

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

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

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

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



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

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

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

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

EXHIBIT No.	DATE	EXHIBIT DESCRIPTION	DATE OFFERED	OBJECTION	DATE ADMITTED
3089	08/06/08	Letter Agreement between APCO and Cabinetec for storage of cabinets at Manhattan West job site.	01/18/18	Stip	01/18/18
3090	08/08/08	Cabinetec's Statement of Account to APCO		Electronically Filed Aug 14 2018 10:23 a.m. Elizabeth A. Brown Clerk of Supreme Court	
3091		Cabinetec's Statement of Invoices to APCO in the sum of \$88,545.00 for cabinets delivered on 08/01/08			
3092		Cabinetec's Statement of Invoices to APCO in the sum of \$90,675.00 for cabinets delivered on 08/01/08			
3093	08/21/08	Notice to all Manhattan (sic) West Subcontractors from APCO regarding APCO's Notice of Stopping Work and Notice of Intent to Terminate Contract for nonpayment			
3094	08/21/08	Letter to Alexander Edelstein, CEO, Gemstone Development, from James M. Barker, Corporate Counsel for APCO			
3095	08/25/08	Amended and Restated Manhattan West General Construction Agreement			
3096	08/26/08	Ratification and Amendment of Subcontract Agreement Cabinetec			
3097	09/11/08	Transmittal Coversheet from Gemstone to Cabinetec attaching Ratification to Subcontract Agreement revised 9/10/08			
3098	09/23/08	Email from Jennifer Olivares of Nevada Construction Services to Audrie Bergman, cc: Jim Horning; Jill Gisondo; Craig Colligan; Jennifer Griffith; Yfarren; Mary Jo Allen; Randy Nickler Subject: Manhattan West July Checks	01/18/18	Stip	01/18/18

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

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



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



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

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

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

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

Case No.	Date	Description	Settlement Date	Settlement Amount	Settlement Status
3175	04/28/09	Letter from Brad Scott, President, Scott Financial Corporation to Nevada State Contractor's Board, with attachments	01/18/18	Stip	01/18/18

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

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

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

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

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

vs.

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

Steven L. Morris

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

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
5001	Amended and Restated Manhattan West General Construction Agreement	CAMCO-MW 01320-01356	020618	No	020618



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

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

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

vs.

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

Steven L. Morris

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

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



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

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

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

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

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

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

vs.

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

Steven L. Morris

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

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

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
CATCUS-TR-EX-604	Declaration of D. Hofelich and Exhibits	CACTUS00011 CACTUS00052	01 23 18	No	01 23 18
CATCUS-TR-EX-605	Amended Notice of Lis Pendens	CACTUS00053 CACTUS00055			
CATCUS-TR-EX-606	Notices of Intent to Lien	CACTUS00056 CACTUS00062			
CATCUS-TR-EX-607	Additional Lien Perfection Documents	CACTUS00063 CACTUS00119	01 23 18	No	01 23 18
CATCUS-TR-EX-608	Progress Photos produced by APCO	APCO104492 APCO104562	Returned to Counsel		
CATCUS-TR-EX-609	Progress Photos and other documents produced by APCO	APCO106289 APCO106314			
CATCUS-TR-EX-610	December 15, 2008 email from Edelstein	CAMCO-MW 00001			
CATCUS-TR-EX-611	December 18, 2008 letter from Camco counsel	CAMCO-MW 00002			
CATCUS-TR-EX-612	March 2, 2009 letter from Camco counsel	CAMCO-MW 00003 CAMCO-MW 00004			
CATCUS-TR-EX-613	May 8, 2009 letter from Camco counsel	CAMCO-MW 00038 CAMCO-MW 00039			
CATCUS-TR-EX-614	June 9, 2008 letter from Scott Financial	CAMCO-MW 00041			
CATCUS-TR-EX-615	Camco billing records	CAMCO-MW 00045 CAMCO-MW 01288			
CATCUS-TR-EX-616	Deposition Transcript of Mary Jo Allen and Exhibits	N/A			
CATCUS-TR-EX-617	Deposition Transcript of Brian Benson and Exhibits	N/A	Returned to Counsel		

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

# EXHIBIT(S) LIST

Case No.: 08A571228

Trial Date: January 17, 2018

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

Dept. No.: 13

Judge: Mark R. Denton

Court Clerk: Marwanda Knight

Reporter: Jennifer Gerold

Plaintiff: APCO Construction

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

vs.

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

Counsel for Defendant: Unrepresented

## Related Cases:

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

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

Defendant-in-Intervention: APCO Construction

Counsel: Cody Mounteer; J. Randall  
Jeffries

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

Counsel: Steven L. Morris

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

Steven L. Morris

Counter-Defendant: National Wood Products, Inc.

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

Lien Claimant: Heinaman Contract Glazing

Counsel: Eric B. Zimbelman

## HEARING / TRIAL BEFORE THE COURT

### HEINAMAN CONTRACT GLAZING EXHIBITS

701

Letter of Intent

01.23.17 No 01.23.17 H

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

Heinaman Contract Glazing Exhibit List

Page 1 of 3

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



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

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

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

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

vs.

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

Steven L. Morris

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

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

Fast Glass Exhibit List  
 Page 1 of 3

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

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

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

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

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

vs.

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

Steven L. Morris

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

Exhibit No.	Exhibit Description	Bates Nos.	Date Offered	Objection	Date Admitted
SWPPP-TR-EX-901	Billing pre-11/04/2008	SWPPP 00001 SWPPP 00007	01-23-18	No	01-23-18
SWPPP-TR-EX-902	Billing pre-12/16/2008	SWPPP 00008 SWPPP 00035	01-23-18	No	01-23-18

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

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

**Case No.:**

A571228

**JAN 17 2018**

Sept. No.: 13

**Court Clerk: Marwanda Knight**

**Plaintiff:**

# APCO

**Recorder / Reporter: Jennifer Gerold**

**Counsel for Plaintiff:**

for Plaintiff: Tracy  
Truman

**Defendant:**

vs.  
Gemstone

**Counsel for Defendant:**

Defendant: Steve  
Morris -CAMCO-

E & E Fire EXHIBITS

[illegible]





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

**JACK CHEN MIN JUAN, ESQ.**  
**10001 PARK RUN DR.**  
**LAS VEGAS, NV 89145**

**DATE: August 10, 2018**  
**CASE: 08A571228 (LEAD CASE)**

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

NOTICE OF APPEAL FILED: August 8, 2018

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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

- ☐ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☒ Written Order *re: #5 (Zitting Brothers Constructions, Inc.'s Motion in Limine....)*
- ☒ Notice of Entry of Order *re: #5 (Zitting Brothers Constructions, Inc.'s Motion in Limine....)*

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

SECOND AMENDED NOTICE OF APPEAL; SECOND AMENDED CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION FOR 54(B) CERTIFICATION AND FOR STAY PENDING APPEAL; NOTICE OF ENTRY OF ORDER; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING ZITTING BROTHERS CONSTRUCTIONS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST APCO CONSTRUCTION; ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF ORDER DENYING APCO CONSTRUCTION, INC.'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC.'S PARTIAL MOTION FOR SUMMARY JUDGMENT; ORDER DETERMINING AMOUNT OF ZITTING BROTHERS CONSTRUCTION, INC.'S ATTORNEY'S FEES, COSTS, AND PREJUDGMENT INTEREST; NOTICE OF ENTRY OF ORDER DETERMINING AMOUNT OF ZITTING BROTHERS CONSTRUCTION, INC.'S ATTORNEY'S FEES, COSTS, AND PREJUDGMENT INTEREST; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

APCO CONSTRUCTION,

Plaintiff(s),

vs.

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

Defendant(s),

Case No: 08C571228

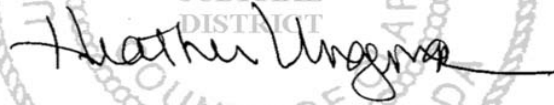
*Consolidated with 08A574391,  
08A574792, 08A577623, 09A580889,  
09A583289, 09A584730, 09A587168,  
A-09-589195-C, A-09-589677-C,  
A-09-590319-C, A-09-592826-C,  
A-09-596924-C, A-09-597089-C,  
A-09-606730-C, A-10-608717-C,  
A-10-608718-C*

Dept No: XIII

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 10 day of August 2018.

Steven D. Grierson, Clerk of the Court



A handwritten signature in black ink, reading "Heather Ungermann", is written over a faint, circular court seal. The seal contains the text "JUDICIAL DISTRICT" and "STATE OF NEVADA".

---

Heather Ungermann, Deputy Clerk  
08A571228

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

APCO CONSTRUCTION, INC., A  
NEVADA CORPORATION,

Appellant,

vs.

ZITTING BROTHERS CONSTRUCTION,  
INC.,

Respondent.

Electronically Filed  
Case No.: 75197 April 15, 2019 02:47 p.m.  
Elizabeth Brown  
Clerk of the Supreme Court

Appeal from the Eighth Judicial  
District Court, the Honorable Mark  
Denton Presiding

**APPELLANT'S APPENDIX**  
**(Volume 29, Bates Nos. 6680–6854)**

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MAC:05161-019 3698575\_1

**INDEX TO APPELLANT'S APPENDIX**

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
10/24/2008	Atlas Construction Supply, Inc.'s Complaint	1	AA 1–16
10/30/2008	Ahern Rentals, Inc.'s Complaint	1	AA 17–30
11/19/2008	Platte River Insurance Company's Answer and Crossclaim	1	AA 31–45
12/08/2008	APCO Construction's First Amended Complaint	1	AA 46–63
02/06/2009	Cabinetec's Statement and Complaint	1	AA 64–73
02/23/2009	Uintah's Complaint	1	AA 74–80
02/24/2009	Tri-City Drywall, Inc.'s Statement and Complaint	1	AA 81–88
03/02/2009	Noorda Sheet Metal Company's Statement and Complaint	1	AA 89–165
03/06/2009	Camco Pacific Construction Company's Answer and Counterclaim	1	AA 166–172
03/10/2009	The Masonry Group Nevada's Complaint	1	AA 173–189
03/11/2009	PCI Group, LLC Complaint	1	AA 190–196
03/12/2009	APCO Construction's Answer to Steel Structures, Inc, and Nevada Prefab Engineers, Inc.'s Amended Statement and Crossclaim	1	AA 197–216
03/12/2009	Cell-Crete Fireproofing of Nevada, Inc.'s Statement and Complaint	1	AA 217–233
03/20/2009	Steel Structures, Inc. and Nevada Prefab Engineers, Inc.'s Second Amended Statement and Complaint	1	AA 234–243
03/24/2009	Insulpro Projects, Inc.'s Statement	2	AA 244–264
03/26/2009	APCO Construction's Statement and Complaint	2	AA 265–278

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
03/27/2009	Dave Peterson Framing, Inc.'s Statement, Complaint, and Third-Party Complaint	2	AA 279–327
03/27/2009	E&E Fire Protection, LLC's Statement, Complaint, and Third-Party Complaint	2	AA 328–371
03/27/2009	Professional Doors and Millworks, LLC's Statement, Complaint, and Third-Party Complaint	2	AA 372–483
04/03/2009	Hydropressure Cleaning, Inc.'s Statement and Complaint	3	AA 484–498
04/03/2009	Ready Mix, Inc.'s Statement and First Amended Complaint	3	AA 499–510
04/06/2009	EZA P.C. dba Oz Architecture of Nevada, Inc.'s Statement	3	AA 511–514
04/07/2012	Accuracy Glass & Mirror Company, Inc.'s Complaint	3	AA 515–550
04/08/2009	John Deere Landscapes, Inc.'s Statement, Complaint, and Third-Party Complaint	3	AA 551–558
04/14/2009	Helix Electric of Nevada, LLC's Statement and Third-Party Complaint	3	AA 559–595
04/17/2009	Republic Crane Service, LLC's Complaint	3	AA 596–607
04/24/2019	Bruin Painting's Statement and Third-Party Complaint	3	AA 608–641
04/24/2009	HD Supply Waterworks, LP's Statement and Third-Party Complaint	3	AA 642–680
04/24/2009	The Pressure Grout Company's Statement and Complaint	3	AA 681–689
04/27/2009	Heinaman Contract Glazing's Complaint	3	AA 690–724
04/28/2009	WRG Design, Inc.'s Statement and Third-Party Complaint	4	AA 725–761

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
04/29/2009	APCO Construction's Answer to Cell-Crete Fireproofing of Nevada, Inc.'s Statement and Complaint and Crossclaim	4	AA 762-784
04/29/2009	Executive Plastering, Inc.'s Statement	4	AA 785-792
04/30/2009	Zitting Brothers Construction, Inc.'s Complaint Re: Foreclosure	4	AA 793-810
05/05/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Noorda Sheet Metal Company's Third-Party Complaint and Camco Pacific Construction's Counterclaim	4	AA 811-828
05/05/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Professional Doors and Millworks, LLC's Third-Party Complaint and Camco Pacific Construction's Counterclaim	4	AA 829-846
05/05/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to E&E Fire Protection, LLC's Third-Party Complaint and Camco Pacific Construction's Counterclaim	4	AA 847-864
05/05/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to The Masonry Group Nevada, Inc.'s Complaint and Camco Pacific Construction's Counterclaim	4	AA 865-882

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
05/05/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Cabinetec, Inc.'s Complaint and Camco Pacific Construction's Counterclaim	4	AA 883-899
05/05/2009	Graybar Electric Company, Inc.'s Complaint	4	AA 900-905
05/05/2009	Olson Precast Company's Complaint	4	AA 906-911
05/13/2009	Fast Glass, Inc.'s Statement	4	AA 912-957
05/14/2009	HD Supply Construction Supply, LP dba White Cap Construction Supply, Inc.'s Complaint	5	AA 958-981
05/15/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Insulpro Projects, Inc.'s Complaint and Camco Pacific Construction's Counterclaim	5	AA 982-999
05/19/2009	Terra South Corporation dba Mad Dog Heavy Equipment's Statement and Third-Party Complaint	5	AA 1000-1008
05/20/2009	Ahern Rental, Inc.'s Statement and Complaint	5	AA 1009-1018
05/20/2009	Southwest Air Conditioning, Inc.'s Statement	5	AA 1019-1024
05/27/2009	Ferguson Fire & Fabrication, Inc.'s Statement and Complaint	5	AA 1025-1033
05/27/2009	Republic Crane Service, LLC's Amended Statement	5	AA 1034-1044
05/29/2009	Pape Material Handling dba Pape Rents' Statement and Complaint	5	AA 1045-1057
05/29/2009	Selectbuild Nevada, Inc.'s Statement	5	AA 1058-1070



<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
06/01/2009	Buchele, Inc.'s Statement	5	AA 1071–1082
06/01/2009	Renaissance Pools & Spas, Inc.'s Statement	5	AA 1083–1094
06/03/2009	Executive Plastering, Inc.'s First Amended Complaint	5	AA 1095–1105
06/10/2009	APCO Construction's Answer to Zitting Brothers Construction, Inc.'s Complaint	5	AA 1106–1117
06/12/2009	Supply Network dba Viking Supplynet's Statement and Complaint	5	AA 1118–1123
06/15/2009	Las Vegas Pipeline, LLC's Statement and Complaint	5	AA 1124–1130
06/16/2009	Creative Home Theatre, LLC's Statement	5	AA 1131–1138
06/23/2009	Inquipco's Statement and Complaint	5	AA 1139–1146
06/24/2009	Accuracy Glass & Mirror's First Amended Complaint	5	AA 1147–1161
06/24/2009	Bruin Painting's Amended Statement and Third-Party Complaint	5	AA 1162–1173
06/24/2009	HD Supply Waterworks' Amended Statement and Third-Party Complaint	5	AA 1174–1190
06/24/2009	Heinaman Contract Glazing's Amended Statement and Third-Party Complaint	5	AA 1191–1202
06/24/2009	Helix Electric of Nevada, LLC dba Helix Electric's Amended Statement and Third-Party Complaint	6	AA 1203–1217
06/24/2009	WRG Design, Inc.'s Amended Statement and Third-Party Complaint	6	AA 1218–1233
06/23/2009	Ahern Rentals, Inc.'s First Amended Statement and Complaint	6	AA 1234–1255
07/07/2009	The Masonry Group Nevada, Inc.'s Statement and Complaint	6	AA 1256–1273

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
07/09/2009	Northstar Concrete, Inc.'s Statement and Complaint	6	AA 1274–1288
07/10/2009	Camco Pacific Construction Company, Inc.'s Statement and Complaint	6	AA 1289–1310
7/22/2009	Granite Construction Company's Statement and Complaint	6	AA 1311–1318
08/10/2009	HA Fabricators, Inc.'s Complaint	6	AA 1319–1327
08/18/2009	Club Vista Financial Services, LLC and Tharaldson Motels II, Inc.'s Answer to Camco Pacific Construction Company, Inc.'s Statement and Complaint and Counterclaim	6	AA 1328–1416
08/28/2009	Custom Select Billing, Inc.'s Statement and Complaint	6	AA 1417–1443
09/09/2009	Camco Pacific Construction Company, Inc.'s Answer to Las Vegas Pipeline, LLC's Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1444–1460
09/10/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Dave Peterson Framing, Inc.'s Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1461–1484
09/10/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Northstar Concrete, Inc.'s Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1485–1505

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
09/10/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Tri-City Drywall, Inc.'s Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1506–1526
09/11/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Accuracy Glass & Mirror Company, Inc.'s Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1527–1545
09/11/2009	Camco Pacific Construction Company, Inc.'s Answer to Bruin Painting Corporation's Statement and Third-Party Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1546–1564
09/11/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Heinaman Contract Glazing's Statement and Third-Party Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1565–1584
09/11/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to WRG Design, Inc.'s Statement and Third-Party Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1585–1604

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
09/25/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Nevada Prefab Engineers, Inc.'s Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1605–1622
09/25/2009	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland's Answer to Steel Structures, Inc.'s Second Amended Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1623–1642
09/30/2009	Camco Pacific Construction Company, Inc. Answer to Executive Plastering, Inc.'s First Amended Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	7	AA 1643–1650
10/19/2009	APCO Construction's Answer to HA Fabricators, Inc.'s Answer, Counterclaim, and Third-Party Complaint	7	AA 1651–1673
11/13/2009	Stipulation and Order for Dismissal of Steel Structures, Inc.'s Complaint Against Camco Pacific Construction, and Camco's Counterclaim Against Steel Structures, Inc.	7	AA 1674–1675
12/23/2009	Harsco Corporation's Second Amended Complaint	7	AA 1676–1684
01/22/2010	United Subcontractors, Inc. dba Skyline Insulation's Complaint	7	AA 1685–1690
04/05/2010	Interstate Plumbing & Air Conditioning, LLC's Statement and Complaint	8	AA 1691–1721

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
04/13/2010	Camco Pacific Construction Company, Inc. and Fidelity and Deposit Company of Maryland Answer to Cactus Rose's Statement and Complaint and Camco Pacific Construction Company, Inc.'s Counterclaim	8	AA 1722–1738
07/01/2010	Stipulation and Order for Dismissal with Prejudice of Claims Asserted by Select Build Nevada, Inc. Against APCO Construction	8	AA 1739–1741
05/23/2013	Notice of Entry of Order Approving Sale of Property	8	AA 1742–1808
04/14/2016	Notice of Entry of Order Releasing Sale Proceeds from Court-Controlled Escrow Account	8	AA 1809–1818
10/07/2016	Special Master Report Regarding Remaining Parties to the Litigation, Special Master Recommendation and District Court Order Amending Case Agenda	8	AA 1819–1822
05/27/2017	Notice of Entry of Order	8	AA 1823–1830
07/31/2017	Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	8 9 10	AA 1831–1916 AA 1917–2166 AA 2167–2198
08/02/2017	Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements and Ex Pate Application for Order Shortening Time	10	AA 2199–2263
08/21/2017	APCO Construction's Opposition to Zitting Brothers Construction Inc.'s Partial Motion for Summary Judgment	10	AA 2264–2329

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
08/21/2017	APCO's opposition to Peel Brimley MSJ	10	AA 2330–2349
09/20/2017	Order Granting Plaintiff's Motion to Dismiss	10	AA 2350–2351
09/28/2017	Peel Brimley Lien Claimants' Reply to Oppositions to Motion for Partial Summary Judgment Precluding Defenses Based On Pay-If-Paid Agreements	10	AA 2352–2357
09/29/2017	Zitting Brothers Construction, Inc.'s Reply In Support of Motion for Partial Summary Judgment Against APCO Construction	10	AA 2358–2413
10/05/2017	Recorder's Transcript of Hearing RE: All Pending Motions	11	AA 2414–2433
11/06/2017	Zitting Brothers Construction, Inc.'s Motion in Limine to Limit the Defenses of APCO Construction to the Enforceability of Pay-If-Paid Provision	11	AA 2434–2627
11/06/2017	APCO's Supplemental Briefing in Opposition to Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction. Inc.	12	AA 2628–2789
11/14/2017	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	12 13 14	AA 2790–2851 AA 2852–3053 AA 3054–3108
11/16/2017	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-Pay Provision	14	AA 3109–3160

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
11/16/2017	Recorder's Transcript of Hearing RE: All Pending Motions	14	AA 3161–3176
11/16/2017	Zitting Brothers Construction, Inc.'s Response to APCO Construction's Supplemental Opposition to Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment	14	AA 3177–3234
11/27/2017	Decision	14	AA 3235–3237
12/05/2017	Court Minutes Granting Zitting MIL	14	AA 3238
12/29/2017	Findings of Fact Conclusions of Law, and Granting Zitting Brothers Construction, Inc.'s Motion for Partial Summary Judgment Against APCO Construction	14	AA 3239–3249
01/02/2018	Order Granting Peel Brimley Lien Claimants' Motion for Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements	14	AA 3250–3255
01/02/2018	Notice of Entry of Order Granting Zitting Brothers Construction, Inc.'s MSJ	14	AA 3256–3268
01/03/2018	Notice of Entry of Order Granting Peel Brimley MSJ	14	AA 3269–3280
01/04/2018	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	15	AA 3281–3517
		16	AA 3518–3633

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
01/08/2018	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	16 17 18 19	AA 3634–3763 AA 3764–4013 AA 4014–4253 AA 4254–4344
01/09/2018	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	19	AA 4345–4350
01/09/2018	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	19	AA 4351–4359
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
01/10/2018	Zitting Brothers Construction, Inc. Opposition to APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction's Partial Motion for Summary Judgment	19	AA 4373–4445
01/11/2018	Recorder's Transcript of Hearing RE: All Pending Motions	19	AA 4446–4466



