filed By: Counter Defendant Zitting Brothers Construction Inc
Findings of Fact, Conclusion of Law, and Order Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against Apco

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;
Trial Date Set

01/02/2018 Recorders Transcript of Hearing
Recorders Transcript of Hearing Re: All Pending Motions, October 5, 2017

01/02/2018 Recorders Transcript of Hearing
Recorder's Transcript of Hearing Re: All Pending Motions, November 16, 2017

01/02/2018 Order Granting Motion
Order Granting Peel Brimley Lien Clamants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements

01/02/2018 Notice of Entry
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

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
Notice of Entry of Order

01/04/2018 Amended Order
Filed By: Intervenor National Wood Products, Inc.'s
Amended Nunc Pro Tunc Order Regarding Apco Construction, Inc.'s Omnibus Motion in Limine - Motion in Limine No. 7

01/04/2018 Motion
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

01/04/2018 Notice of Entry of Order
Filed By: Intervenor National Wood Products, Inc.'s
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

01/08/2018 Joinder To Motion
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland
Camco's Joinder in Apco's Motion for Reconsideration

01/08/2018 Notice of Attorney Lien
Filed By: Counter Claimant Camco Pacific Construction Co Inc; Intervenor Defendant Fidelity & Deposit Company Of Maryland
Notice of Attorney's Lien

01/08/2018 Motion
Filed By: Plaintiff Apco Construction
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

01/09/2018 *CANCELED* **Non-Jury Trial** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Vacated - per Judge

01/09/2018 Opposition to Motion
Filed By: Intervenor National Wood Products, Inc.'s
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

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
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

01/09/2018 Order Granting Motion
Filed By: Intervenor National Wood Products, Inc.'s
Order Granting Plaintiff In Intervention, National Wood Products, Inc.'s Motion In Limine

01/10/2018 Reply in Support
Filed By: Plaintiff Apco Construction
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

01/10/2018 Opposition to Motion
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

01/10/2018 Notice of Entry of Order

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.)
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
Denied;
Denied

01/11/2018 **Joinder** (9:00 AM) (Judicial Officer: Denton, Mark R.)
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
Denied;
Denied

01/11/2018 **Motion For Reconsideration** (9:00 AM) (Judicial Officer: Denton, Mark R.)
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
Denied;
Denied

01/11/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Matter Heard;
Matter Heard

01/11/2018 Motion to Stay
Filed By: Plaintiff Apco Construction
Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time

01/11/2018 Pre-trial Memorandum
Filed by: Third Party Plaintiff E & E Fire Protection LLC
E&E Fire Protection, LLC's Pretrial Memorandum

01/12/2018 Joint Pre-Trial Memorandum
Filed By: Plaintiff Apco Construction
Joint Pre-Trial Memorandum (for APCO Construction, Inc., the Peel Brimley Lien Claimants, and National Wood Products, LLC Only)

01/16/2018 **Motion to Stay** (9:00 AM) (Judicial Officer: Denton, Mark R.)
01/16/2018, 01/19/2018
Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and (62(H) on Order Shortening Time
Continued;
Continued

01/16/2018 Order Granting
Filed By: Plaintiff Apco Construction
Order Granting Apco Construction, Inc.'s Motion to Request Buchele, Inc. Comply with EDCR 7.42 on Order Shortening Time

01/16/2018 Notice of Entry
Filed By: Plaintiff Apco Construction
Notice of Entry of Order Granting Apco Construction, Inc.'s Motion to Request Buchele,

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 4
Trial Continues; Day 5
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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

01/18/2018 Notice of Entry of Stipulation and Order
Filed By: Plaintiff Apco Construction
Notice of Entry of Stipulation and Order Regarding Trial Exhibits Admitted into Evidence

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
Order Denying APCO Construction's Motion for Reconsideration of Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-if-Paid Agreements

01/19/2018 Notice of Entry of Order
Filed By: Counter Defendant Helix Electric of Nevada LLC
Notice of Entry of Order

01/25/2018 Notice of Change
Filed By: Other United Subcontractors Inc
Notice of Change of Firm Affiliation and Address

01/25/2018 Order Denying Motion
Oder Denying APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Motion for Summary Judgment

01/29/2018 Memorandum of Costs and Disbursements
Filed By: Counter Defendant Zitting Brothers Construction Inc
Zitting Brothers Construction, Inc.'s Verified Memorandum of Costs

01/29/2018 Memorandum
Filed By: Counter Defendant Zitting Brothers Construction Inc
Memorandum In Support of APCO Construction, Inc.'s Payment of Attorneys' Fees, Costs, and Interest to Zitting Brothers Construction, Inc.

01/31/2018 Notice of Entry of Order
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

01/31/2018 Recorders Transcript of Hearing
Recorders Transcript of Hearing Re: Bench Trial - Day One, January 17, 2018

01/31/2018 Recorders Transcript of Hearing
Recorders Transcript of Hearing Re: Bench Trial - Day Two, January 18, 2018

01/31/2018 Recorders Transcript of Hearing
Recorders Transcript of Hearing Re: Bench Trial - Day Three, January 19, 2018

01/31/2018 Recorders Transcript of Hearing
Recorders Transcript of Hearing Re: Bench Trial - Day Five, January 24, 2018

02/05/2018 Stipulation and Order for Dismissal
Filed by: Plaintiff Apco Construction
Stipulation and Order to Dismiss Third Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against Apco Construction, Inc. with Prejudice