<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
01/19/2018	Order Denying APCO Construction's Motion for Reconsideration of Court's Order Granting Partial Summary Judgment Precluding Defenses Based on Pay-If-Paid Agreements	19	AA 4467-4468
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
01/31/2018	Notice of Entry of Order Denying APCO Construction, Inc.'s Motion for Reconsideration of Court's Order Granting Zitting Brothers Construction, Inc.'s Partial Summary Judgment	20	AA 4690-4693
02/05/2018	2018 Stipulation and Order to Dismiss Third Party Complaint of Interstate Plumbing & Air Conditioning, LLC Against APCO Construction, Inc. with Prejudice	20	AA 4694-4695
02/16/2018	Notice of Appeal	20	AA 4696-4714

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
02/16/2018	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.	20 21	AA 4715–4726 4740
02/26/2018	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	21	AA 4741–4751
02/27/2018	Notice of Appeal	21 22 23	AA 4752–4976 AA 4977–5226 AA 5227–5288
05/04/2018	Order Regarding Plaintiff's Motion to Stay Pending Entry of Final Judgment Pursuant to NRCP 62(B) and 62(H) on Order Shortening Time	23	AA 5289–5290
05/08/2018	Order Determining Amount of Zitting Brothers Construction, Inc.'s Attorney's Fees, Costs, and Prejudgment Interests	23	AA 5291–5293
05/11/2018	Notice of Entry of Order Determining Amount of Zitting Brothers Construction, Inc.'s Attorney's Fees, Costs, and Prejudgment Interest	23	AA 5294–5298
05/23/2018	Judgment in Favor of Zitting Brothers Construction, Inc.	23	AA 5299–5300
05/24/2018	Notice of Entry of Judgment in Favor of Zitting Brothers Construction, Inc.	23	AA 5301–5304
06/08/2018	Amended Notice of Appeal	23 24 25	AA 5305–5476 AA 5477–5724 AA 5725–5871

<b><u>Date</u></b>	<b><u>DOCUMENT DESCRIPTION</u></b>	<b><u>Vol.</u></b>	<b><u>Bates Nos.</u></b>
06/08/2018	Plaintiff's Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time	25 26	AA 5872–5973 AA 5974–6038
06/19/2018	Zitting Brothers' Construction, Inc.'s Limited Opposition to APCO Construction, Inc.'s Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time	26	AA 6039–6046
06/26/2018	Recorder's Transcript of Hearing RE: Plaintiff's Motion for 54(b) Certification and for Stay Pending Appeal on Order Shortening Time	26	AA 6047–6051
07/30/2018	Order Granting Motion for 54(b) Certification and for Stay Pending Appeal	26	AA 6052–6054
07/31/2018	Notice of Entry of Order	26	AA 6055–6063
08/08/2018	Second Amended Notice of Appeal	26 27 28 29	AA 6064–6180 AA 6181–6430 AA 6431–6679 AA 6680–6854
	Docket of District Court Case No. 08A571228	30	AA 6855–6941

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****June 20, 2016**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**June 20, 2016                      9:00 AM                      All Pending Motions**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 12A

**COURT CLERK:** Marwanda Knight  
                                  Olivia Black

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Wade Gochmour, Esq., Cody Mounter, Esq., and Chen 'Jack' Juan, Esq., appearing on behalf of Plaintiff

Rachel Donn, Esq., appearing on behalf of Defendant, Scott Financial Corporation

Eric Dobberstein, Esq., appearing on behalf of Insulpro Projects Inc

Steven Morris, Esq., appearing on behalf of Camco Pacific Construction Company Inc

I-Che Lai, Esq., appearing on behalf of Zitting Brothers Construction Inc

RENEWED MOTION FOR PARTIAL SUMMARY JUDGMENT...ZITTING BROTHERS  
 CONSTRUCTION, INC'S JOINDER TO INSULPRO PROJECTS, INC'S RENEWED MOTION FOR  
 PARTIAL SUMMARY JUDGMENT...APCO'S OPPOSITION TO RENEWED MOTION FOR  
 PARTIAL SUMMARY JUDGMENT AND JOINDER THERETO; AND COUNTERMOTION TO  
 DISMISS AND/OR FOR SUMMARY JUDGMENT AGAINST INSULPRO

Court queried counsel whether the motions on today's calendar should be referred to the Special Master.

Mr. Dobberstein argued why he opposed the motions going before the Special Master, noting the only thing that should be decided by the Special Master would be as to the responsibilities of Apco or

PRINT DATE: 08/10/2018

Page 140 of 199

Minutes Date: May 12, 2009

Camco.

Mr. Mounteer argued it would be best the motions go before the Special Master to work out any additional discovery issues and then they would be able to decide if there are any lien claims. Mr. Morris added that to his knowledge the only matters that have been decided are the claims against Gemstone and not the contractors. Further, Mr. Morris noted no opposition to the motions being referred to the Special Master. Additional comments by Mr. Mounteer as to the amount Insulpro is claiming.

Court stated that in its preparation, it appeared that having appointed a Special Master and given the subject matter that's involved, given the fact that there has been a foreclosure that has wiped out the junior liens, and given the fact that claims are still being made, it's important that the right hand knows what the left hand is doing, and ORDERED, motions REFERRED to the Special Master.

Mr. Juan to submit a proposed order after passing the same by opposing counsel.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****March 06, 2017**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**March 06, 2017                      9:00 AM                      All Pending Motions**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Wade Gochmour, Esq., appeared on behalf of Pltf  
 Mark Ferrario, Esq. and Kara Hendricks, Esq., appeared on behalf of the Tharaldson Parties  
 Patrick Sheehan, Esq., appeared on behalf of Non-Parties, Newmark Grub  
 Elizabeth Stephens, Esq., appeared on behalf of Intervnor Pltf, Interstate Plumbing

PLAINTIFF'S MOTION TO ASSOCIATE COUNSEL - JONATHAN S. DABBIERI, ESQ.

COURT stated everything appears to be in order, and ORDERED, Motion GRANTED. COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. Court noted if the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next hearing. However, if the record does not show the State Bar has been notified counsel will have to appear to explain why.

CLUB VISTA FINANCIAL SERVICES, LLC AND THARDLDSOON MOTELS II, INC'S MOTION FOR ORDER TO SHOW CAUSE WHY GRUBB & ELLIS, NOW KNOWN AS NEWMARK GRUBB, SHOULD NOT BE HELD IN CONTEMPT OF COURT

Counsel argued regarding the merits of the Motion. After hearing from counsel, COURT stated it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

08A571228

04/03/2017 9:00 A.M. | STATUS CHECK RE: SCR 42 COMPLIANCE (JONATHAN S. DABBIERI,  
ESQ.)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****March 15, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**March 15, 2017                      11:45 AM                      Decision**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Martha Szramek

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- After review and consideration of the pleadings on file herein and the arguments of counsel at the time of the March 6, 2017 hearing, COURT ORDERS, Motion for Order to Show Cause Why Grubb & Ellis, Now Known as Newmark Grubb, Should Not be Held in Contempt DENIED.

Counsel for Grubb is directed to provide prompt written notice of entry hereof. Please see the Court's written Decision and Order filed March 15, 2017 for full context.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 20, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**March 20, 2017                      9:00 AM                      Motion to Withdraw as  
   Counsel**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Monica Caffaratti, Esq., appeared on behalf of Deft., Gemstone Development West Inc.

Cause appearing and there being no opposition, COURT ORDER, Motion GRANTED and directed Ms. Caffaratti to submit a proposed order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**April 03, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**April 03, 2017                      9:00 AM                      Motion**

**HEARD BY:**    Denton, Mark R.    **COURTROOM:**    RJC Courtroom 03D

**COURT CLERK:**    Marwanda Knight

**RECORDER:**    Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Stephen Kopolow, Esq., appeared on behalf of Counter Deft, Ahern Rentals Inc  
Selina Cisneros, Esq., Pro Se Deft

Following representations made by Ms. Cisneros and Mr. Kopolow, COURT STATED it would  
revedi the matter further before issuing its ruling, and ORDERED, matter taken UNDER  
ADVISEMENT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****April 18, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**April 18, 2017                      2:00 PM                      Minute Order**

**HEARD BY:** Denton, Mark R.    **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- HAVING further reviewed the record pertaining to Plaintiff's (sic) Motion to Set Aside Judgment filed herein on February 28, 2017, and being now fully advised in the premises, the Court is not persuaded that the Motion has merit and it is DENIED.

Counsel for Plaintiff Ahern Rentals, Inc. (Consolidated Case No. A-08-574792) is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK S NOTE - A copy of this minute order was distributed via E-Service Master List. / mk  
04/18/2017

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**May 11, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**May 11, 2017                      9:00 AM                      Motion to Withdraw as  
   Counsel**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Eric B. Zimbelman, Esq., appeared on behalf of Pltf, Accuracy Glass and Mirror Co Inc (A587168)

There being no opposition, COURT ORDRED, Motion GRANTED.

Order SIGNED IN OPEN COURT and returned to counsel for processing.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****May 15, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**May 15, 2017                      9:00 AM                      Motion for Summary  
   Judgment**

**HEARD BY:** Denton, Mark R.    **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Chen "Jack" Juan, Esq., appeared on behalf of Pltf  
Martin Little, Esq., appeared on behalf of Counter Defendant, Unitah Investments LLC

Following argument, COURT STATED ITS FINDINGS, and ORDERED, Motion for Summary Judgment GRANTED as to the ability of Unitah Investments LLC being able to continue to pursue this action, or have the action pursued in its name WITHOUT PREJUDICE to a Motion to substitute Pacific Coast Steel.

Mr. Juan directed to submit a proposed order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****May 30, 2017**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

**May 30, 2017****9:00 AM****Motion to Associate  
Counsel****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Court stated that the Motion appeared to be in order, and with there being no oppositon ORDERED, Motion GRANTED.

COURT FURTHER ORDERED, status check SET to show that the State Bar has been notified of the admission. If the record reflects that the State Bar has been notified, it will not be necessary for counsel to attend the next status check. However, iff the record does not show the State Bar has been notified then counsel will have to appear to explain why.

Order SIGNED IN OPEN COURT and will be available for counsel to pickup; the Court's Law Clerk will notify counsel.

07/31/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (S. Judy Hirahara, Esq.)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**July 24, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**July 24, 2017                      9:00 AM                      Motion to Continue**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES: Cody Munteer, Attorney for Pltf  
I-Che Lai, Attorney for Counter Defendant, Zitting Brothers Construction, Inc

Cause appearing and there being no opposition, COURT ORDERED, Motion GRANTED and directed counsel to submit a proposed order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****July 25, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**July 25, 2017                      5:35 PM                      Minute Order**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Martha Szramek

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Cause appearing, and pursuant to EDCR 2.20(e) and 2.23(c), the Court GRANTS Gerdau Reinforcing Steel's Motion to Substitute without oral argument and ORDERS such Motion removed from its civil motion calendar of July 27, 2017. Counsel for moving party to submit a proposed order.

IT IS SO ORDERED.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****July 31, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**July 31, 2017                      9:00 AM                      Status Check**

**HEARD BY:** Denton, Mark R.    **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- No parties present.

At call of case, Court noted no appearances, and ORDERED, MATTER TRAILED.

MATTER RECALLED - Court stated that the matter was on for status check regarding SCR 42 Compliance to show that the State Bar has been notified of the pro hac vice admission of S. Judy Hirahara, Esq. Further, Court stated that the record does not show that the State Bar has been notified of such admission, and ORDERED, status check CONTINUED thirty (30) days. Counsel is directed to notify the State Bar of the pro hac vice admission.

CONTINUED TO: 08/31/17 9:00 a.m.

CLERK'S NOTE: The above minute order has been distributed to:

Richard Tobler, Esq.  
Fax: (702) 256-2248

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****August 10, 2017**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**August 10, 2017                      9:00 AM                      Motion to Dismiss**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES: Juan Jack Chen, Attorney for Pltf  
 Joe Palin, Principal of Apco Construction  
 Steve Morris, Attorney for Deft, Camco Pacific Construction Company Inc  
 Elizabeth Stephens, Attorney for Trustee  
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, Fast Glass Inc., and Cactus Rose Construction Inc  
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc., A589195

Following argument by counsel, COURT stated its FINDINGS, noting there are some genuine issues that need to be further developed, and treating the Motion as a Motion for Summary Judgment ORDERED, Motion DENIED WITHOUT PREJUDICE to counsels' contentions.

As a housekeeping matter, counsel discussed moving the motions currently calendared for August 24, 2017 to September 5, 2017. COURT SO ORDERED. Additional colloquy regarding trial setting, parties not participating in the case, and the parties having a settlement conference.

Mr. Zimbelman indicated he would submit the proposed order after passing the same by opposing counsel.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**September 05, 2017**

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08A571228      Apco Construction, Plaintiff(s)  
vs.  
Gemstone Development West Inc, Defendant(s)

---

**September 05, 2017    9:00 AM      Motion to Associate  
Counsel**

**HEARD BY:**   Denton, Mark R.

**COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES: John B. Taylor and Rich Tobler, Attorneys for National Wood Products and Cabinetec

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED and FURTHER ORDERED status check regarding SCR 42 compliance SET October 5, 2017 at 9:00 am.

10/05/2017 9:00 AM | STATUS CHECK RE: SCR 42 COMPLIANCE (JOHN B. TAYLOR, ESQ.)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****September 05, 2017**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**September 05, 2017      2:00 PM                      Calendar Call**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES: Jack Chen Min Juan and Cody Mounter, Attorney for Pltff  
 Elizabeth Stephens, Attorney for IPAC, Chapter 7 Trustee  
 John Taylor and Rich Tobler, Attorneys for National Wood Products  
 I-Che Lai, Attorney for Zitting Brothers  
 Eric Zimbelman, Attorney for Helix Electric of Nevada LLC, Heinaman Contract Glazing, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc  
 Benjamin Johnson, Attorney for United Subcontractors Inc d/b/a Skyline  
 William Urga and Michael R. Ernst, Attorneys for Gerda Reinforcing Steel, Steel Structures Inc, Nevada Prefab Engineers Inc, and Unitah  
 Tracy Truman, Attorney for E & E Fire  
 Steve Morris, Camco Pacific Construction Company Inc

Court noted the settlement conference scheduled September 21, 2017. Mr. Juan requested that the calendar call and trial be continued so the parties can proceed with settlement. Further, Mr. Juan stated that the only parties that should remain are those that have complied with the Special Master's questionnaire and have filed their pre-trial disclosures.

Mr. Johnson noted confusion with the number of parties in the case, knowing what's going on

PRINT DATE:    08/10/2018

Page 157 of 199

Minutes Date:    May 12, 2009

procedurally, and the Motion for Summary Judgment and Joinders being moved to October. Further, Mr Johnson noted his objection to the striking of his client's claims. Colloquy regarding parties left in the case with claims and proceeding with negotiations.

COURT ORDERED deadline for parties who have not complied with the Special Master's questionnaire and have not filed their pretrial disclosures SET Friday, September 8, 2017 by 5:00 pm and FURTHER ORDERED hearing SET Monday, September 11, 2017 on Pltf's Oral Motion to Dismiss Pursuant to Rule 7(b).

COURT FURTHER ORDERED the current trial setting VACATED and status check SET October 5, 2017 at 9:00 am to discuss resetting the trial.

HEARING ON PLTF'S ORAL MOTION TO DISMISS PURSUANT TO RULE 7(b): 09/11/2017 9:00 AM

STATUS CHECK RE:RESETTING TRIAL: 10/05/2017 9:00 AM

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**September 11, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**September 11, 2017    9:00 AM                      Hearing**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES: Jack Juan, Attorney for Pltf  
Brad Slighting, Attorney for Deft, United Subcontractors  
Michael Ernst, Attorney for Deft, Gerdau Reinforcing Steel  
Elizabeth Stephens, Attorney for the Trustee  
I-Che Lai, Attorney for Deft Zitting Brothers Construction

Following representations made by counsel, COURT ORDERED case dismissed as to the parties that did not comply with the Court's ruling to make their filings. All of the other parties who have made a pre-trial filings will soon get a letter from Mr. Juan or a schedule from the settlement judge regarding the September 21, 2017 settlement conference.

Mr. Juan to submit the proposed order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**September 21, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**September 21, 2017      9:00 AM                      Settlement Conference**

**HEARD BY:    COURTROOM:**

**COURT CLERK:**

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Judge David Barker met with the parties for the purpose of a settlement conference at Esquire Solutions, the case did not settle.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****October 05, 2017**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**October 05, 2017              9:00 AM              All Pending Motions**

**HEARD BY:** Denton, Mark R.    **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

-

APPEARANCES: Jack Juan, Cody Munteer, John Mowbray, and Mary Bacon, Attorneys for Apco  
 Steven Morris, Attorney for Camco Pacific Construction Co Inc  
 Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance Solution, Buchele  
 Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing  
 Benjamin Johnson, Attorney for United Subcontractors Inc  
 John Taylor and Rich Tobler, Attorneys for National Wood Products  
 Elizabeth Stephens, Attorney for Trustee  
 I-Che Lai, Attorney for Pltf, Zitting Brothers Construction Inc.  
 Tracy Truman, Attorney for E & E Fire  
 Michael Ernst, Attorney for Gerdau Reinforcing Steel, Steel Structures Inc, and Nevada Prefab  
 Engineers

CONFERENCE AT BENCH: Court disclosed that the wife of its current Law Clerk, Andrew Lajoie, is the niece of Steven Morris. Counsel acknowledged their agreement to proceed in light of the Court's disclosure. Further, Court advised that Mr. Lajoie would be screened from this case.

PRINT DATE: 08/10/2018

Page 161 of 199

Minutes Date: May 12, 2009

Mr. Juan advised that at the settlement conference no global settlement was reached; however, progress was made with some. Further, Mr. Juan requested discovery be extended another 45 days to finish up depositions, which resulted in colloquy as to deferring the hearing on the motions pending depositions. Mr. Zeimbelman noted his opposition. COURT ORDERED, matter TRAILED for counsel to discuss the matter further.

MATTER RECALLED - Court noted that there are some different points as to what should happen relative to scheduling of trial and/or hearing the motions that are before the Court today. Mr. Juan advised that the key concern is for those who are opposed to having their clients deposed and the trial being delayed. Court advised the case could be placed on the November 28, 2017 stack, which lead to further discussion as to that date changing any of the parties' position, the case having a date certain on the stack, the amount of time trial would require, and the specific depositions that would be taken. It was estimated that each subcontractor would take a day.

After hearing from counsel, COURT ORDERED trial date SET November 28, 2017 at 9:00 am; new trial order to issue and a calendar call date will be set as well.

COURT FURTHER ORDERED that the Motions on today's calendar CONTINUED to November 16, 2017 at 9:00 am.

COURT FURTHER ORDERED that the deadline for taking depositions is October 30, 2017.

COURT FURTHER ORDERED that any motions in limine be filed by November 5, 2017 will be SET for hearing on November 16, 2017 at 9:00 am; no more motions for summary judgment can be filed.

Additional colloquy.

Mr. Juan to prepare and circulate an order reflecting what has been done today.

CLERK'S NOTE: This Minute Order has been amended to reflect that motions in liminie will be SET for hearing on November 16, 2107 at 9:00 a.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****November 16, 2017**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

**November 16, 2017 9:00 AM****All Pending Motions****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

Ernst, Michael R.

Attorney

Jefferies, John R.

Attorney

Lai, I-Che

Attorney

Morris, Steven L.

Attorney

Attorney

Munteer, Cody S.

Attorney

Ramirez, Jorge A.

Attorney

Truman, T. James

Attorney

Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT: Rich Tobler and John Taylor, Attorneys for Deft, Nation Wood Products

Eric Zimbelman, Attorney for Defts Helix Electric of Nevada, SWPP Compliance  
Solution, Buchele Inc, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

**ZITTING BROTHERS CONSTRUCTION INC'S MOTION FOR PARTIAL SUMMARY JUDGEMENT  
AGAINST APCO CONSTRUCTION**

PRINT DATE: 08/10/2018

Page 163 of 199

Minutes Date: May 12, 2009

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT  
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS AND EX PARTE  
APPLICATION FOR ORDER SHORTENING TIME

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ZITTING BROTHERS CONSTRUCTION, INC.'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS'  
MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-  
PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

STEEL STRUCTURES, INC., NEVADA PREFAB ENGINEERING, AND GERDAU REINFORCING  
STEEL'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' OPPOSITION TO APCO'S MOTION  
FOR SUMMARY JUDGMENT RE: LIEN CLAIMS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

WILLIAM A. LEONARD, JR.'S JOINDER OF INTERSTATE PLUMBING AND AIR CONDITIONING  
LLC TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT  
PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

NATIONAL WOOD PRODUCTS INC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY IF PAID AGREEMENTS AND EX PARTE APPLICATION SHORTENING TIME; AND MEMORANDUM OF POINT AND AUTHORITIES IN SUPPORT THEREOF

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

E & E FIRE PROTECTION, LLC'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S JOINDER TO PEEL BRIMLEY LIEN CLAIMANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT PRECLUDING DEFENSES BASED ON PAY-IF-PAID AGREEMENTS

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

ERIC B. ZIMBELMAN, ESQ.'S MOTION TO WITHDRAW AS COUNSEL FOR BUCHELE, INC. AND FOR ORDER SHORTENING TIME

There being no opposition and with cause appearing, COURT ORDERED, Motion GRANTED.

Mr. Zimbelman to submit the proposed order.

ZITTING BROTHERS CONSTRUCTION, INC.'S MOTION IN LIMINE TO LIMIT THE DEFENSES OF APCO CONSTRUCTION TO THE ENFORCEABILITY OF PAY-IF-PAID PROVISION

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S OMNIBUS MOTION IN LIMINE

Following argument by counsel, Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTIONS IN LIMINE NOS. 1-4 (AGAINST APCO CONSTRUCTION)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PEEL BRIMLEY LIEN CLAIMANTS' MOTIONS IN LIMINE NOS. 1-6 (AGAINST CAMCO PACIFIC CONSTRUCTION, INC.)

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA'S MOTION IN LIMINE NOS. 1-4 AGAINST APCO CONSTRUCTION

Court stated the matter had been well briefed and would stand submitted; advised it would review

the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC'S MOTION IN LIMINE TO EXCLUDE EVIDENCE TESTIMONY, DOCUMENTS AND THINGS NOT PROPERLY PRODUCED BY DEFENDANT APCO CONSTRUCTION IN DISCOVERY; DECLARATION OF S. JUDY HIRAHARA; AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

Court stated the matter had been well briefed and would stand submitted; advised it would review the matter further before issuing its ruling, and ORDERED, matter taken UNDER ADVISEMENT.

November 20, 2017

08A571228                      Apco Construction, Plaintiff(s)  
vs.  
Gemstone Development West Inc, Defendant(s)

<b>PRESENT:</b>	Hirahara, S Judy, ESQ	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

Docket 75197 Document 2019-16456  
AA 006708



to the January 2018 stack and put the case during the weeks of January 15, 2018 and January 22, 2018 to try the case. Colloquy regarding placement on the next stack and the age of this case. COURT ORDERED, the current trial setting VACATED to be RESET on the January 9, 2018 stack; new order to issue.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 05, 2017**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

**December 05, 2017****5:03 PM****Minute Order****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

-

HAVING further reviewed APCO Construction, Inc.s Omnibus Motion in Limine and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court makes the following rulings:

The Court DENIES Motion in Limine No. 1 without prejudice to objections made to evidentiary proffers at trial that the Court can consider in context.

The Court GRANTS Motion in Limine No. 2 IN PART to the extent that it addresses parties which, as APCO puts it, have chosen not to participate in trial (Reply, p. 4, ll. 21-22), but it is DENIED IN PART as to parties which have participated.

The Court DENIES Motion in Limine No. 3 regarding unjust enrichment as it essentially seeks a summary adjudication without reference to any specific evidence. Furthermore, unjust enrichment is commonly pleaded in the alternative and its viability relates to development of the evidence.

The Court DENIES Motion in Limine No. 4 without prejudice to objections to specific evidence

PRINT DATE: 08/10/2018

Page 170 of 199

Minutes Date: May 12, 2009

proffered.

The Court DENIES Motion in Limine No. 5 without prejudice to objections to specific evidence proffered.

The Court GRANTS Motion in Limine No. 6 to the extent that it seeks to preclude witnesses who should have been, but were not, properly disclosed. Of course, making any such determination requires a witness-by-witness inquiry.

The Court GRANTS Motion in Limine No. 7 to the extent that it seeks to preclude evidence that should have been, but was not, properly disclosed. Of course, making any such determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for Helix Electric is directed to submit a proposed order consistent with the foregoing and which sets forth the underpinnings of the same. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 05, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**December 05, 2017      5:03 PM              Minute Order**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

-

HAVING further reviewed Plaintiff-in-Intervention, National Wood Products, Inc. s Motion in Limine to Exclude Evidence, Testimony, Documents and Things not Properly Produced by Defendant APCO Construction in Discovery and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS the same to the extent that proffered evidence was not properly produced in discovery. Of course, this determination will require an examination of the disclosure history of any specific evidence proffered.

Counsel for National Wood Products is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 05, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**December 05, 2017      5:03 PM              Minute Order**

**HEARD BY:**   Denton, Mark R.**COURTROOM:**   RJC Courtroom 03D**COURT CLERK:**   Marwanda Knight**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

-

HAVING further reviewed Peel Brimley Lien Claimants Motions in Limine Nos. 1-6 (Against Camco Pacific Construction, Inc.), and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the same. The Motion relates to disclosures and evidence. The Opposition relates to legal contentions.

Counsel for Peel Brimley Lien Claimants is directed to submit a proposed order consistent with the foregoing.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****December 05, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**December 05, 2017      5:03 PM              Minute Order**

**HEARD BY:**   Denton, Mark R.**COURTROOM:**   RJC Courtroom 03D**COURT CLERK:**   Marwanda Knight**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- HAVING further reviewed Zitting Brothers Construction, Inc. s Motion in Limine to Limit the Defenses of Apco Construction to the Enforceability of Pay-if-Paid Provision and the Opposition thereto, coming before the Court on November 16, 2017 and then taken under advisement, the Court GRANTS the Motion as it is persuaded by the same.

Counsel for the Zitting Brothers is directed to submit a proposed order consistent herewith and with its briefing/argument. Such proposed order should be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning or any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 05, 2017**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**December 05, 2017      5:03 PM              Minute Order**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- HAVING further reviewed Helix Electric of Nevada s Motions in Limine Nos. 1-4 and the Opposition thereto, coming before the Court on November 16, 2017, and then taken under advisement, the Court GRANTS Motions Nos. 1-3 and DENIES Motion No. 4 without prejudice to objections at trial.

Counsel for Helix Electric is directed to submit a proposed order consistent herewith.

IT IS SO ORDERED.

CLERK'S NOTE: The above minute order has been distributed via the E-Service Master List.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**December 21, 2017**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**December 21, 2017      9:00 AM              Motion**

**HEARD BY:**   Denton, Mark R.                                      **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**              Bacon, Mary E.                                      Attorney

**JOURNAL ENTRIES**

- Following representations made by counsel, COURT ORDERED, Motion GRANTED; counsel for Buchele to submit notice of appearance ten (10) days from today.

Ms. Bacon to submit the proposed order.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 02, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 02, 2018                      2:00 PM                      Calendar Call**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Munteer, Cody S.	Attorney
	Ramirez, Jorge A.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney
	Truman, T. James	Attorney
		Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT - Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Court noted having trial down for twelve (12) days, which Mr. Zimbelman thought would be a little light with the number of parties. Mr. Morris noted discussions had at the pre-trial conference as to how the trial would proceed with APCO going first and then CAMCO; advised the Court he would be out of the country January 8-22, 2018. Mr. Zimbelman stated counsel discussed proceeding

PRINT DATE:    08/10/2018

Page 177 of 199

Minutes Date:    May 12, 2009

without Mr. Morris and the claims against CAMCO being set when he is available. Mr. Morris concurred, noting he did not have to be present for the APCO portion of the trial; colloquy.

Mr. Munteer addressed pending orders; advised APCO plans to file a motion for reconsideration on a few of those orders. Further, Mr. Munteer requested a trial setting on the February stack to allow the parties a chance to file motions and respond. Colloquy held between the Court and counsel regarding the age of the case, the case being a consolidated action, the current position of the parties, and proceeding with the trial in part.

On behalf of APCO, Mr. Jefferies requested the trial begin the latter half of January to get the motion for reconsideration in front of the Court for its review and for fairness to the parties. Mr. Jefferies further noted, that once the Zitting order is resolved counsel would be in a position to file the motion. Mr. Lai advised he received the final order earlier today.

Court queried counsel as to the parties having a settlement conference; however, no settlement conference was requested. COURT ORDERED, MATTER TRAILED.

MATTER RECALLED - COURT ORDERED, non-jury trial date SET Wednesday, January 17, 2017 at 10:00 am; pretrial memorandum due January 12, 2018 by 5:00 pm.

Mr. Tobler provided the Court with an amended order that APCO and Helix had consented to that pertained to the Omnibus Motion filed by APCO. Order SIGNED IN OPEN COURT and returned to counsel for processing.

01/17/2018 10:00 AM | NON-JURY TRIAL BEGINS

CLERK'S NOTE - This Minute Order was amended to reflect that Brad Slighting, Attorney for United Subcontractors, was present at calendar call.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 11, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 11, 2018                      9:00 AM                      All Pending Motions**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bacon, Mary E.	Attorney
	Lai, I-Che	Attorney
	Mounteer, Cody S.	Attorney
	Taylor, John B., ESQ	Attorney
	Tobler, Richard L	Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT - Eric Zimbleman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

NOTE: Mr. Zimbelman appeared by telephone.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL BRIMLEY LIEN CLAIMANTS PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Peel Brimley to submit the proposed order.

CAMCO'S JOINDER TO APCO'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING PEEL BRIMLEY LIEN CLAIMANT'S PARTIAL MOTION FOR SUMMARY JUDGMENT TO PRECLUDE DEFENSES BASED ON PAY IF PAID PROVISIONS

Following arguments by counsel, COURT ORDERED, Motion DENIED.

PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S ORDER GRANTING ZITTING BROTHERS CONSTRUCTION, INC'S PARTIAL MOTION FOR SUMMARY JUDGMENT AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND TO EXCEED PAGE LIMIT

Following arguments by counsel, COURT ORDERED, Motion DENIED.

Counsel for Zitting Brothers Construction to submit the proposed order.

COURT advised it signed an order shortening time of the Motion for Stay, setting it for Tuesday, January 16, 2018. Mr. Zimbleman requested he receive a courtesy copy of the Motion.

Mr. Taylor requested that he be allowed to appear without Mr. Tobler for purposes of trial. There being no objections, COURT SO ORDERED.

At the request of counsel, COURT ORDERED that the Hearing Re: ZBCI Attorney's Fees and Costs currently set for January 18, 2018 is CONTINUED to March 1, 2018 at 9:00 a.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**January 16, 2018**

---

08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

---

**January 16, 2018                      9:00 AM                      Motion to Stay**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Marwanda Knight

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- No parties present.

COURT ORDERED, Motion CONTINUED pursuant to Stipulation and Order.

CONTINUED TO: 01/19/18 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 17, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 17, 2018                      10:00 AM                      Bench Trial                      Day 1**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bacon, Mary E.	Attorney
	Hirahara, S Judy, ESQ	Attorney
	Jefferies, John R.	Attorney
	Taylor, John B., ESQ	Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Jefferies noted the structure of the pleadings, which lists APCO as Pltf and Gemstone as Deft. Further, Mr. Jefferies advised that Gemstone's default was entered and their Answer and Counterclaim stricken, and APCO's Motion for Summary Judgement was granted in June 2013; however, counsel is unable to locate the order. Colloquy between the Court and counsel regarding the procedural posture of the case and the scope of cross not being limited to direct so the parties can call witnesses one time.

Opening statements by Mr. Zimbelman on behalf of Helix; Mr. Taylor on behalf of National Wood;

PRINT DATE: 08/10/2018

Page 182 of 199

Minutes Date: May 12, 2009

and Mr. Jefferies on behalf of APCO.

Testimony and exhibits presented. (See worksheets)

Colloquy between the Court and counsel regarding the submission of a stipulation regarding exhibits and trial schedule. COURT ORDERED, trial would resume tomorrow, Thursday, January 18, 2018 at 1:00 p.m.

Testimony and exhibits presented. (See worksheets)

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/18/2018 1:00 P.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 18, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 18, 2018                      1:00 PM                      Bench Trial                      Day 2**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**                      Hirahara, S Judy, ESQ                      Attorney  
    Jefferies, John R.                      Attorney  
    Taylor, John B., ESQ                      Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Andy Rivera, Client Representative of Helix Electric of Nevada

Mr. Zimbelman advised of a problem with a witness and requested he be allowed to call a witness out of order tomorrow relative to Fast Glass, noted the witness would be out of the country; no objections from Mr. Jefferies or Mr. Taylor. COURT SO ORDERED.

Stipulation and Order Regarding Trial Exhibits Admitted into Evidence SIGNED IN OPEN COURT and returned to counsel for processing; objections noted.

Order Denying Reconsideration of the Motion for Summary Judgment SIGNED IN OPEN COURT and returned to counsel for processing.

PRINT DATE: 08/10/2018

Page 184 of 199

Minutes Date: May 12, 2009



Testimony and exhibits presented. (See worksheets)

Colloquy regarding trial procedures and calling of witnesses.

COURT excused parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/19/2018 9:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 19, 2018                      9:00 AM                      Bench Trial                      Day 3**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Elizabeth Vargas

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Hirahara, S Judy, ESQ	Attorney
	Jefferies, John R.	Attorney
	Lai, I-Che	Attorney
	Mounteer, Cody S.	Attorney
	Taylor, John B., ESQ	Attorney

**JOURNAL ENTRIES**

- Eric Zimbleman, present on behalf of Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction, Inc, Fast Glass Inc. and Heinaman Contract Glazing. Arguments by Mr. Taylor and Mr. Jefferies regarding Motion in Limine regarding joint and several liability. Court reviewed the language of the order and noted the Motion in Limine No. 7 seeking to strike evidence or damages was granted, further stated it is not going to strike the evidence because it would properly apply what court thinks is applicable. Testimony and exhibits presented. (See worksheet). COURT excused counsel and parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 1/23/18 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**January 19, 2018                      9:00 AM                      Motion to Stay**

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

**PRESENT:**                      Lai, I-Che    Attorney  
    Mounter, Cody S.    Attorney

**JOURNAL ENTRIES**

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

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 23, 2018**

08A571228      Apco Construction, Plaintiff(s)  
vs.  
Gemstone Development West Inc, Defendant(s)

**January 23, 2018      9:00 AM      Bench Trial      Day 4**

**HEARD BY:** Denton, Mark R.      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bacon, Mary E.	Attorney
	Taylor, John B., ESQ	Attorney
	Truman, T. James	Attorney
		Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT: Lisa Lynn, Apco Representative

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Ms. Bacon advised of an e-mail Mr. Jefferies received from Mr. Morris, which indicated that Mr. Morris is back in the country and back in the office today and that he intends to be here tomorrow. Colloquy between the Court and counsel as to how the trial would proceed, scheduling, closing arguments, calling witnesses, and the submission of the post trial briefs.

Testimony and exhibits presented. (See worksheets).

Mr. Zimbelman advised that there were no witnesses to present for Cactus Rose and SWPP. Additional colloquy between the Court and counsel regarding witnesses that will be called tomorrow, closing arguments, and the e-mail contact had with Mr. Morris. Following the discussion,

PRINT DATE: 08/10/2018

Page 188 of 199

Minutes Date: May 12, 2009

COURT excused counsel and the parties for the evening, and ORDERED, bench trial CONTINUED.

CONTINUED TO: 01/24/2018 9:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****January 24, 2018**

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

**January 24, 2018****9:00 AM****Bench Trial****Day 5****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Marwanda Knight**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

Bacon, Mary E.

Attorney

Jefferies, John R.

Attorney

Morris, Steven L.

Attorney

Attorney

Taylor, John B., ESQ

Attorney

**JOURNAL ENTRIES**

- ALSO PRESENT: Lisa Lynn and Joe Pelan, Apco Representatives

Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Brad Slighting, Attorney for United Subcontractors Inc

Colloquy between the Court and counsel with respect to the claims against Camco Pacific and Camco's defenses to those claims, the trial proceeding in Mr. Morris's absence, the claims presented, and witnesses being available by telephone for cross-examination.

Court referenced the letter sent to counsel and advised of its availability to hear Camco's case, which resulted in additional colloquy regarding the amount of time needed for argument followed by the submission of proposed findings of fact and conclusions of law. COURT ORDERED the tentative

PRINT DATE: 08/10/2018

Page 190 of 199

Minutes Date: May 12, 2009

date of January 31, 2018 for cross- examination of witnesses that were called regarding Camco; additional evidence will be presented on February 6, 2018.

Testimony and exhibits presented. (See worksheets)

APCO RESTS; Helix RESTS; and National Wood RESTS.

Closing arguments by Mr. Zimbleman on behalf of Helix; Mr. Taylor on behalf of National Wood, and Mr. Jefferies on behalf of APCO, which concluded the APCO portion of the trial.

COURT ORDERED submission of briefs and proposed findings of fact and conclusions of law DEFERRED until after the Camco portion of the trial is closed.

CONTINUED TO: 01/31/2018 (TENTATIVE DATE FOR CROSS EXAMINATION); 02/06/2018 9:00 A.M. (ADDITIONAL EVIDENCE)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****February 06, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**February 06, 2018              9:00 AM                      Bench Trial                      Day 6**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Marwanda Knight  
                                  Kory Schlitz

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Morris, Steven L.	Attorney
		Attorney
	Taylor, John B., ESQ	Attorney
	Truman, T. James	Attorney
		Attorney

**JOURNAL ENTRIES**

- APPEARANCES CONT'D: Eric Zimbelman, Attorney for Helix Electric of Nevada, SWPP Compliance Solution, Cactus Rose Construction Inc, Fast Glass Inc, and Heinaman Contract Glazing

Benjamin Johnson, Attorney for United Subcontractors

Josef Rodarti, Attorney for Camco

Mr. Morris advised Camco reached a settlement with United Subcontractors and that the stipulation regarding dismissal would be forthcoming. At the request of counsel and there being no objection, COURT ORDERED, Mr. Johnson EXCUSED.

Further, Mr. Morris noted counsel entered into a stipulation regarding the cross examination of witnesses who testified in his absence; advised that stipulation would also be forthcoming.

PRINT DATE: 08/10/2018

Page 192 of 199

Minutes Date: May 12, 2009



Testimony and exhibits presented. (See worksheets)

Pltf E&E Fire RESTS.

Mr. Morris moved for a directed verdict as to claimants, SWPP, Cactus Rose, and Interstate Plumbing who have not presented their case; objections argued by Mr. Zimbelman. Following arguments by counsel, Court stated its FINDINGS, noting that once the evidence is closed it would be able to make a decision; however, relative to Interstate Plumbing, COURT ORDERED, Motion GRANTED.

Testimony and exhibits presented. (See worksheets)

(1:30 p.m. Kory Schlitz, Court Clerk) Minutes ...

Mr. Zimbelman indicated he did not offer Exhibit 718 during examination, however he has discussed it with Mr. Morris and the exhibit has been stipulated to. Closing arguments by Mr. Truman on behalf of E&E Fire; Mr. Zimbelman on behalf of Heinaman; and Mr. Morris on behalf of Camco. Mr. Zimbelman indicated he spoke with counsel and parties have agreed to submit their FFCL by February 28, 2017. Court advised parties have two weeks to file responding briefs. COURT ORDERED, Exhibits not admitted RETURNED to Counsel.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court**

**COURT MINUTES**

**March 01, 2018**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**March 01, 2018                      9:00 AM                      Hearing**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Aja Brown

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**              Jefferies, John R.    Attorney  
   Lai, I-Che    Attorney

**JOURNAL ENTRIES**

- Following arguments by counsel, COURT ORDERED, matter UNDER ADVISEMENT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****June 04, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**June 04, 2018                      9:00 AM                      All Pending Motions**

**HEARD BY:** Denton, Mark R.                      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Nancy Maldonado

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Faux, Kurt C.	Attorney
	Morris, Steven L.	Attorney
		Attorney
	Truman, T. James	Attorney
		Attorney

**JOURNAL ENTRIES**

- E&E FIRE PROTECTION'S MOTION FOR ATTORNEY FEES AGAINST CAMCO PACIFIC CONSTRUCTION COMPANY...MOTION TO WITHDRAW AS COUNSEL OF RECORD AND FOR ENTRY OF FINAL JUDGMENT FOR FEES AND COSTS...FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S OPPOSITION TO MOTION TO WITHDRAW AS COUNSEL OF RECORD AND FOR ENTRY OF FINAL JUDGMENT FOR FEES & COSTS AND COUNTERMOTION FOR SANCTIONS

Arguments by counsel. Court stated its findings and ORDERED, E & E's motion GRANTED. COURT FURTHER ORDERED, motion to withdraw as counsel GRANTED IN PART as to withdrawing as counsel of record and entry of judgment as to Camco and DENIED IN PART WITHOUT PREJUDICE as to entry of final judgment for fees and costs regarding the bond. COURT ADDITIONALLY ORDERED, Fidelity and Deposit Company's Opposition and Countermotion DENIED. Mr. Morris to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****June 21, 2018**

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08A571228                      Apco Construction, Plaintiff(s)  
   vs.  
   Gemstone Development West Inc, Defendant(s)

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**June 21, 2018                      9:00 AM                      Motion**

**HEARD BY:**   Denton, Mark R.    **COURTROOM:**   RJC Courtroom 03D

**COURT CLERK:**   Vanessa Medina

**RECORDER:**   Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**              Lai, I-Che    Attorney  
   Munteer, Cody S.    Attorney

**JOURNAL ENTRIES**

- Mr. Munteer advised he received the opposition and parties have stipulated and agreed to the orders; requesting 30 days to have bond in place. Mr. Lai concurred and stated he did not oppose to the request of certification. COURT ORDERED, stay GRANTED 30 days, pending posting of bond. Court directed Counsel to submit proposed Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Business Court****COURT MINUTES****July 02, 2018**

08A571228                      Apco Construction, Plaintiff(s)  
    vs.  
    Gemstone Development West Inc, Defendant(s)

**July 02, 2018                      9:00 AM                      All Pending Motions**

**HEARD BY:**    Denton, Mark R.    **COURTROOM:**    RJC Courtroom 03D

**COURT CLERK:**    Nicole McDevitt

**RECORDER:**    Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:**            Boswell, Jefferson W., ESQ                      Attorney  
    Slighing, Bradley S.                                      Attorney

**JOURNAL ENTRIES**

- UNITED SUBCONTRACTORS, INC. DBA SKYLINE INSULATION'S MOTION TO ENFORCE SETTLEMENT AGREEMENT AND ENTER JUDGMENT...HELIX ELECTRIC OF NEVADA, LLC'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...HEINAMAN CONTRACT GLAZING'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...SWAPP COMPLIANCE SOLUTION INC'S MOTION FOR ATTORNEY'S FEES AND COSTS...FAST GLASS, INC.'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS...CACTUS ROSE CONSTRUCTION CO., INC.'S MOTION FOR ATTORNEY'S FEES, INTEREST AND COSTS

There being no oppositions, COURT ORDERED, United Subcontractors, Inc. dba Skyline Insulation's Motion to Enforce Settlement Agreement and Enter Judgment GRANTED; Helix Electric of Nevada, LLC's Motion for Attorney's Fees, Interest and Costs GRANTED; Heinaman Contract Glazing's Motion for Attorney's Fees, Interest and Costs GRANTED; Swapp Compliance Solution Inc's Motion for Attorney's Fees and Costs GRANTED; Fast Glass, Inc.'s Motion for Attorney's Fees, Interest and Costs GRANTED: and Cactus Rose Construction Co., Inc.'s Motion for Attorney's Fees, Interest and Costs GRANTED. Orders SIGNED IN OPEN COURT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

08A571228

Apco Construction, Plaintiff(s)

vs.

Gemstone Development West Inc, Defendant(s)

**July 19, 2018****9:00 AM****All Pending Motions****HEARD BY:** Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Haly Pannullo**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Ryan Denum, Esq., present on behalf of E&E s Fire Protection. Eric Zimbleman, Esq., present on behalf of Helix Electric of Nevada. Jordan Faux, Esq., present on behalf of Fidelity. Rich Tobler, Esq., Judy Kirahara, Esq., and John Taylor, Esq., present on behalf of National Wood Products. Randy Jefferies, Esq., and Mary Bacon, Esq., present on behalf of Plaintiff.

PLAINTIFF IN INTERVENTION, NATIONAL WOOD PRODUCTS, INC.'S NOTICE OF MOTION AND MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS AGAINST PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC. ... HELIX ELECTRIC OF NEVADA, LLC'S JOINDER TO NATIONAL WOOD'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS  
COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

HELIX ELECTRIC OF NEVADA, LLC'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS ... PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.'S, JOINDER TO HELIX ELECTRIC OF NEVADA, LLC'S MOTION TO RETAX COSTS RE: DEFENDANT APCO CONSTRUCTION'S MEMORANDUM OF COSTS AND DISBURSEMENTS

PRINT DATE: 08/10/2018

Page 198 of 199

Minutes Date: May 12, 2009

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

APCO CONSTRUCTION, INC.'S MOTION FOR ATTORNEY'S FEES AND COSTS AGAINST HELIX ELECTRIC OF NEVADA, LLC AND PLAINTIFF IN INTERVENTION NATIONAL WOOD PRODUCTS, INC.