02/15/2018	Recorders Transcript of Hearing *Recorders Transcript of Hearing Re: Bench Trial - Day Six, February 6, 2018*
02/16/2018	Notice of Appeal Filed By: Plaintiff Apco Construction *Notice of Appeal*
02/16/2018	Case Appeal Statement Filed By: Plaintiff Apco Construction *Case Appeal Statement*
02/16/2018	Opposition Filed By: Plaintiff Apco Construction *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.*
03/01/2018	**Hearing** (9:00 AM) (Judicial Officer: Denton, Mark R.) *Hearing Re: ZBCI Attorney's Fees and Costs*

CIVIL COVER SHEET

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)

A571228
XVI

I. Party Information

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
APCO Construction	Gemstone Development West, Inc.
Attorney (name/address/phone):	Attorney (name/address/phone):
Gwen Rutar Mullins 3800 Howard Hughes Pkwy., Suite 1400 Las Vegas, NV 89169	

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

☐ **Arbitration Requested**

Civil Cases

Real Property	Torts	
	Negligence	
☐ **Landlord/Tenant** ☐ Unlawful Detainer ☐ **Title to Property** ☐ Foreclosure ☐ Liens ☐ Quiet Title ☐ Specific Performance ☐ **Condemnation/Eminent Domain** ☐ **Other Real Property** ☐ Partition ☐ Planning/Zoning	☐ **Negligence – Auto** ☐ **Negligence – Medical/Dental** ☐ **Negligence – Premises Liability** (Slip/Fall) ☐ **Negligence – Other**	☐ **Product Liability** ☐ Product Liability/Motor Vehicle ☐ Other Torts/Product Liability ☐ **Intentional Misconduct** ☐ Torts/Defamation (Libel/Slander) ☐ Interfere with Contract Rights ☐ **Employment Torts** (Wrongful termination) ☐ **Other Torts** ☐ Anti-trust ☐ Fraud/Misrepresentation ☐ Insurance ☐ Legal Tort ☐ Unfair Competition

Probate	Other Civil Filing Types	
☐ **Summary Administration** ☐ **General Administration** ☐ **Special Administration** ☐ **Set Aside Estates** ☐ **Trust/Conservatorships** ☐ Individual Trustee ☐ Corporate Trustee ☐ **Other Probate**	☐ **Construction Defect** ☐ Chapter 40 ☐ General ☒ **Breach of Contract** ☒ Building & Construction ☐ Insurance Carrier ☐ Commercial Instrument ☐ Other Contracts/Acct/Judgment ☐ Collection of Actions ☐ Employment Contract ☐ Guarantee ☐ Sale Contract ☐ Uniform Commercial Code ☐ **Civil Petition for Judicial Review** ☐ Other Administrative Law ☐ Department of Motor Vehicles ☐ Worker's Compensation Appeal	☐ **Appeal from Lower Court** *(also check applicable civil case box)* ☐ Transfer from Justice Court ☐ Justice Court Civil Appeal ☐ **Civil Writ** ☐ Other Special Proceeding ☐ **Other Civil Filing** ☐ Compromise of Minor's Claim ☐ Conversion of Property ☐ Damage to Property ☐ Employment Security ☐ Enforcement of Judgment ☐ Foreign Judgment – Civil ☐ Other Personal Property ☐ Recovery of Property ☐ Stockholder Suit ☐ Other Civil Matters

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

☐ NRS Chapters 78-88	☐ Investments (NRS 104 Art. 8)	☐ Enhanced Case Mgmt/Business
☐ Commodities (NRS 90)	☐ Deceptive Trade Practices (NRS 598)	☐ Other Business Court Matters
☐ Securities (NRS 90)	☐ Trademarks (NRS 600A)	

9-9-08
Date

Signature of initiating party or representative

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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. A571228 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	Hearing Date: November 16, 2017 Hearing Time: 9:00 a.m.

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. Mounteer 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.

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DISTRICT COURT DEPT. XIII

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.

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

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

B. ZBCI's Work under the Subcontract

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

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

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

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

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

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

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

C. Procedural History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Preclusion of APCO's Defenses

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

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

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

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

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

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

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

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

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

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

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

E. Attorney's Fees, Costs, and Interest

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

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

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

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

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

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

ORDER

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

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

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

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

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

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

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

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

IT IS FURTHER ORDERED that this Court will address the sole issue of whether ZBCI is entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on January 18, 2018 at 9:00 a.m.

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

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

IT IS SO ORDERED.

Dated this 26th day of December, 2017.

DISTRICT COURT JUDGE

Respectfully submitted by:

Jorge A. Ramirez, Esq.
I-Che Lai, Esq.
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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
AND ALL RELATED MATTERS	Hearing Date: November 16, 2017 Hearing Time: 9:00 a.m.

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

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

Dated this 2nd day of January, 2018.

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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
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DISTRICT COURT
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AND ALL RELATED MATTERS	Hearing Date: November 16, 2017 Hearing Time: 9:00 a.m.

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. Mounteer 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.

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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.

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

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

B. ZBCI's Work under the Subcontract

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

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

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

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

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

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

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

C. Procedural History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Preclusion of APCO's Defenses

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

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

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

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

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

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

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

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

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

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

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

E. Attorney's Fees, Costs, and Interest

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

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

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

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

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

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

ORDER

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

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

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

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

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

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

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

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

IT IS FURTHER ORDERED that this Court will address the sole issue of whether ZBCI is entitled to attorney's fees and costs set forth in the memorandum at a hearing before this Court on January 18, 2018 at 9:00 a.m.

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

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

IT IS SO ORDERED.

Dated this 26th day of December, 2017.

DISTRICT COURT JUDGE

Respectfully submitted by:

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