COURT ORDERED, Motion TAKEN UNDER ADVISEMENT.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S MOTION TO DEPOSIT BOND PENAL SUM WITH COURT, EXONERATION OF BOND, AND DISMISSAL

COURT ORDERED, Motion GRANTED subject to the proper distribution of the proceeds.

MOTION FOR ORDER APPROVING DISTRIBUTION OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND'S BOND ... PEEL BRIMLEY JUDGMENT CREDITORS' JOINDER TO E&E'S MOTION TO DISBURSE FUNDS

COURT ORDERED, Motion GRANTED.

NATIONAL WOOD PRODUCTS, INC.'S EX PARTE MOTION FOR ORDER SHORTENING TIME TO HEAR MOTION FOR ORDER PERMITTING LEAVE TO FILE SURREPLY TO APCO CONSTRUCTION'S REPLY TO NATIONAL WOOD PRODUCTS, INC.'S OPPOSITION TO MOTION FOR ATTORNEYS' FEES AND COSTS

COURT ORDERED, Motion for Leave to File Surreply GRANTED.

PLAINTIFF'S EXHIBITS 1-13 RE: EVIDENTIARY HEARING

EXHIBIT	DESCRIPTION	Offered	Objected	Accepted
Exhibit 1	Letter dated January 20, 2012 from Kemp Jones & Coulthard re: Proposed stipulate sale of the Manhattan West Property	7/2/12 ✓	no	7/2/12 ✓
Exhibit 2	Letter dated February 10, 2012 from Kemp Jones & Coulthard to Wade B. Gochnour of Howard & Howard Attorneys PLLC	↑	↑	↑
Exhibit 3	Letter dated April 25, 2012 from Kemp Jones & Coulthard to all parties in re: Sale of Manhattan West Property	↑	↑	↑
Exhibit 4	Letter dated April 26, 2012 from Brian K. Berman to Kemp Jones & Coulthard re Sale of Manhattan West Property	↑	↑	↑
Exhibit 5	Letter dated April 27, 2012 from Pezzillo Robinson to all counsel re Sale of Manhattan West Property	↑	↑	↑
Exhibit 6	Letter dated April 27, 2012 from Wilson Elser Moskowitz Edelman & Dicker LLP to Randall Jones re Proposed Sale of the Manhattan West Property	↑	↑	↑
Exhibit 7	Letter dated April 27, 2012 from Jolley Urga Wirth Woodbury & Standish to Randall Jones re Sale of Manhattan West Property	↑	↑	↑
Exhibit 8	Letter dated April 27, 2012 from Howard & Howard Attorneys PLLC to Randall Jones re Sale of the Manhattan West Property	↑	↑	↑
Exhibit 9	Letter dated May 1, 2012 from Watt Tieder Hoffar & Fitzgerald LLP to Randall Jones re Proposed Sale of the Manhattan West Property	↑	↑	↑
Exhibit 10	Exhibit 10 – Letter dated May 23, 2012 from Kemp Jones & Coulthard to all parties re sale of the Manhattan West Property	↑	↑	↑
Exhibit 11	Exhibit 11 – Letter dated May 24, 2012 from Peel Brimley LLP to Randall Jones re Sale of the Manhattan West Property	↑	↑	↑
Exhibit 12	Purchase and Sale Agreement and Escrow Instructions	↑	✓	✓
Exhibit 13	Email dated April 27, 2012 from Curt Allsop to Wayne@assurancelv.com re Offer Deadline May 2, 2012 – Manhattan West	7/2/12 ✓	NO	7/2/12 ✓



## EXHIBITS

CASE NO. 08A51228

Docket 75197 Document 2019-16456  
AA 006741

**Dept. No. XXIX**

[illegible]

IN RE:

MANHATTAN WEST MECHANIC'S LIEN LITIGATION

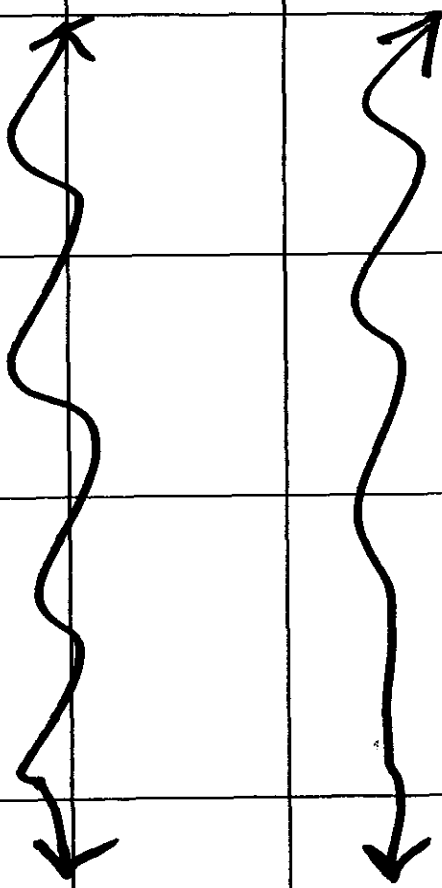
And All Related And Consolidated Claims

CASE NO.: A571228

DEPT. NO.: XXIX

TRIAL EXHIBIT LIST

NO.	DESCRIPTION	OFFERED	ADMITTED	DENIED	DATE
1	Nevada State Contractors Board Licence search of Concrete Visions, Inc. - Bate Stamp No. RMI000001-RMI000002	10/30/12	✓		10/30/12
2	Nevada Secretary of State entity details of Concrete Visions, Inc. - Bate Stamp No. RMI000003-RMI000004	NOT USED			
3	Nevada State Contractors Board Licence search of Apco Construction - Bate Stamp No. RMI000005-RMI000006				
4	Nevada Secretary of State entity details of Apco Construction - Bate Stamp No. RMI000007-RMI000009				
5	Nevada Secretary of State entity details of Gemstone Development West, Inc. - Bate Stamp No. RMI000010-RMI000011	NOT USED			



6	Clark County Assessor real property details of Gemstone Development West, Inc. - Bate Stamp No. RMI000012	NOT USED			
7	Copy of email correspondence from Janine Lawrence to subcontractors dated August 12, 2008 - Bate Stamp No. RMI000013-RMI000015				
8	Copy of proof copy of publication of Notice of Foreclosure of Claims of Lien - Bates Stamp No. RMI000016				
9	RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0269 receipts -Apco Construction - Bate Stamp Nos. RMI000017-RMI000018				
10	RMI's Notice of Right to Lien Gemco Development and USPS certified mail #7004 1350 0000 8094 0306 receipts -Apco Construction - Bate Stamp Nos. RMI000019-RMI000020	NOT USED			

11	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7091 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000021-RMI000022				
12	RMI's Notice of Right to Lien to and USPS certified mail # #7004 1350 0000 8094 7046 receipts - Camco Pacific Construction and Alex Edelstein - Bate Stamp Nos. RMI000023-RMI000024				
13	RMI's Notice of Intent to Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 - Bate Stamp Nos. RMI000025-RMI000026				
14	RMI's Notice of Lien against Concrete Visions, Inc., 9205 West Russell Road aka APN 163-32-010-019 recorded 10/06/2008 and Receipt of Conformed Copy - Bate Stamp Nos. RMI000027-RMI000031				
15	RMI's Notice of Lis Pendens dated 4/12/2010 APN 163-32-010-019 - Bate Stamp Nos. RMI000032-RMI000035				



NOT USED

NOT USED





OFFERED ADMITTED DENIED DATE



16	Original Notice to Lien Claimants to File and Serve Statement of Facts Constituting their Liens filed on 4/16/09 - Bates Stamp Nos. RMI000036-RMI000042	NOT	USED		
17	Concrete Vision's Statement of Account to Concrete Visions, Inc. dated 4/8/10 and interest calculation work sheets - Bates Stamp Nos. RMI000043-RMI000047	10/30/12	✓		10/30/12
18	RMI's Credit Application and Purchase Agreement dated 9/15/06 - Bates Stamp Nos. RMI0000048-RMI000050	10/30/12	✓		10/30/12
19	RMI's Invoice No. 109644 re: Manhattan West/Building 2 - Bates Stamp No. RMI000051-RMI000054	NOT	USED		
20	RMI's Invoice NO. 101404 re: Manhattan West 2 - Bates Stamp Nos. RMI000055-RMI000058				
21	RMI's Invoice NO. 101405 re: Manhattan West Bldg 7 - Bates Stamp No. RMI000059				
22	RMI's Invoice NO. 101532 re: Manhattan West 7 - Bates Stamp Nos. RMI000060-RMI000061				
		NOT	USED		

23	RMI's Invoice NO. 101700 re: Manhattan West - Bates Stamp Nos. RMI000062- RMI000064	NOT	USED
24	RMI's Invoice NO. 101763 re: Manhattan West - Bates Stamp No. RMI000065	↑	↑
25	RMI's Invoice NO. 1012217 re: Manhattan West 3 - Bates Stamp Nos. RMI000066-RMI000069	↑	↑
26	RMI's Invoice NO. 102684 re: Manhattan West - Bates Stamp Nos. RMI000070- RMI000071	↑	↑
27	RMI's Invoice NO. 103117 re: Manhattan West 7/3 - Bates Stamp Nos. RMI000071-RMI000073	↑	↑
28	RMI's Invoice NO. 103119 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI000074-RMI000076	↑	↑
29	RMI's Invoice NO. 103121 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000077	↑	↑
30	RMI's Invoice NO. 103184 re: Manhattan West - Bates Stamp No. RMI000078	↑	↑
31	RMI's Invoice NO. 103215 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000079	NOT	USED

32	RMI's Invoice NO. 103257 re: Manhattan West - Bates Stamp No. RMI000080	NOT		USED	
33	RMI's Invoice NO. 103306 re: Manhattan West - Bates Stamp No. RMI000081				
34	RMI's Invoice NO. 103443 re: Manhattan West - Bates Stamp No. RMI000082				
35	RMI's Invoice NO. 103481 re: Manhattan West - Bates Stamp Nos. RMI000083- RMI000087				
36	RMI's Invoice NO. 107212 re: Manhattan West Bldg. 7 - Bates Stamp No. RMI000088				
37	RMI's Invoice NO. 107661 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000089-RMI000091				
38	RMI's Invoice NO. 107703 re: Manhattan West - Bates Stamp No. RMI000092				
39	RMI's Invoice NO. 107796 re: Manhattan West - Bates Stamp No. RMI000093				
40	RMI's Invoice NO. 108266 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000094-RMI000095	NOT		USED	



41	RMI's Invoice NO. 108267 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000096-RMI000099	NOT USED			
42	RMI's Invoice NO. 108307 re: Manhattan West - Bates Stamp No. RMI000100				
43	RMI's Invoice NO. 108448 re: Manhattan West - Bates Stamp Nos. RMI000101- RMI000102				
44	RMI's Invoice NO. 108498 re: Manhattan West - Bates Stamp Nos. RMI000103- RMI000106				
45	RMI's Invoice NO. 109249 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000107-RMI000111				
46	RMI's Invoice NO. 109266 re: Manhattan West Bldg. 2 - Bates Stamp Nos. RMI0000112-RMI000113				
47	RMI's Invoice NO.98729 re: Manhattan West - Bates Stamp Nos. RMI000114-RMI000122				
48	RMI's Invoice NO. 98730 re: Manhattan West - Bates Stamp Nos. RMI000123- RMI000128				
49	RMI's Invoice NO. 98893 re: Manhattan West 2&3 - Bates Stamp Nos. RMI000129-RMI000141	NOT USED			

50	RMI's Invoice NO. 108516 re: Manhattan West 7 - Bates Stamp No. RMI000142	NOT	USED
51	RMI's Invoice NO. 100775 re: Manhattan West - Bates Stamp Nos. RMI000143- RMI000144		
52	RMI's Invoice NO. 104345 re: Manhattan West - Bates Stamp No. RMI000145		
53	RMI's Invoice NO. 104397 re: Manhattan West - Bates Stamp Nos. RMI000146- RMI000148		
54	RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151		
55	RMI's Invoice NO. 104416 re: Manhattan West - Bates Stamp Nos. RMI000149- RMI000151		
56	RMI's Invoice NO. 104868 re: Manhattan West - Bates Stamp Nos. RMI000152- RMI000154		
57	RMI's Invoice NO. 105169 re: Manhattan West - Bates Stamp No. RMI000155		
58	RMI's Invoice NO. 105211 re: Manhattan West - Bates Stamp Nos. RMI000156- RMI000158	NOT	USED

OFFERED ADMITTED DENIED DATE

59	RMI's Invoice NO. 105263 re: Manhattan West - Bates Stamp No. RMI000159		NOT	USED	
60	RMI's Invoice NO. 106389 re: Manhattan West - Bates Stamp Nos. RMI0001460		NOT	USED	
61	RMI's Invoice NO. 106390 re: Manhattan West Bldg. 7 - Bates Stamp Nos. RMI000161-RMI000163	10/30/12	✓		10/30/12
62	RMI's Statement of Account for Gemstone Development West, Inc. Dated 4/8/2010 - Bates Stamp No. RMI000164		NOT	USED	
63	RMI's Invoice NO. 115412 re: Manhattan West - Bates Stamp No. RMI000165				
64	RMI's Invoice NO. 115513 re: Manhattan West - Bates Stamp No. RMI000166				
65	RMI's Invoice NO. 115659 re: Manhattan West - Bates Stamp No. RMI000167				
66	RMI's Invoice NO. 117557 re: Manhattan West - Bates Stamp No. RMI0001618				
67	RMI's Invoice NO. 117812 re: Manhattan West - Bates Stamp No. RMI000169				
68	RMI's Invoice NO. 118116 re: Manhattan West - Bates Stamp Nos. RMI000170		NOT	USED	



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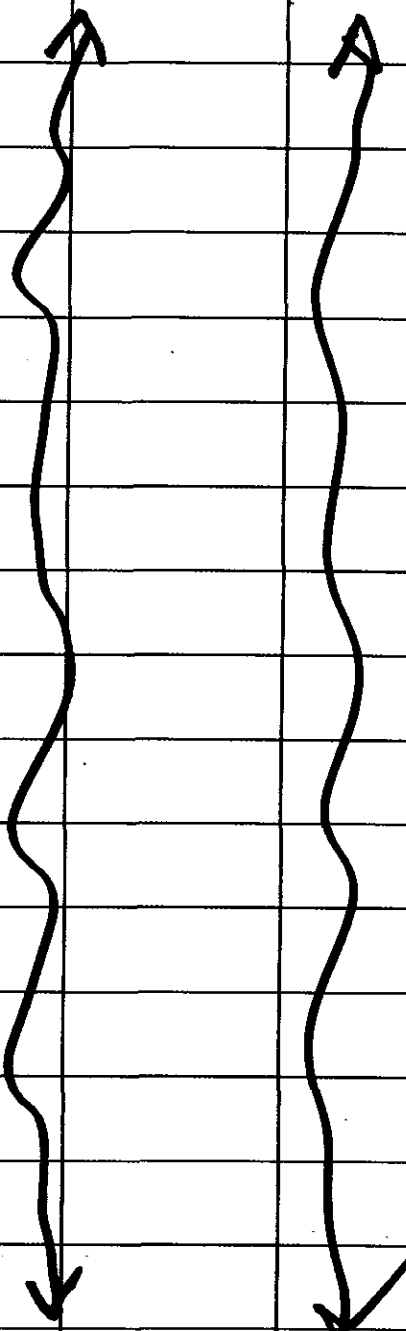
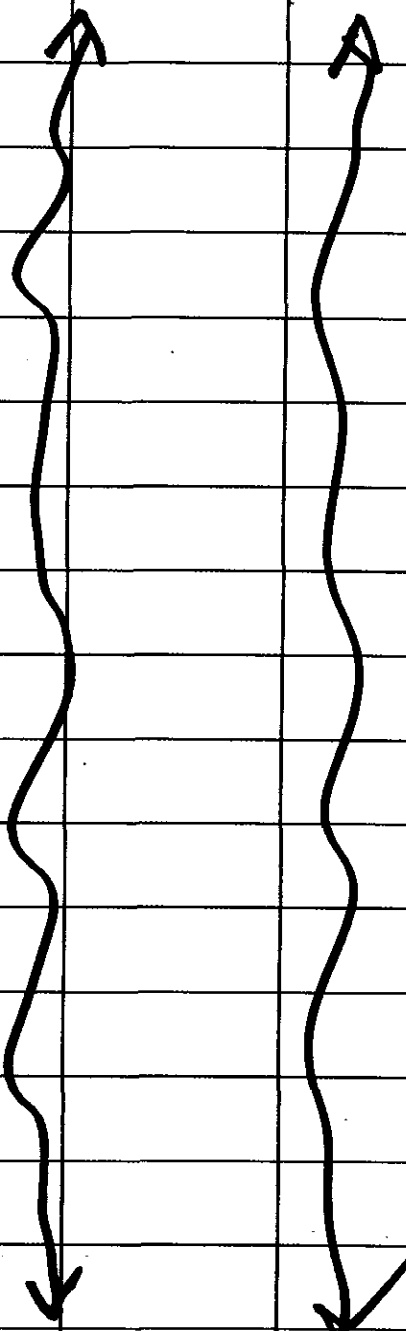
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70	RMI's Invoice NO. 119386 re: Manhattan West - Bates Stamp Nos. RMI000172	NOT	USED	
71	RMI's Invoice NO. 119640 re: Manhattan West - Bates Stamp Nos. RMI000173	NOT	USED	
72	AR Customer Receipt History for Gemstone Development West, Inc. payment for \$29,619.22 - Bates Stamp No. RMI000174	10/30/12	✓	10/30/12
73	Credit Application and Purchase Agreement - Gemstone Development West, Inc. - Bates Stamp Nos. RMI000175- RMI000181	NOT	USED	
74	RMI Delivery Ticket 469580 - RMI000182	↓	↓	
75	RMI Delivery Ticket 469572 - RMI000183			
76	RMI Delivery Ticket 469571 - RMI000184			
77	RMI Delivery Ticket 469568 - RMI000185			
78	RMI Delivery Ticket 469567 - RMI000186			
79	RMI Delivery Ticket 469566 - RMI000187			
80	RMI Delivery Ticket 469565 - RMI000188			
81	RMI Delivery Ticket 469558 - RMI000189	NOT	USED	

82	RMI Delivery Ticket 469556 - RMI000190	NOT USED		
83	RMI Delivery Ticket 469555 - RMI000191			
84	RMI Delivery Ticket 469553 - RMI000192			
85	RMI Delivery Ticket 469552 - RMI000193			
86	RMI Delivery Ticket 469544 - RMI000194			
87	RMI Delivery Ticket 469543 - RMI000195			
88	RMI Delivery Ticket 469542 - RMI000196			
89	RMI Delivery Ticket 469541 - RMI000197			
90	RMI Delivery Ticket 469540 - RMI000198			
91	RMI Delivery Ticket 469539 - RMI000199			
92	RMI Delivery Ticket 469538 - RMI000200			
93	RMI Delivery Ticket 469537 - RMI000201			
94	RMI Delivery Ticket 469536 - RMI000202			
95	RMI Delivery Ticket 469535 - RMI000203			
96	RMI Delivery Ticket 469534 - RMI000204			
97	RMI Delivery Ticket 469533 - RMI000205			
98	RMI Delivery Ticket 469532 - RMI000206			
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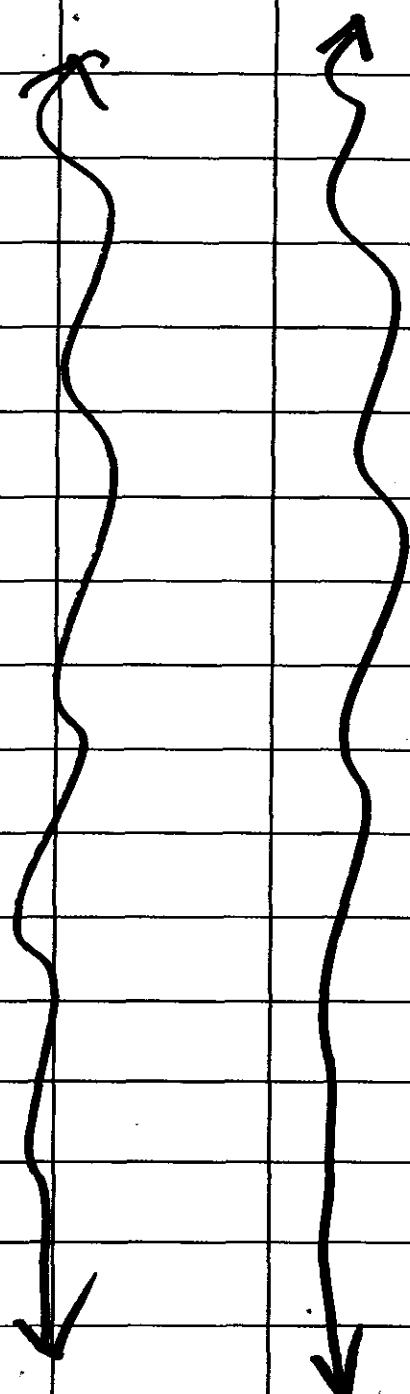
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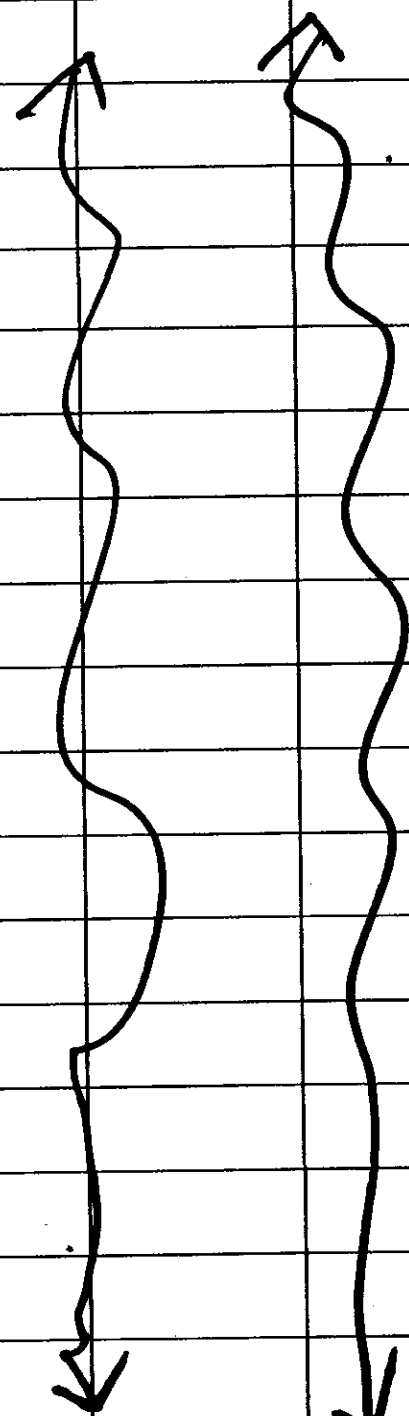
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103	RMI Delivery Ticket 469527 - RMI000211				
104	RMI Delivery Ticket 469526 - RMI000212				
105	RMI Delivery Ticket 469525 - RMI000213				
106	RMI Delivery Ticket 469524 - RMI000214				
107	RMI Delivery Ticket 469523 - RMI000215				
108	RMI Delivery Ticket 469522 - RMI000216				
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110	RMI Delivery Ticket 469520 - RMI000218				
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114	RMI Delivery Ticket 469516 - RMI000222				
115	RMI Delivery Ticket 469515 - RMI000223				
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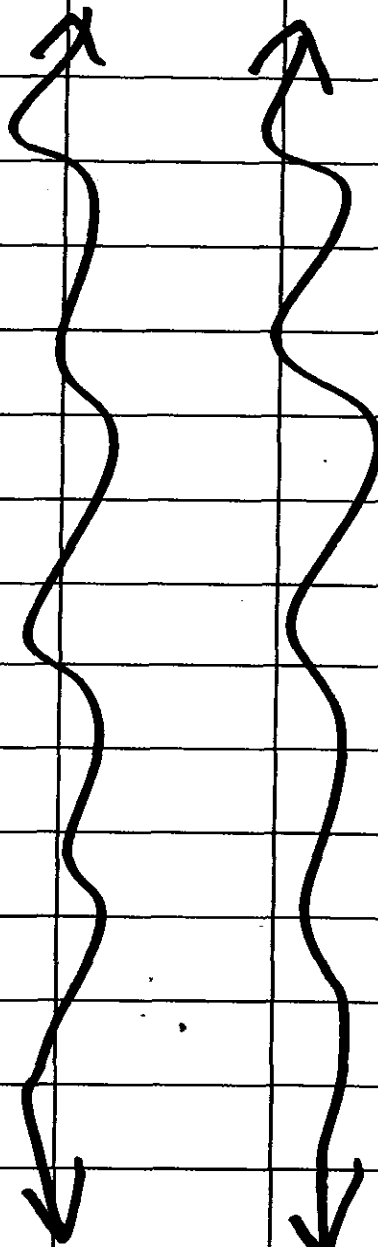
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122	RMI Delivery Ticket 469508 - RMI000230				
123	RMI Delivery Ticket 469507 - RMI000231				
124	RMI Delivery Ticket 469508 - RMI000232				
125	RMI Delivery Ticket 469505 - RMI000233				
126	RMI Delivery Ticket 469506 - RMI000234				
127	RMI Delivery Ticket 469503 - RMI000235				
128	RMI Delivery Ticket 469502 - RMI000236				
129	RMI Delivery Ticket 469501 - RMI000237				
130	RMI Delivery Ticket 469500 - RMI000238				
131	RMI Delivery Ticket 469499 - RMI000239				
132	RMI Delivery Ticket 469498 - RMI000240				
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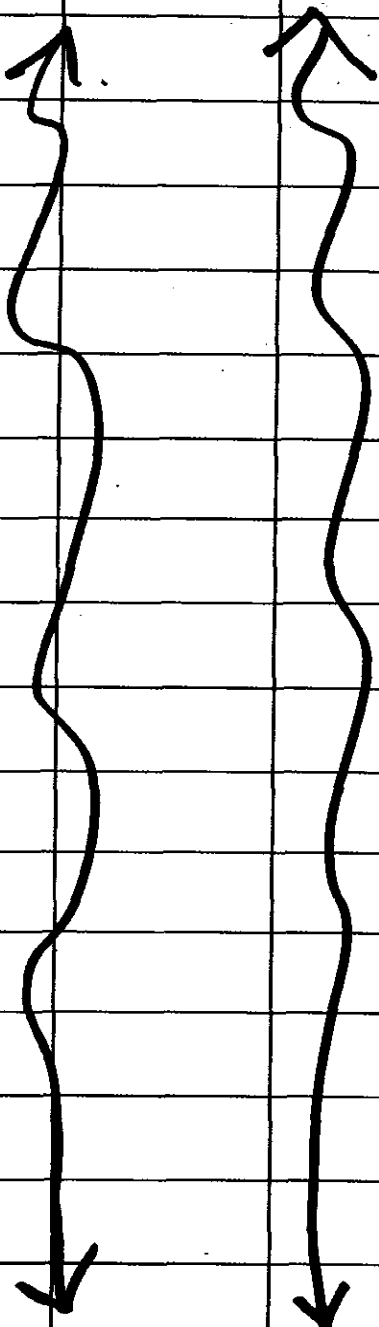
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149	RMI Delivery Ticket 477481 - RMI000257		
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151	RMI Delivery Ticket 477479 - RMI000259		
152	RMI Delivery Ticket 477478 - RMI000260		
153	RMI Delivery Ticket 477477 - RMI000261		
		NOT USED	

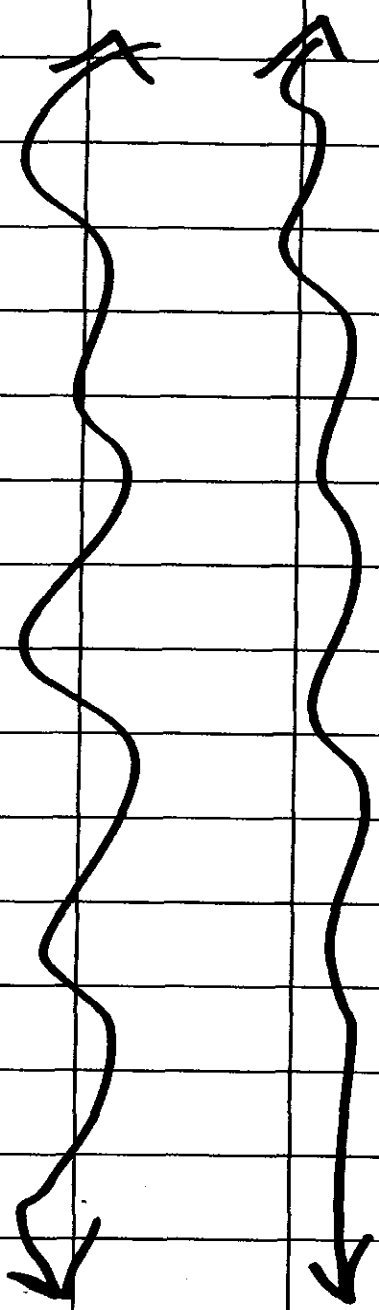


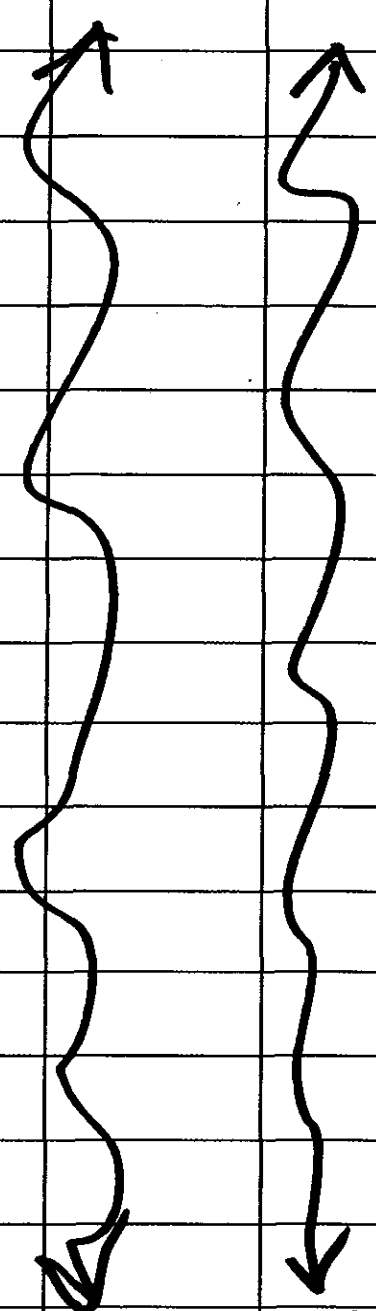
154	RMI Delivery Ticket 477476 - RMI000262	<b>NOT USED</b>	
155	RMI Delivery Ticket 477475 - RMI000263		
156	RMI Delivery Ticket 477474 - RMI000264		
157	RMI Delivery Ticket 477472 - RMI000265		
158	RMI Delivery Ticket 477471 - RMI000266		
159	RMI Delivery Ticket 477470 - RMI000267		
160	RMI Delivery Ticket 477469 - RMI000268		
161	RMI Delivery Ticket 469490 - RMI000269		
162	RMI Delivery Ticket 469489 - RMI000270		
163	RMI Delivery Ticket 469488 - RMI000271		
164	RMI Delivery Ticket 469487 - RMI000272		
165	RMI Delivery Ticket 469486 - RMI000273		
166	RMI Delivery Ticket 469485 - RMI000274		
167	RMI Delivery Ticket 469484 - RMI000275		
168	RMI Delivery Ticket 469483 - RMI000276		
169	RMI Delivery Ticket 469482 - RMI000277		
170	RMI Delivery Ticket 469481 - RMI000278		
171	RMI Delivery Ticket 469480 - RMI000279		
172	RMI Delivery Ticket 469479 - RMI000280	<b>NOT USED</b>	

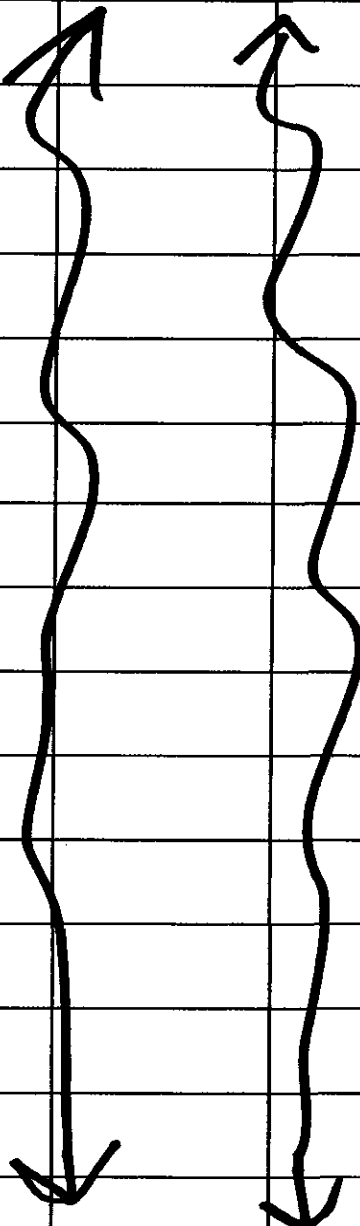
173	RMI Delivery Ticket 469478 - RMI000281	<b>NOT USED</b>	
174	RMI Delivery Ticket 469477 - RMI000282		
175	RMI Delivery Ticket 469476 - RMI000283		
176	RMI Delivery Ticket 469475 - RMI000284		
177	RMI Delivery Ticket 469474 - RMI000285		
178	RMI Delivery Ticket 469473 - RMI000286		
179	RMI Delivery Ticket 469472 - RMI000287		
180	RMI Delivery Ticket 469471 - RMI000288		
181	RMI Delivery Ticket 469470 - RMI000289		
182	RMI Delivery Ticket 477468 - RMI000290		
183	RMI Delivery Ticket 477467 - RMI000291		
184	RMI Delivery Ticket 477466 - RMI000292		
185	RMI Delivery Ticket 477465 - RMI000293		
186	RMI Delivery Ticket 477464 - RMI000294		
187	RMI Delivery Ticket 477463 - RMI000295		
188	RMI Delivery Ticket 477462 - RMI000296		
189	RMI Delivery Ticket 477461 - RMI000297		
190	RMI Delivery Ticket 477460 - RMI000298		
191	RMI Delivery Ticket 477459 - RMI000299	<b>NOT USED</b>	

192	RMI Delivery Ticket 477458 - RMI000300	NOT USED		
193	RMI Delivery Ticket 477457 - RMI000301			
194	RMI Delivery Ticket 477456 - RMI000302			
195	RMI Delivery Ticket 477455 - RMI000303			
196	RMI Delivery Ticket 477454 - RMI000304			
197	RMI Delivery Ticket 477453 - RMI000305			
198	RMI Delivery Ticket 477452 - RMI000306			
199	RMI Delivery Ticket 477451 - RMI000307			
200	RMI Delivery Ticket 477450 - RMI000308			
201	RMI Delivery Ticket 477449 - RMI000309			
202	RMI Delivery Ticket 477448 - RMI000310			
203	RMI Delivery Ticket 477447 - RMI000311			
204	RMI Delivery Ticket 477446 - RMI000312			
205	RMI Delivery Ticket 477445 - RMI000313			
206	RMI Delivery Ticket 477444 - RMI000314			
207	RMI Delivery Ticket 477443 - RMI000315			
208	RMI Delivery Ticket 477442 - RMI000316			
209	RMI Delivery Ticket 477441 - RMI000317	NOT USED		

210	RMI Delivery Ticket 477440 - RMI000318	NOT USED		
211	RMI Delivery Ticket 477439 - RMI000319			
212	RMI Delivery Ticket 477438 - RMI000320			
213	RMI Delivery Ticket 477437 - RMI000321			
214	RMI Delivery Ticket 477436 - RMI000322			
215	RMI Delivery Ticket 477435 - RMI000323			
216	RMI Delivery Ticket 477434 - RMI000324			
217	RMI Delivery Ticket 477433 - RMI000325			
218	RMI Delivery Ticket 470971 - RMI000326			
219	RMI Delivery Ticket 470970 - RMI000327			
220	RMI Delivery Ticket 471058 - RMI000328			
221	RMI Delivery Ticket 471057 - RMI000329			
222	RMI Delivery Ticket 471056 - RMI000330			
223	RMI Delivery Ticket 471062 - RMI000331			
224	RMI Delivery Ticket 471061 - RMI000332			
225	RMI Delivery Ticket 471060 - RMI000333			
226	RMI Delivery Ticket 470116 - RMI000334			
227	RMI Delivery Ticket 470114 - RMI000335			
228	RMI Delivery Ticket 470100 - RMI000336	NOT USED		

229	RMI Delivery Ticket 470097 - RMI000337	NOT USED		
230	RMI Delivery Ticket 470096 - RMI000338			
231	RMI Delivery Ticket 470095 - RMI000339			
232	RMI Delivery Ticket 470094 - RMI000340			
233	RMI Delivery Ticket 470092 - RMI000341			
234	RMI Delivery Ticket 470093 - RMI000342			
235	RMI Delivery Ticket 470091 - RMI000343			
236	RMI Delivery Ticket 470090 - RMI000344			
237	RMI Delivery Ticket 470089 - RMI000345			
238	RMI Delivery Ticket 470088 - RMI000346			
239	RMI Delivery Ticket 470085 - RMI000347			
240	RMI Delivery Ticket 470084 - RMI000348			
241	RMI Delivery Ticket 470083 - RMI000349			
242	RMI Delivery Ticket 470082 - RMI000350			
243	RMI Delivery Ticket 470079 - RMI000351			
244	RMI Delivery Ticket 470078 - RMI000352			
245	RMI Delivery Ticket 470072 - RMI000353			
246	RMI Delivery Ticket 470071 - RMI000354	NOT USED		

247	RMI Delivery Ticket 470070 - RMI000355	NOT USED		
248	RMI Delivery Ticket 470047 - RMI000356			
249	RMI Delivery Ticket 470046 - RMI000357			
250	RMI Delivery Ticket 470044 - RMI000358			
251	RMI Delivery Ticket 470043 - RMI000359			
252	RMI Delivery Ticket 470042 - RMI000360			
253	RMI Delivery Ticket 470041 - RMI000361			
254	RMI Delivery Ticket 470039 - RMI000362			
255	RMI Delivery Ticket 470038 - RMI000363			
256	RMI Delivery Ticket 470037 - RMI000364			
257	RMI Delivery Ticket 470036 - RMI000365			
258	RMI Delivery Ticket 470034 - RMI000366			
259	RMI Delivery Ticket 470033 - RMI000367			
260	RMI Delivery Ticket 470032 - RMI000368			
261	RMI Delivery Ticket 470029 - RMI000369			
262	RMI Delivery Ticket 470028 - RMI000370			
263	RMI Delivery Ticket 470027 - RMI000371	NOT USED		
264	RMI Delivery Ticket 470026 - RMI000372			

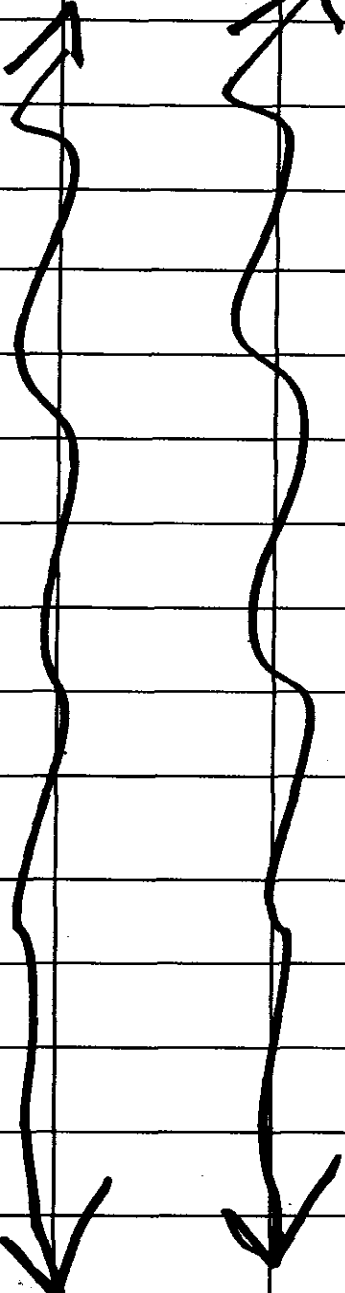
265	RMI Delivery Ticket 470025 - RMI000373	NOT USED		
266	RMI Delivery Ticket 470024 - RMI000374			
267	RMI Delivery Ticket 470023 - RMI000375			
268	RMI Delivery Ticket 470022 - RMI000376			
269	RMI Delivery Ticket 470021 - RMI000377			
270	RMI Delivery Ticket 470020 - RMI000378			
271	RMI Delivery Ticket 470019 - RMI000379			
272	RMI Delivery Ticket 470018 - RMI000380			
273	RMI Delivery Ticket 470017 - RMI000381			
274	RMI Delivery Ticket 470016 - RMI000382			
275	RMI Delivery Ticket 470015 - RMI000383			
276	RMI Delivery Ticket 470014 - RMI000384			
277	RMI Delivery Ticket 470013 - RMI000385			
278	RMI Delivery Ticket 470012 - RMI000386			
279	RMI Delivery Ticket 470011 - RMI000387			
280	RMI Delivery Ticket 470010 - RMI000388			
281	RMI Delivery Ticket 470009 - RMI000389			
282	RMI Delivery Ticket 470008 - RMI000390	NOT USED		

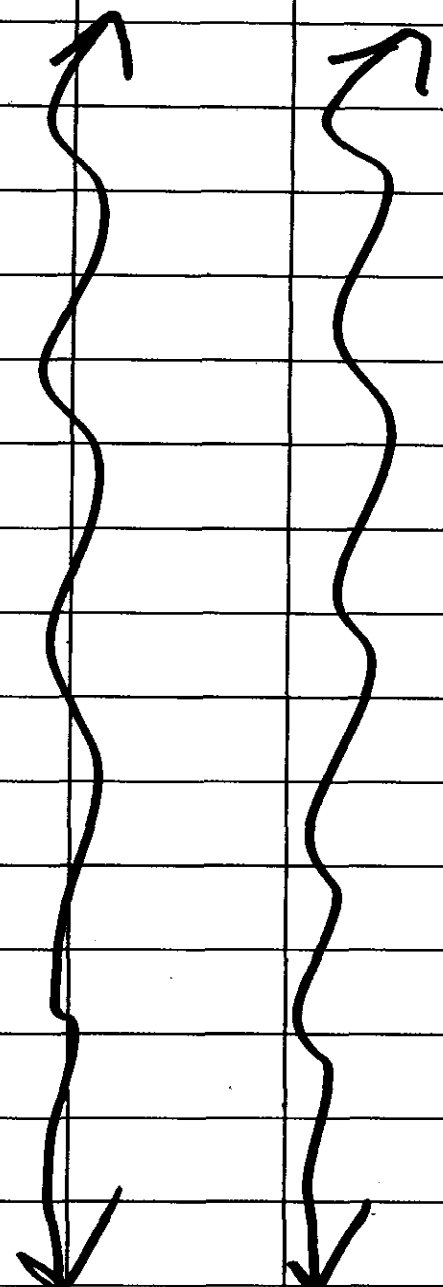
283	RMI Delivery Ticket 470007 - RMI000391	NOT USED		
284	RMI Delivery Ticket 470006 - RMI000392			
285	RMI Delivery Ticket 470005 - RMI000393			
286	RMI Delivery Ticket 470004 - RMI000394			
287	RMI Delivery Ticket 470003 - RMI000395			
288	RMI Delivery Ticket 470002 - RMI000396			
289	RMI Delivery Ticket 470001 - RMI000397			
290	RMI Delivery Ticket 470000 - RMI000398			
291	RMI Delivery Ticket 469999 - RMI000399			
292	RMI Delivery Ticket 469998 - RMI000400			
293	RMI Delivery Ticket 469997 - RMI000401			
294	RMI Delivery Ticket 469996 - RMI000402			
295	RMI Delivery Ticket 469995 - RMI000403			
296	RMI Delivery Ticket 469994 - RMI000404			
297	RMI Delivery Ticket 469993 - RMI000405			
298	RMI Delivery Ticket 469992 - RMI000406			
299	RMI Delivery Ticket 469991 - RMI000407			
300	RMI Delivery Ticket 469990 - RMI000408	NOT USED		

Hand-drawn arrows indicating a sequence: one arrow starts at row 283 and points down to row 299, and another arrow starts at row 299 and points up to row 283.

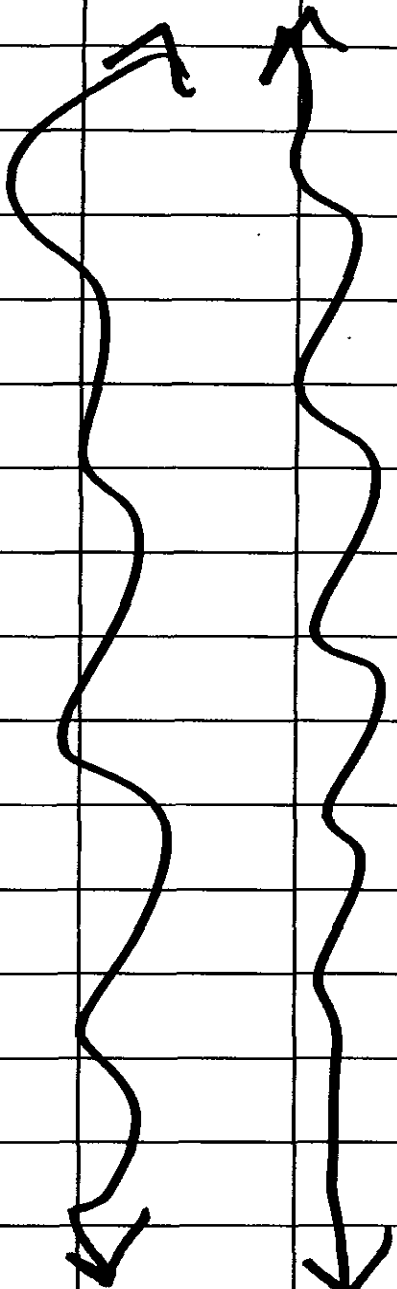


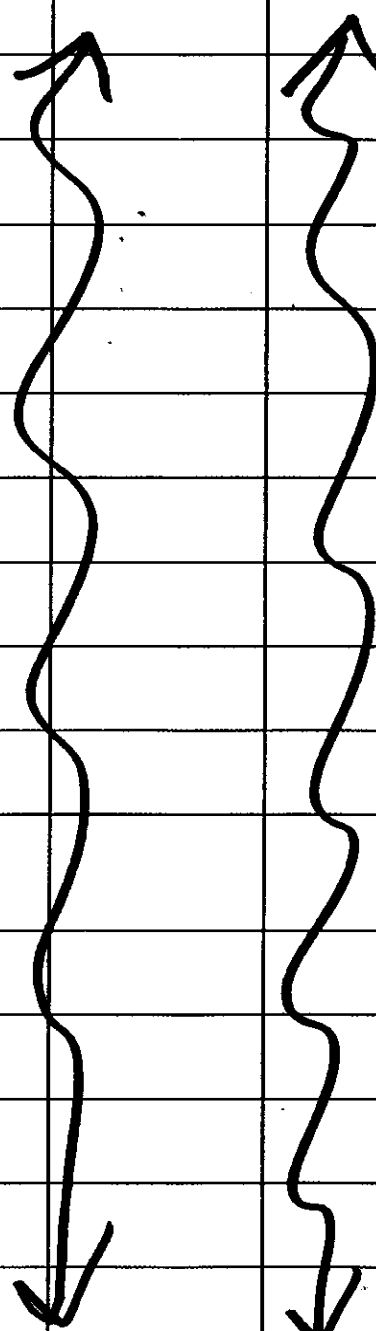
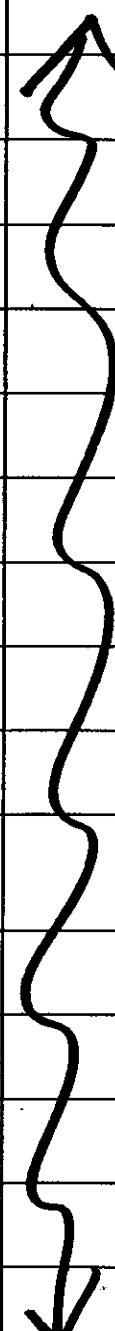
301	RMI Delivery Ticket 469989 - RMI000409	NOT USED	
302	RMI Delivery Ticket 469988 - RMI000410		
303	RMI Delivery Ticket 469987 - RMI000411		
304	RMI Delivery Ticket 469986 - RMI000412		
305	RMI Delivery Ticket 469985 - RMI000413		
306	RMI Delivery Ticket 469984 - RMI000414		
307	RMI Delivery Ticket 469983 - RMI000415		
308	RMI Delivery Ticket 469982 - RMI000416		
309	RMI Delivery Ticket 469981 - RMI000417		
310	RMI Delivery Ticket 469980 - RMI000418		
311	RMI Delivery Ticket 469979 - RMI000419		
312	RMI Delivery Ticket 469978 - RMI000420		
313	RMI Delivery Ticket 469977 - RMI000421		
314	RMI Delivery Ticket 469976 - RMI000422		
315	RMI Delivery Ticket 469975 - RMI000423		
316	RMI Delivery Ticket 469974 - RMI000424		
317	RMI Delivery Ticket 469973 - RMI000425		
318	RMI Delivery Ticket 469972 - RMI000426	NOT USED	

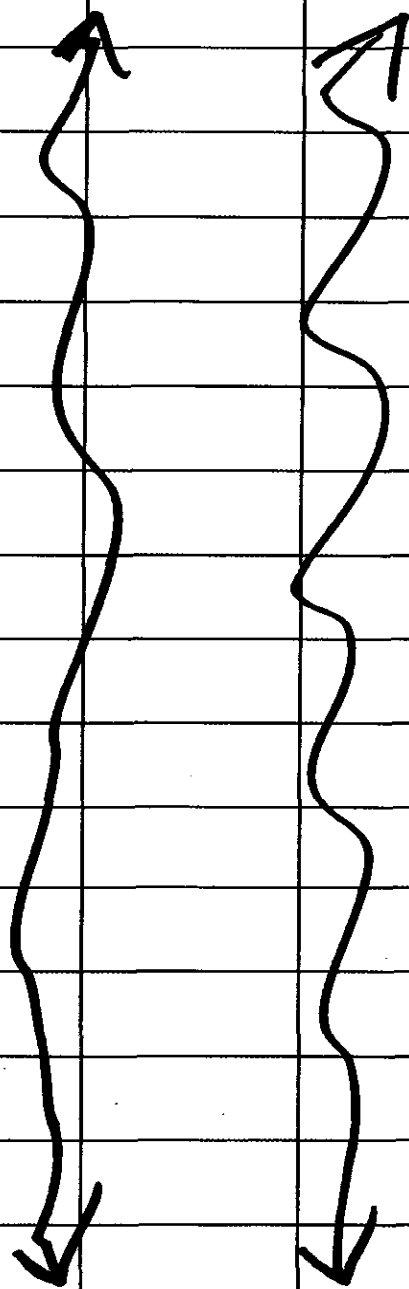
319	RMI Delivery Ticket 469971 - RMI000427	<div>NOT USED</div> <div></div> <div>NOT USED</div>	
320	RMI Delivery Ticket 469970 - RMI000428		
321	RMI Delivery Ticket 469969 - RMI000429		
322	RMI Delivery Ticket 469968 - RMI000430		
323	RMI Delivery Ticket 469967 - RMI000431		
324	RMI Delivery Ticket 469966 - RMI000432		
325	RMI Delivery Ticket 469965 - RMI000433		
326	RMI Delivery Ticket 469964 - RMI000434		
327	RMI Delivery Ticket 469963 - RMI000435		
328	RMI Delivery Ticket 469962 - RMI000436		
329	RMI Delivery Ticket 469961 - RMI000437		
330	RMI Delivery Ticket 469960 - RMI000438		
331	RMI Delivery Ticket 469959 - RMI000439		
332	RMI Delivery Ticket 469958 - RMI000440		
333	RMI Delivery Ticket 469957 - RMI000441		
334	RMI Delivery Ticket 469956 - RMI000442		
335	RMI Delivery Ticket 469955 - RMI000443		
336	RMI Delivery Ticket 469954 - RMI000444		

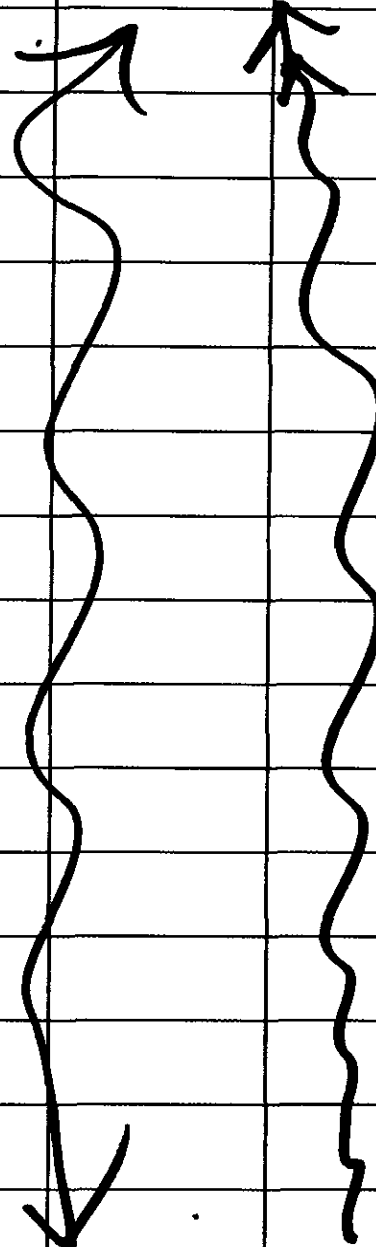
337	RMI Delivery Ticket 469953 - RMI000445	NOT USED		
338	RMI Delivery Ticket 469952 - RMI000446			
339	RMI Delivery Ticket 469951 - RMI000447			
340	RMI Delivery Ticket 469950 - RMI000448			
341	RMI Delivery Ticket 469949 - RMI000449			
342	RMI Delivery Ticket 469948 - RMI000450			
343	RMI Delivery Ticket 469947 - RMI000451			
344	RMI Delivery Ticket 469946 - RMI000452			
345	RMI Delivery Ticket 469945 - RMI000453			
346	RMI Delivery Ticket 469944 - RMI000454			
347	RMI Delivery Ticket 469943 - RMI000455			
348	RMI Delivery Ticket 469942 - RMI000456			
349	RMI Delivery Ticket 469941 - RMI000457			
350	RMI Delivery Ticket 469940 - RMI000458			
351	RMI Delivery Ticket 469939 - RMI000459			
352	RMI Delivery Ticket 469938 - RMI000460			
353	RMI Delivery Ticket 469937 - RMI000461			
354	RMI Delivery Ticket 469936 - RMI000462	NOT USED		

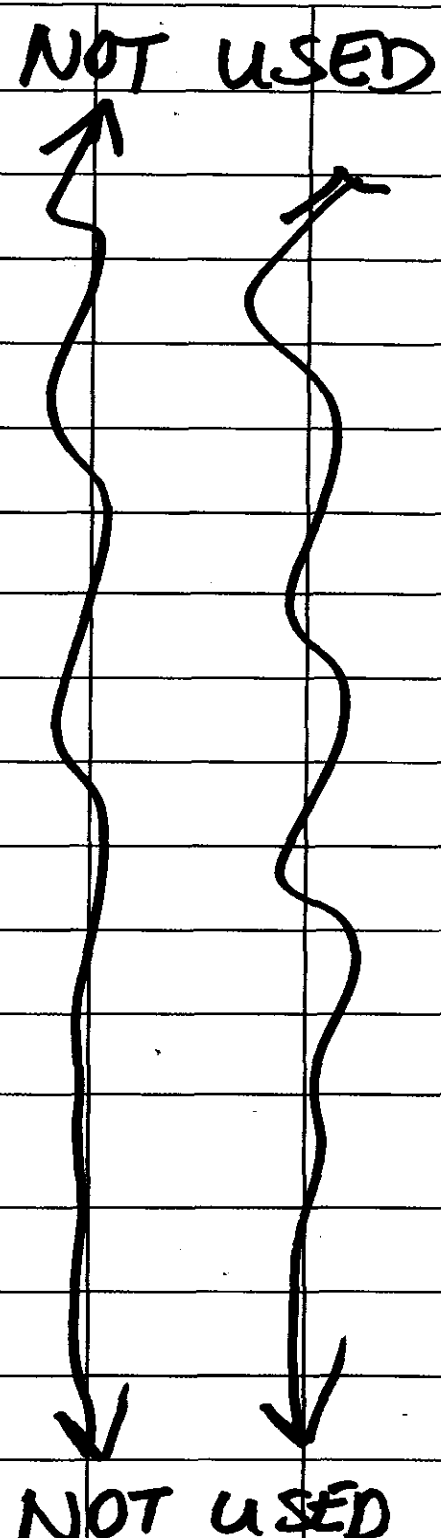
355	RMI Delivery Ticket 469935 - RMI000463	NOT USED	
356	RMI Delivery Ticket 469934 - RMI000464		
357	RMI Delivery Ticket 469933 - RMI000465		
358	RMI Delivery Ticket 472205 - RMI000466		
359	RMI Delivery Ticket 472200 - RMI000467		
360	RMI Delivery Ticket 472197 - RMI000468		
361	RMI Delivery Ticket 472165 - RMI000469		
362	RMI Delivery Ticket 472152 - RMI000470		
363	RMI Delivery Ticket 472151 - RMI000471		
364	RMI Delivery Ticket 472158 - RMI000472		
365	RMI Delivery Ticket 472160 - RMI000473		
366	RMI Delivery Ticket 472161 - RMI000474		
367	RMI Delivery Ticket 472162 - RMI000475		
368	RMI Delivery Ticket 472163 - RMI000476		
369	RMI Delivery Ticket 472168 - RMI000477		
370	RMI Delivery Ticket 472169 - RMI000478		
371	RMI Delivery Ticket 472170 - RMI000479		
372	RMI Delivery Ticket 472171 - RMI000480	NOT USED	



373	RMI Delivery Ticket 472173 - RMI000481	NOT USED		
374	RMI Delivery Ticket 472176 - RMI000482			
375	RMI Delivery Ticket 472179 - RMI000483			
376	RMI Delivery Ticket 472182 - RMI000484			
377	RMI Delivery Ticket 472183 - RMI000485			
378	RMI Delivery Ticket 472157 - RMI000486			
379	RMI Delivery Ticket 472156 - RMI000487			
380	RMI Delivery Ticket 472155 - RMI000488			
381	RMI Delivery Ticket 472154 - RMI000489			
382	RMI Delivery Ticket 472153 - RMI000490			
383	RMI Delivery Ticket 472150 - RMI000491			
384	RMI Delivery Ticket 472149 - RMI000492			
385	RMI Delivery Ticket 472148 - RMI000493			
386	RMI Delivery Ticket 472147 - RMI000494			
387	RMI Delivery Ticket 472146 - RMI000495			
388	RMI Delivery Ticket 472145 - RMI000496			
389	RMI Delivery Ticket 472144 - RMI000497			
390	RMI Delivery Ticket 472143 - RMI000498	NOT USED		

391	RMI Delivery Ticket 472142 - RMI000499	NOT USED	
392	RMI Delivery Ticket 472141 - RMI000500		
393	RMI Delivery Ticket 472140 - RMI000501		
394	RMI Delivery Ticket 480683 - RMI000502		
395	RMI Delivery Ticket 472282 - RMI000503		
396	RMI Delivery Ticket 472329 - RMI000504		
397	RMI Delivery Ticket 472326 - RMI000505		
398	RMI Delivery Ticket 472352 - RMI000506		
399	RMI Delivery Ticket 472424 - RMI000507		
400	RMI Delivery Ticket 472488 - RMI000508		
401	RMI Delivery Ticket 472484 - RMI000509		
402	RMI Delivery Ticket 472483 - RMI000510		
403	RMI Delivery Ticket 472480 - RMI000511		
404	RMI Delivery Ticket 472479 - RMI000512		
405	RMI Delivery Ticket 472477 - RMI000513		
406	RMI Delivery Ticket 472474 - RMI000514		
407	RMI Delivery Ticket 472473 - RMI000515		
408	RMI Delivery Ticket 472472 - RMI000516	NOT USED	

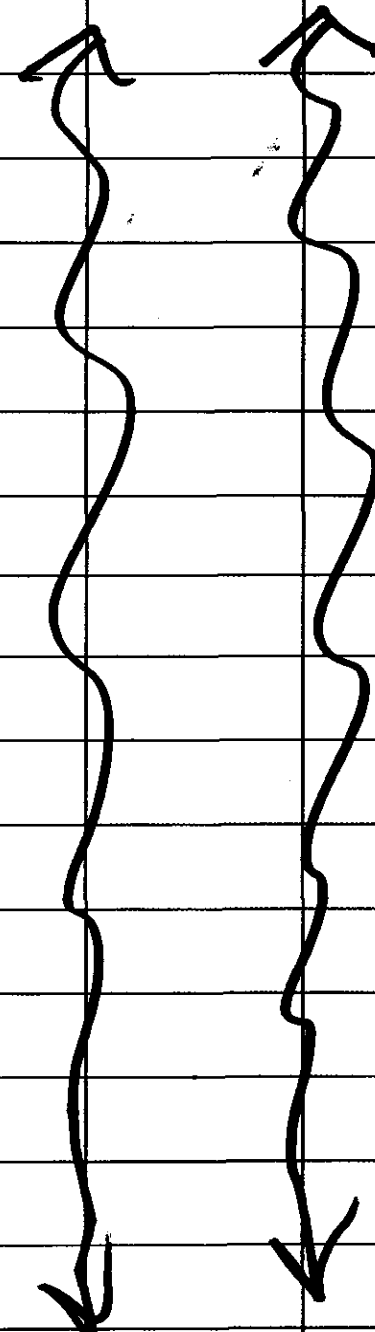
409	RMI Delivery Ticket 472461 - RMI000517	NOT USED		
410	RMI Delivery Ticket 472460 - RMI000518			
411	RMI Delivery Ticket 472458 - RMI000519			
412	RMI Delivery Ticket 472457 - RMI000520			
413	RMI Delivery Ticket 472456 - RMI000521			
414	RMI Delivery Ticket 472454 - RMI000522			
415	RMI Delivery Ticket 472453 - RMI000523			
416	RMI Delivery Ticket 472452 - RMI000524			
417	RMI Delivery Ticket 472451 - RMI000525			
418	RMI Delivery Ticket 472450 - RMI000526			
419	RMI Delivery Ticket 472449 - RMI000527			
420	RMI Delivery Ticket 472674 - RMI000528			
421	RMI Delivery Ticket 472672 - RMI000529			
422	RMI Delivery Ticket 471469 - RMI000530			
423	RMI Delivery Ticket 472468 - RMI000531			
424	RMI Delivery Ticket 471467 - RMI000532			
425	RMI Delivery Ticket 471466 - RMI000533			
426	RMI Delivery Ticket 471455 - RMI000534	NOT USED		

427	RMI Delivery Ticket 471446 - RMI000535	NOT USED	
428	RMI Delivery Ticket 471445 - RMI000536		
429	RMI Delivery Ticket 471443 - RMI000537		
430	RMI Delivery Ticket 471442 - RMI000538		
431	RMI Delivery Ticket 471440 - RMI000539		
432	RMI Delivery Ticket 471438 - RMI000540		
433	RMI Delivery Ticket 471437 - RMI000541		
434	RMI Delivery Ticket 471433 - RMI000542		
435	RMI Delivery Ticket 471431 - RMI000543		
436	RMI Delivery Ticket 471430 - RMI000544		
437	RMI Delivery Ticket 471429 - RMI000545		
438	RMI Delivery Ticket 471428 - RMI000546		
439	RMI Delivery Ticket 471427 - RMI000547		
440	RMI Delivery Ticket 471426 - RMI000548		
441	RMI Delivery Ticket 471425 - RMI000549		
442	RMI Delivery Ticket 471424 - RMI000550		
443	RMI Delivery Ticket 471481 - RMI000551		
444	RMI Delivery Ticket 471480 - RMI000552	NOT USED	



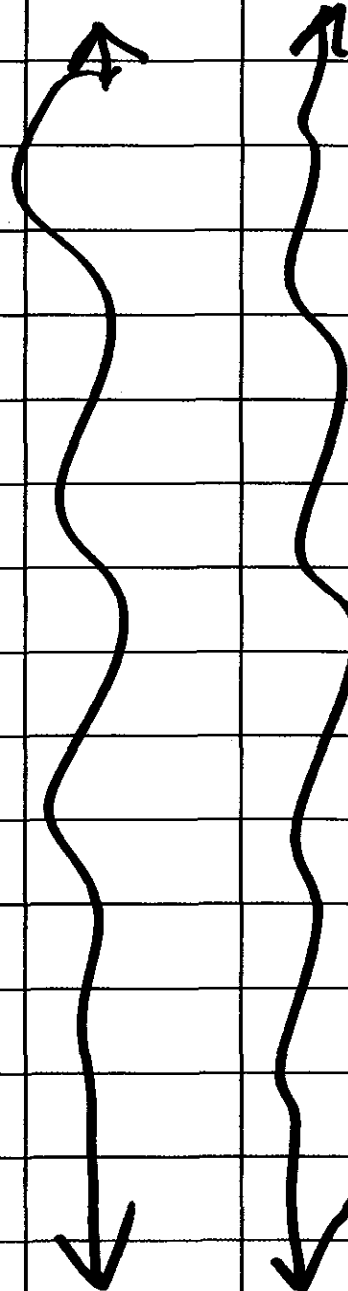
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447	RMI Delivery Ticket 471587 - RMI000555		↑	↑
448	RMI Delivery Ticket 471588 - RMI000556		↑	↑
449	RMI Delivery Ticket 471589 - RMI000557		↑	↑
450	RMI Delivery Ticket 471590 - RMI000558		↑	↑
451	RMI Delivery Ticket 471586 - RMI000559		↑	↑
452	RMI Delivery Ticket 471597 - RMI000560		↑	↑
453	RMI Delivery Ticket 471633 - RMI000561		↑	↑
454	RMI Delivery Ticket 471630 - RMI000562		↑	↑
455	RMI Delivery Ticket 471626 - RMI000563		↑	↑
456	RMI Delivery Ticket 471624 - RMI000564		↑	↑
457	RMI Delivery Ticket 471622 - RMI000565		↑	↑
458	RMI Delivery Ticket 471620 - RMI000566		↑	↑
459	RMI Delivery Ticket 471619 - RMI000567		↑	↑
460	RMI Delivery Ticket 471617 - RMI000568		↑	↑
461	RMI Delivery Ticket 471615 - RMI000569		↑	↑
462	RMI Delivery Ticket 471606 - RMI000570		↑	↑
463	RMI Delivery Ticket 471604 - RMI000571		NOT USED	

464	RMI Delivery Ticket 471603 - RMI000572	NOT USED		
465	RMI Delivery Ticket 471600 - RMI000573			
466	RMI Delivery Ticket 471599 - RMI000574			
467	RMI Delivery Ticket 471598 - RMI000575			
468	RMI Delivery Ticket 471596 - RMI000576			
469	RMI Delivery Ticket 471595 - RMI000577			
470	RMI Delivery Ticket 471594 - RMI000578			
471	RMI Delivery Ticket 471593 - RMI000579			
472	RMI Delivery Ticket 471592 - RMI000580			
473	RMI Delivery Ticket 471591 - RMI000581			
474	RMI Delivery Ticket 479971 - RMI000582			
475	RMI Delivery Ticket 479970 - RMI000583			
476	RMI Delivery Ticket 479969 - RMI000584			
477	RMI Delivery Ticket 479968 - RMI000585			
478	RMI Delivery Ticket 471865 - RMI000586			
479	RMI Delivery Ticket 471860 - RMI000587			
480	RMI Delivery Ticket 471858 - RMI000588			
481	RMI Delivery Ticket 471853 - RMI000589	NOT USED		

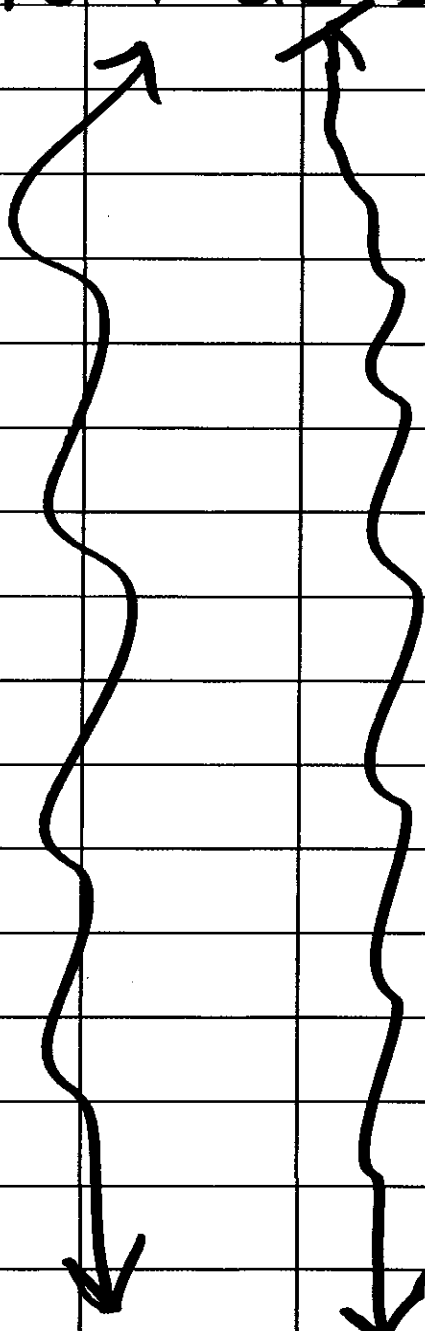
482	RMI Delivery Ticket 471851 - RMI000590	NOT USED		
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484	RMI Delivery Ticket 471845 - RMI000592			
485	RMI Delivery Ticket 471844 - RMI000593			
486	RMI Delivery Ticket 471837 - RMI000594			
487	RMI Delivery Ticket 471805 - RMI000595			
488	RMI Delivery Ticket 471802 - RMI000596			
489	RMI Delivery Ticket 471801 - RMI000597			
490	RMI Delivery Ticket 471800 - RMI000598			
491	RMI Delivery Ticket 471798 - RMI000599			
492	RMI Delivery Ticket 471795 - RMI000600			
493	RMI Delivery Ticket 471796 - RMI000601			
494	RMI Delivery Ticket 471790 - RMI000602			
495	RMI Delivery Ticket 471788 - RMI000603			
496	RMI Delivery Ticket 471786 - RMI000604			
497	RMI Delivery Ticket 471785 - RMI000605			
498	RMI Delivery Ticket 471784 - RMI000606			
499	RMI Delivery Ticket 471783 - RMI000607	NOT USED		

500	RMI Delivery Ticket 471782 - RMI000608				
501	RMI Delivery Ticket 471781 - RMI000609				
502	RMI Delivery Ticket 471780 - RMI000610				
503	RMI Delivery Ticket 471779 - RMI000611				
504	RMI Delivery Ticket 471778 - RMI000612				
505	RMI Delivery Ticket 471777 - RMI000613				
506	RMI Delivery Ticket 471776 - RMI000614				
507	RMI Delivery Ticket 471774 - RMI000615				
508	RMI Delivery Ticket 471770 - RMI000616				
509	RMI Delivery Ticket 471769 - RMI000617				
510	RMI Delivery Ticket 471768 - RMI000618				
511	RMI Delivery Ticket 471767 - RMI000619				
512	RMI Delivery Ticket 471766 - RMI000620				
513	RMI Delivery Ticket 471765 - RMI000621				
514	RMI Delivery Ticket 471791 - RMI000622				
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516	RMI Delivery Ticket 472010 - RMI000624				
517	RMI Delivery Ticket 472005 - RMI000625				

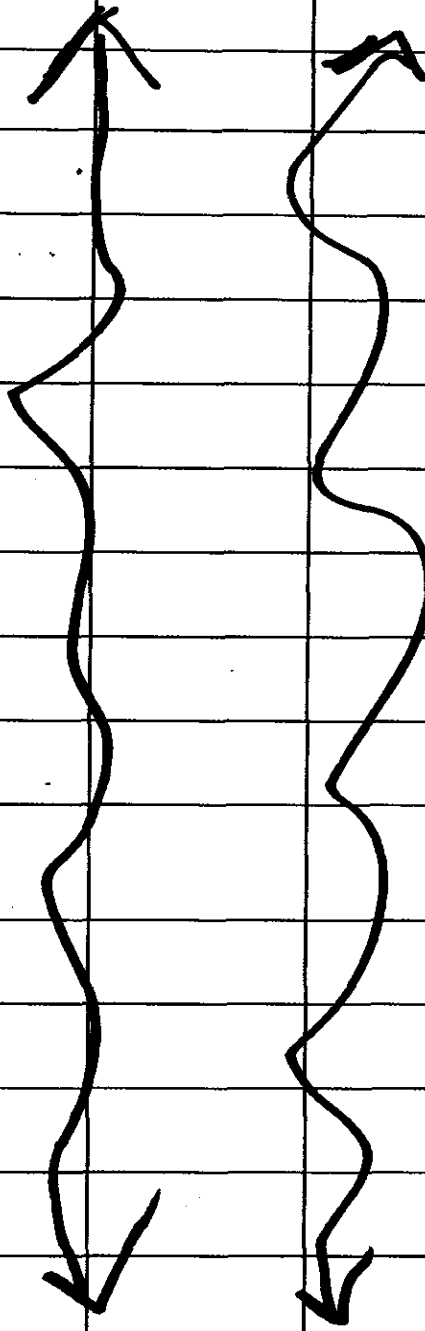
NOT USED



NOT USED

518	RMI Delivery Ticket 472004 - RMI000626	NOT USED		
519	RMI Delivery Ticket 472002 - RMI000627			
520	RMI Delivery Ticket 472000 - RMI000628			
521	RMI Delivery Ticket 471999 - RMI000629			
522	RMI Delivery Ticket 471998 - RMI000630			
523	RMI Delivery Ticket 471997 - RMI000631			
524	RMI Delivery Ticket 471995 - RMI000632			
525	RMI Delivery Ticket 472001 - RMI000633			
526	RMI Delivery Ticket 471994 - RMI000634			
527	RMI Delivery Ticket 472842 - RMI000635			
528	RMI Delivery Ticket 472814 - RMI000636			
529	RMI Delivery Ticket 472808 - RMI000637			
530	RMI Delivery Ticket 472913 - RMI000638			
531	RMI Delivery Ticket 472912 - RMI000639			
532	RMI Delivery Ticket 472911 - RMI000640			
533	RMI Delivery Ticket 472907 - RMI000641			
534	RMI Delivery Ticket 472906 - RMI000642			
535	RMI Delivery Ticket 472905 - RMI000643	NOT USED		

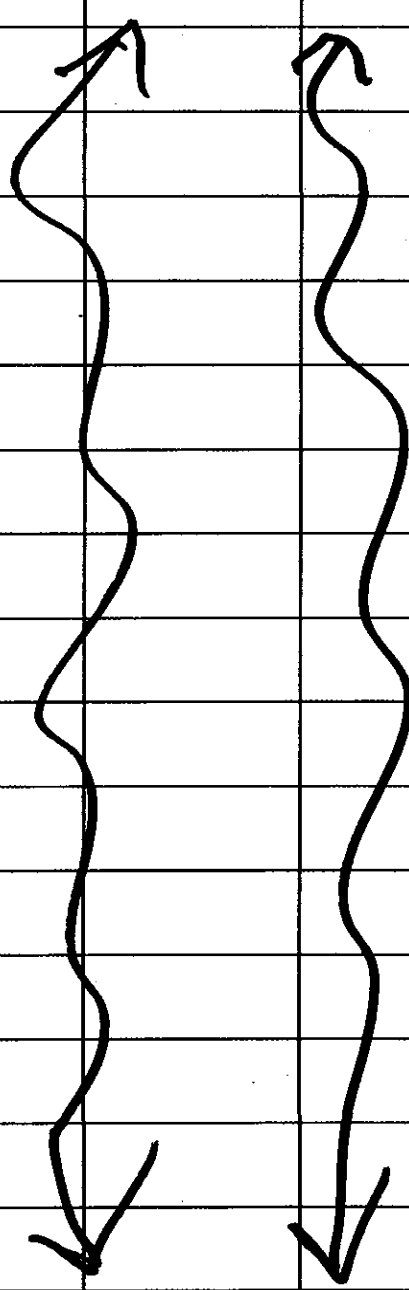
536	RMI Delivery Ticket 472904 - RMI000644	NOT USED		
537	RMI Delivery Ticket 472902 - RMI000645			
538	RMI Delivery Ticket 472900 - RMI000646			
539	RMI Delivery Ticket 472899 - RMI000647			
540	RMI Delivery Ticket 472898 - RMI000648			
541	RMI Delivery Ticket 472897 - RMI000649			
542	RMI Delivery Ticket 472896 - RMI000650			
543	RMI Delivery Ticket 472895 - RMI000651			
544	RMI Delivery Ticket 472894 - RMI000652			
545	RMI Delivery Ticket 472893 - RMI000653			
546	RMI Delivery Ticket 472892 - RMI000654			
547	RMI Delivery Ticket 472891 - RMI000655			
548	RMI Delivery Ticket 472890 - RMI000656			
549	RMI Delivery Ticket 472889 - RMI000657			
550	RMI Delivery Ticket 472975 - RMI000658			
551	RMI Delivery Ticket 472965 - RMI000659			
552	RMI Delivery Ticket 472964 - RMI000660			
553	RMI Delivery Ticket 472957 - RMI000661	NOT USED		

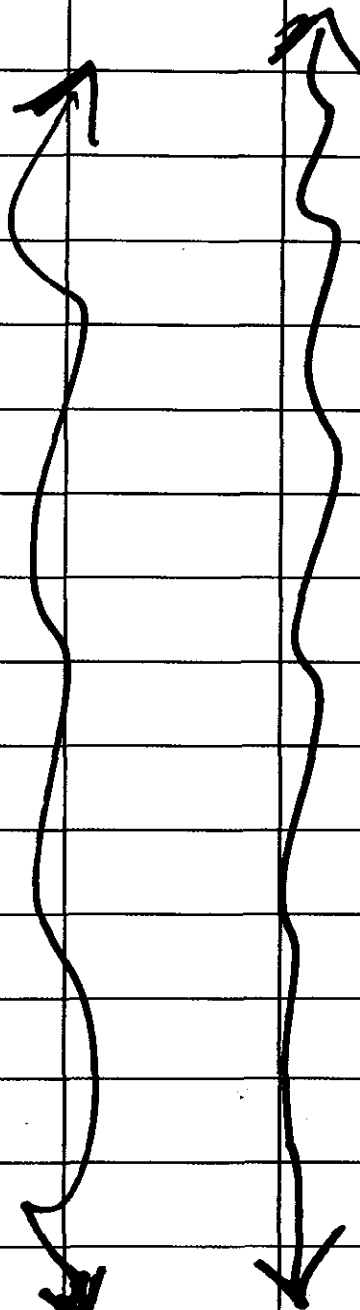
554	RMI Delivery Ticket 472956 - RMI000662	NOT USED	
555	RMI Delivery Ticket 472952 - RMI000663		
556	RMI Delivery Ticket 472949 - RMI000664		
557	RMI Delivery Ticket 472948 - RMI000665		
558	RMI Delivery Ticket 472947 - RMI000666		
559	RMI Delivery Ticket 472945 - RMI000667		
560	RMI Delivery Ticket 472938 - RMI000668		
561	RMI Delivery Ticket 472936 - RMI000669		
562	RMI Delivery Ticket 472931 - RMI000670		
563	RMI Delivery Ticket 472930 - RMI000671		
564	RMI Delivery Ticket 472928 - RMI000672		
565	RMI Delivery Ticket 472927 - RMI000673		
566	RMI Delivery Ticket 472925 - RMI000674		
567	RMI Delivery Ticket 472924 - RMI000675		
568	RMI Delivery Ticket 472922 - RMI000676		
569	RMI Delivery Ticket 472921 - RMI000677		
570	RMI Delivery Ticket 472920 - RMI000678		
571	RMI Delivery Ticket 472916 - RMI000679	NOT USED	

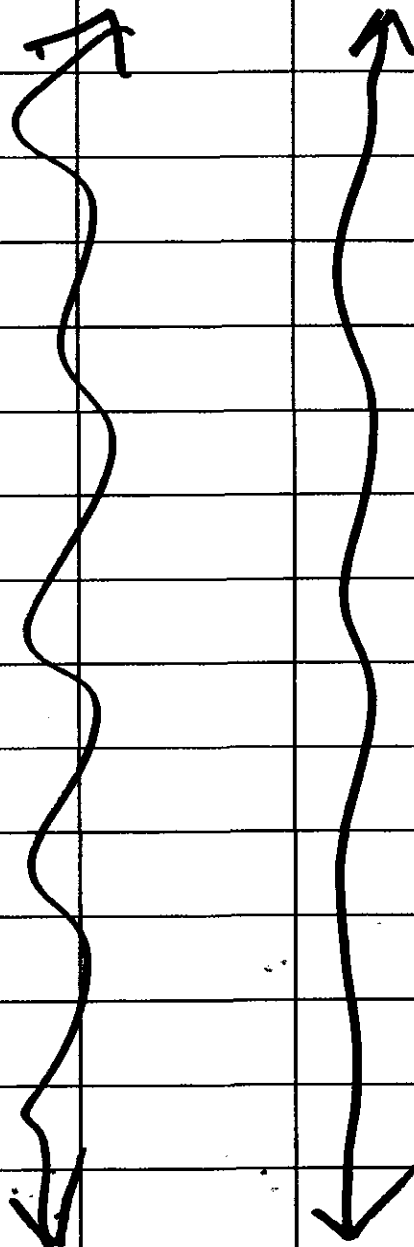
572	RMI Delivery Ticket 473267 - RMI000680	NOT USED		
573	RMI Delivery Ticket 473260 - RMI000681			
574	RMI Delivery Ticket 473259 - RMI000682			
575	RMI Delivery Ticket 473253 - RMI000683			
576	RMI Delivery Ticket 473227 - RMI000684			
577	RMI Delivery Ticket 473225 - RMI000685			
578	RMI Delivery Ticket 473223 - RMI000686			
579	RMI Delivery Ticket 473222 - RMI000687			
580	RMI Delivery Ticket 473215 - RMI000688			
581	RMI Delivery Ticket 473214 - RMI000689			
582	RMI Delivery Ticket 473213 - RMI000690			
583	RMI Delivery Ticket 473212 - RMI000691			
584	RMI Delivery Ticket 473211 - RMI000692			
585	RMI Delivery Ticket 473210 - RMI000693			
586	RMI Delivery Ticket 473209 - RMI000694			
587	RMI Delivery Ticket 473208 - RMI000695			
588	RMI Delivery Ticket 473207 - RMI000696			
589	RMI Delivery Ticket 473206 - RMI000697	NOT USED		

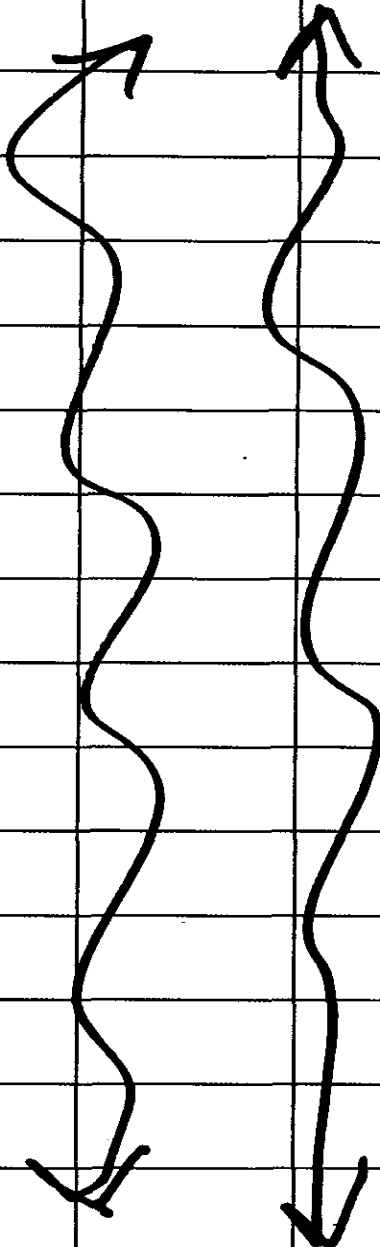


590	RMI Delivery Ticket 473205 - RMI000698	NOT USED		
591	RMI Delivery Ticket 473316 - RMI000699			
592	RMI Delivery Ticket 473321 - RMI000700			
593	RMI Delivery Ticket 473320 - RMI000701			
594	RMI Delivery Ticket 473319 - RMI000702			
595	RMI Delivery Ticket 473318 - RMI000703			
596	RMI Delivery Ticket 473334 - RMI000704			
597	RMI Delivery Ticket 473392 - RMI000705			
598	RMI Delivery Ticket 473383 - RMI000706			
599	RMI Delivery Ticket 473382 - RMI000707			
600	RMI Delivery Ticket 473379 - RMI000708			
601	RMI Delivery Ticket 473375 - RMI000709			
602	RMI Delivery Ticket 473373 - RMI000710			
603	RMI Delivery Ticket 473370 - RMI000711			
604	RMI Delivery Ticket 473357 - RMI000712			
605	RMI Delivery Ticket 473354 - RMI000713			
606	RMI Delivery Ticket 473352 - RMI000714			
607	RMI Delivery Ticket 473350 - RMI000715	NOT USED		

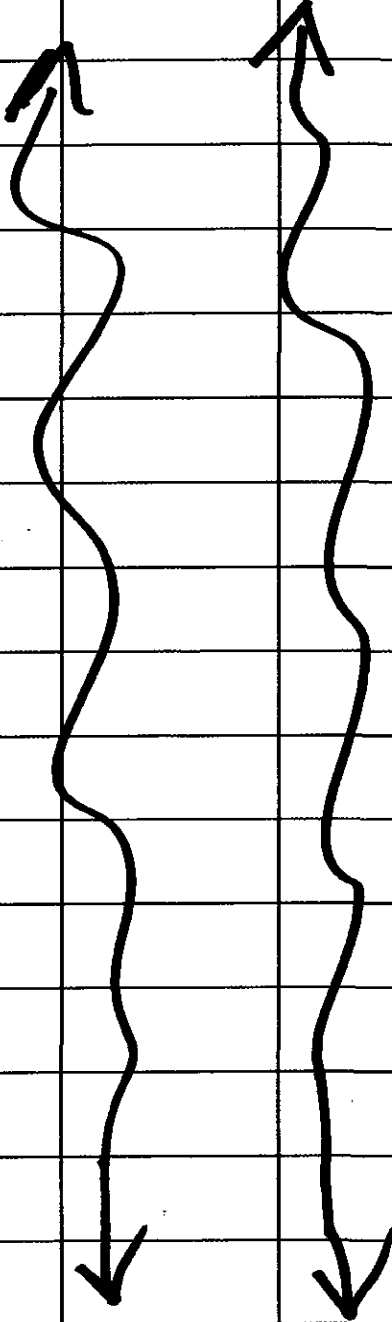
608	RMI Delivery Ticket 473347 - RMI000716	NOT USED		
609	RMI Delivery Ticket 473344 - RMI000717			
610	RMI Delivery Ticket 473342 - RMI000718			
611	RMI Delivery Ticket 473340 - RMI000719			
612	RMI Delivery Ticket 473339 - RMI000720			
613	RMI Delivery Ticket 473338 - RMI000721			
614	RMI Delivery Ticket 473336 - RMI000722			
615	RMI Delivery Ticket 473464 - RMI000723			
616	RMI Delivery Ticket 474092 - RMI000724			
617	RMI Delivery Ticket 474089 - RMI000725			
618	RMI Delivery Ticket 474074 - RMI000726			
619	RMI Delivery Ticket 474073 - RMI000727			
620	RMI Delivery Ticket 474071 - RMI000728			
621	RMI Delivery Ticket 474069 - RMI000729			
622	RMI Delivery Ticket 474066 - RMI000730			
623	RMI Delivery Ticket 474057 - RMI000731			
624	RMI Delivery Ticket 474055 - RMI000732			
625	RMI Delivery Ticket 474046 - RMI000733	NOT USED		

626	RMI Delivery Ticket 474032 - RMI000734	NOT USED	
627	RMI Delivery Ticket 474022 - RMI000735		
628	RMI Delivery Ticket 474019 - RMI000736		
629	RMI Delivery Ticket 474014 - RMI000737		
630	RMI Delivery Ticket 474013 - RMI000738		
631	RMI Delivery Ticket 474012 - RMI000739		
632	RMI Delivery Ticket 474011 - RMI000740		
633	RMI Delivery Ticket 474010 - RMI000741		
634	RMI Delivery Ticket 474003 - RMI000742		
635	RMI Delivery Ticket 474001 - RMI000743		
636	RMI Delivery Ticket 475239 - RMI000744		
637	RMI Delivery Ticket 474709 - RMI000745		
638	RMI Delivery Ticket 474707 - RMI000746		
639	RMI Delivery Ticket 474703 - RMI000747		
640	RMI Delivery Ticket 474702 - RMI000748		
641	RMI Delivery Ticket 474701 - RMI000749		
642	RMI Delivery Ticket 474698 - RMI000750	NOT USED	
643	RMI Delivery Ticket 474697 - RMI000751		

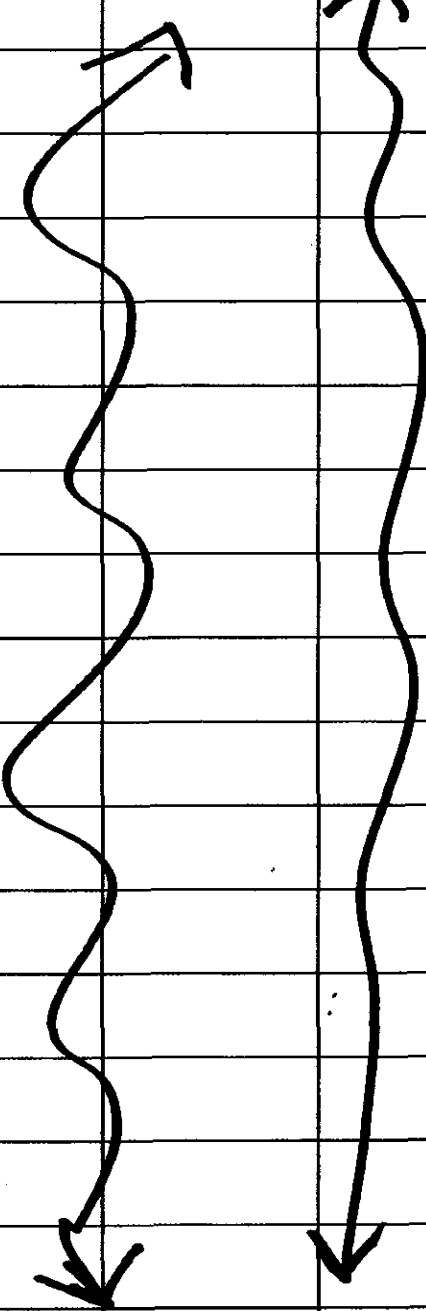
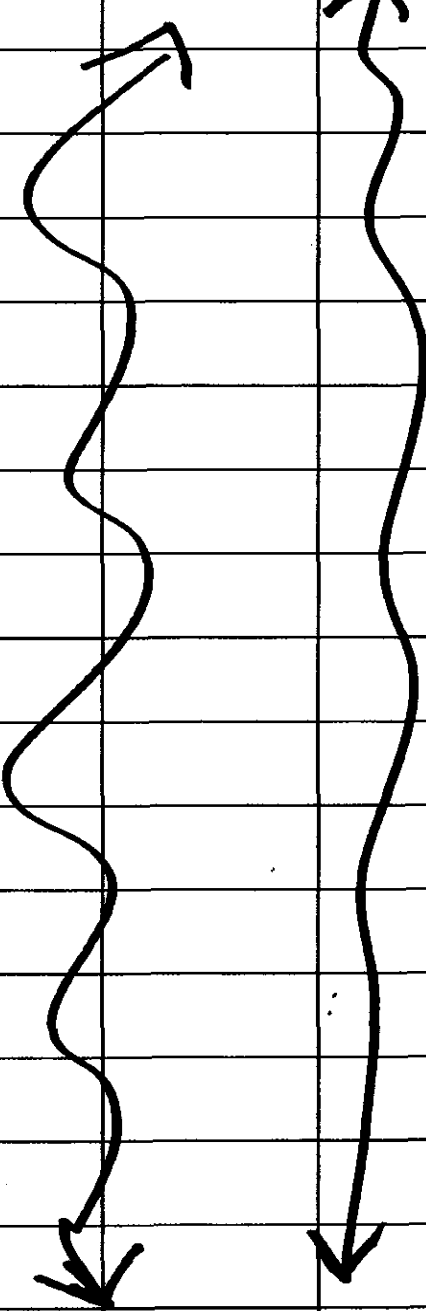
644	RMI Delivery Ticket 474696 - RMI000752	NOT USED		
645	RMI Delivery Ticket 474695 - RMI000753			
646	RMI Delivery Ticket 474694 - RMI000754			
647	RMI Delivery Ticket 474693 - RMI000755			
648	RMI Delivery Ticket 474692 - RMI000756			
649	RMI Delivery Ticket 474691 - RMI000757			
650	RMI Delivery Ticket 474689 - RMI000758			
651	RMI Delivery Ticket 474688 - RMI000759			
652	RMI Delivery Ticket 474687 - RMI000760			
653	RMI Delivery Ticket 474686 - RMI000761			
654	RMI Delivery Ticket 474684 - RMI000762			
655	RMI Delivery Ticket 474681 - RMI000763			
656	RMI Delivery Ticket 474680 - RMI000764			
657	RMI Delivery Ticket 474773 - RMI000765			
658	RMI Delivery Ticket 474765 - RMI000766			
659	RMI Delivery Ticket 474959 - RMI000767			
660	RMI Delivery Ticket 474957 - RMI000768			
661	RMI Delivery Ticket 474954 - RMI000769	NOT USED		

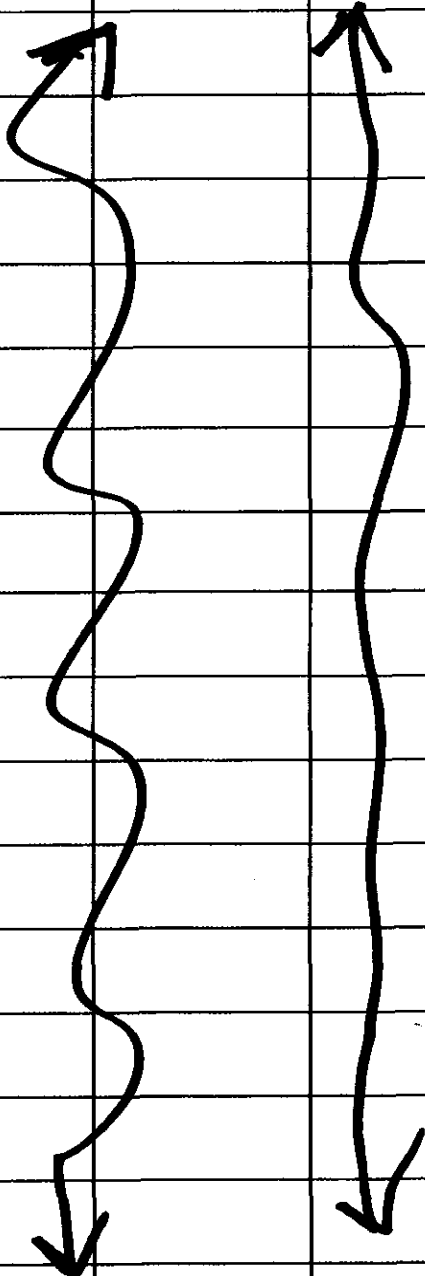
662	RMI Delivery Ticket 474953 - RMI000770	NOT USED		
663	RMI Delivery Ticket 474961 - RMI000771			
664	RMI Delivery Ticket 485001 - RMI000772			
665	RMI Delivery Ticket 484998 - RMI000773			
666	RMI Delivery Ticket 484979 - RMI000774			
667	RMI Delivery Ticket 484977 - RMI000775			
668	RMI Delivery Ticket 484959 - RMI000776			
669	RMI Delivery Ticket 484950 - RMI000777			
670	RMI Delivery Ticket 484942 - RMI000778			
671	RMI Delivery Ticket 484940 - RMI000779			
672	RMI Delivery Ticket 484935 - RMI000780			
673	RMI Delivery Ticket 484934 - RMI000781			
674	RMI Delivery Ticket 475215 - RMI000782			
675	RMI Delivery Ticket 475214 - RMI000783			
676	RMI Delivery Ticket 475213 - RMI000784			
677	RMI Delivery Ticket 475212 - RMI000785			
678	RMI Delivery Ticket 475210 - RMI000786			
679	RMI Delivery Ticket 475207 - RMI000787	NOT USED		

680	RMI Delivery Ticket 475206 - RMI000788	NOT USED		
681	RMI Delivery Ticket 475205 - RMI000789			
682	RMI Delivery Ticket 475204 - RMI000790			
683	RMI Delivery Ticket 475203 - RMI000791			
684	RMI Delivery Ticket 475202 - RMI000792			
685	RMI Delivery Ticket 475201 - RMI000793			
686	RMI Delivery Ticket 475200 - RMI000794			
687	RMI Delivery Ticket 475199 - RMI000795			
688	RMI Delivery Ticket 475197 - RMI000796			
689	RMI Delivery Ticket 475195 - RMI000797			
690	RMI Delivery Ticket 475194 - RMI000798			
691	RMI Delivery Ticket 475190 - RMI000799			
692	RMI Delivery Ticket 475189 - RMI000800			
693	RMI Delivery Ticket 475188 - RMI000801			
694	RMI Delivery Ticket 475187 - RMI000802			
695	RMI Delivery Ticket 475186 - RMI000803			
696	RMI Delivery Ticket 475182 - RMI000804			
697	RMI Delivery Ticket 475181 - RMI000805	NOT USED		

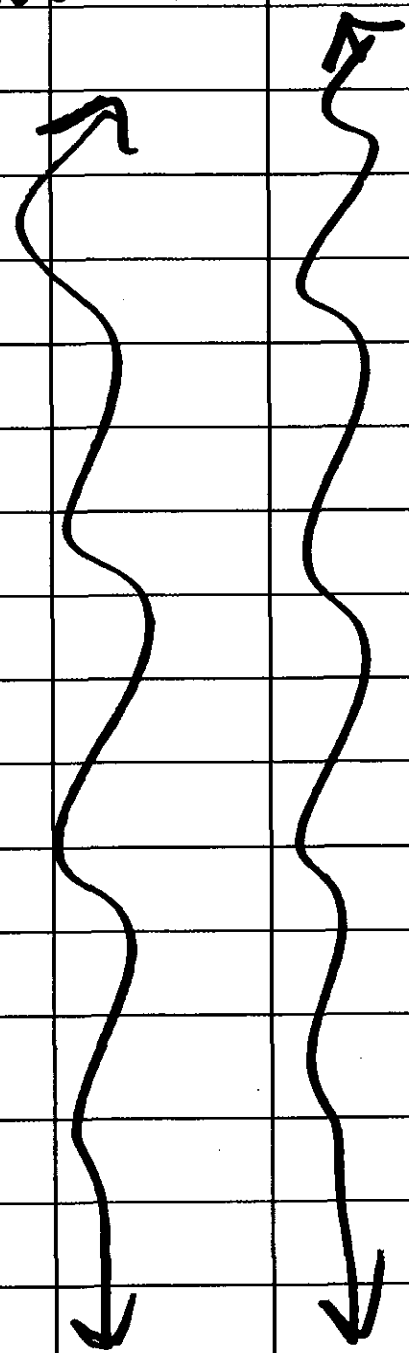


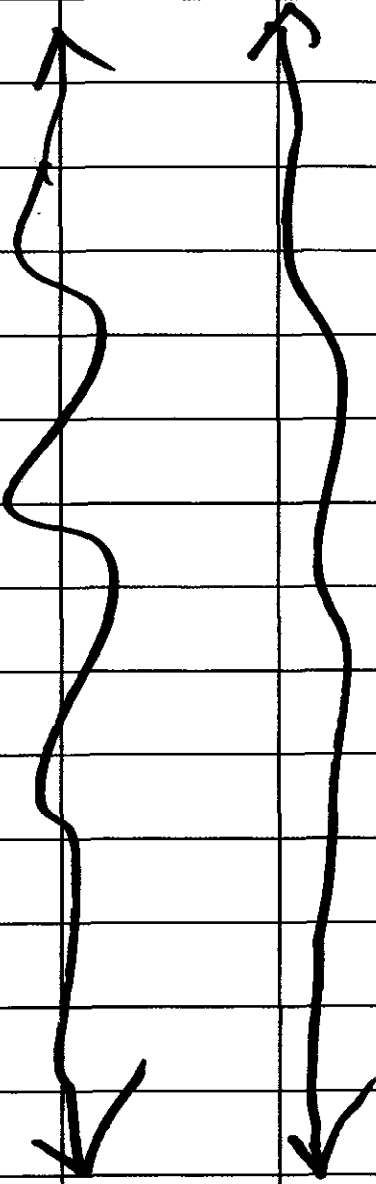
Hand-drawn arrows indicating a sequence: one arrow points upwards from row 697 to row 680, and another arrow points downwards from row 680 to row 697, forming a loop.

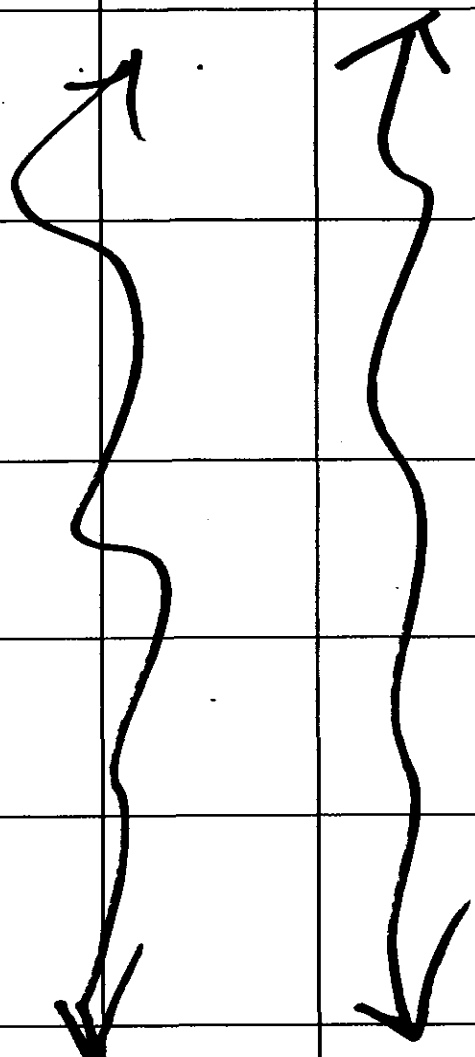
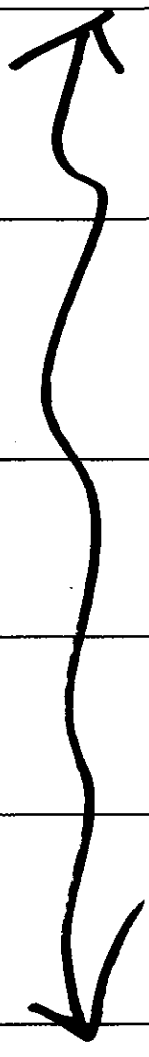
698	RMI Delivery Ticket 475173 - RMI000806	NOT USED		
699	RMI Delivery Ticket 475170 - RMI000807			
700	RMI Delivery Ticket 475167 - RMI000808			
701	RMI Delivery Ticket 475166 - RMI000809			
702	RMI Delivery Ticket 475162 - RMI000810			
703	RMI Delivery Ticket 475160 - RMI000811			
704	RMI Delivery Ticket 475159 - RMI000812			
705	RMI Delivery Ticket 475158 - RMI000813			
706	RMI Delivery Ticket 475317 - RMI000814			
707	RMI Delivery Ticket 475316 - RMI000815			
708	RMI Delivery Ticket 475315 - RMI000816			
709	RMI Delivery Ticket 475314 - RMI000817			
710	RMI Delivery Ticket 475313 - RMI000818			
711	RMI Delivery Ticket 475312 - RMI000819			
712	RMI Delivery Ticket 475363 - RMI000820			
713	RMI Delivery Ticket 475358 - RMI000821			
714	RMI Delivery Ticket 475355 - RMI000822	NOT USED		
715	RMI Delivery Ticket 475354 - RMI000823			

716	RMI Delivery Ticket 475349 - RMI000824	NOT USED		
717	RMI Delivery Ticket 475348 - RMI000825			
718	RMI Delivery Ticket 475347 - RMI000826			
719	RMI Delivery Ticket 475345 - RMI000827			
720	RMI Delivery Ticket 475344 - RMI000828			
721	RMI Delivery Ticket 475341 - RMI000829			
722	RMI Delivery Ticket 475340 - RMI000830			
723	RMI Delivery Ticket 475338 - RMI000831			
724	RMI Delivery Ticket 475337 - RMI000832			
725	RMI Delivery Ticket 475336 - RMI000833			
726	RMI Delivery Ticket 475334 - RMI000834			
727	RMI Delivery Ticket 475333 - RMI000835			
728	RMI Delivery Ticket 475332 - RMI000836			
729	RMI Delivery Ticket 475331 - RMI000837			
730	RMI Delivery Ticket 475330 - RMI000838			
731	RMI Delivery Ticket 475327 - RMI000839			
732	RMI Delivery Ticket 475328 - RMI000840			
733	RMI Delivery Ticket 475326 - RMI000841	NOT USED		



734	RMI Delivery Ticket 475325 - RMI000842	<b>NOT USED</b>		
735	RMI Delivery Ticket 475323 - RMI000843			
736	RMI Delivery Ticket 475322 - RMI000844			
737	RMI Delivery Ticket 475321 - RMI000845			
738	RMI Delivery Ticket 475320 - RMI000846			
739	RMI Delivery Ticket 475319 - RMI000847			
740	RMI Delivery Ticket 475318 - RMI000848			
741	RMI Delivery Ticket 475783 - RMI000849			
742	RMI Delivery Ticket 475782 - RMI000850			
743	RMI Delivery Ticket 475781 - RMI000851			
744	RMI Delivery Ticket 475780 - RMI000852			
745	RMI Delivery Ticket 475779 - RMI000853			
746	RMI Delivery Ticket 475778 - RMI000854			
747	RMI Delivery Ticket 475776 - RMI000855			
748	RMI Delivery Ticket 475774 - RMI000856			
749	RMI Delivery Ticket 475773 - RMI000857			
750	RMI Delivery Ticket 475772 - RMI000858			
751	RMI Delivery Ticket 475771 - RMI000859	<b>NOT USED</b>		

752	RMI Delivery Ticket 475770 - RMI000860	NOT USED		
753	RMI Delivery Ticket 475769 - RMI000861			
754	RMI Delivery Ticket 475768 - RMI000862			
755	RMI Delivery Ticket 475767 - RMI000863			
756	RMI Delivery Ticket 475765 - RMI000864			
757	RMI Delivery Ticket 475764 - RMI000865			
758	RMI Delivery Ticket 475763 - RMI000866			
759	RMI Delivery Ticket 475762 - RMI000867			
760	RMI Delivery Ticket 475761 - RMI000868			
761	RMI Delivery Ticket 475836 - RMI000869			
762	RMI Delivery Ticket 475841 - RMI000870			
763	RMI Delivery Ticket 475840 - RMI000871			
764	RMI Delivery Ticket 475839 - RMI000872			
765	RMI Delivery Ticket 475838 - RMI000873			
766	RMI Delivery Ticket 475837 - RMI000874			
767	Otis Elevator, Ahern Rentals, Inquipco Certified Mail Receipts -RMI000875	NOT USED		

768	Thyssen Krupp elevator, Gemstone Development, Apco Construction Certified Mail Receipts - RMI000876	NOT USED			
769	Accuracy Glass & Mirror, Paramount Scaffold, Steel Structures Certified Mail Receipts - RMI000877				
770	Nevada Prefab Engineers, The Pressure Grout Company, Noorda Sheet Metal Certified Mail Receipts - RMI000878				
771	Apco Construction, Interstate Plumbing & Air, Carpet-N-More Certified Mail Receipts- RMI000879				
772	Viking Supply, Fast Glass, John Deere Landscapes Certified Mail Receipt - RMI000880				
773	Creative Home Theater, Graybar Electric, Camco Pacific Certified Mail Receipts - RMI000881				
774	Concrete Visions, Able Body Labor, Helix Electric Certified Mail Receipts - RMI000882	NOT USED			

775	Nevada Power Company, White Cap Industries, HD Supply Waterworks Certified Mail Receipts - RMI000883	NOT USED			
776	WRG Design, Arch Aluminum & Glass, Dave Peterson Framing Certified Mail Receipts - RMI000884				
777	Zitting Brothers Construction, Atlas Construction Supply, Gale Building Products Certified Mail Receipts- RMI000885				
778	Northstar Concrete, Nedco Supply, Executive Plastering Certified Mail Receipts - RMI000886				
779	SelectBuild of Nevada, Eastridge Personnel, Tower Equipment Certified Mail Receipts - RMI000887				

# PEEL BRIMLEY LIEN CLAIMANTS'

## EXHIBIT LIST – A571228

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

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

Grubb & Ellis  
Non-Party

VAULT EXHIBIT FORM

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

Date Offered      Objection      Date Admitted

A. Purchase & Sale Agreement	3/1/13	NO	3/1/13
B. First Amendment to Purchase & Sale Agreement			
C. Second Amendment to Purchase & Sale Agreement			
D. Transcript of Hearing 8/16/12			
E. Transcript of Hearing 8/21/12			
F. Transcript of Hearing 9/16/12			
G. Transcript of Hearing 10/19/12			
H. Transcript of Hearing 10/16/12			
I. Transcript of Hearing 11/16/12			
J. Transcript of Hearing 12/6/12			
K. Affidavit of Brad Scott			
L. Grubb & Ellis Agreement	3/1/13	NO	3/1/13

Scott

## EXHIBITS

	OFFERED	ADMITTED	
DATE	OBJ	DATE	

## EXHIBIT LIST

**CASE NO. A571228**

**TRIAL DATE:** JANUARY 17, 2018

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

**DEPT. NO.: XIII**

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

**Plaintiff:** APCO Construction  
**vs.**  
**Defendant:** Gemstone Development West, Inc., et al.

**Counsel:** Cody S. Mounteer;  
J. Randall Jeffries  
**Counsel:** Unrepresented.

### Related Cases:

**Plaintiff-in-Intervention:** National Wood Products, Inc.  
**vs.**  
**Defendant-in-Intervention:** APCO Construction  
**Defendant-in-Intervention:** Camco Pacific Construction  
Company, Inc.

**Counsel:** Richard L. Tobler; John B. Taylor;  
S. Judy Hirahara  
**Counsel:** Cody Mounteer; J. Randall Jeffries  
**Counsel:** Steven L. Morris

**Counter Claimant:** Camco Pacific Construction  
Company, Inc.  
**vs.**  
**Counter Defendant:** National Wood Products, Inc.

## TRIAL BEFORE COURT

### PLAINTIFF APCO CONSTRUCTION'S EXHIBITS<sup>1</sup>

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

*Returned to Counsel*

*Returned to Counsel*

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

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

*Returned to Counsel*

*Returned to Counsel*



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



### EXHIBIT LIST

**CASE NO. A571228**

**TRIAL DATE:** JANUARY 9, 2018

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

**DEPT. NO.: XIII**

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

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

**COUNSEL:** Cody S. Mounteer;  
J. Randall Jeffries  
**COUNSEL:** Unrepresented.

**RELATED CASES:**

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

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

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

**COUNSEL:** Cody Mounteer; J. Randall Jeffries  
**COUNSEL:** Steven L. Morris

**COUNTER CLAIMANT:** Camco Pacific Construction  
Company, Inc.

**vs.**  
**COUNTER DEFENDANT:** National Wood Products, Inc.

### **TRIAL BEFORE COURT**

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

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